

Fear and Loathing in the Coal Fields Tour Shows Mountaintop Removal's Dark Side

by Laura Forman

In April, OVEC participated in a tour of Arch Coal's Hobet 21 Mine. This is the reclaimed "jewel" that Arch Coal shows to federal government officials in order to impress them with their ability to restore the land following the ravages of mountain massacre mining.

Arch Coal originally invited federal Office of Surface Mining Director Kathy Karpan to tour the site to counteract what citizens and the media have been saying about mountaintop removal/valley fill strip mining - more aptly named mountain massacre mining.

Karpan agreed to this industry tour, although she set aside no time in her visit to West Virginia to take a tour of citizen's homes and property impacted by the huge strip mining operations.

Perhaps OSM recognized the folly of the director appearing to cater to the coal industry while ignoring citizens, a pattern Karpan keeps following. Remember her treatment of West Virginia citizens in January in Washington, DC? Consequently, representatives from the Highlands Conservancy, WV Organizing Project, WV Environmental Council, the League of Women Voters and OVEC were invited to tour the Hobet 21 site with Karpan.

OSM and perhaps Arch Coal dictated who would be invited and from these groups only one citizen directly impacted by mining was present. All attempts by the media to join the tour were denied by Arch Coal.

Hobet 21 is an enormous operation in which the environment is in various states of destruction and supposed reclamation. Everyone on the tour was given a hard hat and safety training (maybe as a courtesy, Arch could do the same for folks in Blair and other affected communities.)

As the tour bus bumped and jostled us over the rough terrain, Arch Coal employees proudly pointed out the wildlife habitat they had "created" since 1985 - mainly sparse patches of non-native vegetation and small locust trees. There was no real diversity there, certainly no hardwood trees. The pitiful scenery at Hobet 21 was certainly not enhanced by the giant mounds of discarded tires. I wonder what kind of wildlife would live in heaps of rubber!

At one point the bus stopped at a platform that overlooked this vast new West Virginia prairie created by Arch Coal. As the tour group approached the platform, a mallard flew into view. (I had a brief vision of an Arch employee crouched and waiting for just the right moment to release the captive fowl from its cage.) Arch Coal officials puffed up with pride at this verification of their promise of abundant wildlife. But during the entire tour I saw only two turkey vultures, a mockingbird, a mallard and heard a few frogs in one of the constructed ponds.

What struck me most about this "reclaimed wildlife area" were the ghostly quiet, the desolation and the feeling that we had traveled onto a movie set where the facades were supposed to depict the beauty of nature to the audience, but the set designer either ran short of funds or time or inspiration and the whole thing fell flat.

While the Arch Coal lookout platform was set in the midst of the "reclaimed" land, it faced the far-off dragline in current operation.

Even at a distance, the dragline appeared to be a monster devouring the earth, one greedy gulp after another. As I stood on the arid, rutted ground attempting to avoid a twisted ankle, Mike Miano, the then just-appointed assistant director of the WV Division of Environmental Protection approached (he is now the director.)

Miano pointed out that while the dragline in action could be a disturbing sight, I should turn around and look at this flat land ready for housing and other development. "Mountaintop removal is a good thing for West Virginia," Miano said.

The fact that this operation was destroying current communities and displacing people at a phenomenal rate made little impression on him.

The fact that this land we walked on seemed unstable, that there was no current infrastructure and that the water in the area was unfit for consumption didn't seem to enter into Miano's fantasy either.

While I might have expected these kinds of laughable defenses of mountain massacre from the coal company itself, I was not expecting it from the person who would be the new director of WV Division of Environmental PROTECTION. I might as well have been speaking to the coal industry, since Miano recently left Pittston Coal after five years. Prior to that, he spent eight years as a general manager for Southern Ohio Coal Co.

And since it was Jack "we in the industry" Caffrey who hired Miano, it doesn't take a rocket scientist to know whose interests will be served under Miano's tenure. And not only is Miano's appointment unethical, it is also illegal.

Since he worked for a company regulated by US EPA within the last two years, he is not allowed to have a say on water quality permits, a large part of what the DEP does.

Even though Miano's appointment has been questioned by EPA, the governor continues to defend the appointment of yet another ex-coal company employee to the DEP.

The bus rolled on, as did the depressing views of Hobet 21. During this entire industry-concocted charade, Karpan never once asked about the consequences to the environment or to the affected citizens from the mining.

She mostly made conversation with our "hosts," regaling them with stories from Wyoming and her family background in mining. At one point, Karpan did ask if the post-mined land could sustain trees for commercial use (like timbering).

The company's convoluted response was they had tried growing (non-native) Polonia trees but were not sure about native hardwoods on Hobet 21, that they would have been shipped to the Orient but the Polonia trees were stolen because they are so valuable.

Huh? O.K. - so if the company COULD grow a forest on these sites, they would grow a species of non-native trees to chop down and ship out of the country?! It seemed to make sense to Karpan.

Then the bus stopped at the active site where the dragline was gouging away. On an operation of this size one would expect to see hundreds of miners but there were only a few in sight. With today's mining technology, it doesn't take many human workers to massacre a mountain.

So there we stood, breathing in the thick dust, wearing our hard hats, watching the destruction wrought by the dragline, watching the dump trucks hauling away the land.

It was a bleak moment at best.

At that time, I hoped Karpan and the other regulators had read my OVEC shirt and reflected on its quote from Shakespeare: "Pardon me, thou bleeding piece of earth, that I am meek and gentle with these butchers."

Following the bus tour, we reconvened in a Hobet office to discuss the tour.

Although this was relatively unenlightening, a few statements stand out and should be recognized.

When asked about the tragic impacts of Arch's operation on the community of Blair, Steven Leer, president of Arch Coal, responded that Arch tried to be a good neighbor but with all the problems he had had with Blair, if he could be out of there immediately he would.

But, he emphasized, that dragline *must* keep going.

What a shame that Blair has been such a headache for their good neighbor Arch Coal and that residents didn't just walk away from their homes quietly without making a fuss!

Another compassionate Arch official claimed the people in Blair had nothing to complain about since they were being offered fair market values for their homes. And those property values in Blair have probably dropped dramatically now that more than half the community has moved out and most of those homes have been abandoned or burned out. As far as Arch is concerned, citizens in Blair have two choices: 1) Take whatever money they offer and give up or, 2) Try to live with the noise, dust, blasting, fly-rock and lousy water.

Another significant comment came from Karpan, when she proclaimed that Arch Coal competes better than other mines that cut corners. (Perhaps Karpan is a shareholder in Arch stock.) Although the point of her comment was unclear, the message was not - OSM Director Kathy Karpan supports companies like Arch Coal and what they are doing to the state of West Virginia, especially if they can make huge profits.

The tour showed that Hobet 21 is no testament to Arch Coal's commitment to environmental restoration. What they call reclamation is like attempting cosmetic surgery on a shattered and bleeding body.

It proved they cannot restore the beauty of what they have destroyed.

And there is no way of knowing the extent of what is lost when a mountain is destroyed and streams and valleys are filled in.

The tour was also proof of Arch's arrogant campaign to assault the land and the people in the name of profit and progress.

And this trip, while painful, was another reminder that in order to preserve the land and heritage and bring justice to the coal fields, we must work together to stop mountain massacre.

It won't go away by itself.

Joys and Sorrows: Ridgetops and Valleys

by Dianne Bady

I've been taking some time off from my OVEC job.
Instead of talking on the telephone, I've been listening to the birds sing.
Instead of sitting at the computer, I've been sitting on the ground in the midst of forested hills.

The only meetings I've been to have been held next to streams and on top of ridges, and

I've met with wild nature rather than with civilized man.

For over a month I've been basking in natural beauty. My usual way of knowing things, the way that gets me around in the world, has been eclipsed by a sense of the presence of the sacred in our forested hills.

So I was not emotionally equipped to deal with the ABC "Nightline" program on mountain massacre in West Virginia. The voices of my friends and colleagues, telling of the horror of mountains being reduced to moonscapes, overwhelmed me with pain.

I felt raw grief at again seeing the monster machines in the process of annihilating mountains and burying headwater streams.

The rationalizations of the wealthy coal men chilled me to the bone.

There's nothing they can say that could convince me that what they are doing is right. I know, as clearly as I know my own name, that demolishing entire landscapes is gravely wrong.

Most of us live busy lives, lives filled with work and family.

We put on emotional armor because we just don't have the time or energy to fully feel the pain that surrounds us in an imperfect society.

I know that when I go back to work, I'll have to put some of that armor back on.

But right now, while I'm spending my days with wood thrushes and frogs, I feel a grief beyond words at what "our" politicians are encouraging in this beautiful state.

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Meeting Highlights Threats to Mixed Mesophytic Forests

by Janet Fout

In late March, the Lucy Braun Association (LBA) met at Marshall University to discuss major threats to the mixed mesophytic forest. The meeting focused on the impacts of

mountaintop removal/valley fill strip mining, pollution, and clear-cutting on the Appalachian forests.

The keynote speaker, West Virginia Secretary of State Ken Hechler, gave an historical perspective about the power the coal industry has wielded in West Virginia's political arena for more than a century.

In spite of unionization which improved conditions for miners in the 20s, Big Coal is a dominating influence in WV politics. Hechler emphasized the need to level the political playing field by reducing the amount of special interest campaign contributions to candidates.

"The only way we are ever going to get anything done about protecting the people and forest (is to elect representatives) who look at human beings and human problems," Hechler said.

For instance, the People's Election Reform Coalition/WV, reported that Governor Cecil Underwood received more than half a million dollars from the coal industry and its allies for his 1996 campaign.

Since his election, Underwood not only appointed coal-industry insider John Caffrey to head the West Virginia Division of Environmental Protection (WV DEP), but then replaced him with Michael Miano, a former Pittston Coal employee and 20-year industry veteran, when Caffrey retired.

And, in spite of objections from the United States Environmental Protection Agency and even Caffrey (!), Underwood refused to veto a bill which allows coal companies to nearly double the size of valley fills (from 250 to 480 acres) without requiring any mitigation for the streams that are destroyed.

Freda Williams from the West Virginia Organizing Project, Randy Sprouse from the Coal River Mountain Watch, and OVEC's Laura Forman were members of a panel which discussed the impacts mountaintop removal/valley fill strip mining is having on coal field residents. Williams said that not only was reclamation not working, but people living in the communities were experiencing breathing problems from dust and losing their lives in accidents with coal trucks.

Randy Sprouse said residents living in the coal field often did not get involved in trying to bring greater justice to the affected areas because of a fear they will be kicked off the land.

Intimidation is still a major factor. Much of the land is owned by coal companies. He said some residents have been "dumped on for so long that they don't believe anything can be done" (to change the way coal companies operate).

Scientists from Lucy Braun also reported on catastrophic forest death throughout Appalachia. The Appalachian Forest Action Project, with support from the Lucy Braun Association and Trees for the Planet, coordinated a three year study that reveals trees are dying at two to four times the expected rate in our Appalachian forests.

The study pinpointed air pollution as a principal cause for the observed declines. Lowell Dodge of Trees for the Planet said the 2 percent annual mortality rate means that within ten years 20 percent of the trees are dead, with the potential for 100 percent die-off in fifty years!

Dr. Ori Loucks, the principal study advisor said, "The only plausible causal agents extending over such large areas are pollutants from the burning of fossil fuels. Nitrogen emissions from cars and power plants must be reduced, as well as sulfur emissions."

Dr. Frank Gilliam, a forest ecologist at Marshall University and an LBA member, has been studying the impacts of ozone pollution on high elevation hardwood forests in West Virginia. His study, published in the *Journal of Air & Waste Management Association* in 1995,

indicates that ozone concentrations were "well within the range values which were found by studies in the literature to be damaging to trees."

Ashland: Still Negotiating, But With A Difference

by Rick Bady

On April 15, a fire at the Marathon Ashland refinery resulted in thick, black smoke. Pat Davis, an OVEC member who lives in Kenova, WV, downwind of the Kentucky refinery, said, "the pollution really made me sick. I know that people need the jobs at the refinery, but a way should be found to reduce the pollution. There are too many violations of pollution laws there."

Ashland is now negotiating with regulators to settle environmental violations. How many times have we had to report that before?

But this time there are some differences.

Over the years, OVEC has often repeated what we felt was needed to resolve the ongoing pollution problems caused by the Catlettsburg refinery:

1. *Technical experts* to inspect the refinery and make suggestions for improvement;
2. *Federal legal intervention*;
3. *Different leadership* at the refinery.

After years of putting pressure on regulators and politicians, it looks like these have become reality. Over a year ago, a massive "multimedia" inspection was conducted by EPA's National Enforcement Investigation Center.

They found "numerous areas of potential noncompliance under most statutes and regulations investigated." For the first time, the US Department of Justice became involved and is now working to bring resolution to the long-standing problems. Results should be announced before summer.

As with past settlements, Ashland will have to fix various problems and pay fines, but this is the first time that experts from EPA have been involved in identifying what is needed.

The involvement of the Justice Department may make this the beginning of a new day for the refinery.

But it's a new beginning in another way as well. The recent refinery takeover by Marathon Oil has resulted in some significant changes in personnel at the Catlettsburg, KY, refinery. Some of the Ashland officials who seemed to be at the root of the problems are now gone. Marathon has a reputation for being a considerably better corporate neighbor than Ashland.

A number of significant improvements are already underway at the refinery as a result of the Marathon takeover and perhaps in anticipation of the upcoming settlement with the Justice Department.

After Ashland and the Justice Department reach agreement on what must be done at the refinery, the settlement needs to be approved by a federal judge. Citizens will have 30 days to comment. We'll keep you posted.

Officials Renew Health Advisory About Eating Ohio River Fish

The WV Division of Environmental Protection has renewed a longstanding advisory urging fishermen and their families to limit the amount of Ohio River fish they consume. The advisory, which has been in place since the 1980s, was extended and revised based on 1997 tissue samples from Ohio River fish. Species covered include channel catfish, carp, white bass, hybrid striped bass, sauger, fresh water drum, flathead catfish, and largemouth and smallmouth bass.

The fish samples, collected by the Ohio River Valley Sanitation Commission, were analyzed for polychlorinated biphenyls (PCBs), chlordanes, cadmium, lead and mercury.

People who frequently eat sport fish, women of child-bearing age and children are particularly susceptible to contaminants that build up in the body. Those who decide to eat the fish anyway should take precautions to minimize potential harm:

- * Eat smaller fish;
- * Eat skinless and boneless filets;
- * Remove dark meat from the sides and fat from the belly and top of the fish;
- * Bake, broil or grill the fish on an open rack to allow fats to drain away from the meat;
- * Discard the fats that cook out of the fish

(adapted from Associated Press, March 6, 1998)

Notre Dame Students See Mountaintop Massacre Up Close

by Janet Fout

About 20 college students from the University of Notre Dame who signed up for an Appalachian Work Seminar visited Kayford Mountain to see firsthand the destruction of West Virginia's mountains by mountaintop removal/valley fill strip mining.

The students, under the supervision of the Reverend Jeff Allen, coordinator for Charleston District Outreach Ministries, spent nearly two weeks in West Virginia repairing homes and doing other volunteer work.

Jeff thought it was important that they also personally visit Kayford Mountain before returning to school.

On a snowy day in March, we met at WV Citizen Action where students listened to Carlos Gore of Blair, WV, and Larry Gibson, whose family lived on Kayford Mountain at one time, tell of their personal efforts to save their communities from mountain massacre.

When we arrived at Larry's family park, he told them about his experiences as a child growing up on the mountain - mountain farms, a vanishing way of life.

He talked about the depth of his loss as he has watched the mountains disappear around his family cemetery for the past 11 years, as the Princess Beverly Mine continues to extract layer after layer of coal, dumping the former mountain into the adjacent valleys.

He speaks from the heart.

It isn't until we arrive at the top at the family cemetery that the full impact of Larry's words sink in. Many of the students couldn't believe their eyes. In spite of the snow, which whitened the landscape, the former mountains surrounding Kayford had been reduced to flattened, unfertile and nearly lifeless remnants.

"How could anyone do something like this just for money?" one student asked me.

"That's why they do it," was my reply.

OVEC hopes that by reaching out more to young people, we can show them why their youthful energy is needed.

After the field trip was over, some students expressed an interest in returning to help in our efforts. Let's hope it's not too late.

Show Your True (Green) Colors

Be sure to order your official OVEC T-SHIRTS, printed on 100% unbleached cotton. Designed by West Virginia artist Ruth Blackwell Rogers, this shirt has colors that match the fall foliage in our beautiful forests. Only \$15.00 Call OVEC at (304) 522-0246 to make your eco-purchase today!

In Their Own Words

by Janet Fout

Students at Cammack Middle School (Huntington, WV) sent OVEC letters reacting to Penny Loeb's August 11, 1997, article in *US News & World Report*, "Shear Madness." As you read these, think about the simple wisdom their words embody. For them, the solutions seem very clear. The following are direct quotes from those letters:

"I have to agree with many other people on this issue, when I say that I feel like the mining companies are taking advantage of West Virginia's laws and the coal that we have in our soil...I must say that people who were affected in her article have put up with a lot of problems...I am concerned for people in the areas in which mountain top removal methods are being used."

"I was shocked to learn about how some of West Virginia's lawmakers are letting coal companies remove our mountaintops. I was especially appalled to learn that the dragline is allowed as close as 300 feet of the nearest home. That's only the length of one football field! I was amazed to see how the coal companies still hold power in West Virginia's government...I am clearly against mountaintop removal. If we are so advanced in technology (as a society), why can't we come up with better ways to extract the coal from the mountains?"

"Thank you for reprinting the article...I felt that people shouldn't have to move because coal companies want coal. Residents should at least get a great sum of money for their houses...It pollutes the air and water, cracks house, and releases dangerous gases, which can cause deadly diseases. I felt bad for the kid with asthma...So, please inform a group of government officials to listen to what we have to say. I also have another great idea about stopping mountain top removal, there should be a vote for the kids, because it is the kids who are going to live in the conditions that adults leave for us.

P.S. Please notify me if there is a vote."

"It was very alarming; I hadn't considered the danger of the mountaintop removal method of extracting coal. The news was devastating, and I am deeply concerned about the future of our mountainous state.

I realize that we are making money, but in the near future we will lose much more. Tourism, which is one of our main sources of income, will fade away because our beautiful state will have lost its mountains. Contamination is also having an effect on the rivers from the destruction; this is an especially vital fact for people living close to the removal. Another big concern for people living close to the removal is the danger of the explosions. The blasts are harming or demolishing their homes. People are losing their lives because of the huge floods caused by the removal.

I think that we can all see that the mountaintop removal is doing more harm than good, and we need to appreciate our state for the beauty that it holds for all of us."

OVEC Goes Global - Look Out, Siberia!

In late August, 1998, Laura Forman, OVEC's organizing dynamo, will launch OVEC into the international arena! Laura was chosen to attend the Third North American-Russian Workshop on Joint Actions to Reduce Dioxin and Dioxin-related Compounds.

The meeting will be held in Baikalsk, a small city on the southern shore of Lake Baikal, in Siberia. The site was chosen because the Baikalsk Paper and Pulp mill (operating for 30 years), is a known site of dioxin contamination. In May 1997, a large die-off of freshwater seals (the Baikal nerpa) occurred - dozens of seal corpses clustered around the mill.

The objective of the workshop is to provide information and training on dioxin and methods of reducing dioxin levels. Participants will be discussing the latest data and research findings and develop plans for on-going cooperation.

Participants will include representatives of non-governmental organizations (like OVEC), leading dioxin scientists, representatives of regional and federal governments, and representatives of dioxin-related industry.

What a tribute to OVEC's and Laura's successful efforts against Apple Grove Pulp and Paper! We are honored that she has been asked to share her knowledge, organizing skills, and fighting spirit with people on the other side of the world. Siberia will never be the same!

Earth Day 1998 Celebration at Ritter Park A (Dry) Success

It was a cool day but the rain held off until late afternoon as OVEC and other groups celebrated Earth Day in Ritter Park in Huntington on April 18.

The Greater Huntington Park and Recreation District organized the four hour event, which included a volunteer clean-up of Fourpole Creek.

OVEC's staff and several volunteers handed out information on various issues, showed videos and sold eco-friendly items like OVEC's new organic cotton T-shirt and canvas tote bags.

Carlos Gore spoke about the ravages of mountain massacre to his hometown of Blair, WV. Many visitors to the OVEC table were youngsters who expressed shock and alarm at the devastation to southern West Virginia from massive strip mines and valley fills. We hope the

children will stay involved and help their parents recognize this threat to their future.

This event, like anything else that OVEC does, was made possible by our members who volunteer their time and effort. With appreciation to: Carlos Gore, Dan Kash, Ron Lafferty, Chelena McCoy, Norman Googel and Barak McCoy-Googel.

Cutting Off PACs It's Time for Clean Money Election Reform

by Gary Zuckett

I was shocked by a recent newspaper article, which stated that the expected turnout for this month's primary election would be less than one-third of the eligible voters in the state!

How can we have a democratic government representing the majority when only a minority is voting?

Voter apathy is a significant problem across the country. Why? One of the biggest reasons folks ignore elections is that there is rarely anyone worth voting for.

It doesn't take a rocket scientist to run for office - a visit to the Capitol during the session will confirm this - but it does take a ton of money.

Lots of excellent would-be candidates don't have fat bank accounts or rich friends to buy all those radio and TV ads, so they give up on the idea of running for office. As a result, our democracy suffers.

Where do the dollars come from to finance campaigns? According to a report released by the People's Election Reform Coalition/WV (PERC/WV), coal mine owners, bankers, insurance executives, developers, timber barons and other Big Business interest invest the lion's share of money into our state's political campaigns.

Voters are turned off and disgusted when the politicians (who are legally funded by selfish special interests) turn around and heap millions of WV tax dollars onto Corporate Welfare.

Big Timber got its property taxes cut (again) by the '98 WV legislature. When was the last time you got a property tax cut? *Money* magazine estimates that the federal government spends \$45 BILLION a year on unnecessary special interest subsidies. An outstanding return on investment.

We must get the dirty, special interest money out of politics if our democracy is to survive. This is not a pipe dream; Clean Money Campaign Reform is happening right now.

Vermont and Maine both have new laws that help level the playing field. Here's how it will work:

Under a clean money system, candidates who agree to forgo all private contributions (including their own) and accept strict spending limits receive limited and equal allocations to run their campaigns from a publicly-financed clean elections fund.

They must also meet all local ballot qualifications, and in addition, gather a significant number of signatures along with \$5 qualifying contributions from the voters they seek to represent.

Don't be fooled by election reform that just rearranges the deck chairs as the Titanic sinks. Clean Money Campaign Reform attacks the root cause - private special interest money. Clean

Money takes the special interests out and replaces it with the public interest. It changes "one dollar, one vote" back to "one person, one vote."

When first informed of this new approach to election our leaders, many wonder if we can afford it.

When one looks at the public cost of special interest tax breaks and giveaways, it's obvious we can't afford not to. (A public campaign system is estimated to cost between \$5-\$10 per voter.)

Of course, Clean Money is no cure-all. Dirty politicians will always find a way to profit from their positions.

But Clean Money will give voters a choice again. Real people, talking about real issues, will be able to afford to run for office.

Voters, having an alternative other than Twiddle-Dee and Twiddle-Dum, may be inspired to go to the polls and elect someone that represents THEM. What have we got to lose?
(taken from *Graffiti*, May, 1998)

Hechler Tells President Mountain Massacre Harming WV

by Laura Forman

WV Secretary of State Ken Hechler has long served the people in this state and has shown an unswerving commitment to the preservation of West Virginia's beauty and heritage that threatens to be obliterated by mountain massacre.

He has recently been the target for Governor Cecil Underwood's frustration over the ever-increasing media coverage.

President Clinton and Vice President Gore visited Harper's Ferry to commemorate Earth Day this year and Ken Hechler was there to tell them of the destruction to the state from mountaintop strip mining operations.

Although the president did not offer an immediate response, Hechler said he also spoke with other federal officials. Citing figures on 1996 campaign contributions from a WV-PERC report, of which OVEC is a parent member, Hechler said, "Unwilling to stop polluting the air and streams of West Virginia, the coal industry is now polluting the politics of our state."

Following the ABC *Nightline* program about mountain massacre in West Virginia, Hechler called a press conference to denounce this strip mining practice that destroys the mountains and water and displaces the people.

In 1974, during the struggle to outlaw strip mining, Hechler declared his opposition to mountaintop removal with these prophetic words to Congress; "Mountaintop removal is the most devastating form of mining on steep slopes. Once we scalp off a mountain and the spoil runs down the mountainside and the acid runs into the water supply, there is no way to check it. This is not only aesthetically bad, as anyone can tell who flies over the State of West Virginia or any places where the mountaintops are scalped off, but it is also devastating to those people who live below the mountain. They are displacing families and moving them out of those areas because everybody down slope from where there is mountaintop mining is threatened."

If only Congress could have seen as clearly as Ken Hechler did that what lay ahead for the mountains in West Virginia and other states was not economic prosperity by these massive strip

jobs, but environmental and human devastation.

Twenty-four years ago Hechler tried to prevent the tragedies that are occurring in places like Blair, Whitesville, Beech Creek and so many other communities, fragmented and despoiled and at the mercy of the coal companies.

As Hechler and others continue to speak the TRUTH about this man-made Appalachian disaster, the Governor attacks them personally. And the coal companies condemn the media for daring to expose a little-known dirty secret.

The coal companies fear the organizing of citizens, they fear this unwanted "notoriety," and the Governor, in all his support of coal, has no defense for the ruin it brings.

The facts about mountain massacre are that it destroys jobs, costs people in southern West Virginia their heritage and homes, destroys water quality, and devastates entire mountain ecosystems that CANNOT be replaced.

And finally, mountain massacre is just WRONG and must be stopped!

THANKS To All Our Volunteers

Many thanks to OVEC volunteers who have helped set up at meetings, worked in the OVEC office, made phone calls and have brought their ideas and energy into fighting "mountain massacre" in West Virginia.

Special thanks to the following volunteers for their extra efforts: Carlos Gore, Dan Kash, Pat Kash, Beady Phillips, Sheila Don Cypriotis, MaryAnne Graham, Elinore Taylor, Rick Bady, Lewis Baker, Sharon Roon, Charley Kincaid, John Taylor, Robin Godfrey, Mary Ellen O'Farrell, Larry Gibson, Susan Hayden and Pat Davis. Thanks to Beady Phillips for his donation of a file cabinet to the OVEC office.

Treehugger's Ball - Always A Fun Way to Raise Money and Consciousness

OVEC would like to thank all the musicians who volunteered their time and talent for another successful Treehugger's Ball on March 6 at the Calamity Cafe in Huntington.

A special thanks to Roy and Terry Clark for opening their hearts, business and wallet for our annual effort to raise money for "the cause" by having an evening of good food, eclectic music and fellowship with like-minded people from across the Tri-State.

Kudos also to the talented Matt Peters (Buckeye Forest Council, Athens, Ohio), Blake Sypher, Sonia Kumlien, OVEC's very own Janet Fout (!), Pagan Babies (Steve Eschelman, Tammy Stewart, Eric Fout, Jason Hale and Marvin Huffman), and Kate's Problem (Kate Lamdin, Warren, and Mark, our Lincoln County friends).

OVEC also salutes Eric Fout, a "Husband of OVEC," who has organized this event for the past 8 years.

Inspections At Issue

Citizen's Meet with Federal, State Surface Mining Regulators

by Laura Forman

In late April, about 30 citizens and representatives of various environmental and social justice organizations met in Charleston with Allan Klein, regional director of the federal Office of Surface Mining, and Roger Calhoun, director of the WV Office of Mining and Reclamation.

The meeting was initiated by OVEC and requested by about eight other groups in response to OSM documents that showed there were ZERO complete oversight inspections of mines in the third quarter of 1997. Despite citizen complaints, there were also zero "notices of violation" issued.

The flagrant lack of enforcement by OSM was never really explained by Klein, Calhoun or the rest of the 20 or so OSM and DEP staff in attendance. An error in the report, the way these inspections are documented and budget cuts all received part of the blame.

Klein and Calhoun were peppered with questions and demands for almost three hours. People told of their wells going dry, blasting, streams being filled and fly-rock. Folks made an incredible effort to communicate to these officials, to get them to stop their bureaucratic maneuvering and to see that they are real people with real problems.

As OVEC member John Taylor said, "You understand people's homeplaces are being destroyed. We are trying to get the government to respond to our needs."

At one point, Calhoun showed real discomfort as his own words came back to haunt him. He had recently said mountaintop removal was not his top issue.

"This is not the biggest environmental issue in the state," Calhoun said in an interview. "I have other things to do."

Considering the number of people affected and the square miles of land and water impacted by mountain massacre, Calhoun, as the head of the state mining office, should rethink his priorities.

OVEC was denied a request to see the science used to construct the controversial and outdated blasting regulations. The OSM's policy on blasting is based on a theory by Dr. David Siskind that when it was developed 18 years ago was widely criticized by Siskind's professional peers as outdated and using suspect data.

OVEC recently learned that the existence of this much criticized data is in question - supposedly, no one at OSM can locate it.

Kleing said they (OSM) would "look at each and every complaint." Although many questions remained unanswered, citizen pressure on OSM will continue. These kinds of meetings demonstrate the power that organized citizens have to hold government officials accountable.

People From All Walks of Faith Meet to Learn About and Discuss Mountaintop Removal Mining/Valley Fills

by Janet Fout

Representatives from several Christian denominations met in Charleston, WV, on March 9, 1998, with coal field residents and representatives from OVEC, the West Virginia Organizing Project (WVOP) and the Southern Appalachian Labor School to learn more about the impacts of mountaintop removal/valley fill strip mining from coal field residents and activists.

Residents and activists described the realities of mountaintop removal using words and phrases like "ugly," "decapitated," "rape of mountains," "unregulated," "communities damaged or dying," "watershed destruction," "human health issues", i.e., black lung from breathing coal dust due to blasting, "loss of biodiversity," and "cultural destruction."

Attendees wondered aloud what negative impact mountaintop mining/valley fills will have on tourism, the third largest industry in West Virginia. Others asked why we are mining all the coal before we aggressively encourage alternative energy sources.

After a full day of discussion, consensus was reached that mountaintop removal impacts communities and their health, education, social services, housing, culture and way of life.

In addition, mountain top removal impacts the political process through campaign contributions, special interest access to politicians, and influence buying.

Participants agreed that mountaintop removal/valley fills affect air and water quality, wildlife and biodiversity, and climate change.

Finally, folks saw the need to look at mountaintop removal/valley fill not only as it effects the local economy, but also the global economy. All this cries out for sustainable communities.

Undaunted by the enormity of the issue and the power of the coal industry and its supporters, attendees developed an action plan to educate the faith community and the public at large, and encourage greater personal involvement with the goal of bringing justice to West Virginia's people.

The meeting, spearheaded by the Episcopal Appalachian Ministries (Knoxville, TN) and Commission on Religion in Appalachia (CORA), included representatives from the Catholic Committee in Appalachian, Kentucky Council of Churches, Virginia Council of Churches, United Methodist Church, Baptist Theological Seminary, the Evangelical Lutheran Coalition for Appalachian Ministry, and the Episcopal Diocese of WV (WV Council of Churches).

OSM Budget Shows Flaws in Coal Regulatory "Process"

by Janet Fout

The federal Office of Surface Mining (OSM) recently held a meeting in Charleston about its 1999-2000 budget. This agency provides some federal oversight of surface mining activities in the United States, such as inspections and enforcement of current mining laws.

Many people talked about the serious problem of mountain massacre and valley fill strip mining that is occurring in southern West Virginia.

It is astounding to learn that OSM's budget for 1999 is only \$277 million - an amount that OSM must use to monitor all mining activities nationwide.

That sounds like a lot of money until it's put into perspective. For example, the Los Angeles Dodgers baseball team was recently sold for \$350 million - more than 25 percent greater than OSM's entire budget! In the meantime, over \$1 billion in abandoned mine land funds, which could help clean up the southern coal fields, is languishing.

Another disturbing aspect of OSM's budget is that nearly two-thirds of it comes from coal severance taxes - the agency's primary funding mechanism comes from mining coal!

How can an agency that gets most of its budget from mining coal be expected to protect the environment or people where coal is mined?

OVEC Joins Others In Call for Stronger Water Protection

by Janet Fout

OVEC, Potomac Headwaters Resource Alliance, WV Citizen Action, WV Sierra Club, Trout Unlimited, WV Highlands Conservancy, WV Rivers Coalition, the WV Environmental Council, and the WV Wildlife Federation announced on Earth Day 1998 the "West Virginians for Clean Water Campaign."

The goal of the campaign is a coordinated effort to ensure compliance with and enforcement of the Clean Water Act in West Virginia. The effort is being spearheaded by the West Virginia Rivers Coalition.

The campaign pointed out that in 1998, both the water quality and the physical integrity of our rivers and streams are under assault.

From acid mine drainage in the Cheat River to poultry and cattle manure in the Potomac, water quality problems continue to plague us.

The very integrity of streams and rivers are threatened by ill-conceived "quick fix" plans which send bulldozers roaring into our beautiful rivers. The list of threats goes on - dioxin in the Ohio, valley fills in southern West Virginia, little statewide enforcement of water quality regulations.

A report from the US Fish and Wildlife Service in Elkins, WV, estimates that nearly 500 miles of streams have been covered up by valley fills, although it is likely the true figure is much, much higher.

Governor Cecil Underwood recently signed into a law know as the stream mitigation bill, which will make it even easier and cheaper for big coal companies to ruin our streams.

The West Virginians for Clean Water Campaign will work to educate West Virginia citizens about the Clean Water Act and what its implementation, or lack thereof, means at home.

The future of all West Virginians depends on clean water.

Action Alert - Impaired Waters List Out for Public Comment Soon

Section 303(d) of the Clean Water Act requires that states develop prioritized lists of impaired waters and develop criteria to limit the Total Daily Maximum Load (TMDL) of pollutants that can be dumped into those waters. Then, states are supposed to implement those TMDL's.

Due to a lawsuit filed by the WVHC, OVEC and a few individuals, the West Virginia Division of Environmental Protection and the Environmental Protection Agency are following a schedule for finalization of the 303(d) list according to provisions set forth in the consent decree settlement:

April 1, 1998	Draft list to EPA
May 20, 1998	Last date for EPA comments
June 20, 1998	Public comment period begins
July 20, 1998	Public comment period closes

August 20, 1998 Final list submitted to EPA

Sept. 20, 1998 EPA approval/disapproval date

The list of water bodies being considered for TMDL development in 1998 includes: Buckhannon River, Tenmile Creek of Buckhannon River, Lost River, Tomlinson Lake, Hurricane Lake, Mountwood Lake and Turkey Run Lake.

The list of water bodies being considered for TMDL development in 1999 includes: Cheat River, Tygart River, Kanawha River, Armour Creek, Pocalico River, Ridenhour Lake 2 and Castleman Run Lake.

If there are waters that you care about, check to see if they are on the 303(d)list and are in-line for a TMDL (aka clean-up plan) in order to meet water quality standards!

To receive a copy of the 303(d) list contact: Pat Campbell, Watershed Program Manager, WV DEP - Office of Water Resources, 1201 Greenbrier Street, Charleston, WV 25311, (304)558-2108.

For more information about the Clean Water Act, 303(d) listing and TMDL's contact: Pam Moe-Merritt or Merritt Frey, West Virginia Rivers Coalition, 801 N. Randolph Ave., Elkins WV 26241, (304) 637-7201, fax: (304) 637-4084, or e-mail: wvrc@neumedia.net

Governor Underwood's Prayer Breakfast Met With Protest

by Janet Fout

As folks filed into the Charleston Marriott on the morning of May 7, 1998, for West Virginia Gov. Cecil Underwood's prayer breakfast (held in conjunction with a National Day of Prayer), members of OVEC and Green Cross stood quietly outside with signs protesting mountain massacre.

The theme of the prayer breakfast was "Come and Pray for Our Land."

The irony was not lost on the protesters that this same governor signed into law a bill which will make it much easier and more "economical" for coal companies to level the mountains and destroy watersheds.

Mary Ellen O'Farrell said when the governor arrived, he came over where she was standing and read her sign. She said he was not smiling.

While the people "prayed for the land" inside, people driving by honked and waved in support of the small group of "extremists" who lined the sidewalk in front of the hotel.

As participants began to leave, it was apparent that some were annoyed with the protesters, but others asked for and were given more information.

When the governor emerged from the Marriott, all of us moved closer so he could read our signs. He was noticeably uncomfortable - his driver sped away in the opposite direction.

We can only wonder what was going through Governor Underwood's mind. He never talked with us, which was a bit surprising. After all, he is the most powerful politician in the state.

Nevertheless, I suspect his breakfast didn't sit so well. Blessings to folks who rose before the sun to take part in the protest.

Rahall Clashes With OSM Director Over Comments on Mountain Massacre, Wise Also Expresses Concern

by Laura Forman

When Congress passed the 1977 Surface Mining Control and Reclamation Act (SMCRA) it provided necessary requirements for what mining companies had to do with land after mountaintop removal mining was performed.

A coal company could either return the land to its approximate original contour (AOC), not really possible in the steep Appalachian mountains, or apply for an exemption to AOC. To qualify for the exemption, coal companies must plan, in detail, for future development of the land.

According to a *Sunday Gazette-Mail* article by reporter Ken Ward Jr., 61 of the 81 active mountaintop removal mines in West Virginia permitted since 1978 did not receive the exemption.

Only 20 of the mines received the exemption required by law.

In 1995, four of six new mountaintop removal mines did not receive exemptions.

The West Virginia Division of Environmental Protection provided information only for the 81 active sites, not for about 55 closed permits.

In an attempt to excuse their blatant disregard for the federal and state law, DEP officials blame the unclear definition of AOC.

Coal company executives claim they are in "compliance with the law." That is like a guy robbing a bank saying he didn't break the law because the bank security guard looked the other way and he didn't get caught.

OSM Director Kathy Karpan's convoluted response to this information was that all mines that remove the tops of mountains aren't mountaintop removal mines and she didn't see why all mines that take off the tops of mountains have to receive variances.

Congressman Nick Rahall said Karpan's comment "is a startling concept coming from the agency charged with enforcing the surface mining act."

And Congressman Bob Wise has said, "my concern is that the federal law - and its intent - is not being followed."

In response to political pressure and this new information, Karpan will expand a study by OSM and other organizations of mountaintop removal to include investigation of the issues brought out by the *Gazette*.

This study that is long overdue! But in light of Karpan's continued coal industry cheerleading, we hope she will not be directly involved in it.

More National Media Scrutiny of Mountaintop Massacre Mining

by Laura Forman

The coal fields of West Virginia have again been the focus of national media attention and the reports did not flatter the coal industry or state environmental regulators. *ABC Nightline* with Ted Koppel aired a program called "Digging Deep" on April 21 (Earth Day) which

examined mountain massacre (mountaintop removal/valley fills) in West Virginia. Vickie Moore, Carlos Gore, Jack Caudill and Larry Gibson spoke eloquently and profoundly about this issue.

Vickie showed the reporter where many homes and businesses had been in Blair before Arch Coal drove them out. Larry took the reporter to his family cemetery on Kayford mountain which is surrounded by mountain massacre mining.

Carlos showed fly-rock that landed in his yard from the Arch operation next door. Jack spoke about the loss of the beauty of the mountains.

While these people told how the mining had personally affected them, Arch Coal's David Todd spoke dispassionately and uncomfortably about how his company tried to work with the residents of Blair and how they tried to minimize the effects of their temporary presence there.

One of the most striking parts of the program was when ABC showed an aerial map of West Virginia, which illustrated with shocking clarity how mountaintop removal mining had spread from almost nothing in 1984 to huge swathes covering the landscape just six years later.

Larry Gibson summed it up simply and eloquently: "I wouldn't wish this on anyone."

OVEC Meets With Marathon/Ashland Executive

by Laura Forman

OVEC staff members Janet Fout and Laura Forman and volunteer Rick Bady met a few months ago with Marathon/Ashland executive Mark Perry.

Several years ago, OVEC staff met regularly with Ashland executives to discuss refinery problems, but Ashland remained in a state of denial about the refinery's endless problems.

And when we realized these meetings were at best an exercise in futility and frustration and at worst a validation of Ashland's claims to be working with the community, OVEC terminated them.

The merger with Marathon meant Marathon, not Ashland, had controlling interest in the new company. OVEC decided, with the help of the Kentucky Division for Air Quality, to re-establish connections with the refinery.

This was on the condition that we would meet with Marathon's people only. It was not without caution and skepticism that we met with Marathon's Mark Perry.

To his credit, this executive listened to OVEC's and the downwind communities' history with Ashland. He agreed with OVEC on some of the problems, and said, "Ashland's whole housekeeping issue was addressed (by Marathon)." He admitted Ashland lacked documented procedures on compliance and job instructions and that their emission inventory was poorly done.

He said Marathon is giving the "big push" to clean up the refinery, and the troubled air-assisted flare and waste water tanks will be fixed.

OVEC requested that refinery neighbors be notified when maintenance turnarounds and similar actions are planned, so folks with medical problems could leave the area. So far, Marathon/Ashland has only sent notices to its Community Advisory Panel (CAP).

The CAP was also discussed in depth. Ashland's CAP and its monthly meetings have long been recognized as a sham by OVEC. The CAP is filled mostly with industry proponents

and local people who blindly support the refinery.

CAP meetings should have the impacted residents communicating with the refinery about genuine concerns. Instead, Ashland's CAP meetings provide an amiable social setting with food and drinks, unhampered by serious discussions.

Perry acknowledged the lamentable state of the Ashland CAP and vowed to give it his attention.

OVEC also gave Perry important information about the latest hydrogen fluoride safety technology. More than 45 companies have evaluated the Haldor-Topsoe HF technology that, if implemented, could make Ashland's most dangerous unit much safer. Perry admitted they have not investigated this technology from Copenhagen but would now.

Although Marathon has made some changes for the better at the refinery, OVEC still questions the way Marathon/Ashland spokespeople respond about refinery incidents.

The fire that lasted more than 30 minutes in April at the refinery is an example of how Ashland and apparently now Marathon deny their effects on refinery neighbors.

While OVEC member Beady Phillips, who lives in Catlettsburg, said, "the fire left black fallout on my car," company spokesman Chuck Rice said most of the smoke dissipated before it left the refinery property and the fire posed no threat to the community.

In the final analysis, significant changes are needed at the Marathon/Ashland refinery for OVEC to believe that these meetings can serve any purpose to the people in the surrounding communities.

Maine Pulp Mill Targeted By Earth First! and NFN

Note: Since the defeat of the Mason county pulp mill, our readers may be interested in what other activists are doing to "encourage" pulp and paper mills to eliminate dioxin from their waste stream.

Lincoln, Maine - On May 4, 1998, Earth First!, the Native Forest Network and members of other environmental groups gathered at the gates of Lincoln Pulp & Paper to protest the company's dioxin discharges.

This protest was part of the Northeast Forest Practices Campaign, of which one element is the elimination of dioxin discharges.

At approximately 4 a.m., protesters converged on the mill. A banner, reading "LP&P go chlorine free! Dioxin kills!" was hung from a water tower at the facility.

The group also met workers at change of shift offering them bagels and a chance to talk.

At one point, 20-30 demonstrators blocked the entrance to the mill by sitting in the road in an act of non-violent civil disobedience.

The protest was the second in a campaign targeting Lincoln Pulp and Paper. Earth First! and the Native Forest Network are demanding that LP&P convert to totally chlorine free (TCF) technology and a closed loop system, and that they fund an independent study of the dioxin content in the sediment in the river.

They point out the severe environmental and health effects of dioxin. LP&P has been touting their conversion to elemental chlorine free (ECF) technology as reducing dioxin discharges. However, LP&P has been fined for more than 40 waste water violations over the past

seven years.

Environmentalists say the reductions are not enough - a chemical this dangerous must be completely eliminated from Maine's rivers.

LP&P discharges dioxin-contaminated water into the Penobscot River, which damages fish, wildlife and the Native American Penobscot Nation, as well as all other life downstream. The Penobscot River is part of the original hunting grounds of the Penobscot indigenous people.

Due to the fact that paper companies such as LP&P discharge dioxin and other pollutant into the river, the people of Maine have been advised by the Maine Dept. of Environmental Protection to eat no more than two fish *per year* from this river.

The largest source of dioxin in water is waste water discharges from the pulp & paper industry's bleaching process, according to the book "Dying from Dioxin," by Lois Marie Gibbs.

Dioxin causes a host of problems in humans, including:

- Cancer;
- Increased infant mortality;
- Contaminated breast milk;
- Decreased fertility in women, increased miscarriage rates and altered ovarian cycles;
- Decreased sperm count in men;
- Hormonal changes;
- Reproductive disorders including endometriosis;
- Increased liver size;
- Thyroid damage;
- Diabetes;
- Neurological damage;
- Respiratory problems.

Lincoln Pulp and Paper claims converting to TCF technology would be too expensive. The cost has been estimated at \$20 million.

However, the paper industry spends close to \$10 billion per year in the U.S. on capital investments.

The International Paper mill in Jay, Maine, spent about \$100 million a few years ago to reconfigure one of their paper machines.

TCF technology reduces operating costs, adds only 1-3 cents cost per ream of paper, and is safer not only for the environment but for the workers as well.

TCF technology is used in other mills around the world and in the U.S., including Louisiana Pacific's mill in Samoa, Calif.

A bipartisan 1997 poll of Maine voters found that 75 percent of the voters feel dioxin is a problem in Maine's rivers, and by 3 to 1 they feel the industry should eliminate dioxin regardless of the expense.

Calendar of Upcoming Events

Monday-Wednesday, June 22-25, OVEC "Strip Show" at the Cabell County Public Library, Ninth Street and Fifth Avenue in Huntington. At noon daily and one show Monday night at 6:30 p.m. Come and see videos about strip mining in Appalachia and speak with affected citizens. Monday afternoon video: Bob Gates, "In Memory of the Land and the People." Monday evening

videos will feature Larry Gibson's "Fight to Save Kayford Mountain" and the ABC Nightline program "Digging Deep." Tuesday, "On Our Own Land;" Thursday, ABC Nightline and "Fight to Save Kayford Mountain."

Wednesday, June 24, Appalachian Regional Coal Symposium in Huntington at the Radisson Hotel.

Friday-Sunday, June 26-28, Central Appalachian Ecological Integrity Conference, Davis and Elkins College, Elkins, WV. Contact the Appalachian Restoration Campaign (a Heartwood project) for registration information at (740) 592-3968, e-mail: arc@frognet.net, or contact the OVEC office, (304) 522-0246.

August 14-16 (tentative date), OVEC hosts a Mountain Massacre Meeting of the Minds; location to be announced. This event will also include a site visit.

Sept. 11-13 (tentative date), annual statewide meeting of the West Virginia Environmental Council, to set priorities and network with other eco-groups from every corner of the Mountain State. Call the WVEC at (304) 346-5891 for more information.

OVEC Gets A Wee WWW Page - And Gives A Special Thanks

OVEC now has its own page on the World Wide Web, courtesy of staff member Janet Fout, who donated the space allocated for her personal web page by her private Internet service provider. The address is: <http://web.mountain.net/~jfout/>

This is a *temporary* web presence until the permanent web page is completed. It has text versions of recent newsletters, a brief history of OVEC, and other information.

A special thanks goes to Charley Kincaid, who donated a 486 computer along with other computer stuff to OVEC. Also, Charley and his son Mason have spent countless volunteer hours creating/constructing an extraordinarily useful web site for OVEC that will be formally debuted in about a month. As soon as the domain name of OVEC's permanent web page is registered, we will pass it on to you.

Lovely photos (ala Charley Kincaid) grace the site, along with useful information concerning OVEC, our issues (air, water, forests and mountains), and a listing of other West Virginia environmental groups. The site has numerous helpful links and should be especially beneficial to young people looking for environmental information about our region. Check it out!

Here is a partial listing of some other West Virginia-related environmental web sites:

- www.trrc.org - Three Rivers Raptor Center, now known as the Three Rivers Avian Center, focuses on environmental education, avian research and veterinary/rehab care.
- www.labs.net/wvhc/ - is the address of the venerable West Virginia Highlands Conservancy.
- www.scorecard.org - the Environmental Defense Fund's complete listing of Toxic Release Inventory figures, searchable by state and county. Do not do this right before eating - you'll loose your appetite.

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