

P.O. Box 6753  
Huntington, WV 25773  
April 11, 2005

Stephanie Timmermeyer  
Secretary, Dept. of Environmental Protection  
601 57<sup>th</sup> Street SE  
Charleston, WV 25304

**RE: Response to your Feb. 28 letter about out Feb. 10 visit**

Ms. Timmermeyer,

We would like to respond to your letter dated Feb. 28, 2005. Please excuse the delay; this is our first chance to send a formal response to your letter.

We will respond to the action items generally, as Coal River Mountain Watch has already sent more specific reactions to the items you list in your letter. Outside of the training on permit reading, your Feb. 28 letter did not fully address the concerns we enumerated on Feb. 10. Instead of addressing our concerns, you simply reiterated concerns that we had raised, to which we have not seen any real attention given. In fact, soon after our Feb. 10 meeting, we again saw a news article citing your efforts to speed up coal permits. Not only are you ignoring our very serious concerns, but you were also apparently misrepresenting your intentions when you told us on Feb. 10 that you are not working to speed up coal permits.

We would like to respond specifically to your closing statement in which you say how disappointed you were with our members' accusations and behavior. Please understand, in our view, that if you had been acting professionally all along, we would not have felt the need to force you to meet with us on Feb. 10. In fact, it should not disappoint you, but rather shame you that citizens of West Virginia feel like they have to use the means we did to in order to have a government official listen to them. We arrived at DEP headquarters as we did, because of the problems in your agency--people feel like your agency never listens to their concerns, is highly dishonest, and can be bought and sold by wealthy corporate interests.

You claim that our members used dishonest means to get you to meet with us. We can't change your opinion, but remember who is the public and who is the public servant here. The very week you accuse of us of being dishonest, your agency had been dishonest with residents about the flocculent spill in Boone County. Your agency failed to warn residents of Boone County that they were in danger due to this spill. Your continued dishonesty (this being only a single example) puts people's lives at risk every day.

You also claim that you have never refused to meet with citizens who bring up environmental concerns. Do you not recall the time we tried to meet with you when you fired Matt Crum? (To jog your memory, see the Aug. 26, 2003 People in Action section of our website, [www.ohvec.org](http://www.ohvec.org), where you can find reference to two different occasions in which you would not meet with residents.) You have a habit of sending a

representative with an apology for your absence. Are you unwilling to face even a minimal level of accountability?

We acknowledge that there were some signs that were not flattering to you, but we would like to remind you of the attitude that you and the agency you oversee have towards the citizens living in areas of mountaintop removal. With every permit for a mountaintop removal job that goes through your department, you in essence are saying that coalfield residents' lives are expendable. This is the ultimate insult. You are saying that their lives are cheap, that they are cheap, and that they don't count. You are reducing West Virginians to less than human beings, allowing coalfield residents and their homes to be buried, flooded and blasted and their communities demoralized, depressed and ultimately disappeared.

In fact some of those unflattering signs refer directly to an attitude that you believe in. This attitude is one which allows your agency to serve the coal industry above the people. Please see the same action alert above where we reference a paper that you wrote a few years ago in which you clearly state the attitude that those with more money get government to work for them and that those without money cannot.

The residents of Southern WV should not have needed such a meeting if your department was truly listening to their concerns, and was truly doing its job. The folks who attended that meeting could have been going about their lives instead of meeting with you, but they felt compelled to let you know, in person, that they feel they cannot rely on you for protection of their homes and homelands. Do your job! You are required by law to serve the people of this state, and you are failing severely by allowing the injustice of mountaintop removal to go on unimpeded.

Please let us know when you have made any progress in rectifying the concerns that were raised on February 10.

Sincerely,

Michael Morrison,  
Member, Ohio Valley Environmental Coalition

Abraham Mwaura  
Community Organizer, Ohio Valley Environmental Coalition