



# Winds of Change

the newsletter of the

## Ohio Valley Environmental Coalition

Huntington, WV

www.ohvec.org

## Study Links Mountaintop Removal Mining to Babies With Birth Defects; Group Takes 500 Copies to DC

Birth defects are the leading cause of infant death in the United States. A recent study indicates that mothers living near mountaintop-removal operations face a far greater risk of having babies with birth defects than mothers living in non-mining areas.

The peer-reviewed study was published June 21 in the journal *Environmental Research*. The study examined nearly 2 million central Appalachia birth records, from 1996 to 1999 and from 2000 to 2003, for the prevalence of birth defects in MTR



**This child playing in a Roane County stream is safe - no MTR runoff here.**

*photo by Vivian Stockman*

areas, other coal mining areas and non-mining areas.

The overall **rate of birth defects** in mountaintop removal areas, as compared to non-mining areas, was **13 percent higher between 1996 and 1999**, and **42 percent higher between 2000 and 2003**. The much-higher birth defect rate in the later period suggests that the health effects of MTR-related water and air pollution may be cumulative. **We have to wonder how many more birth defects are occurring now, in 2011.**

Dr. Melissa Ahern at Washington

*continued on page 4*

## Cancer Rates Much Higher Near MTR in Coal River Valley

Folks living near mountaintop-removal operations in the Coal River Valley have double the cancer rate of people living elsewhere, according to another study co-authored by Dr. Michael Hendryx, a researcher at WVU.

The study is based on door-to-door interviews with nearly 800 residents living in the valley, from the community of Seth to Rock Creek. Student volunteers from faith-based colleges helped conduct the surveys.

“The odds for reporting cancer were twice as high in the mountaintop-mining environment compared with the non-mining environment in ways not explained by the age, sex, smoking, occupational exposure, or family cancer

history,” Hendryx wrote in the report.

If what was found in the Coal River Valley is extrapolated to people living near MTR areas in central Appalachia, that would mean roughly **60,000 additional cancer cases**.

“Efforts to reduce cancer and other health disparities in Appalachia must focus on mountaintop mining portions of the region,” Hendryx wrote.

*The Journal of Community Health* published the study in late July. Leah Wolfe and Juhua Luo of WVU and Bo Webb of the Coal River Valley are the other co-authors of the study.

The study does not conclude with certainty that MTR caused the increased cancer rates; it says, rather, that more research is needed to examine the impacts of MTR pollution on humans.

We say this latest study underscores what we already know: MTR is extremely harmful to humans and other living things. **End MTR now.** 🍄

### Inside This *Winds of Change*

A Visit to Vanishing Places	.....page 2
Drinking Water Concerns	.....page 11
<b>The March on Blair Mountain</b> .....	page 14
EPA Speaks on MTR	.....page 23
Thanks to FACT	.....page 25

**BOONE COUNTY**

***OVEC's Membership Committee Visits Lindytown and Twilight***

*Excerpted from an essay by membership committee member Marilyn Howells*

In Twilight, at a glance, the only hint of impending doom is the black dust that settles on things; jagged scars high on the mountains loom over the area, one scar decorated by an immense piece of equipment – annihilation is coming!

Lindytown is a nearby reminder of this. Specifically, the remains of poor, sad, silent Lindytown. The flowers in all the former yards are mute, beautiful evidence of the families that worked and lived in the area – old-fashioned flowers still valiantly growing, brilliant reminders of a community destroyed by Big Coal. Staunch testaments to generations who thrived here, and families who should have been allowed to stay ... All gone, that sense of community and belonging... All gone with the wind of coal behemoths that sweep through, as surely as if a devastating war had swept through.



A West Virginia Flanders' Field to the gods of coal. We say goodbye to Lindytown, as quiet as a cemetery, where once people laughed and lived and loved ...

**OVEC's membership committee in Lindytown. Left to right: Marilyn Howells, Charlene Tincher, Thomas Kincaid, Danny Cook, Russ Whitley, Judy Whitley, Rainey Duke, Michael Morrison.**

In the Wharton area, we come to a fine valley, which we are told is inhabited by many families, often related. Generations live on family- owned land, which has been divided and shared, living in harmony. But the shadow of Lindytown hangs over them, too. As does the one remaining mountain that stands between them and obliteration where Big Coal has already marched in... Even their mountain can't

***"I used to work for the railroad and there used to be all these little communities up and down the tracks in that area; now they're all gone." – Russ Whitley***

protect them: residents point to a large raw spot in the lower hillside of the valley, formed when suddenly, violently, torrents of icky, black water burst from the side of the hill... The nearest home was just across the street... What happened? Was it an old underground mine used to store slurry water? What's going into the water near the mines? Do the coal companies know? Do they even care?

...Since when did a coal company become the sovereign "Kingdom of Coal," with gates, checkpoints, guards? Will there soon be passports and visas needed to pass near or through the foreign country of the Dictatorship of Coal, perhaps to access cemeteries now cut off forever?

We're in Twilight again. We touch a few buildings and black dust comes off in our hands... Other than a few ugly scars high up on a mountain, it's hard to see the mining where we stand... But the dust is there. There's a thin sheen of black dust on the van in just a few hours. Does this coat the residents' lungs day after day? The van will be washed, but what about their lungs? ... Will the people of Twilight lose years of life, and lose years of healthy life to black dust? Will the elderly, pets, children, the unborn bear the cost? Will the dust be the straw that leads to cancer for some, birth defects and other health problems for others? Is the toll of coal hundreds of communities like these towns? Their people are subsidizing coal corporation profits with their very communities, homes, lives and health – as their way of life, their heritage, and their towns vanish.

***"They want to turn it into a sludge dam ... it felt like so many other [depopulated] places I've visited in West Virginia, like Cabin Creek." – Charlene Tincher***

We leave Twilight with heavy hearts. How long until the area mirrors the devastation of the opening scene of Avatar, the movie? Have we really seen the twilight of Twilight? How long until this looming coal horror takes more, and maybe all?

*continued on page 6*

# The Rage Behind the Launch of the Mountain Health & Heritage Association

by Holly K. Clark

When I'm out climbing or hiking, often I'll post a photo of the New River Gorge on my Facebook page. Within minutes, I have a response from someone about how beautiful it is and how lucky I am to have that in my backyard.

I couldn't agree more. That's part of the reason I packed up my things in 2009, to the chagrin of my northern friends, and moved south to Fayetteville from Morgantown. I'd fallen in love with the scenic beauty, the recreational opportunities and the people, a close knit community who all share one thing in common: we feel really lucky to call the NRG home.

Little did I know that in a few short years, my home would start shaking around 4:00 in the afternoon, my pastor would daily field prayer requests for cancer patient after cancer patient, and my pregnant friends would fear the worst about the health of their unborn children.

I now live in an active coal mining area and the impact of this will not be felt by my community alone, but by the entire state. Priding itself on bringing \$4.38 billion to West Virginia's tourism industry, the New River Gorge is a viable



**Can the WV Department of Environmental Protection handle the truth? Fayette County residents aren't so sure.**  
*photo by Paul Corbit Brown*

contributor to the diversification of our state's economy. With over a million visitors a year, Fayette County citizens realize an average of \$4.3 million in tax relief thanks to the tourism industry.

Maura Kistler, a local business owner articulates it best, "MTR threatens the economic viability of tourism-based businesses here in Fayette County, not only because of the environmental and aesthetic degradation of the natural resources, but also because of the associated stigma that deems resource extraction-based areas as unfit vacation destinations."

Couple the potential economic impact with a steady increase in the number of people stricken with severe health issues, and you have one angry citizenry. We had no choice. We had to organize.

Outside the West Virginia Department of Environmental Protection's Kanawha City office on July 12, the Mountain Health & Heritage Association (MHHA) hosted its inaugural press conference to coincide with an appeal of Frasure Creek Mining's Open Fork No. 2 permit, one of six newly proposed surface mine permits in northwestern Fayette County. Addressing a crowd of citizens and reporters, members of the group spoke specifically about the detrimental effects of mountaintop mining to the health, economy, and heritage of Fayette County.

Fayette County resident Eric Autenreith spoke about West Virginia's government failing to protect its citizens from MTR. "The government has a primary duty to protect citizens from harm caused by industrial activity and a secondary duty to facilitate economic prosperity."

Autenreith went on to say, "A lack of decent regulations or adequate enforcement of federal law has  
*continued on page 6*

## OVEC Board of Directors & Staff

### Board Members

Marty Amerikaner, Vice Chair	Ronda Harper
Danny Cook	Regina Hendrix, Sec.
Dr. Rainey Duke	Chuck Nelson, Chair
Larry Gibson	Brandon Nida
Crystal Good	Judith Whitley, Treas.

### Full- and Part-Time Staff

Dianne Bady	Janet Keating	Vivian Stockman
Maryanne Graham	Tonya Adkins	Maria Gunnoe
Stephanie Tyree	Carol Warren	Robin Blakeman
	Andrew Munn	

<b>OVEC Webmaster</b>	Don Alexander
<b>Winds of Change Editor</b>	Vivian Stockman
<b>Community Wind Project</b>	Chris Shepherd

**Ohio Valley Environmental Coalition**  
P.O. Box 6753, Huntington, WV 25773  
phone: (304) 522-0246 fax: (304) 522-4079  
web page: [www.ohvec.org](http://www.ohvec.org)

To unsubscribe from the direct WOC mailings or to receive WOC online only, contact [maryanne@ohvec.org](mailto:maryanne@ohvec.org) with "WOC subscription" in the subject line.

OVEC is a member of the WV Environmental Council, the Alliance for Appalachia and The CLEAN, and is a 501(c)(3) non-profit organization registered with the US Internal Revenue Service and the WV Secretary of State.

**When you're finished with this newsletter - PASS IT ON!**

## Study Links MTR to Birth Defects

*continued from page 1*

State University and Dr. Michael Hendryx, Jamison Conley, Evan Fedorko, Alan Ducatman and Keith Zullig at West Virginia University conducted the study, titled “The Association between Mountaintop Mining and Birth Defects among Live Births in Central Appalachia, 1996-2003.” The study was not funded by any environmental or advocacy group.

The study noted that MTR releases contaminants into the air and water, many of which are known to impair fetal development.

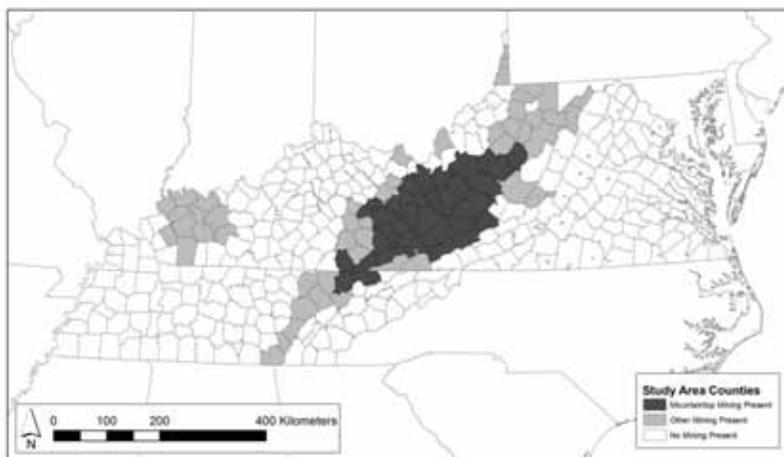
In MTR mining, coal companies use ammonium nitrate and diesel fuel to blast mountains apart to reach the coal. The blasts billow dust, laden with coal and silica (glass particles), over nearby communities. The dust also contains sulfur compounds and fine particles including metals and nitrogen dioxide. Catalysts used to set off the blasts can be toxic. (Remember the workers who became sick when the DEP and Army made a secret deal to “dispose” of tetryl munitions by using the explosive booster at Kayford Mountain?)

Groundwater near MTR operations has been shown to contain elevated levels of selenium, hydrogen sulfide, magnesium and other contaminants. The study also notes that the waste slurry produced at coal prep plants can contaminate ground and surface water with a toxic stew of heavy metals such as arsenic and mercury.

“We did have individual data for each mother in terms of where she resided, her age and racial and/or ethnic origin, education, smoking and drinking during pregnancy, diabetes and other risk factors for birth defects, and we controlled for all of those,” Ahern noted.

“This study shows that places where the environment – the earth, air and water – has undergone the greatest disturbance from mining are also the places where birth defect rates are the highest,” Ahern added. “This is evidence that mountaintop-mining practices may cause health impacts on people living in those areas before they are even born.”

**Unless mountaintop mining is ended now, many more Appalachian children will begin their lives with disabilities that will compromise their potential and**



**productivity for the rest of their lives.** The public will bear the costs associated with the specialized medical care needed by these children for the foreseeable future.

Ahern noted that circulatory and respiratory effects really stood out. “These are costly to the health care system and involve a lot of human suffering. I would think public health officials would be interested.”

So far, public health officials haven’t shown much interest. However, lawyers at a firm that represents the National Mining Association were interested. Attorneys Clifford Zatz, William Anderson, Kirsten Nathanson and Monica Welt posted a blog entry suggesting that the researchers failed to account for “consanguinity,” i.e., inbreeding.

Invoking the stereotype of the inbred hillbilly allows the coal industry to marginalize and dehumanize Appalachians and downplay the deadly impacts that mountaintop-removal mining has on our air, water, land and people.

The post set off a firestorm of criticism and the law firm Crowell & Moring soon removed the posting from its website. Despite the bad press the law firm received, public officials still weren’t showing much interest in the study. Senate President Earl Ray Tomblin told the *Charleston Gazette* three weeks after the study was published that he hadn’t looked into the findings. “There’s reports every day on something causing some kind of illness,” he told the *Gazette*.

Similarly, in Washington, DC, lawmakers were doing their utmost to ignore the study, and some there were hard at work on a horrifying House bill that would gut the Clean Water Act and strip EPA’s regulatory powers over

*continued on page 5*

- Percent that a mother’s smoking increases the risk that her baby will be born with defects of the circulatory or respiratory system: 17  
- Percent that a mother’s living in a mountaintop-removal mining area increases the risk of such defects: **181**  
– Sue Sturgis, reporting on the study in “Facing South,” a blog for the Institute for Southern Studies

## Study Links MTR to Birth Defects

*continued from page 4*

mountaintop removal.

In a legal analysis of the bill, co-sponsored by Rep. Nick Joe Rahall (D-WV) and John Mica (R-FL), the EPA said the bill “would overturn almost 40 years of federal legislation by preventing the EPA from protecting public health and water quality.”

So, some folks, including Vern Haltom, Rob Goodwin and Bo Webb from Coal River Mountain Watch,

OVEC’s Boone County organizer Maria Gunnoe, Mikey and Nina McCoy, Matt Sherman, Mari-Lyn Evans, Jordan Freeman, Antrim Caskey and Mike

Roselle, traveled to DC the week of July 11 with 500 copies of the MTR and birth defects study.

They held a press conference on July 13 in Rep. John Yarmuth’s office (D-KY), where they called upon people and organizations everywhere to sign an Appeal to Action for an immediate moratorium on MTR and an investigation into the coal industry’s activities and the real potential of crimes against humanity. (Sign the Change.org petition: [chn.ge/qcleg7](http://chn.ge/qcleg7).)

That day and the following morning, with the help of members of Restoring Eden and Christians for the Mountains, the group hand-delivered the 500 copies of the study to legislators’ offices.

On the afternoon of July 14, some of the Appalachian entourage witnessed a House Oversight Committee hearing. Appalachian Center for the Economy and the Environment attorney Joe Lovett testified. Seated nearby were WV Coal Association vice-president Chris Hamilton, “Friends of Coal” mouthpiece Roger Horton, John Swilley of Patriot Coal, and Tom Mackall of Sterling Coal Mining.

Given that line-up, it’s obvious that Lovett was one of only a few witnesses at the hearing to defend the agency, although he did say EPA should be doing far more to make certain the coal industry follows the law. To read about Lovett’s testimony, go to [bit.ly/pIrgMy](http://bit.ly/pIrgMy).

The EPA’s Nancy Stoner told the committee:

*“In 2010, an independent, peer-reviewed study by two university professors found that communities near degraded streams*

*have higher rates of respiratory, digestive, urinary and breast cancer. That study was not conducted in a far-off country. It was conducted in Appalachian communities, only a few hundred miles from where we sit today.*

*“A peer-reviewed West Virginia University study released in May concludes that Appalachian citizens in areas affected by mountaintop mining experience significantly more unhealthy days each year than the average American.*

*“In addition to health studies, peer-reviewed science has increasingly documented the effects of surface coal mining operations on downstream water quality and aquatic life. Peer-reviewed studies have found elevated levels of highly toxic and bioaccumulative selenium, sulfates and total dissolved solids in streams downstream of valley fills.”*

It’s obvious Rahall and other West Virginia officials don’t have those same priorities. Rahall continues to defend his House-passed legislation that would enable more mountaintop removal by taking away the EPA’s authority to enforce the Clean Water Act.

As *WOC* goes to print, West Virginia’s senators, Jay Rockefeller and Joe Manchin, have refused to discuss the MTR and birth defects study with *Charleston Gazette* reporter Ken Ward, Jr. 🍌

***“Living at the toe of a mountaintop-removal site, the impacts were clear to me years ago. This study confirms we have a problem. Yet, in states like West Virginia and Kentucky, our governors and federal legislators are protecting the coal industry at any cost. Shame on them, for shutting us out of decisions that mean the life or death of our communities. No one is going to tell me that blowing up mountains over my home is good for me.”***  
— OVEC organizer Maria Gunnoe

### **TAKE ACTION!**

Please call Rahall at (202) 225-345, Rockefeller at (202) 224-6472 and Manchin at (202) 224-3954. Tell them they must end mountaintop-removal mining and protect pregnant mothers living in West Virginia. If you want to go a step further, also contact Rep. Shelly Moore Capito (R-WV) at (202) 225-2711 and Rep. David McKinely (R-WV) at (202) 225-7564 with the same message.

## Mountain Health & Heritage Assoc.

*continued from page 3*

prompted many of us to believe the State is working in concert with coal companies to harm its citizens. The overwhelming evidence is clear: mountaintop removal coal mining is an economic, community and environmental disaster.”

Dr. Dan Doyle, a Fayette County family practitioner, passionately told of his experience as a doctor in the coalfields. “I am a coal miners’ doctor. I am a dues-paying member of the United Mine Workers of America and proud of it. For over 30 years I have treated coal miners and their families at New River Clinic in Fayette County. It is clear to me that one of the most important things I can do to protect the health of coal miners and their families is to help end mountaintop removal. It destroys everything we need to be healthy: land, air, water, the very ground we walk on.”

He added, “The science is in. Coal mining and mountaintop removal are dangerous, not just to miners, but to their families and entire communities. Living in a coal-mining county is associated with lower health status, more heart disease, lung disease, and kidney disease. And counties with MTR mining have recently been shown to have higher rates of birth defects.”

The India-based company called Essar Group owns Frasure Creek Mining, a subsidiary of Trinity Coal. With current operations near Page, Kincaid and Beards Fork, the company plans to prospect several coal seams into central Fayette County. Four permits have been approved and five new surface mining permits are pending

## **Congratulations!**

We extend a very special thank you to the individuals listed below. They received awards for their volunteer work with OVEC during our annual meeting, held August 11 in Charleston. Their awards were:

- ♂ Danny Cook – Volunteer of the Year.
- ♂ Deborah Griffith – Super Volunteer Editor.
- ♂ Dennis Sparks – Outstanding Ally.
- ♂ Dustin Steele – Emerging Young Leader.
- ♂ Charlene Tincher – Zero to 60.
- ♂ Dustin White – Super Citizen Lobbyist.

We also recognized Thomas Kincaid for his service on the OVEC board. After a decade on the board, Kincaid is stepping down.

**Thanks** to everyone who came out to the annual meeting. 🍓



**Fayette County residents and supporters outside the WV DEP office in Charleston.**

*photo courtesy of Paul Corbit Brown, [www.paulcorbitbrown.com](http://www.paulcorbitbrown.com).*

approval. And it was Bob Kincaid, board president of Coal River Mountain Watch, who pointed out that coal being mined by Frasure Creek is primarily going to India.

Aimee Rist, moderator for the event, closed by mentioning that immediately following the press conference, a group of Appalachian delegates (to include members from the Mountain Health and Heritage Association) would travel to Washington, DC, to urge the EPA to take stronger enforcement against mountaintop removal (*see top story on page 1*).

After a full day of testimony, the hearing was scheduled to continue on August 17. The battle continues. The Mountain Health & Heritage Association is a group of concerned citizens working to protect the health of Appalachian people, our mountains, and the heritage we all love. 🍓

## Lindytown and Twilight

*continued from page 2*

With a toll as great as any war, communities in southern West Virginia are being depopulated, water is being poisoned, forests are being clear-cut, and ancient mountains are being bombed to bits!

A new ray of hope has joined the embattled Twilighters. OVEC now has a presence in Twilight: a building with mineral rights, a site being remodeled to serve the citizens in their efforts to unite against the invading forces of the coal industry. OVEC is working to acquire more of this property – property the coal company wants so it can continue to MTR mine. If Twilight is able to remain intact, perhaps – indeed – mountaintop removal will stop here!

To learn more or get involved go to [WWW.MTRSTOPHERE.ORG](http://WWW.MTRSTOPHERE.ORG). 🍓

## *American University Students Spend Spring Break in MTR Epicenter*

by Laurene Schrenk, member of the AU's Alternative Break to Appalachia.

Maria Gunnoe welcomed us to Lindytown, WV, as a bulldozer hovered on the horizon. We were on a small paved street, with only a home or two left amongst ruins of other homes.

The beauty of Appalachia-in-May surrounded us, including the honeysuckle growing alongside Quinnie Richmond's home. Richmond and her sons are among the only people still residing in the town, which was once home to many families.

Gunnoe spoke of her former neighbors and friends who have basically been evicted from their hometown because of mountaintop removal.

While this discussion was going on, a Direct TV truck passed by, going to a house at the end of the road. It was a confusing sight – so few people live here now – but we later found out that a Massey Energy (now Alpha) foreman lives at the end of the block.

Massey/Alpha activity has made life in this once-

vibrant community untenable. Coal helped to give Lindytown a name, but it is also responsible for the demise of this once-proud town. Twilight, just down the road from what's left of Lindytown, is the next Boone County town under threat of extinction from MTR.

"Around here some folks used to think I was crazy for trying to end MTR; now they are rethinking this," Gunnoe said referring to OVEC's work to buy a parcel of land in Twilight. If the entire parcel is acquired, then OVEC might be able to hold back some MTR in the area.

OVEC's and Gunnoe's work fighting Massey/Alpha to ensure the safety and longevity of an old town with centuries of history was inspirational to our group.

We know that OVEC will continue to fight for the people of West Virginia, and, because of our experience in Lindytown and Twilight, we will too.

*(Ed. Note: Schrenk, who wrote this piece, welcomes suggestions on how AU students can bring more awareness about MTR to the nation's capital, where AU is located. E-mail her at [ls3880a@american.edu](mailto:ls3880a@american.edu).)* 🍌

## **Colorado Mountain Town Officially Supports OVEC's Efforts to Preserve the Community, Culture and Vanishing Mountains of Twilight, WV**

Twilight, WV, and Telluride, CO, are both mountain communities, but until recently they had no connections and scant similarities.

The median income in Twilight is \$35,557 and the median home value is \$62,130. In Telluride, the median income is \$54,813 and the median home value is \$2,605,500. Twilight has about 200 households and Telluride about 2,500, including residences of Oprah Winfrey, Daryl Hannah and Tom Cruise.

Despite the glaring disparities in prosperity, both communities know that mountains matter. The mountains around Telluride are the snow-covered, tourist-drawing Rockies. The mountains around Twilight are the besieged and endangered mountains of Central Appalachia.

A newly kindled bond between the two towns may offer up ways to save the mountains around Twilight and improve the town's prosperity. Telluride residents are helping to raise money for an OVEC project in Twilight.

Hannah said, "Helping the community in Twilight, West Virginia to purchase just 9 acres is to protect an entire town from evisceration, prevent a mountain from being blown to bits and is such a brilliant, creative way to herald an end to mountaintop removal."



Hannah was speaking about a project she learned about when Telluride hosted the 33<sup>rd</sup> annual Mountainfilm in Telluride in late May. The documentary On Coal River was one of the films juried into the festival. The film documents the work of Coal River Mountain Watch volunteer Ed Wiley and others to move an elementary school away from the dangers associated with close-by coal mining activities.

Filmmaker Adams Wood and OVEC organizer Maria Gunnoe attended the festival, speaking about efforts to end MTR coal mining. Gunnoe was a keynote speaker at the event's "Awareness into Action" plenary, which attracted about 600 people.

Gunnoe told audience members about MTR's debilitating effects on human health, communities and ecosystems. She noted the increased flooding communities can face after mountaintop removal destroys nearby forests.

She informed crowds about what the coal  
*continued on page 8*

## Telluride, Twilight Linked

*continued from page 7*

companies had done to depopulate and erase many communities, including Lindytown, a now-gone community that had been just up the road from Twilight. Gunnoe spoke of OVEC’s efforts to purchase land in Twilight – an attempt to save Twilight from the same fate as Lindytown.

Gunnoe noted that while OVEC has already purchased a small amount of land and a building in the community, the group is raising funds to purchase more land, land that coal companies need in order to expand nearby mountaintop removal mines and coal processing facilities. If the group succeeds in obtaining more land, then OVEC

### ***Eat for OVEC and Raise \$\$\$ Too!***

The **Eat for OVEC** fundraiser is an ongoing effort and has been a continued success. Thanks to everyone who has enrolled in the program for OVEC! Please keep using those gift cards when you purchase your groceries and gas at Kroger.

If you need a reminder on how to use the card, don’t have a card yet or don’t know what the program is about, contact Maryanne at (304) 522-0246 or [maryanne@ohvec.org](mailto:maryanne@ohvec.org), or just send in the coupon below with your check. *The program doesn’t cost you a penny*, and it sure helps support OVEC’s work. 🌰

**YES! I want OVEC to receive 5 % of my purchases from Kroger! Please enroll me in the *EAT FOR OVEC* Kroger gift card program.**



Name \_\_\_\_\_

Address \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Phone \_\_\_\_\_

E-mail \_\_\_\_\_

**My \$5 check is enclosed (please write Kroger Gift Card on the memo line). Send me a Kroger gift card with a \$5 balance so OVEC can start benefitting from my purchases *today*. Make checks payable to OVEC. Mail with this coupon to: OVEC, P.O. Box 6753, Huntington, WV 25773.**

could save the town of Twilight, which is under threat if MTR expansion continues.

The building OVEC already owns in Twilight will soon be used as a meeting space and a community evacuation center should flooding occur in lower-lying areas of the town.

Dreams for the building include its use as a training center where people rekindle traditional mountain culture and craftsmanship and explore ways to improve local prosperity.

As Gunnoe spoke at one festival event, people passed the hat, raising nearly \$3,000 for OVEC’s continued efforts to purchase land in Twilight. Since the festival ended, efforts to support the project have increased.

On June 13, the Town of Telluride Town Council sent a letter, signed by Mayor Stuart Fraser, to OVEC: “The Town of Telluride Town Council would like to express its strong support for your efforts to stop the coal industry from abusing the land and people, particularly the campaign to save the small town of Twilight, West Virginia from being depopulated as a result of mountaintop removal coal mining. The Town of Telluride stands in solidarity with the belief that no town, forest or mountain stream should be decimated by this coal mining method.”

Days later, a public service announcement (PSA) began airing on Telluride TV. In the PSA, Gunnoe invites people to visit [www.mtrstopshere.com](http://www.mtrstopshere.com) to learn more about and donate to OVEC’s efforts to purchase land in Twilight. The PSA can also be seen on YouTube at [www.youtube.com/watch?v=8EJO2F3HKZW](http://www.youtube.com/watch?v=8EJO2F3HKZW).

“The destruction of mountains and communities in Appalachia is a crime that every American should be ashamed of. Buy a piece of the future today; these nine acres can stop MTR dead in its tracks and save Twilight from becoming another scar on the soul of our nation by Massey Energy,” said Jerry Cope, an activist/journalist who also attended the film festival.

Gunnoe told *The Daily Planet*, Telluride’s newspaper, “We know, as a movement, we’re about to end this. We don’t want to lose a place like Twilight in the process. We’ve lost many, many communities . . . this is just one that we refuse to give up.” 🌰

---

***“I arise, torn between a desire to save the world and a desire to savor the world. It makes it hard to plan the day.” – E.B. White***

---

BOONE COUNTY

## State Highway Dedicated to WV Civil War Veteran Lying in MTR-Desecrated Grave

On July 2, three generations of the Cook family gathered along WV Rt. 26 to honor one of their ancestors. They were joined by Delegate Larry Barker (D-Boone) and several friends of the Cook family, including OVEC board member Brandon Nida, OVEC membership committee member Michael Morrison and staffer Maria Gunnoe, in a ceremony dedicating Rt. 26 from Van to Twilight as a memorial to William Chapman “Chap” Cook.

Cook served during the Civil War in the WV Seventh Cavalry, a Union soldier who was wounded in combat. Cook lived and was laid to rest in a family cemetery on Cook Mountain, which rises above Rt. 26.

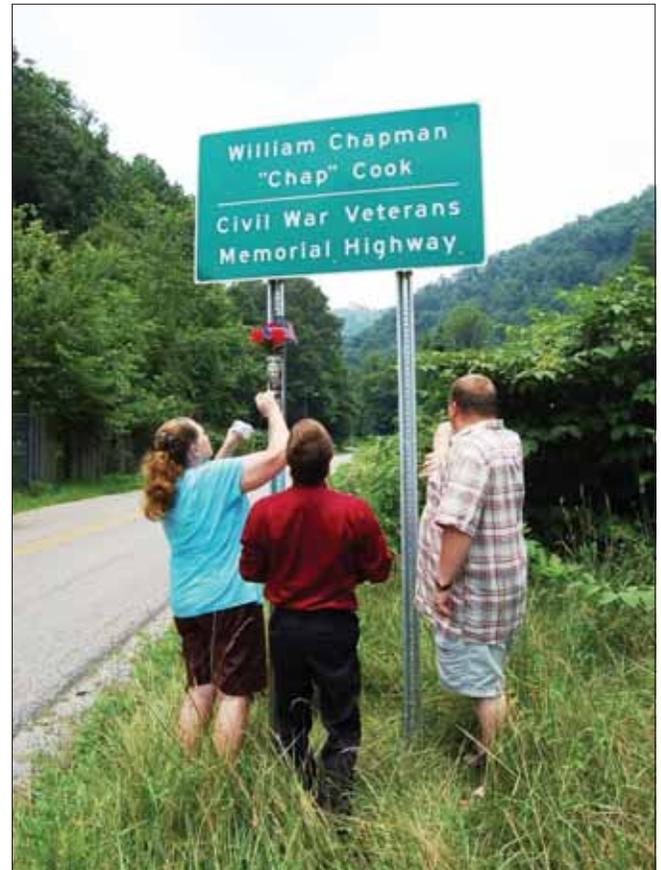
“Our bloodline dates back to pre-revolutionary war days here in these mountains,” said Dustin White. Cook was White’s seventh great-grandfather. “It’s a great honor to have that connection.”

“Not just now is important,” Nada Cook-White said. “But what happened in the past is important to give us what we have here today.”

“This means a lot to me,” Danny Cook said. “He used to walk this road all the time.”

The Cook family started a petition to have the road named in honor of their ancestor. They obtained enough signatures to make that happen. At the ceremony they noted that the dedication should not honor Cook alone, but all veterans. The Cooks are also very active members of OVEC’s cemetery preservation group.

As White noted on his Facebook page, “Part of my family history was given recognition it deserves after the coal industry has disgraced the graves of my ancestors by surrounding them with MTR and blowing up the mountain named for them.



**Chapman’s descendants at the newly-emplaced sign honoring him. Below, Del. Larry Barker presents Danny Cook with a commemoration from the WV State Legislature.**

*photos by Maria Gunnoe*

“(Cook’s) grave is now surrounded by mountaintop removal, with only a 100 foot barrier between him and the destruction of the mountain he once called home.



“The naming of this road will help restore some of the honor robbed from him by the coal industry.”

**If you would like to get involved with OVEC’s cemetery preservation group, contact Danny Cook at (304) 247-6943, or to help go to [www.OHVEC.ORG/ISSUES/CEMETERY/INDEX.HTML](http://www.OHVEC.ORG/ISSUES/CEMETERY/INDEX.HTML).**

**Left: A Cook family cemetery, surrounded by acres of MTR devastation.** *photo by Dustin White*

## Jamming for SSP – Fun and Fund-Raising on the Gauley



Sludge Safety Project members James and Susan Tawney kicked off the opening of their primitive camping business with a music concert on July 9.

As the Tawney Farm is located in Nicholas County adjacent to the Gauley River National Recreation Area, the event was called the Gauley River Jam.

The Gauley River Jam was organized not only as a way to introduce the Tawney Farm, but also as a fundraiser for SSP. The event included tent camping with the ticket price. Three bands played from 5 to 11 p.m. The Band Wagon from Lincoln County kicked things off with some

bluegrass. Then local guys, Chris Steadwell on his Dobro and Matt Kiser on guitar, played some easygoing classic rock. The Woodbirds from Summersville finished the evening off with some more classic rock.

SSP members Mat Louis Rosenberg and Annie Cotten held a hot dog sale, while everyone else who attended either played cornhole and horseshoes, relaxed in the field, or checked out the sheep and horses on the farm.

The Tawneys hope to grow this event every year; we hope everyone can attend the next Gauley River Jam. 🌰

## Mingo County Residents Settle Massey Coal Slurry Contamination Lawsuit

In late July, hundreds of Mingo County residents settled a seven-year-old lawsuit. They had sued Massey Energy, saying the billions of gallons of coal prep plant waste (slurry) the company injected underground contaminated their well water, resulting in massive health problems in their community.

Attorney Bruce Stanley told the Associated Press, “After a seven-year-long fight and looking after one another, the good people of Rawl, Lick Creek, Merrimac and Sprigg have achieved a settlement. Hopefully, no other West Virginia community will ever again be subjected to such a blatant

### Renovations Underway on OVEC’s Community Center Project in Twilight

by David Fields and Chuck Nelson

Last November, OVEC purchased nearly five acres of property formerly belonging to the Mooney family.

With the goal of creating a new community center



in Twilight, O V E C members began renovating an existing building on the land by replacing old siding and giving it a fresh “log house” look.

### Ongoing renovations in Twilight.

With that work nearly complete, next OVEC members will add two coats of stain and new soffits on both the front and back of the building.

Contact OVEC to learn more about our efforts in Twilight or visit [WWW.MTRSTOPSHERE.ORG](http://WWW.MTRSTOPSHERE.ORG). 🌰

abuse of basic human needs.”

Rawl resident and SSP volunteer Donetta Blankenship suffered life-threatening liver problems in 2005 and 2006, health issues she believes arose from using the contaminated water. After medical treatment, and, after another long battle (with which SSP aided) that ended with her community getting public service water, Blankenship is now healthy.

“I’m thankful it’s over,” Blankenship told the AP, adding that she hopes the victory sends a message to other communities fighting with corporations like Massey. “People can see that they don’t have to put up with it anymore. I want everybody all over the country to find out they don’t have to do that. They can fight and stick together. ... They can fight and win.”

Read more about the settlement: [bit.ly/pntqzu](http://bit.ly/pntqzu).

**Remember that, because of SSP, we now have a moratorium on new permits for coal slurry injection.** Help SSP continue to do even more to protect the health of West Virginians and our water.

In a late-breaking development, the AP reported that Massey had offered \$35 million to settle the claims. The settlement proposed last month is confidential, but the AP obtained a copy of a letter sent to the plaintiffs.

It says the \$35 million is in addition to the \$5 million that Massey and its subsidiary, Rawl Sales & Processing, had previously agreed to put into a medical monitoring fund. Massey was bought earlier this year by Virginia-based Alpha Natural Resources.

It’s unclear exactly how much money each plaintiff will receive because the letter doesn’t say how much their lawyers are seeking for fees and expenses. The attorneys refused to comment, citing a gag order imposed on the settlement. 🌰

# Are You Sure Your Drinking Water is Safe?



Did you know that every day in West Virginia coal companies inject more than 8.5 million gallons of slurry underground? Have you ever visited East Lynn Lake near Huntington? Nearby, Alpha Natural Resources has a permit to inject underground up to 1.73 million gallons of slurry – daily!

When we look at the bigger picture statewide, the West Virginia DEP has permitted nearly 61 million gallons of slurry pumped underground weekly, 243 million gallons monthly and **over 3 billion gallons every year.**

The stories of residents near Rawl and Prenter, WV, have clearly shown us all that slurry injections are toxic and impact public health through contaminated water. What about the communities near Drennen in Nicholas County where Power Mountain Coal is permitted to inject almost 3 ½ million gallons of slurry a day?

ICG pumps 1 million gallons of slurry underground

**SSP** – Sludge Safety is a project of OVEC, Coal River Mountain Watch and West Virginia communities working for clean water and community safety near toxic coal waste injections and impoundments.

happen to live very close to active slurry injection sites?

For communities near permitted injection sites, the current statewide moratorium on new slurry injection permits does not necessarily protect their local aquifers and drinking water. Efforts to ensure that all West Virginians have access to clean, safe drinking water and are protected from coal slurry poisoning must continue until the state puts an end to the largely unregulated underground storage of this toxic waste.

Coal slurry is a major cause for concern in communities throughout West Virginia. While slurry injections have received significant attention for their impacts

on groundwater, massive sludge dams also threaten the water quality of nearby communities and the safety of those who live downstream from these huge man-made toxic sludge lakes.



**The Brushy Fork coal impoundment in Raleigh County, WV, which will, when completed, hold more than 8 BILLION gallons of coal sludge and be 900 feet high.**

In northern West Virginia, just 25 miles west of Morgantown and 15 miles north of Fairmont, three coal sludge impoundments sit near the communities of Fairview and Mannington.

The DEP has permitted these impoundments to hold nearly 1 billion gallons of coal sludge. One of the impoundments sits more than 200 feet above Fairview, holding back more than 5 million gallons of coal sludge.

Wondering if your community has a coal impoundment nearby? You can find out for yourself at the MSHA Coal Impoundment Website: [WWW.COALIMPOUNDMENT.ORG/LOCATE/LIST.ASP?SORT=INFO.COUNTY](http://WWW.COALIMPOUNDMENT.ORG/LOCATE/LIST.ASP?SORT=INFO.COUNTY).

Look on the Sludge Safety Project website to find out if an active slurry injection permit is located near your community: [WWW.SLUDGESAFETY.ORG](http://WWW.SLUDGESAFETY.ORG).

The issue of coal slurry injections and sludge dams affects all of us. We must come together to fight to protect our drinking water from toxic threats and remember that we each have the right to clean, safe drinking water.

The Sludge Safety Project wants to work with you to help protect your drinking water and also educate your neighbors about their right to know what is in their water. We partner with communities to keep them informed and help them fight for clean, safe drinking water.

If you would like to get involved or host a community meeting to learn more about slurry and clean water, contact the Sludge Safety Project at [info@sludgesafety.org](mailto:info@sludgesafety.org).

**We also are working with Duke University on a well water testing project this fall.** If you live in Boone, Fayette, Kanawha, Lincoln, Logan, or Mingo counties and would like to learn more about this project, please contact [info@sludgesafety.org](mailto:info@sludgesafety.org); or call (304) 896-9622. 🍂

# FOC: Propaganda Designed to Keep Us Polluted and Poor, Award Money for Academic Article Goes to SSP



Shannon Elizabeth Bell and Richard York recently won the inaugural “best article” award from the journal *Rural Sociology* for their article, “Community Economic Identity: The Coal Industry and Ideology Construction in West Virginia.” The article appeared in the March, 2010 issue of *Rural Sociology*.

Bell and York donated the \$1,000 award to Sludge Safety Project and the Boone-Raleigh Community Group, with each group receiving \$500.

In their article, Bell and York provide an analysis of the Friends of Coal to address a lacuna, or missing part, in the “treadmill of production” theory, which is one of the most important and influential theories in the environmental sociology literature.

The treadmill of production model argues that ecological destruction is intrinsic to capitalist modes of production, for as productivity levels rise within various industries, so do environmental degradation and pollution.

Bell and York observe that despite the massive job losses that are a typical outcome of the treadmill of production, it is very common for communities to continue to support – even defend – the industries that cause them environmental harm.

**Why do these communities continue to support the industries that degrade them, despite the fact that these industries provide very few (and declining) benefits to local residents?** Bell and York argue that to maintain their power and profits in the face of declining employment opportunities, extractive industries increase their efforts at cultural manipulation, attempting to construct a pro-industry ideology that shapes community economic identity.

**Bell and York argue that the large-scale declines in coal industry jobs and the rising tide of protest against destructive coal industry practices have**

**challenged the coal industry’s hold on political power.**

**In response to these challenges, the coal industry created the (faux) “grassroots” front group “Friends of Coal” as a tool of ideological manipulation.**

Drawing on content analysis and participant observation data, Bell and York find that the Friends of Coal’s key ideology-construction strategies include efforts to become pervasively visible in the social landscape of the state and the appropriation of important cultural icons that exploit the hegemonic masculinity of the region.

The intended effect of these efforts has been to (re)construct the identity of West Virginia as both economically dependent on coal and culturally defined by coal. Bell and York’s findings have implications for how industries around the country, and the world, work to maintain their power through ideological manipulation. 🍂

## Hendryx Coal Health Studies Being Noticed – Elsewhere, Anyway ...

Just days after the study on MTR and birth defects was released, the peer-reviewed *Journal of Health Disparities Research and Practice* published a study by Dr. Michael Hendryx, who is an associate professor in the WVU Department of Community Medicine.

The study examined data on poverty, mortality and mining data from 2000 to 2007 for counties in West Virginia, Kentucky, Virginia and Tennessee.

The conclusion was that MTR areas had significantly higher mortality rates, total poverty rates and child poverty rates than non-MTR areas.

Journalist Jeff Young, with Public Radio International’s *Living on Earth* program, interviewed Hendryx in late July. Young mentioned the latest studies on MTR and cancer and birth defects (see page 1) and a February study that found the public health costs of coal in Appalachia run about \$80 billion a year.

Young reported that before Hendryx started these studies, **no one else was doing them.**

“When I did a literature review, I couldn’t find anything! I was really surprised. There were lots of stories, lots of anecdotes about health problems for people in mining environments but very little, almost no, research,” Hendryx told the reporter. 🍂

### ***OVEC WORKS!***

*Thanks to everyone near and far taking action to end mountaintop removal, with an extra special thanks to all the residents of the southern mountain communities who speak out courageously. We hope you know how much we appreciate you. OVEC works because of you!*

**THANKS!**

# OVEC Members Shone in Blair Mountain March

So many people worked so incredibly hard to pull off Appalachia Rising: March on Blair Mountain. The core organizers operated for days on end with little sleep, facing high-pressure situations. The marchers endured sweltering heat. **Thanks to all!**



We want to especially extend a big thanks to the dozens of OVEC members who took part. Several members were deeply involved in organizing the march, including Terry and Wilma Steele; Michael Morrison; Jorge Aros; and archeologist, OVEC board member and Friends of Blair Mountain leader Brandon Nida.

The Steeles also held a fundraiser for the event.

OVEC members who spoke at press conferences leading up to the event and at the event itself included OVEC board chair Chuck Nelson and OVEC board member Larry Gibson; Ken Hechler, Denise Giardina, the Steeles and Dustin Steele.

Staffer Maria Gunnoe was one of several speakers who stood on the historic land of Blair Mountain, inspiring the 775 or so people there to step up their work to end MTR – now!

Charlene Tinchler volunteered in the Seeds of Peace outdoor kitchen, laboring for long hours in crazy hot temperatures. She went way above and beyond the call of duty.

On the day of the march up Blair Mountain, Patrick Green, Dustin White and Nada Cook White handed out about 300 red bandanas OVEC had provided for the march.

Larry Gibson drove his truck all over during the march, hauling water, port-a-potties and whatever else needed moving. Joe Stanley marched and provided a UMWA anti-MTR perspective to anyone who would listen.

OVEC staffer Stephanie Tyree marched the whole way, working as a police liaison, then, at night, she attended



**Foreground, left to right, police liaisons Stephanie Tyree, Jasper Conner and Ethan Moschella discuss what steps to take after WV State Police stop some 40 people bringing up the rear of the march up Blair Mountain. After several tense minutes, the police agreed to let the rest of the march head on up the mountain.**

*photo by Vivian Stockman*

team meetings that ran into the morning hours. Staffers Robin Blakeman and Vivian Stockman rose early and stayed up late, part of a team of folks who shuttled the marchers.

Thanks to DL Hamilton, Kira Miskimmin, and Judy Ballard for providing housing.

Staffer Tonya Adkins and OVEC's executive director raised funding for the march.

Andrew Munn was not yet an OVEC staffer, but he carried out a critical role in organizing the march, along with many, many other folks.

Elinore Taylor and Eddy Pendarvis joined the march the first day and spoke with media during the opening rally. There are dozens more OVEC members who participated, marching, sending money, joining the press conferences and rallies. Thank you to all!

And thank you for your continued, daily efforts to educate others about what is happening here and your leadership in the movement to end mountaintop removal. 🍓

## ***On the Heels of the March: Blair Community Center and Museum***

Winnie Fox, a longtime fighter-for-justice and dedicated OVEC board member, died in February; but her good works live on.

Years ago, her son, John Fox, purchased an old church in the heart of Blair, WV. His mom insisted that the property be used for the community and never sold to a coal company. During the recent March on Blair Mountain,

Fox allowed Blair Mountain organizers to use the space. He has since donated the church and its land to the Friends of Blair Mountain for use as a community center.

On the heels of the march, several volunteers conducted listening sessions with Blair-area residents to ask how they would prefer to use the space. With many great

*continued on page 16*



# Appalachia Rising :

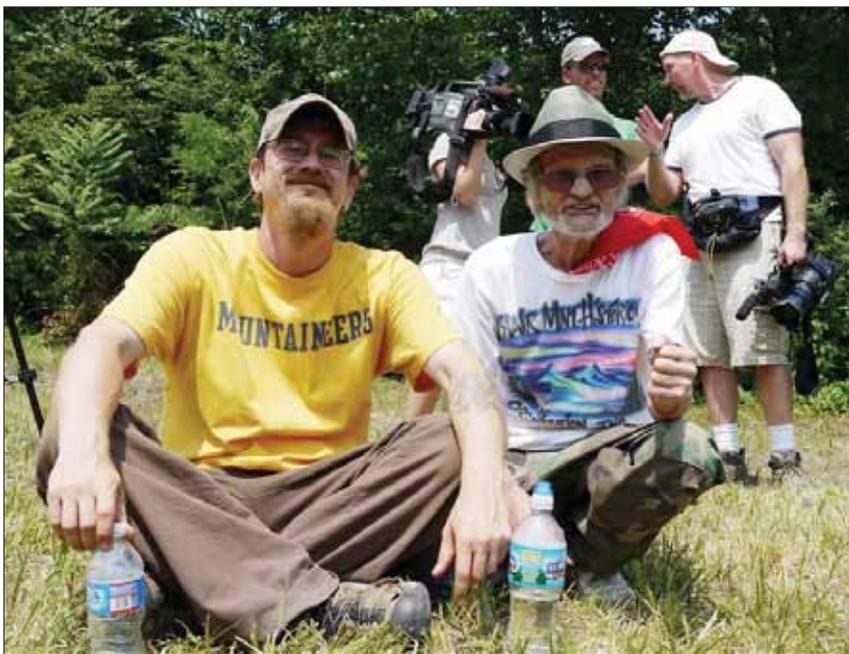
# March



**OVEC staffer Maria Gunnoe addresses the crowd near the top of Blair Mountain.**

*photo by Bruce Clarke*

Friends of Blair Mountain, a group working to preserve Blair Mountain for the last decade, joined in January, providing local input and historical perspective. Joining forces, dozens of organizers met each month and held weekly conference calls to carry out this massive



**Brandon Nida, left, and Jimmy Weekly of Pigeonroost Hollow fame, just before the march up Blair Mountain. A CNN film crew is in the background; a special on the march aired August 14, 2011.**

*by Andrew Munn and Katey Lauer*

Over 300 union members, stop-MTR-activists, historians, miners, and artists walked 50 miles in near-100-degree heat during Appalachia Rising: March on Blair Mountain, held June 6–10, 2011.

We united to preserve Blair Mountain, abolish mountaintop removal, strengthen labor rights, and demand investment in economic diversification in coalfield communities. The march commemorated the 90th anniversary of the Battle of Blair Mountain in 1921, when 10,000 coal miners rose against the rule of coal operators and fought for the basic right to live and work in decent conditions.

After Appalachia Rising in the streets of Washington, DC, in September 2010, we held a movement roundtable to choose our next focal point. There, dozens of people committed to organizing a march to Blair Mountain.

undertaking. Logistics, Media, Fund-raising, and Outreach Working Groups were all underway – each team with a point-person and a total of over 50 volunteers.

The months preceding the march were a blur of activity. Footprints for Peace hauled salvaged porta-johns from Indiana to Charleston. A team of volunteers did the enormous task of local outreach, going door-to-door to all the houses on the 50-mile route. Members of the Industrial Workers of the World contacted unions across the nation. Mountain Justice and Katuah Earth First! volunteers scavenged water buffalos from

*continued on page 17*



**People gather for the march.**



**The crowd begins to assemble.**

# on Blair Mountain



for the kick-off press conference.



Day 1: Lining up to set out from Marmet, WV. photo by Kate Long



le before the march up Blair Mountain; below, up top!



## Union Leadership Out of Touch With Its Rank and File Members

*An Open Letter to UMWA's Cecil Roberts from OVEC Organizer Maria Gunnoe*

Cecil Roberts (President of the United Mine Workers of America) is obviously out of touch with his rank and file UMWA members. I work as a community organizer against MTR in the union communities in southern West Virginia. I proudly work with many UMWA rank and file and retirees in the communities where MTR is filling streams, poisoning water wells, killing people and erasing communities.

One thing I know is there is no tough like coal-  
*continued on page 16*



The fine print under the Massey Energy logo reads, "Doing the Right Thing with Energy!" which this Blair Mountain marcher took obvious exception to.

## Cecil Roberts Letter

*continued from page 15*



miner-tough. I lived this life. I don't only talk about it. There are more of the union members against MTR than what the Washington, DC, representatives realize or recognize.

We are UMWA communities. We are being devastated in our UMWA towns and in our UMWA homes.

MTR has not only removed jobs, it has broken the UMWA that we all grew up respecting and defending. The UMWA was the pride of our home growing up. My forefathers died on Blair Mountain fighting for safe working and living conditions in our communities. My UMWA grandfather died at 86, still paying his dues and my UMWA father died at 51, on a MTR site, while he was attempting to gather seasonal foods on a blown-up mountain.

All of the families that I grew up around are UMWA families. These families (including mine) are rightly proud of their heritage here. However today's union communities in southern West Virginia are being depopulated and disassembled. Communities like Blair, Ashford, Lindytown, Twilight, Montcoal, Whitesville, and yes, even Cabin Creek, Roberts' hometown have seen permanent depopulation in order to expand MTR sites.

I invite Roberts to tour this area with me and his local membership and see how MTR is impacting his UMWA members and their families in a very permanent way.

Roberts can't hear them calling out for help because his plea for jobs comes first. We are being blasted, flooded, poisoned and pushed out of our native homes. We have no choice but to take this important stand for our communities. We are exposed constantly to silica and coal dust in our homes.

I watched a video of Roberts speaking at a rally on Kayford Mountain in 1996 (see [BIT.LY/D02ZLV](http://bit.ly/d02zLv)).

**He said that we must stand up and defend our mountains and communities against the attack of MTR.** We took our stand to stop our family roots from being uprooted, now where is he?

Roberts compared community organizing to the likes of Moses and Jesus, and he claimed to be an organizer himself (see [BIT.LY/R1DZJF](http://bit.ly/r1dZJF)).

I ask you, sir, to come to the communities where I organize. It is your members that I help to organize for actions



**UMWA members actively supported the march, giving lie to the oft-repeated statement that all coal miners were against what the marchers stood for.**

*photo courtesy marchonblairmountain.org*

against MTR, like the March on Blair Mountain.

We all invite you to come see what MTR is doing to our people. We invite you to stand with us in unity to end the abuse of all our people by the coal industry. We invite you to stand shoulder to shoulder with us in the abolishment of all MTR, and for the protection of who and where we are. 🍓

## Community Center

*continued from page 13*

ideas surfacing, we now have a Blair Community Center and Museum.

The building will house the Friends of Blair Mountain office, a small heritage museum, a craft shop featuring locally made goods, Blair Mountain historical archives, and a small library centered on Appalachian studies. Community members also will have opportunities to use the space for events and socializing.

In their new office space, the Friends of Blair Mountain will continue efforts to preserve Blair Mountain and fight for social, labor and environmental justice in central Appalachia.

The group seeks donations that will help make the Blair Community Center and Museum a comfortable gathering area.

Items needed include a vacuum, office chairs, office supplies, desks, Appalachia-focused books, bookshelves, bathroom supplies, couches and more.

**For a complete list of needs, or to donate items, or to get involved in Blair and Logan County organizing,** contact [friendsofblairmountain@gmail.com](mailto:friendsofblairmountain@gmail.com). Or, call the group at (304) 369-9800. 🍓

## Appalachia Rising: March on Blair Mountain

*continued from page 14*

North Carolina and Virginia. Seeds of Peace's kitchen supplies rattled their way across the country. It was a messy masterpiece, but the process hummed.

The week before the march, we had safety teams in place, campsites booked and participants already en route. That's when things started to get interesting.

The Madison public pool, Boone County Southern West Virginia Community College and the owner of a hayfield all withdrew their offers to camp on their properties. Arch Coal attempted to intimidate us by claiming they owned the field we leased in Blair!

When the marchers arrived, we left it up to them to turn back or press on in the face of push back from the coal industry and their agents in local and state governments.

Resoundingly, the marchers chose to continue. It was the marchers' unfaltering spirit that carried us through the week's challenges.

Day One of the March – we walked from Marmet to Racine in unforgiving heat as passing drivers and people on their front porches sent greetings. We were all encouraged from their gestures of support, which were far more frequent than jeers of opposition.

In Racine, we set up camp in John Slack Park for the night. Within hours, county commissioners arrived to retract the park manager's verbal permission to camp.

Threatened with arrest, we shuttled back to headquarters for another night in the cramped space. Our goal was to make it to Blair, not to challenge park authorities in Boone County.

Knowing our next day would be difficult with even higher temperatures and a long morning of shuttling ahead, we were awed when nearly 20 vehicles joined our meager fleet.

About that time we got word that our campgrounds for the next two nights were backing out. Rather than face

the uncertainty of more campground withdrawals, we decided to return to Marmet each night until we reached the ultimate goal of Blair.

After five days of intense heat, close quarters, heightened emotions, and stuffy shuttle rides, the march arrived in Blair and reinforcements were on their way. Hundreds more people were already arriving in Chief

Logan State Park, for the final rally and day of action.

Over 500 new faces joined us on the old ball field in Blair to hear speeches from stop-MTR activists, UMWA miners, and Blair locals.

**Together, we all made it to Blair Mountain and celebrated our solidarity.**

As powerful as it was, one march

will not save Blair Mountain, nor end mountaintop removal.

March organizers and others are working on a set of next steps to support organizing in Blair and build the movement for justice in Appalachia.

For instance, organizers are working with residents of Blair to open a permanent organizing hub in Blair. (See the story about the Blair Community Center and Museum on page 13.)

Appalachia Rising mobilized a large network of people in Appalachia and across the nation who want to abolish MTR. Over the next few months we will bring some loose structure to this network so that we are able to mobilize more rapidly and effectively.

If you would like to join the network, please email [organizeapprising@gmail.com](mailto:organizeapprising@gmail.com).

The Appalachia Rising Solidarity Network will mobilize on a continual basis on campaign priorities set by people living and working on the frontlines of the fight against MTR.

**For videos, photos, audio, and more detailed, personal accounts of the march, please go to [WWW.MARCHONBLAIRMOUNTAIN.ORG](http://WWW.MARCHONBLAIRMOUNTAIN.ORG).** 🍌



**Center, gesturing, is Sarah Vekasi, who played an essential role in the march. Left of her is OVEC volunteer Dustin White and on the rock, OVEC board member Brandon Nida.**



# Blair Mountain Legal Update

In March 2009, Blair Mountain received its rightful spot on the National Register of Historic Places following several decades of work by West Virginia citizens intent on seeing this historic mountain saved for all time. (We're especially grateful to OVEC board member, Regina Hendrix, and Kenny King for their long-term involvement in these efforts.)

Unfortunately, just a few months later the National Park Service delisted Blair Mountain from the National Register, having given in to pressure from law firm Jackson & Kelly, which represents many coal mining companies in West Virginia.

In 2010, the Sierra Club, OVEC and the National Trust for Historic Preservation in the U.S. filed a Petition for Reconsideration of Decision to Remove Blair Mountain from Listing in the National Register of Historic Places. When the National Park Service denied the petition, we filed a federal lawsuit to restore Blair Mountain's Historic Place listing.

Last July, the West Virginia Coal Association, US Department of the Interior and National Park Service filed a request in the US District Court of DC, asking that the judge refuse to enable Blair Mountain to be relisted in the National Register.

## ***DEP Denies Blair Mountain Lands Unsuitable For Mining Petition***

The West Virginia Department of Environmental Protection denied our petition to list Blair Mountain as unsuitable for mining, even though sites with historic value are eligible.

DEP lawyer, Thomas Clarke, wrote that our petition was "frivolous." Clarke said, "We don't dispute that the area is historic ... Our rules say, if an area has been confirmed for mining by a permit in the past, it is exempt from being considered for historic preservation."

Over the years (since the original petition filing in 1991), Blair Mountain advocates and friends have uncovered a significant amount of artifacts and information during archeological digs, including 15 previously unknown battle sites detailed in the 206-page, 2011 petition.

Several groups filed this year's petition, including Friends of Blair Mountain, Sierra Club, OVEC, National Trust for Historic Preservation, West Virginia Labor History Association and West Virginia Highlands Conservancy.

We wonder if the DEP would find any mountain in southern West Virginia unsuitable for mining. Responding



The West Virginia Coal Association claims we lack legal standing, further stating that the plaintiffs "have no right to visit or enjoy the Blair Mountain nomination area."

The coal association also says several permits already allow surface mining on the mountain, including a 1,500-acre permit that covers several hundred acres of the proposed nomination area.

As of this printing, the judge has not ruled on the motions or scheduled a trial date. 🍓

to the DEP's decision, Janet Keating, OVEC Executive Director, said via the Charleston Gazette, "We have known all along that the DEP is a lapdog of the coal industry. We didn't expect any support from them."

In early August, the groups filed a complaint with the Kanawha County Circuit Court, in an attempt to force the DEP to accept their June petition and hold a hearing.

"DEP can't just skip the public hearing because it's more convenient for them to do so," argued Bill Price of the Sierra Club. "... Blair Mountain belongs to all West Virginians ... all West Virginians have a right to weigh in." 🍓

## **OVEC's ED Receives Human Rights Award**

Congratulations to Janet Keating, OVEC's Executive Director. The Greater Huntington Unit of Church Women United honored her August 27 with their Human Rights Recognition Award for 2011. This is a national award, recognizing the commitment and contributions of women at the local level who have demonstrated dedication to the struggle for human rights. 🍓

# Combating Serious Gas Pains – Without Antacids

West Virginia is the site of daily citizen activity around issues related to Marcellus Shale gas production – and hydraulic fracturing in particular – even as companies move ahead with drilling at great speed.

Local efforts have gained steam after the 2011 Legislature failed to enact any regulations covering the controversial drilling processes and related production issues. The lengthy list of concerns include water pollution, water usage, air emissions, ecosystem damage, human health, surface-owners' rights, vehicle damage to roads, decreased property values and potential inability to obtain mortgages – none of which the gas industry appears to take seriously.

Several major reports have recently questioned whether the promised and highly touted economic boom will even come to pass. (*See Shale Gas: Not All It Is Fracked Up to Be? on page 20*). Any update on the issues,

therefore, is outdated by the following week, but several recent events deserve mention.

Three West Virginia communities have banned hydraulic fracturing within their city limits: Wellsburg, Lewisburg and Morgantown. The latter is currently being sued for having extended the ban to a mile outside its city limits.

Citizens must take action to ensure that no legislation to regulate the industry includes language allowing the state to supersede these or other community regulations. Communities must retain the right to protect their own health and welfare.

A July 11 rally in Charleston, organized by West Virginians for a Moratorium on Marcellus (WV4MoM), drew over a hundred people to the Capitol.

The DEP has far too few inspectors to handle the current need for inspections, much less to continue to issue additional permits. Drillers of Marcellus wells use a variety of toxic chemicals, which must be closely monitored at a

number of stages to be sure that damage to the well site, and damage to water, air and human health does not occur. The state is not currently prepared to provide such monitoring.

**Marcellus  
SHALE SHOCKED**

Alarming studies on health effects continue to appear. There are so many unknowns that numerous citizens think it is imprudent to rush ahead with hundreds or thousands of new wells until more information is available.

Opponents also point out that **millions of gallons** of West Virginia's water are being used and contaminated during every frack. Much of the water (perhaps 40 to 60 percent) is lost underground or re-injected underground for disposal. Those millions of gallons are being permanently removed from the planet's water cycle. The water belongs to the people of West Virginia, and the people should have a strong say with regard to its usage.

During the June legislative interims, a Select Committee on Marcellus was formed to consider regulations and work out a piece of

legislation to address the various issues. Senate members are senators Doug Facemire (co-chair, D-Braxton), Corey Palumbo (D-Kanawha), Orphy Klempa (D-Ohio), Karen Facemyer (R-Jackson) and Herb Snyder (D-Jefferson). House members are delegates Tim Manchin (co-chair, D-Marion), Barbara Fleischauer (D-Monongalia), Bill Anderson (R-Wood), Woody Ireland (R-Ritchie) and Tom Campbell (D-Greenbrier). If a bill can be agreed upon, the governor has promised to call a special session to consider the legislation.

On July 12, Acting Governor Earl Ray Tomblin instructed DEP Secretary Randy Huffman to promulgate emergency rules to regulate drilling in the Marcellus shale.

The rules would require water usage plans, place additional standards on drill casings to protect against leaks and mandate engineering plans for construction and sediment controls for sites disturbing three or more acres, among other provisions. These are positive steps, but air emissions,

*continued on page 20*



A Marcellus Shale well in northern WV. photo courtesy WVSORO

## Shale Gas: Not Quite All It IS Fracked Up to Be?

Recent economic reports are exposing the underbelly of the Marcellus Shale “boom” and taking the form of a series of serious warnings rather than positive economic news for West Virginia.

A May 2011 report from the Postcarbon Institute by the respected Canadian geoscientist J. David Hughes cuts right to the heart of the matter. **He suggests that the gas industry is putting all its investment into shale gas and wishing for production levels that seem unlikely,** based on the history of shale wells in Arkansas and Texas.

Without good performance from shale gas wells, gas production is likely to decrease by about 20 percent in the United States over the next 20 years. This despite the Energy Information Administration’s predictions about gas being used as a replacement fuel for coal or oil.

So, can we really plan on gas being a “transition fuel” over the short term? As Hughes states in the report abstract, “Replacing coal would require a 64 percent increase of lower-48 [states] gas production over and above 2009 levels, heavy vehicles a further 24 percent and light vehicles yet another 76 percent. This would also require a massive build-out of new infrastructure, including pipelines, gas storage and refueling facilities and so forth. This is a logistical, geological, environmental and financial pipe dream.” Hughes cites an estimate of the cost needed for such an infrastructure overhaul at \$700 billion.

Then, on June 26, the *New York Times* revealed a bombshell in its investigative article “Insiders Sound Alarms

Amid a Natural Gas Rush.”

The article is based on hundreds of emails provided by gas company whistleblowers concerned about the hype. The e-mails show that company executives, lawyers and analysts question whether companies are intentionally overstating the productivity and promise of the Marcellus Shale in order to recoup investments on other shale wells that are not playing out as expected.

Some companies seem to be systematically using data from only their most productive wells to estimate future obtainable resources and production levels.

*The Times* article states, “The data show that while there are some very active wells, they are often surrounded by vast zones of less-productive wells that in some cases cost more to drill and operate than the gas they produce is worth. Also, the amount of gas produced by many of the successful wells is falling much faster than initially predicted by energy companies, making it more difficult for them to turn a profit over the long run.” 🍌

### Gas Pains

*continued from page 19*

surface owners’ rights and other concerns are not likely to be addressed until legislators firm up regulations. The emergency rules can remain in effect for only 15 months, so the legislature must continue to move ahead swiftly.

The House members (but not the senators) of the Select Committee decided to hold three public hearings at the end of July, one in Wheeling, one in Morgantown and one in Clarksburg.

These hearings drew astounding crowds and a total of over 1,200 people. As might be expected, people who work in the industry spoke about the money to be made and being able to have jobs that support their families in the state. Interestingly, the parking lots were full of trucks with Texas, Oklahoma, Arkansas, Tennessee, Pennsylvania and other license plates.

A sizeable majority of the speakers at all hearings called for stronger regulation, expressing concern about surface-owners’ rights, health impacts, environmental damage, air and water pollution and tanking property values.

The delegates, and especially Committee Co-chair Tim Manchin, deserve our thanks for their presence at these long and grueling evenings in order to hear from the citizens presenting their views on gas production issues.

**To get involved with OVEC’s coalition work on Marcellus Shale issues, contact Carol Warren at [peacelovemom@gmail.com](mailto:peacelovemom@gmail.com).** 🍌

### GET ACTION ALERTS!

**Stay Informed by E-mail:** Join OVEC’s Action Alert! e-mail list by sending an e-mail with “join list” in the subject line to [vivian@ohvec.org](mailto:vivian@ohvec.org). This is not a discussion list, so you won’t be swamped with e-mails.

**Stay Informed by Phone:** If you don’t have or don’t like e-mail, call the OVEC office at (304) 522-0246 and ask to be put on our Call List. We’ll need your name and phone number. Don’t worry - we will only call to let you know about major events or actions.

**Stay Informed by WWW:** Visit [WWW.OHVEC.ORG](http://WWW.OHVEC.ORG) frequently for news and action updates. Check out our extensive background information in the Issues section. Look for your friends in the People in Action section.

# We care. We Count. WE VOTE!

## Supreme Court Ruling Disappointing, but Not Fatal for Public Financing

A June U.S. Supreme Court ruling, in the case of *McComish vs. Bennett*, strikes down the Arizona clean elections program's matching funds. WV Citizens for Clean Elections (CCE) had been watching this case closely because a new law here contains a similar funding mechanism.

The WV Public Financing Pilot Project, established with the work of CCE, would make public financing available to candidates for the two Supreme Court seats on the ballot in the 2012 elections.

"This ruling doesn't mean that public financing is dead in West Virginia. The trigger mechanisms which provide candidates with additional funding are an important component, but not the only way to design a robust public financing program," said OVEC's Carol Warren, who is a coordinator for CCE, a coalition of twenty-five organizations that supports election reforms in West Virginia.

"It is essential that judges be impartial, with no possibility of influence by financial supporters. Properly crafted public financing laws are more critical than ever, so that judges do not have to dial for dollars from major donors who may appear before them in court," Warren added.

Supporters noted that a key element of the ruling is that even in striking down one important funding mechanism – triggered matching funds for participating candidates – **the Supreme Court affirmed its previous rulings that public financing is itself constitutional.**

Public financing has been an important reform in the area of judicial elections, where campaign spending exploded nationally in the last decade. According to Justice at Stake, a national reform group that works to keep politics and special interests out of the courtroom, state high-court candidates raised \$206.9 million in 2000-09, compared with \$83.3 million in the 1990s, and special-interest groups spent tens of millions more on independent TV ads. Judges face some form of election in 39 states.

Seeking to reduce special-interest influence, four states enacted public financing for appellate court elections: North Carolina, New Mexico, Wisconsin and West Virginia. All have the same funding mechanism struck down by the Supreme Court.

Polls in North Carolina, Wisconsin and West Virginia show broad bipartisan voter support for public financing of judicial elections.

The West Virginia poll showed that more than two-thirds of voters see contributions to Supreme Court candidates as a serious problem and more than three out of

four believe that these contributions influence a judge's decisions. These sentiments cut across party lines. In

*continued on page 22*

## Clean Elections: We Have Plan B!

*by Carol Warren*

WV Citizens for Clean Elections (CCE) had been expecting the U.S. Supreme Court's ruling in *McComish vs. Bennett*. The Court reaffirmed the constitutionality of public financing, but prohibited triggered matching funds linked to non-participating opponents' spending.

Anticipating the ruling, we put thought into a Plan B, so we could prepare a piece of legislation to address the issue quickly.

Our legislation would allow a certified candidate's committee to continue to raise small contributions of \$100 or less (the legislature could raise the amount). With each periodic report to the Secretary of State's office, the amount the candidate has raised would be matched from the Public Financing Fund at a specified ratio. We initially recommended 3 to 1, but some allies would prefer a higher match of up to 10 to 1.

So, for example, in the primary, qualified candidates for the 2012 Supreme Court races would get an initial grant of \$200,000. If they then raised an additional \$50,000 during the first reporting period, they would be eligible for an additional \$150,000 (at 3:1).

The fundraising could be repeated each reporting period, until funds raised plus matching funds equals the cap of \$400,000 in additional funds set for the primary in the original legislation. In the general election, the initial grant is \$350,000, and the process would be the same. This type of plan seems to pass muster in light of the Court's decision, because the matching funds are based only on what a candidate raises, not what an opponent is spending.

Another action the legislature might take is to simply raise the amount of the initial grants to certified candidates and do away with matching funds altogether. If the legislature chooses not to do anything to alter the current law, the initial grants stated in the legislation (noted above) would still be in place for candidates participating in the program.

As in the past, WV Citizens for Clean Elections will also be working with legislative allies to be sure the Supreme Court Pilot Project is adequately funded. A bill to add additional funding narrowly failed at the end of the 2011 legislative session. 🍌

# We care. We Count. WE VOTE!

## Why Do “Our” Politicians Keep Defending Toxic Coal? It Pays Well!

A July 20 news article titled “COAL: Industry showers members of Congress with contributions” by Manuel Quinones, an *E&E* reporter, examines the coal industry’s contributions to politicians.

Rep. David McKinley (R-WV) “is not only one of coal’s most ardent and vocal supporters, he has also emerged as one of the top recipients of industry donations. The congressman has received more than \$200,000 in electricity and coal-related contributions so far this year, according to figures compiled by the Environmental Integrity Project,” the article reports.

His contributors include the political action committees of energy giants Koch Industries Inc., Arch Coal Co., Consol Energy Inc. and Alpha Natural Resources Inc.

Rep. Nick Rahall (D-WV), who ushered through the House legislation that undercuts EPA’s crackdown on MTR, this year has received \$2,000 from the National Mining Association’s COALPAC, \$7,500 from the United Mine Workers’ Coal Miners PAC and \$2,500 from Arch’s ARCHPAC.

Sen. Joe Manchin (D-WV) “has become one of coal’s top backers in the upper chamber of Congress. And the industry is rewarding him handsomely this year – he

received \$5,000 from the NMA’s COALPAC, \$3,500 from the UMW and \$2,500 from Peabody Energy Corp.’s PEABODY PAC,” the article states.

“Like Rahall and McKinley, Manchin has received plenty of donations from coal burning utility PACs. Dominion Resources Inc. has poured \$3,500 into the senator’s coffers, American Electric Power Co. Inc. has provided \$5,000, and the Edison Electric Institute has chipped in \$2,500.

“Manchin is the only Democratic senator to have received money this year – \$5,000 – from Koch Industries’ KOCHPAC, which tends to favor conservative contenders.”

On July 26, Quinones and reporter Elan Schor of *Greenwire* published another article, “Sen. Manchin Maintains Lucrative Ties to Family-Owned Coal Company.”

The article began by stating that Manchin “is more than just a supporter of his state’s influential coal producers – he’s a full-fledged industry insider.”

“On his financial disclosures for 2009 and 2010, Manchin reported significant earnings from Enersystems Inc., a coal brokerage that he helped run before his political star rose.” The holdings were put in a blind trust when he assumed his office in Washington, the story noted.

The article mentioned Manchin’s first bill as Senator, one that would stop EPA from retroactively vetoing mountaintop-removal permits, i.e. the Spruce No. 1 MTR mine permit. 🍌

## Supreme Court

*continued from page 21*

addition, the poll revealed strong bipartisan support for public financing of West Virginia’s Supreme Court elections.

A case before the Seventh U.S. Circuit Court of Appeals continues to debate whether triggered matching funds may be constitutional in the specific context of judicial elections.

In *Wisconsin Right to Life v. Brennan*, Justice at Stake (JAS) and the Brennan Center for Justice argued in separate amicus briefs that judges have a unique role in our government, with a constitutional duty to be impartial. The groups say that creates a far more compelling state interest, of preventing even the appearance of bias in elected judges.

The JAS brief was co-signed by 23 public interest groups including four West Virginia reform groups – OVEC, WV Citizen Action Group, the League of Women Voters of WV, the WV Association for Justice, and WV Citizens for Clean Elections. 🍌

**Recurring Donors Help Keep OVEC’s Work Going**



**If you agree that OVEC’s work is critical to protecting West Virginia, please consider joining our recurring donors program. Go to [www.OHVEC.ORG](http://www.OHVEC.ORG), click on the “Donate” button, then click on the “Donate Now” button.**

**Recurring donations help build OVEC’s sustainability and help us with our long-term planning, since we can better estimate our members’ donations. Remember, donations to OVEC are tax deductible.**

# EPA Issues Final Guidance on MTR To Reaffirm the Clean Water Act and New, Peer-Reviewed Science

On July 21, the U.S. Environmental Protection Agency issued final guidance to assist its staff in meeting long-standing requirements of the Clean Water Act with regard to mountaintop removal coal mines in Appalachia.

All MTR mines must be permitted under the Clean Water Act and must comply with the law, but recent research by EPA and scientists have found these projects create lasting, irreparable harm to streams and water quality.

The final guidance comes after a more than year-long process during which the EPA examined the science, completed new major scientific reports, received peer review, and considered 60,000 public comments.

In addition to improving the agency's oversight and compliance with existing requirements of the law, the guidance reaffirms the essential role of science in evaluating proposed MTR mining permits. The final guidance is based



***EPA's guidance focuses on ensuring compliance with long-standing requirements where stronger oversight is essential to protect water quality and Appalachian communities.***

on the latest peer-reviewed science on stream pollution and protection, including two comprehensive new scientific reports released by EPA this year that reveal information on how MTR mining harms the integrity of vital waters and natural

resources. EPA's guidance is also based on tens of thousands of public comments that EPA considered and received during its notice-and-comment process in 2010.

Represented by Earthjustice and the Appalachian Center for the Economy and the Environment, seven groups – OVEC, WV Highlands Conservancy, Coal River Mountain Watch, the Sierra Club, Kentuckians For The Commonwealth, Southern Appalachian Mountain Stewards and Statewide Organizing for Community eMpowerment –

have intervened in a coal industry lawsuit to support EPA's use of this guidance and the agency's efforts to follow the

Clean Water Act, consider the latest science and protect America's waters from destruction.

"We're glad to see Administrator Lisa Jackson follow through on her commitment to finalize this important staff guidance, which is a considerable step toward giving Appalachian

communities their rightful protections under existing law and following sound science," said Joan Mulhern, senior legislative counsel of Earthjustice.

"But clearly, as long as mountains are being blown up and leveled in Appalachia, streams are being buried with mining waste, and waters for communities are being contaminated, the Obama administration has more work to do in making sure that the government is following the Clean Water Act," said Mulhern.

"This is a strong first step, though, and we hope to see this followed up with serious implementation and a hard look at how much longer our federal government will allow mountains to be destroyed and Appalachian communities to suffer. This guidance is only as protective as its implementation and the test will be whether we finally see compliance with the Clean Water Act which prohibits significant degradation of our nation's waters."

The EPA first released interim guidance in April 2010 for public comment after scientific breakthroughs offered new information on the lasting, irreparable harm from mountaintop removal mining. The EPA also found that there had been serious non-compliance in the permitting process with important existing legal requirements.

In 2010, the EPA requested public comment while also implementing the interim guidance in Appalachia. The EPA stated that it would issue final guidance by 2011.

"Of course we hoped for more, but given the current

*continued on page 24*

# *Hello OVEC Members!*

by Andrew Munn, OVEC's newest organizer

I'm looking forward to working with you all to end strip mining and industry abuses in West Virginia. Much of my energies will focus on community organizing in areas next to the active and proposed MTR sites, and I hope some of you will join me in those efforts.

For the past two years I've lived and worked in the Coal River Valley, with Mountain Justice, Coal River Mountain Watch, and most recently Appalachia Rising. For the past year, I've worked on two large scale mobilizations - Appalachia Rising, the conference and day of action in Washington, DC, and the Appalachia Rising: March on Blair Mountain.

As I turn to this local organizing work, I'll be keeping special attention on how our local work fits in with, and builds the overall movement to abolish strip mining in all of its forms. For now, I'll be splitting my work between getting my feet on the ground in Fayette County with OVEC and our Sludge Safety Project, and putting volunteer energy into "post" March on Blair Mountain organizing. Soon, I'll move to Fayette County.

**Get in touch with me anytime at [anromu@gmail.com](mailto:anromu@gmail.com).** I look forward to working with all of you to kick Frasure Creek and other MTR companies out of Fayette County, West Virginia, and Appalachia so we can build something better for our futures! 🌰

**Right: Andrew Munn**



## **Author of *Tropic of Chaos* Keynotes OVEC's Annual Meeting**

Award-winning writer Christian Parenti was the keynote speaker at OVEC's annual meeting.

His book, *Tropic of Chaos: Climate Change and the New Geography of Violence*, argues that the new era of climate war has begun.

In his book, Parenti takes readers on a journey that intertwines climate change, poverty, inequality, and violence.

Reporting from the belt of economically- and politically-battered postcolonial states straddling the planet's mid-latitudes, Parenti uncovers a region defined by widespread violence and profound humanitarian crisis.

This "tropic of chaos" marks the ribbon of failed states where the impact of climate change is being felt most urgently, exacerbating pre-existing crises.

The social, economic, environmental and political similarities of West Virginia's southern coal-bearing regions to other places outside the US where Parenti traveled while researching his book are uncanny.

**Like other places, Central Appalachia suffers from generational poverty, loss of community (literally and figuratively), outmigration, drug use and abuse, and violence.**

Before his visit to West Virginia, Parenti told the *Charleston Gazette's* Paul Nyden, that he would be interested in "checking out the struggle against coal. I am interested to see the situation with mountaintop removal

mining. If we can't get off coal, we can't really deal with these problems."

Parenti and an OVEC staffer participated in a mountaintop removal flyover provided by SouthWings.org. 🌰

### **EPA Guidance**

*continued from page 23*

political climate in Washington, we have nothing but praise and gratitude for EPA finalizing this guidance and reaffirming the scientific support for their actions," said WVHC's Cindy Rank. "Now more than ever the waters of Appalachia and we who depend on them need EPA to stand strong on our behalf."

Said OVEC co-director Dianne Bady, "This science-based guidance is absolutely necessary to safeguard clean water that still exists near current and proposed mountaintop removal mining operations. A healthy economy and healthy communities depend upon safe water. No community should ever again face the contamination of our precious water for short-term corporate gain."

CRMW's Vernon Haltom said, "In the absence of any meaningful regulation by state agencies, our communities must depend on the EPA to protect our lives, homes, and water. Now, the coal industry and their political allies are working to take away the EPA's ability to use law and science to protect us." 🌰

# Gratitude Abounds for FACT's Contributions to OVEC

by Janet Keating

OVEC extends heartfelt thanks and a bittersweet good-bye to the French American Charitable Trust (FACT), a family foundation that has provided both general support and organizational funding for OVEC's work for several years.

Our relationship began in 2007, when OVEC and the Alliance for Appalachia organized a mountaintop removal tour for FACT family members. Soon after, FACT's President and Director, Diane (pronounced "Dee-ann") Feeney called and requested a funding proposal; and OVEC became the first West Virginia-based nonprofit to receive FACT funding.

Indeed, FACT has played a tremendous role in OVEC's successes and continued efforts to end mountaintop removal, as well as our initiatives to strengthen the organization and communities we serve. We are so grateful to the Feeney family, especially Diane, who has steered this family's dream to create a more just society through mindful philanthropy.

Years ago, FACT made a decision to spend all of its assets, and in the words of Diane:

*"Just over 20 years ago, the French American Charitable Trust (FACT) was founded by my family to address fundamental inequalities and injustices in our society. During this time we have been proud to support the development of networks of community-led groups in the U.S. and France that equip people directly affected by social, economic and environmental injustice to speak up, hold officials to task, and promote policy change.*

*"Our foundation was created to bring the family together and learn how to give back to low-income and marginalized communities in France and the U.S. After many years of discussing whether or not to exist in perpetuity, we emerged believing that we would be more effective making larger grants now than if we spent less over a longer period of time. We eventually agreed that making FACT the work of a single generation would allow us to accomplish more with the foundation's funds and also to honor our parents in their lifetime."*

We also want to acknowledge FACT's wonderful staff and consultants with whom we've had the privilege to work. Our thanks extend to Laura Livoti, a lively and caring

Senior Program Officer. Her introduction to OVEC came when she was working for the National Radio Project and OVEC staffer Vivian Stockman pitched a story to her about MTR. Laura was a "ring leader" in hosting a surprise reception in San Francisco when Maria Gunnoe won the Goldman Prize in 2009.

She helped to ensure that OVEC had enough tickets for all of the guests we invited to this pinnacle award ceremony. Thank you, Laura, for your sweet, adventurous spirit and the knowledge that you carry with you and share. Thank you for being a stellar advocate for OVEC!

We also thank Myra Bicknell, FACT's Operations & Grants Manager. She is a talented and indispensable, behind-the-scenes person who keeps up with details and ensures that operations run smoothly, day-to-day. We are grateful to her for keeping OVEC on track with reports and proposals, and for her patience and timely responses in answering our questions. Thank you, Myra, for your support!

We will continue our connection with FACT throughout 2011. Thanks to Emily Goldfarb, FACT's lead consultant, OVEC is working with two consultants who are part of FACT's Management Assistant Project – Alfreda Barringer and Rebecca Johnson.

FACT has provided funding enabling OVEC to work with these two great consultants. Alfreda works directly with OVEC on board and organizational development issues. Having navigated the nonprofit world for many years, Alfreda regularly shares her vast professional knowledge and expertise with OVEC's staff and board. We have all benefited tremendously from the advice and support of this wise and gentle woman.

We also tip our hats to FACT consultant, Rebecca Johnson, for helping OVEC develop a more sustainable organization – one that will stay under the skin of polluters for the long-haul. Rebecca is a professional grassroots fundraiser working closely with OVEC's Membership Committee and staff.

In its very first year, the committee held several membership events and house parties, and also developed a Sustainer Program – comprised of members who contribute a set amount to OVEC each month. As we clearly know, foundations can come and go, but funding from people who support OVEC's values and programs is both reliable and sustainable. Rebecca is an "idea person" who continues to encourage our staff and volunteers to be creative and bold in our efforts to maintain and diversify OVEC's sources of income. Thank you, Rebecca! 🍪



**Mary Miller, left, and Pauline Canterbury, the Sylvester Dustbusters.**

*photo courtesy Giles Ashford, www.ashford7.com*

appearance, alongside Dr. Michael Hendryx, in *Coal Country* is one of the highlights of the film.

Both Miller and Canterbury are OVEC members and former board members for Coal River Mountain Watch.

---

We extend our heartfelt sympathies to Elinore Taylor, Carter Seaton, Richard Cobb and all other family and friends of Nancy Taylor, who passed away, at age 96, on August 2. Nancy was a long-time OVEC supporter. Recently, she and her sister, Elinore, became two of the first 75 Sustainers in OVEC's new Sustainer campaign. Nancy, Elinore and Winnie Fox often appeared together at OVEC events, and other Peace and Justice-related events, across the state, and beyond. While we mourn Nancy's passing, we know that we now have a dynamic duo advocating for our work through eternity: Nancy and Winnie ... march on!

---

Our sympathies also go out to the family of Paul Lefevre, who supported OVEC's work generously and frequently. We were recently informed that he died in May.

---

OVEC extends sincere condolences to the family of Duane Meyers Martin, of Omaha, Nebraska, who died June 5, after a long battle with brain cancer. We did not know Duane, but he apparently knew about OVEC. Although Duane was only given six months to live after his diagnosis, his obituary reads, "he persevered with great faith and tenacity" and lived for 14 years.

Interestingly, like Meyers, OVEC is known for its perseverance and tenacity – and we have been battling mountaintop removal for 14 years. We were surprised to

OVEC extends our deepest sympathies to Mary Miller, whose husband passed away in May. Mary, we were so saddened to hear of Ted's passing and we have been grieving with you. You are always in our hearts.

Miller is one of the "Sylvester Dustbusters." She and her cohort, Pauline Canterbury, have done much to keep their Boone County town from choking in coal dust. Their

learn that, when he died, the "in memoriam" request in lieu of flowers was for donations to OVEC. We are quite grateful to Duane Meyers Martin; we don't think we ever met him, yet we know that we must be kindred spirits.

We hope he meets up with like-minded souls on the other side, like Winnie Fox, Nancy Taylor, James Foster, Frankie Mooney, Sibby Weekley, Laura Forman, and Judy Bonds. We have an amazing group of leaders supporting us from Beyond. We are grateful to Meyer's friends and families who contributed to OVEC in his memory, and we will be faithful to the work before us. 🍂



## CALENDAR

**Sept. 3-4:** Mountain Keepers Gospel Music Weekend. [MOUNTAINKEEPER.BLOGSPOT.COM/](http://MOUNTAINKEEPER.BLOGSPOT.COM/)

**Sept. 15:** Build-It-Up! West Virginia 2011 Open House 5:30 p.m. at the Woman's Club of Charleston, 1600 Virginia Street, E. Charleston, WV.

**Sept. 21:** National "Watch-In and Screening Event for The Last Mountain. [WWW.THELASTMOUNTAINMOVIE.COM](http://WWW.THELASTMOUNTAINMOVIE.COM).

**Sept. 24:** Kanawha Valley Sustainability Fair, at the Columbia Gas Transmission Building, Charleston, MacCorkle Avenue, SE. OVEC and SSP will table at this event. To help, contact [vivian@ohvec.org](mailto:vivian@ohvec.org).

**Sept. 25-27:** *Coal Country* Tour. [COALCOUNTRYTOURS.COM](http://COALCOUNTRYTOURS.COM)

**Oct. 3:** Deadline to submit articles, letters and photos for consideration for publication in our next *Winds of Change* newsletter.

**Oct. 15:** OVEC tabling at Bridge Day, Fayette County, WV If you'd like to be part of the set-up crew, contact Robin Blakeman at [rbrobinjh@gmail.com](mailto:rbrobinjh@gmail.com) or (304)522-0246.

**Oct. 18:** WV Council of Churches Annual Public Policy Forum at John XXIII Pastoral Center, Charleston. For more information, to attend, or to present an issue, please contact Carol Warren at [peacelovemom@gmail.com](mailto:peacelovemom@gmail.com). 🍂

## Year Two of Summer Youth Program Under Way at Scarbro

by Julia Sendor, excerpted from July 25, 2011, Beckley Register-Herald

In the steamy afternoon heat, a pile of old furniture, equipment and slabs of wood is steadily growing outside the Whipple Company Store and Museum basement.

Inside the basement, a group of teen-agers and 20-somethings are busy digging deep into their West Virginia roots – nearly literally, as they unearth and sort the contents of the company store basement.

The group, participants of Build-It-Up! West Virginia, a summer work and leadership development program, are spending six weeks this summer at the Whipple Company Store, the Southern Appalachian Labor School (SALS), and the Rock Lake Community Center in Charleston.

Coordinator and former participant Amber Whittington, a 21-year-old from Ameagle, explained that the program seeks to introduce participants to community projects in southern West Virginia – and to other young people with hopes to “build up” their state.

At each site, the group strives to carry out its mission to “join in to build infrastructure and expand the capacity of long-term community-run sustainable economic projects in

### ***In Huntington: Best Not to Barge Ahead With This Proposal***

For nearly two decades, Huntington Marine Services has been trying to get permission to build a large coal barge handling facility on the Ohio River in Huntington’s Westmoreland neighborhood, which is in Wayne County, WV. The project would accommodate 90 barges – in an area zoned residential.

So far, concerned residents have fought off this proposal, worried that such a facility would cause riverbank erosion and bring continuous exposure to toxic coal dust and noise and light pollution.

The facility would also require sewage system changes estimated at about \$2 million, and would raise the sewage service rates for residents of Huntington and beyond, including Ceredo, Kenova, Spring Valley, Northern Wayne, and Pea Ridge to Bonnie Boulevard. (Read more about the costs: [BIT.LY/OZNTDE](http://bit.ly/ozNtDe); scroll down to second letter.)

The U.S. Army Corps of Engineers wants to give the facility a permit. Public comments were due to the agency

Southern West Virginia to develop meaningful economic opportunities that open doors, come from within, and combat oppression.”

The group motto of “solidarity not charity” involves working with community groups – recognizing that both the youth and the community groups can grow and learn from each other.

At the Whipple Company Store, for example, the six participants and three coordinators not only helped reorganize the basement for repairs and future exhibits, but also learned about their coal-mining heritage and the importance of honoring it.

“It’s part of our history, and all the participants here are born and raised West Virginians

or go to school here,” Whittington said. “This is a part of history never learned on history books.”

Read the entire article at: [BIT.LY/NADAMT](http://bit.ly/NADAMT).

(Ed. Note: OVEC serves as the fiscal sponsor for Build-It-Up! West Virginia and also helps fund the program, now in its second year. Joe Gorman and Dustin Steele are the group’s other co-coordinators. See [GRANDASPIRATIONS.ORG/WESTVIRGINIA](http://GrandAspirations.org/WestVirginia) for more info.) 🍪



**Participants in this year’s Build-It-Up! West Virginia at the Whipple Company Store and Museum.**

*photo by Joe Gorman*

in July. The Westmoreland Neighborhood Association, which has been fighting this proposed project for 17 years, worked hard to get information to folks so they could write their own comment letters. OVEC member Marilyn Howells, with the assistance of staffer Robin Blakeman, helped OVEC get involved in generating comments.

Howells noted, “Everyone’s worried about health issues, noise, property values, loss of sleep, damaged recreational value for walks and impacts on fishing. This would truncate the Paul Ambrose walking trail, hurting its recreational value to Westmoreland while the rest of Huntington gains.

“This would also damage mechanical things and increase costs to Camden Park, causing this local employer to possibly close. People are worried about damage to house siding and car finishes, the impact on local businesses, aesthetic damage, erosion of the river bank, barges sinking, and the possibility of adding lighting later.” 🍪

