



Winds of Change

Celebrating 25 Years of Organized Voices and Empowered Communities

Huntington, WV

OVEC

www.ohvec.org

Victory: Lawsuit Forces Selenium Pollution Cleanup

For the past year, every time OVEC organizer Maria Gunnoe has driven up her long driveway, she's looked to the mountaintop above her home with a worried heart. Back in 2008, an OVEC lawsuit led by Joe Lovett of the Appalachian Mountain Advocates resulted in the Callisto mountaintop removal mine directly above her home shutting down. But, more recently, the company, which is owned by Patriot Coal, applied to renew its surface-mine permit for the Callisto mine.



This mine, above Maria Gunnoe's home, won't be getting any bigger.

As a part of a selenium lawsuit settlement, Patriot agreed to drop plans to mine the 8.5 million tons of coal there, and Maria is resting easier these days.

In January, OVEC, West Virginia Highlands Conservancy and the Sierra Club settled the biggest selenium lawsuit we've ever filed. Thanks to our lawyers, Joe Lovett and Derek Teaney with the Appalachian Mountain Advocates, Patriot Coal will be required to spend hundreds of millions of dollars to treat illegal selenium pollution at three of the company's major mountaintop removal mines in West Virginia: the Hobet 21 complex along the Lincoln-Boone County border, the Samples mine complex near Cabin Creek (on Larry Gibson's Kayford Mountain) and the Ruffner mine in Logan County. The deal requires approval by the U.S. Federal District Court in Huntington before it takes effect.

The settlement requires that Patriot and its subsidiaries treat selenium at 43 water-pollution outlets, including some previously thought to be untreatable.

In a 2010 legal order resolving a separate action we brought against Patriot, a federal judge ordered the company to treat selenium at four outlets. The company has estimated the cost of treatment at just those four outlets to be nearly \$100 million.

The January settlement requires Patriot to install treatment technology, on a set schedule, to bring selenium discharges to

legal levels. In addition, the company will pay penalties of \$7.5 million, with the vast majority of those funds going to the West Virginia Land Trust, to help with its mission of preserving land in southern West Virginia. Patriot will be subject to significant additional penalties for any violations that occur after the compliance date for each source of pollution.

Our groups have already successfully used litigation to force selenium treatment at mountaintop removal mines owned by Massey, Arch Coal and Alpha Natural Resources.

In previous cases, we've successfully sued the West Virginia Department of Environmental Protection to

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West Virginia's Glass of Water Half Empty

An op-ed by WVU-Tech professor John David, originally published in the February 8 edition of The Charleston Gazette

In addition to coal and gas, West Virginia possesses another extremely valuable resource: water. In fact, the state owns the water in all streams and rivers within the state as well as several rivers, such as the Ohio, that border the state.

We have all been taught that water is essential for life, although less than 1 percent of the Earth's water is available for us to use.

The demand for water for other purposes is escalating. Most people take water for granted until there's not enough. Disasters such as earthquakes and floods draw attention to destroyed aquifers and polluted water streams. Billions

of gallons are needed to clean coal and implement the hydraulic fracturing process to force out natural gas — a process that is projected to increase significantly as the use of natural gas for electricity rises to half of



Blackwater Falls, Tucker County, West Virginia

the nation's generating capacity. In Texas, according to The Wall Street Journal, each well using hydraulic fracturing weekly requires enormous quantities of water and companies are scrambling to lock up water supplies. Production for nearly everything consumed requires major water use as well. *National Geographic* even notes that it takes 2,900 gallons of water to produce one pair of jeans. Meanwhile, as noted by Maureen McAvey of the Urban Land Institute, the United States' water footprint is huge — 656,000 gallons per person per year compared to 186,000 gallons in China. The nation's daily indoor per capita water use is 69.3 gallons.

While wasteful use of water is a problem, a second issue is the contamination of our water supply.

Our water comes from surface runoff, abandoned coal mines, and underground water that can be affected by conditions hundreds of miles away. Burying trash, slurries, CO2, and drilling fluids including human carcinogens such as methanol, benzene, sulfuric acid,

and lead combined with a vast volume of water used in fracking may assist tourism and postpone the day of reckoning, but eventually it aggravates the problem of water contamination caused by various chemicals and household wastes.

In Dimock Township, Pa., The Associated Press reports that the Environmental Protection Agency is delivering water where Cabot Gas "has been accused of tainting homeowners' wells with methane and possible hazardous chemicals." Furthermore, according to the EPA, nearly half of lakes and reservoirs nationwide contain fish with potentially harmful levels of the toxic metal mercury.

The Wall Street Journal notes that livestock and poultry operations generate about 500 million tons of manure each year, or about three times the amount of human waste in the nation, with much of that waste untreated and deposited into public waterways. The runoff, which can contain E. coli and other bacteria, can threaten human health.

There is also another possible issue with hydraulic fracturing that relates to diversion of the water supply from existing aquifers. As noted by The Associated Press, Ohio became the latest state to take action on **the link between seismic activity and wells used to dispose of wastewater from oil and gas production** after a series of 4.0 magnitude earthquakes hit northern Ohio over the holidays. According to the report, "Arkansas regulators last year declared a moratorium in injection wells in the vicinity of a series of earthquakes and in 2010 researchers at Southern Methodist University also found a link between injection wells in the Dallas-Fort Worth area and nearby quakes." A related concern has been raised by earthquakes that recently have occurred in Braxton County.

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In 2012, We Celebrate 25 Years of Organizing Voices and Empowering Communities



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Ohio Valley Environmental Coalition

P.O. Box 6753, Huntington, WV 25773

phone: 304-522-0246 fax: 304-522-4079

www.ohvec.org

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

For the past quarter century, our newsletters have chronicled the progress we've achieved and the pitfalls we've encountered as we work together for a better future. **Your participation has been central to all we have achieved.**

Whether you are new to OVEC, or were once active on some of our earlier campaigns, we hope you will join us in 2012 to celebrate our 25 years of sparking transformation in our area.

Call the office at 304-522-0246 to join the 25th anniversary planning team for our **October 27 birthday bash — please save that date.**

Our first special event of the year is our annual meeting, open only to members and guests of members who share our visions and values:

It's a Victory Celebration and Dance!

6 p.m. Saturday, April 21, 2011

at the Charleston Woman's Club

Check your mailbox for an invitation, or contact Robin Blakeman at rbrobinjh@gmail.com or 304-522-0246 for more details. We encourage you to bring friends and family who would appreciate our work.

Another Selenium Lawsuit: Alpha Pays \$54 Million

OVEC, WV Highlands Conservancy and Sierra Club sued Massey Energy in federal court over repeated selenium violations at three mountaintop removal mines. Alpha Natural Resources acquired the lawsuit when it bought Massey Energy last year.

In December 2011, we settled the lawsuit when Alpha Natural Resources agreed to pay \$50 million to clean up selenium pollution at the Twilight and Red Cedar operations in Boone County and its Kanawha Division, on the Kanawha-Fayette County line.

Alpha must also pay \$450,000 in civil penalties to the U.S. Treasury and contribute \$4 million to the West Virginia Land Trust to help fund a WVU legal clinic, the Land Use and Sustainable Development Clinic. (See page 9 of the December 2011 *WOC* for more information on the clinic.)

In a December 12, 2011 article, *Charleston Gazette* journalist Ken Ward Jr. noted that the settlement is “the latest success by lawyers from the Appalachian Mountain Advocates in forcing major coal producers to deal with selenium pollution. Previously, environmental groups worked out a selenium settlement with Arch Coal and won a favorable ruling that requires Patriot Coal to install new treatment systems for selenium.”

Humans need small amounts of selenium to be healthy. Higher amounts of selenium can be toxic. While selenium occurs naturally in some soils and

Lawsuit Forces Selenium Pollution Cleanup

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force the agency to set selenium limits at mountaintop removal mines where the agency failed to follow the Clean Water Act in issuing water pollution permits. We’ve watched in frustration as the DEP repeatedly gave the operators extensions on the amount of time they had to meet those limits.

We’ve sued companies only to have the DEP file legal action against those same companies in an effort to protect the companies from real enforcement. DEP doesn’t follow up with its enforcement actions, but rather, the agency gives companies more time to illegally pollute the waters of the United States. (According to federal law, citizens cannot sue companies for pollution if a government agency is proceeding with legal action

If anything, this settlement will create jobs. The millions upon millions of dollars spent treating this pollution, after all, will be flowing into some company’s (or several companies’) bottom line. People will be paid to design the treatment systems and workers will be needed to put the treatment systems in place.

— Dan Radmacher, with Appalachian Mountain Advocates, posting on Ken Ward Jr.’s *Coal Tattoo* blog

rocks, the massive obliteration at mountaintop removal sites unleashes large quantities of the metal from the rock where it would otherwise be sequestered.

Repeatedly, runoff from mountaintop removal has been found to exceed permit levels for selenium discharges and studies have shown selenium pollution problems for wildlife downstream.

Ward wrote, “Coal lobbyists have tried unsuccessfully to weaken the state’s selenium limits, but have persuaded the DEP to repeatedly delay compliance deadlines for many operations.”

Because DEP has been so willing to ignore the violations and bow to the coal industry’s wishes, we continue to use these citizen lawsuits to put the brakes on the toxic levels of selenium entering our waterways. If wildlife is being poisoned, humans, especially those who eat locally caught fish, are in danger, too. 🍷



Pollution kills. DEP shouldn't let coal companies get away with polluting. But, they do. So, we sue.

to enforce the pollution violations.)

We hope that coal companies and the banks that finance mountaintop removal will decide that it is simply not economical to do MTR coal mining in selenium-bearing rock strata — which means much of southern West Virginia.

We’re frequently asked why OVEC or any of the other groups bringing selenium lawsuits do not financially benefit from the large legal settlements. Under the citizen suit provisions that we use to bring enforcement actions, we are not allowed to profit from any litigation that we bring — our reward is knowing that the hard work of our dedicated attorneys brings cleaner water to West Virginia, and hopefully makes future mountaintop removal less likely. 🍷

West Virginia’s Water

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A third issue is noted in a study by the U.S. Geological Survey. The alarming study identified pharmaceutical drugs, including antibiotics, hormones, contraceptives, and steroids in the drinking water supplies of some 40 million Americans and in 80 percent of the rivers and streams sampled.

The cost of water is about to explode as clean water becomes scarcer. Since water is the base for many other drinks and various food products, scarce water supplies will have an expensive impact throughout the chain of consumer goods. Overall water tables have fallen, increasing the cost of energy needed to pump the water. Reports also note that the quality of available water has declined, which increased the cost of maintaining water quality. Judging from weather patterns and the increased improper disposal of toxics and garbage, present costs are likely the tip of the iceberg.

It’s no surprise that major financiers are beginning to invest in water, primarily through Exchange Traded Funds (ETFs). Kevin Bannon, chief investment officer at Highmount Capital, which manages \$1.8 billion from high net-worth individuals, recently noted in *The Wall Street Journal* that “we are big fans of water as a long-term theme — water’s day will come.”

West Virginia does not treat its water supply with adequate oversight. For example, mountaintop mines are permitted on top of Source Water Protection

Work Smarter for the Water — And the People

What more can we do to protect not only West Virginia’s water, but also the land, the air and the communities that depend on them? One thing is to learn more about effective ways to bring about the social and political change we need.

To that end, OVEC organizer Andrew Munn offers these trainings:

- 🍷 Organizing 101 (overview of power, relationships, one-on-ones)
- 🍷 Organizing: One-on-ones/Listening projects
- 🍷 Non-Violent Direct Action (skills for “soft” [no locks, chains or devices] actions)



Areas that provide public water, industrial discharge is permitted to enter waterways and streams, and stream use permits are granted for a token fee to divert and contaminate water. According to Public Justice, which has been working with WV Highlands Conservancy and the WV Rivers Coalition, the state has finally agreed to “comply with water quality standards at 169 abandoned coal mining sites, where acid mine drainage continues to kill aquatic life downstream.”

Thus, it was not surprising that during the recent interim session, the Legislature was advised to increase the state’s scrutiny of water consumption by large-scale users such as power plants and industry, as other neighboring states have done.

Without question, tremendous strides have been made to bring dependable, clean water to rural areas in West Virginia during the past 50 years. Water is “an essential” and one of the primary components in our right to “life, liberty, and the pursuit of happiness.” Yet, like clean air, clean and dependable water may become financially unaffordable for those who rely on minimum wage or part-time work. Furthermore,

bad water breeds disease, thereby contributing to permanent health problems and hurting the physical development of people destined to become the work force and citizenry of tomorrow. Such conditions are hardly conducive to economic development and building a new economy. It is time to realize that the glass of water in West Virginia is half empty. 🍷

- 🍷 Facilitation 101
- 🍷 Conference-Call Facilitation
- 🍷 Power and Direct Action (theory discussion)
- 🍷 Student Organizing for Students
- 🍷 Anti-Oppression 101
- 🍷 Anti-Patriarchy/Anti-Sexist Male Ally Discussion (how men can see and modify patriarchal behaviors)
- 🍷 Coal Sludge is No Good

Contact Munn at anromu@gmail.com or 304-924-1506 for more information or to schedule a training. 🍷

Marcellus SHALE SHOCKED

by Carol Warren

The Legislature's Select Committee on Marcellus Shale Drilling labored for months in 2011, preparing a bill to regulate Marcellus Shale gas production. Once the bill was ready, people across the state concerned about the health impacts and pollution effects of Marcellus Shale drilling and waste disposal urged Governor Tomblin to call a Special Session to take up the bill, even though it was far from perfect.

The governor did call a Special Session, which began on December 11, with a brief floor session in each Chamber, where a bill — not the Select Committee's bill — was assigned to committees. Governor Tomblin substituted a greatly weakened bill prepared by his staff and gas industry "consultants." One wonders why the select committee process was bothered with at all, since so little of the

committee's hard work was included in the final product. Perhaps Governor Tomblin counted on the public to not realize that the committee's effort, which took into account the views and concerns of a wide variety of stakeholders and months of citizen input, was disregarded in favor of industry wishes. Perhaps that was his plan all along.

The Senate Judiciary Committee met the morning of December 12 for over four hours to review what some were calling the "governor's bill." Many of the members, even some of those not generally friendly to environmental causes, asked many good questions. Unfortunately, they received few satisfactory answers from DEP and the staff attorneys; often, there was no good reason for provisions in the bill, other than their being what industry wanted. Senator Clark Barnes (R-Randolph) asked to hear from surface owners and the WV Environmental Council, so Don Garvin and David McMahon were given the opportunity to speak. Despite the number and seriousness of the questions raised, the committee voted the bill out unanimously with only minor amendment after the marathon meeting. Then, later in the day Finance passed it — with no fiscal note.

At noon that same day, environmental groups held a press conference in the rotunda, attended by concerned citizens who had come to lobby. Representatives from

Bait and Switch:

organizations including the WV Surface Owners Rights Organization, WV Citizen Action, WV Environmental Council, Sierra Club, and OVEC addressed the crowd. Not many members of the media attended, unfortunately, because they were all still in the Senate Judiciary meeting. Delegate Mike Manypenny (D-Taylor) spoke and inspired the crowd, stating that he had eight amendments to offer in House Judiciary.

A Public Hearing called by the House began at 4:30 that afternoon. Independent Oil and Gas Association



West Virginia State Capitol and Grounds

employees were there in matching shirts, and had obviously been released from work and bused in to attend the hearing. The chair alternated pro and con speakers, as is usually the case, and the last four speakers were against the bill, meaning there were more speakers against the bill than for, despite industry T-shirts. Some legislators later

remarked they were glad to hear people talk about the "governor's bill." They thought some of the members were afraid not to pass the weakened bill because they felt they would be blamed by their constituents if they didn't. It was quite clear from the hearing that citizens blamed the governor for not respecting the process and for hijacking the Select Committee bill.

On December 13, after several delays, the House Judiciary Committee met to consider the bill. This meeting, which lasted six hours, was an extremely disturbing example of executive interference with the legislative process. The governor's staff was prominently present and had obviously been very "directive" about the process. Nevertheless, committee members asked many excellent questions. Delegates Barbara Fleischauer (D-Monongalia) and Manypenny offered a number of very positive environmental amendments, including the re-insertion of a provision for DEP to request a public hearing based on comment received. However, the committee was basically instructed by the Vice-chair Delegate Mark Hunt (D-Kanawha) — no doubt under orders himself — not to vote for the amendments because they "did harm to the bill" and would be "detrimental to its passage." It's evident who thought the amendments detrimental, cause only environmental provisions were "forbidden."

Gov. Lets Industry Hijack Marcellus Shale Bill

It was a discouraging display of the interests of citizens being blatantly subjected to the desires of industry. The only exception was a good amendment offered by Delegate John Frazier (D-Mercer), requiring DEP to formulate emergency rules for any drilling in karst areas, which passed. Two other helpful amendments offered by Delegate Meshea Poore (D-Kanawha), dealing with training and reporting on the West Virginia work force, were adopted, despite having not been in the legislation previously.

A few important provisions that citizens and legislative allies were able to maintain in the bill, or which were reinserted after they were removed from the Select Committee bill by the governor's staff:

- No burial of pit waste on-site unless landowner agrees — the governor's bill would have allowed on-site burial with DEP approval. Still not a strong enough provision, however, as there are bound to be people who will be paid by industry to allow burial, thus threatening the entire watershed.
- Seven-day minimum notice for coming on property to survey, etc. (used to be three)
- Mineral and surface estates equal (gov.'s bill "inadvertently" changed it back to mineral estate dominant)
- Criminal penalties for violations of act (gov.'s bill "inadvertently" left these out)
- Public notice of permit applications published in newspaper — and 30-day comment period (provision had been removed). Comments will be viewable on DEP website being created for Marcellus information. But, no public hearing provision, which had been included in the select committee bill.
- DEP to report annually the number of waivers granted — important because the bill allows

Our ultimate goal is that shale fracking be stopped. To this end, we work to expose the many adverse impacts to human health and the environment from shale gas drilling, transportation and disposal processes.

We believe that this knowledge will drive policies that ultimately move us towards safer and healthier energy production. **Until we achieve a ban on fracking, we will fight for the strongest possible regulation and restrictions.**

wavers for just about everything.

- DEP will study (by Dec. 2012), noise, light, VOCs (volatile organic compounds, many highly toxic) and dust at sites, and can recommend changes in setbacks based on those instead of an arbitrary distance. This could be the only air-quality study we will get for VOCs. Advocates have already approached DEP Secretary Randy Huffman to insist that these studies be done by independent scientists.
- DEP required to propose emergency rules for drilling in karst areas (provision had been reworded by the governor to say that DEP "may" propose such rules).

The bill quickly passed both chambers, passing unanimously in the Senate. Delegate Manypenny courageously proposed a strike and insert amendment on the floor of the House to restore the select committee bill, citing the months of work of the committee and the inferiority of the governor's bill, but the attempt failed. There were five "no" votes in the House, no doubt for varying reasons: Delegates Manypenny, Troy Andes (R-Putnam), Mitch Carmichael (R-Jackson), Brian Savilla (R-Putnam) and Linda Phillips (D-Wyoming). Many other delegates expressed dissatisfaction with the legislation and the process.

Much remains to be done to protect citizens and our environment from the lasting effects of gas-production operations. Our task now is to make certain the bill is viewed as only a first step and to begin advocating immediately for increased environmental protections and far greater rights for surface owners. It is not unreasonable nor extreme to want drinkable water, breathable air and non-poisonous soil.

View the bill at <http://bit.ly/wJg2s>

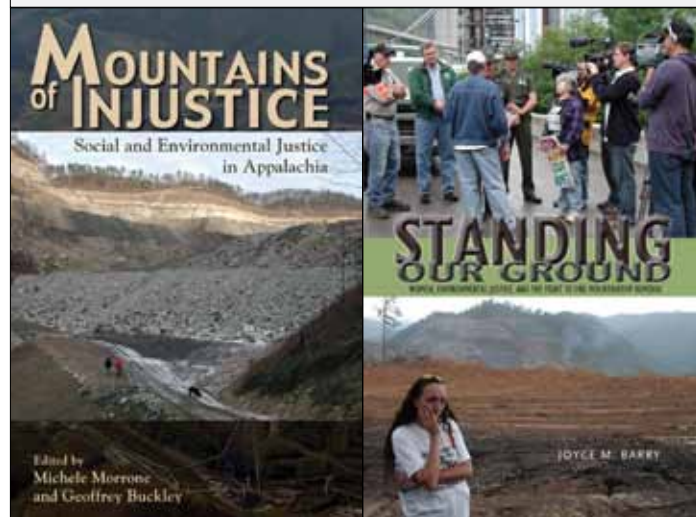
Shale Gas and Greenhouse Gases

Natural gas companies want us to believe that their fuel is more benign than coal in terms of greenhouse gases. But recent studies show otherwise. During natural gas production, methane, a far more potent greenhouse gas than carbon dioxide, leaks or is flared into the atmosphere. Learn more: <http://bit.ly/wQHxA>.

To join OVEC's work on Marcellus Shale issues, contact Carol Warren at peacelovemom@gmail.com or 304-522-0246.

Books and Mountaintop Removal

Cover Girls



A valley fill above OVEC organizer Maria Gunnoe's home is featured on the cover of *Mountains of Injustice: Social and Environmental Justice in Appalachia*, edited by Michele Morrone and Geoffrey L. Buckley.

The book was published in late 2011 by Ohio University Press/Swallow Press, which in August this year will publish *Standing Our Ground: Women, Environmental Justice, and the Fight to End Mountaintop Removal*, by Joyce M. Barry. The cover of Barry's book features Gunnoe and the late Judy Bonds, who was the director of Coal River Mountain Watch. OVEC staffer Vivian Stockman snapped the photographs used on both books' covers.

Both books include a look at our work to end mountaintop removal.

Birds Get the Blues, Too

OVEC members and supporters may want to check out *Cerulean Blues: A Personal Search for a Vanishing Songbird* by nature writer Katie Fallon, which was released late in 2011 by Ruka Press.

Fallon takes readers on a journey across two continents, from the mountains of Appalachia to a coffee plantation in troubled Bogotá, Colombia, and shows how the plight of an imperiled songbird weighing less than an ounce is vitally linked to the health and well-being of many other creatures, including humans.

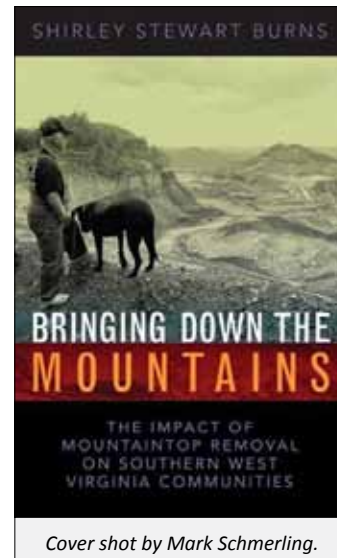
Fallon, an OVEC member, teaches creative writing at WVU. Learn more at www.katiefallon.com. Contact an OVEC staff member if you want to help organize an event where we invite Fallon to speak about her book and travels. 🍌

More Scholarly Books

Congratulations to Bryan McNeal, whose book *Combating Mountaintop Removal: New Directions in the Fight Against Big Coal* is out now, published by the University of Illinois Press. Lorelie Scarbro, Freda Williams, Butch and Patty Sebok, Mary Miller and Pauline Canterbury are among the many Coal River Valley residents interviewed for the book.

The scholarly books about the movement to end mountaintop removal aren't all new. We wanted to remind you to read *Bringing Down the Mountains: The Impact of Mountaintop Removal on Southern West Virginia Communities* by Dr. Shirley Stewart Burns, published in 2007 by West Virginia University Press. The book's cover features Cover Boy and Keeper of the Mountains Larry Gibson.

"Burns brings together history, politics, economics, sociology, ecology, biology, and interviews with coalfield residents with an efficacy and efficiency I have seen in no other book about the subject," says Ann Pancake, author of *Strange as This Weather Has Been*, an excellent novel about MTR, which we highly recommend that you read. We are so proud that both Burns and Pancake are OVEC members. 🍌



Enter the titles of any of these books into an Internet search engine to learn more and to discover many more books not listed here. But, order the books locally!

MTR and Novels

OVEC member Mark Itkonen's December 2011 novel, *Coal County*, mentions OVEC.

Dan Cook of Hurricane, W.Va. (a.k.a. Daneagle Concinerro) wrote *Two Five (and the Penis Dialogues)*. The dust jacket includes an image of an OVEC bumper sticker.

Another novel by a local with mountaintop removal in its story line is Charleston lawyer Tom White's novel *Chasing Dragons*. White is a volunteer pilot for SouthWings. 🍌

Films and Mountaintop Removal and You

Burning to Change the Future



As regular readers of OVEC publications know, the award-winning documentary *Burning the Future* tells the story of Mingo County folks working with several OVEC volunteers and staff on ending coal slurry injection and mountaintop removal.

Burning the Future will be the centerpiece of a national integrated media and engagement campaign in 2012 to raise awareness about the negative impact of coal and build greater public support for clean, renewable sources of energy. The campaign will include:

- The National Public Television premiere of *Burning the Future* in April, 2012;
- A community screening campaign with involving groups like OVEC, Sierra Club and Public Citizen;
- A diverse media campaign to support these efforts (web, print, mobile, and social network) including Care2.com, Matter Network, Alternet. 🍌

Take Action to Raise Awareness

Host a screenings of these documentaries in your home. Help organize a showing in your community.

Contact Robin Blakeman at 304-522-0246 or rbrobinjh@gmail.com.

We have copies of the DVDs we can loan for free screenings in community settings. These films are also available via Netflix.

Climate of Change

Climate of Change premiered at the Tribeca Film Festival last year. The documentary features OVEC staffer Maria Gunnoe, Keeper of the Mountain Larry Gibson and the late Judy Bonds, who was director of Coal River Mountain Watch.

Netflix writes, "In this inspiring documentary, director Brian Hill profiles grassroots activists around the world who are acting locally to save Earth's environment, including a spirited group of teens in India crusading against the use of plastic bags. Narrated by

The Last Mountain Comes to Marshall (and Your Town?)

On January 26, OVEC and Marshall University Student Environmental Action Coalition co-hosted a screening of *The Last Mountain*. Earthjustice donated funds to help cover advertising and fees for showing the film in a college setting.

About 60 people came out to watch the show, including OVEC membership committee member Danny Cook and our organizer Maria Gunnoe. Almost everyone who watched the movie stayed afterwards to discuss it, asking questions of Cook and Gunnoe. Many understood why movie critic Roger Ebert named this movie as one of his top-10 documentary picks of 2011.

Audience members discussed the need for people everywhere to write letters about the travesties of mountaintop removal to elected officials and to local news outlets.

See the OVEC website at www.ohvec.org/LTEs for assistance in writing letters-to-the-editor. 🍌

Now You Can Get Down to Dirty Business

You can help shine a bright, solar-powered light on the atrocities of coal mining and the myth of "clean" coal by hosting a screening of *Dirty Business: "Clean Coal" and the Battle For Our Energy Future*. See dirtybusinessfilm.com/. 🍌



actress Tilda Swinton, the film also honors the work of West Virginia citizens struggling against encroaching coal mines, a West African man educating youngsters about global warming, and many others."

A companion book to the film, titled *Trailblazers: Personal Narratives of 11 Human Rights Defenders*, is in the works. Gunnoe's story will be among those featured, alongside tales from East Turkestan, Burma, India, Chechnya, Western Sahara, Liberia, South Africa, Ecuador, Venezuela and Nunavut (Canada). 🍌



Joe Stanley, at podium, and Brandon Nida, with "SHPO Mission" sign were among many Friends of Blair Mountain during a November 2011 press conference.

Battle for Blair Mountain Continues



Press Conference Highlights Past, Future Vision

On November 1, 2011, the Friends of Blair Mountain (FBM) held a press conference on the State Capitol grounds. They presented a petition with 26,000 signatures in support of preserving Blair Mountain Battlefield to the State Historic Preservation Office (SHPO). The group also presented a proposal titled "Blair Mountain Historic Park," which details how best to preserve the historic site, where more than 10,000 striking miners faced anti-union forces.

"The largest labor battle in U.S. history took place on Blair Mountain back in 1921. We need to preserve it, develop it and promote the economy," said FBM Executive Director Brandon Nida, an OVEC board member and a doctoral student in archaeology at the University of California-Berkeley.

Coal companies want to mountaintop-removal mine the Logan County battlefield, which is peppered with bullet casings and other archaeological evidence of the conflict, the largest civil conflict besides the Civil War. Mountaintop removal would obliterate the site.

Retired coal miner Joe Stanley noted that SHPO is supposed to protect historic structures, objects and sites. "We don't only want to preserve something. We want to build something. We will have a museum, motels, restaurants, cultural events, shows and guided tours."

Nida said a new venture, Coal Country Tours, brings between \$8,000 and \$10,000 to the local economy every night one of its buses stops at the Blair Mountain Battlefield.

"They are planning 12 tours next year," Nida said. "We have already had hundreds of visitors coming into the museum we have already developed in Blair." 🍌

An Update from Friends of Blair Mountain

By Brandon Nida, Executive Director, Friends of Blair Mountain and OVEC board member

As the new year begins, I am at Blair at the Community Center and Museum — a place we all created when we participated in the March On Blair Mountain last summer.

We should be proud, because, in a way, our "occupation" in Blair came many months before the one on Wall Street. It wouldn't have happened without the help of many people: volunteers from OVEC worked tirelessly, and Katie Lauer from The Alliance for Appalachia and Andrew Munn (now with OVEC) gave their hearts and souls to it. The Radical Action for Mountain Peoples' Survival (RAMPS) crew stepped up and contributed their rare and specific knowledge and experience in a big way, and the volunteers at Coal River Mountain Watch put in countless hours. Bev May from Kentuckians for the Commonwealth seemed to always be working, along with Robin Blakeman from OVEC. And those are just a few of the many people and groups that came together to make the march happen.

Since then, Eliot Grace and Dustin Steele have been working to get everything set up here in Blair, and now

If you work for a living, if you get unemployment, if you have minimum wage or better, paid vacation, or health insurance, you owe it to those folks who stood their ground on Blair Mountain.

— Barbara Rasmussen, president of Friends of Blair Mountain in "Mountaintop Rescue," an article by Samir Patel in the Jan. – Feb. 2012 issue of Archeology, a publication of the Archeological Institute of America. See <http://bit.ly/vQGGrkn>.

we have a great established space. It is not often that an event or protest leaves something as permanent and constructive as this community center and museum.

So, we have this unusual and special space in the heart of the mountaintop removal fight and within this amazingly rich history. I would like for everyone to be able to use this community center for meetings, retreats, strategy sessions, trainings and other purposes. I know it's out of the way, but it's also free. We have a stove, a refrigerator, plenty of space for meetings, couches and even a ping-pong table. If you'd like to use this space, let me know so I can schedule you. Or if you want to just come in and play some bluegrass music (we do a lot of that here), drop by.

My hope is that this community center/museum can draw upon the heritage of Blair Mountain, where many different people came together in common struggle. It would be good to see some workshops held here, dealing with some issues that have been neglected in our movement, such as those of race and building bridges to communities of color; issues of patriarchy, oppression, and gender; and how to create a more sustainable social and living situation for younger volunteers. I'd like to see some real solidarity and movement-building, and why not here, in the shadow of Blair Mountain?

Contact Brandon Nida at 304-369-9800 to set up a workshop, use the center or brainstorm ideas. 🍌

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Dual Actions for Blair Mountain



Photo by Jorge Aros.

On February 17, folks converged on the Huntington headquarters of Natural Resource Partners (NRP). NRP leases land to coal companies, including Arch Coal, which has Blair Mountain in its crosshairs. We came out to let NRP know we want Blair Mountain and its history protected.

On the same day, Brandon Nida and others from West Virginia were in St. Louis, Missouri. They joined Washington University students outside Arch Coal's headquarters to demand that Arch abandon its plan to strip our history on Blair Mountain. 🍌



Photo courtesy of WU Green Action.

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Since we started the program in 2008, we've raised a total of \$31,278. In 2011, the total was \$8,836. These are general support funds, funds that allow us to be flexible and respond to unexpected strategic opportunities. Thanks to Carey Lea, who first suggested OVEC enroll in the program.

For more info, contact Maryanne Graham at 304-522-0246 or maryanne@ohvec.org. 🍌

SSP Responds to DEP's Study of Well Water in Prenter

By Mat Louis Rosenberg and Delta Merner, SSP

Residents, community activists and independent scientists are outraged at the conclusions presented in the West Virginia Division of Environmental Protection's recently released study on well water contamination in Prenter, W.Va.

Despite overwhelming evidence documenting contaminated water in numerous homes and reports from independent scientists showing toxic levels of heavy metals, the DEP has declared Prenter's water conclusively safe to drink. This study, which has serious implications for Prenter's residents, has displayed a blatant disregard for accuracy, used inappropriate methods and a shown lack of regard for the health and wellbeing of West Virginia's residents. Additionally, its findings are contrary to those of independent scientists, who have concluded that the water in the Prenter area is not only contaminated, but that the mining activity of Massey Energy, now Alpha Natural Resources, has directly led to the contamination of drinking water in Prenter.

The DEP study concluded that none of the residents in Prenter had water tests that exceeded the primary drinking water standards, thus concluding that the drinking water was safe. This, however, was found to be inaccurate. The DEP failed to notice a high lead result in their own data and completely excluded the finding from their analysis. This flawed analysis was not an isolated occurrence. The DEP erroneously stated maximum beryllium standards, leading to inaccurate conclusions about contamination levels of water samples from valley fills and raw slurry. Additionally, the study misnamed an area-community as "Nolan" instead of Nelson. Errors like this only point to larger problems with the report.

The report completely neglects to cite any medical literature backing up its claims of water safety, and



it ignores significant medical research into the health effects of the iron, manganese, total dissolved solids and hydrogen sulfide gas found in people's homes. This study cites generic works on groundwater hydrology, including a paper studying a largely flat region in northwestern Pennsylvania from 1963, and does little to understand site-specific groundwater flow dynamics. Their slim list of 19 references is mostly composed of textbooks, fact sheets and generic papers covering large regions.

The report also suffers from serious logic flaws, the worst of which concerns sulfates and "rotten egg" odors. It accurately points out that the odors are caused by bacteria that convert sulfates into hydrogen sulfide to produce energy. The authors then express surprise that the water tested low for sulfates in homes where residents reported strong odors, and they conclude that these homes are not mining-impacted due to low sulfates. However, it is clear that these bacteria grow explosively and produce plenty of sulfide only when there's a lot of sulfate for them to "eat." This flaw in analysis by the DEP suggests that they do not understand the basic biologic process occurring in this environment.

This sloppy science begs the question, what else did the DEP miss, mislabel or ignore altogether?

The problems with this study are rooted in inappropriate methods. The DEP's findings are based on a one-time testing of only 33 wells in a community with hundreds of households, covering over 35,000 acres. This is problematic for two reasons. First, there is a highly variable nature of groundwater in West Virginia. Families have documented that their well water runs black or red one day and clear the next. If water entering a home is toxic even a few days of the year, it can still have significant implications for the family living there. The variability of groundwater in the region is not

accounted for in the DEP's one-time sampling method. Additionally, the DEP's own study claims that, "water quality within the study area is highly variable" due to local geology. This means that over the spatial extent of the study area the quality of water is likely to have a wide range. To declare someone's water safe on the basis of a single test with such a small sample size is poor science, at best.

The report completely dismisses the serious health problems throughout the community and downplays the impacts of findings of contaminated water. People in Prenter report: their water running red (from extremely high concentrations of iron) and black (from high concentrations of manganese); overpowering smells of hydrogen sulfide gas; extreme staining on their appliances, clothing and bodies; corrosion of appliances; and quite serious health problems throughout the community. Common sense tells us that none of these things are normal, especially given that independent scientists have already confirmed the community's concerns about their water. The question that DEP should have tried to answer is not, "Is the water contaminated?" but, instead, "When, how and by whom was the water contaminated?" The residents of Prenter and the people of West Virginia deserve better.

Sadly, this is the quality of work we have come to expect from the DEP. When given a mandate by the State Legislature in 2007 to study coal slurry injection, how it migrates underground and its effects on surface water, groundwater and public health, they could give no meaningful answer to any of those questions after three years of study. The only thing they could state conclusively was that their regulation of the practice was so inadequate that they had to declare an immediate moratorium on any new injection permits.

Fortunately, we don't have to rely solely on the DEP on this issue. The U.S. EPA documented slurry injection contaminating water supplies back in 1984. A host of independent experts have thoroughly documented slurry injection contaminating the wells in the Rawl area of Mingo County, W.Va. Recently disclosed reports from Dr. Yorem Eckstein of Kent State University and Dr. Scott Simonton of Marshall University both confirm slurry contamination of wells in Prenter. Even the DEP documented at least two cases of slurry contamination of wells in the 1990s.

We don't need any more studies, especially studies of the quality of this one. There's more than enough evidence to invoke the precautionary principle and ban slurry injection. 🍌



Delta Merner addresses the crowd at the January 17 SSP press conference.

SSP Press Conference Details Water Contamination Evidence Emerging from Prenter Lawsuit

The Sludge Safety Project held its annual Legislative Kickoff on January 17 at the State Capitol. Folks came out for lobbying and media trainings. They enthusiastically prepped to lobby the Legislature for a ban on coal slurry injection, as SSP did in 2011.

After the trainings, SSP held a press conference to release new scientific reports. The reports state definitively that coal slurry migrated from injection sites into residential wells in Prenter, W. Va., raising the amount of arsenic and other heavy metals to dangerous levels. Find the reports on SSP's redesigned website: www.sludgesafety.org.

The studies arose from a lawsuit more than 200 Prenter residents filed against Massey Energy (now Alpha Natural Resources) for contaminating their well water by underground slurry injection.

At the press conference, Prenter resident Jennifer Hall-Massey spoke about how the contamination has impacted her community. Six of her neighbors were diagnosed with brain cancer, a disease affecting one in 7,000 Americans. Four have since died, including Jennifer's younger brother and an 11-year-old child. She expressed gratitude that a municipal water line has reached some of the Prenter area, but pointed out that there is currently no funding to complete the water line. 50 to 75 families remain without safe drinking water. She called on legislators to learn the lessons of the Prenter community and ban slurry injection.

Other speakers included the Reverend Jim Lewis; Laura Merner, Ph.D. candidate in hydrology and SSP volunteer; and SSP coordinator Mat Louis Rosenberg.

Days later, the DEP released its highly flawed study of the Prenter well water. *See story at left.*

Sludge Safety Project is co-led by OVEC, Coal River Mountain Watch and concerned citizens. We work for clean water and for community safety near toxic coal waste injection sites and coal slurry dams.



Um, hello, DEP? Contaminated well water created this disgusting brew in a Prenter resident's toilet tank. Photo by SSP

New Study Confirms Long-Term Water Quality Damage From Mountaintop Removal Mining

Excerpted from a December 12, 2011 entry by Ken Ward Jr. in his blog, Coal Tattoo

A major new study out today in one of the most respected scientific journals around confirms the pervasive and irreversible impacts of mountaintop removal coal mining here in Appalachia. The study is called “Cumulative impacts of mountaintop mining on

of multiple mines within a single catchment and provide evidence that mines reclaimed nearly two decades ago continue to contribute significantly to water quality degradation within this watershed.

To assess the cumulative impact of the more than 100 permitted discharge outlets draining approximately 28 square kilometers of active and reclaimed mountaintop coal mines in the Upper Mud River watershed, the Duke researchers collected 152 sets of samples from 23 sites — including two sites upstream of any active or reclaimed surface mines — between May and December, 2010.

The researchers sampled for electrical conductivity, a measure of salinity and for concentrations of major ions and trace elements derived from coal or its matrix rock.

The Upper Mud flows through sparsely populated sections of Boone and Lincoln counties in southern West Virginia as a headwater stream until reaching its impoundment in the Mud River reservoir 25 kilometers downstream. For about 10 kilometers, the river passes through the Hobet 21 surface mining complex, which has been active since the 1970s and is among the largest in the Appalachian coalfields region.

All of the conductivity measurements that were taken downstream of mine



At left: Photo taken August, 2009, from a cemetery on Berry Branch Road (off Mud River Road), in Lincoln County, W.Va. This area is obliterated now; the homes are gone and the road is closed and mostly gone, too. Families who want to get to the cemetery, now an island surrounded by MTR, have to get permission from the coal company. This is yet another study that proves what the people say is true: Cutting down the forests, blowing up the mountains for thin seams of coal, then dumping gargantuan quantities of the “overburden” into streams has long-term, poisonous effects.

discharge outlets exceeded levels known to be harmful to aquatic life, said Richard Di Giulio, professor of environmental toxicology at Duke. At the two sampling sites upstream of any mines, conductivity levels were within an acceptable range. Concentrations of selenium, a known fish toxin, followed a similar trend, Di Giulio said. The researchers also observed deformities typical of selenium exposure in fish collected from downstream waters.

The Duke team selected the Upper Mud watershed for their field survey because water-quality impacts from other potential sources are largely absent. Historically, surface rather than underground mining has been the dominant form of coal extraction in the Upper Mud’s river basin, and there are very few people now living within the Hobet mine’s permitted boundary. This helped to minimize other factors that might account for changes in water quality.

Past studies have shown that individual mines profoundly impact stream water quality, biological community structure and ecosystem function immediately downstream of valley fills, but empirical data on the cumulative impacts of multiple mining operations on larger downstream rivers has been lacking, Duke researcher Bernhardt noted.

“Individual permitting decisions are typically made without consideration of the extent of historic mining impacts already occurring within a watershed. Our survey helps fill that gap,” Bernhardt said.

Read the entire blog entry and find a link to the study at <http://bit.ly/t8TFOR>.



Figure 4 from the Duke University study: Effects of selenium toxicity on two species of fish. Upper photo: One of two *Lepomis* sp. hybrids caught at sampling site 7 showing cranial-facial deformities typical of selenium toxicity. Lower photo: Female creek chub (*Semolilus atromaculatus*) from sampling site 10 with lordosis (abnormal curvature of the spine) deformity typical of selenium toxicity.

an Appalachian watershed,” and it appears online today in the Early Edition of the Proceedings of the National Academy of Sciences.

The conclusion by Duke University researcher Ty Lindberg and colleagues, including Emily Bernhardt: *Our results demonstrate the cumulative impact*



In this case we were really able to control for some of those point sources or non-point sources. By the time you get to the downstream end of the permitted boundaries, 50 percent of the upstream area has been mined, and there’s not a lot of housing anymore or people living in that watershed.

— Duke researcher Ty Lindberg



MTR has driven Mud River communities to extinction.

In the “Acknowledgments” section of the study, the researchers write, “We thank Anita Miller and family for their friendship and guidance.”

Photos below, left to right: June 8, 2006 — Early stages of a valley fill behind the Miller’s family’s Mud River homeplace; the same place, one week later; the same place, three years later; the old homeplace, where Miller’s father, aunts and uncles grew up, decorated for Christmas in 2003, before the valley fill began; Miller’s childhood home as her family prepared to move in December 2003, driven away by mountaintop removal; Miller’s childhood home from the air in 2005.



For Safe, Healthy Energy We Need a Renewable Energy Standard



In the 2012 State of the Union address, President Obama called for a national “Clean Energy Standard.” A Clean Energy Standard (CES) would replace a Renewable Energy Standard (RES), according to The Clean, a project of the Civil Society Institute. Yet, the RES is the precise policy that has helped many states move their energy mixes to serious deployment of wind and solar energy.

Unfortunately, West Virginia has no renewable energy policy. But in 33 other states, renewable energy standards require utility companies to increase renewable energy over time by a certain percentage each year and often include energy efficiency investments as well. In fact, since 2004, 90% of non-hydropower renewables built in the United States have been in states with a renewable energy standard.

Even the supporters of a clean energy standard acknowledge that renewable energy standards have reduced the cost of renewables, created jobs, begun to diversify the energy mix and have resulted in factories being built in the United States to produce parts and supplies for wind and solar energy installations. And all of this is at modest cost. So, why is there now an effort in the U.S. Senate to change from a renewable standard to a national Clean Energy Standard?

Well, it turns out that the renewable energy standard leaves out some very politically powerful industries: coal, nuclear and natural gas. And the “clean” designation for fossil fuel uses was created by the fossil fuel and utility industries.

Under the proposed Clean Energy Standard, “clean” coal refers to coal-fired power plants that use carbon capture and sequestration, which is still not demonstrated to be economical or feasible. The Congressional Research Service, in a 2011 report, stated that, “Without an economic incentive... it is unlikely that carbon capture and sequestration (CCS) would be deployed commercially.” Making CCS legally “clean” in federal statute would be a first step toward providing this economic incentive (in other words, taxpayer funding).

The Congressional Research Service 2011 report also stated that, “Growth in U.S. nuclear power generation is expected to be small without favorable federal policies, such as ... a Clean Energy Standard that includes nuclear energy.”

Private insurance companies will not insure long-term safety at nuclear plants, so, according to federal law, taxpayers are liable for costs in the event of serious accidents. It’s expected that private insurers would also refuse to insure CCS, so if CCS were pursued in earnest, not only would taxpayers foot the bill for billions of dollars of CCS research and development, but also be responsible for long-term liability for leakages or other problems. But the industry executives would pocket any profits (socializing the risks and privatizing the profits).

A federal Clean Energy Standard could take federal funding away from tried-and-ready renewable energy technology development and put it in the pockets of fossil fuel developers.

It would slow the expansion of a *real* renewable energy and energy efficient future. The real reason behind the “clean” energy standard is to prop up the nuclear, coal and natural gas industries, now that wind and solar are growing as never before in this country.

OVEC will be working with The Clean and The Civil Society Institute to promote a national Renewable Energy Standard. A November 2011 poll commissioned by the Civil Society Institute found that 77% of Americans want the United States to be a leader in wind, solar and energy efficiency technologies. Only 13% favor taxpayer-funded subsidies for coal-fired, nuclear and natural-gas fired power.

For more information, see www.theclean.org. For copies of the detailed report used for this article, e-mail dbady.ovec@gmail.com, or call 304-360-2072.

Speaking of *Un*Clean Energy...

The U.S. EPA is still sitting on the first-of-its-kind federal protections for **coal ash** ponds and landfills. Over three years after the tragic spill of more than a billion gallons of toxic coal ash across 300 acres in rural Tennessee, we still lack any federal safeguards to protect our drinking water, rivers and streams.

While the EPA has said it will finalize the rule this summer, we’ve seen no definitive commitment from EPA to set these safeguards in a timely manner. To learn more, go to www.earthjustice.org/coalash for the latest news on coal ash regulations, fact sheets, videos, images and more.



A Cleaner, Cheaper Energy Future for West Virginia

By Allen Johnson, co-founder of Christians for the Mountains

West Virginia is an energy battleground state. For better and for worse, coal has shaped our state’s economy and politics. As the nation and world face increasing consequences of greenhouse-gas-related climate change, pollution-related health impairment, and ecosystem destruction, calls for the end of coal-related power generation will mount. West Virginia simply must face the fact that it cannot play all its marbles on coal, and step into the future of clean, affordable, efficient energy.

Yet is such a future realistic? Must we rely upon coal to “keep the lights on” and keep West Virginians working? Must we imperil our health and blight our state’s natural wonder through mountaintop mining? Is there a workable road map that is not propped up by interminable, massive taxpayer subsidies?

The good news is that there is such a road map. The Ohio Valley Environmental Coalition, Coal River Mountain Watch, and Christians for the Mountains joined with the Civil Society Institute to release a major new report that outlines a realistic and affordable path to a cleaner and less expensive energy future. Yes, you read that right: A clean energy future can be a more affordable energy future for West Virginia and the rest of the nation.

A little background first: The United States always has been less than focused on market-driven principles with respect to its energy policy. All levels of government have sought, for instance, to shift financial and operational risks of nuclear and coal plants from private industry to the ratepayer and taxpayer. This also goes for oil and natural gas drilling. Although renewables and energy efficiency technology have received some taxpayer and ratepayer largesse, they pale in comparison to the historical bias toward fossil fuels and nuclear power.

How do we get out of (or at least beyond) this unproductive pattern? Rather than shift risks from private business to the public in order to force construction of older and dying technologies (such as nuclear power and coal-fired power plants), we should be looking at which energy resources offer the least design, construction, and operational risks to both the public and private investors and that also can meet electric energy demand reliably.

A good place to start is the report our groups released. It persuasively makes the case for phasing out all coal-fired power and about 25 percent of the nuclear fleet and phasing in aggressive energy efficiency and renewable energy investments to replace that power by 2050.

The report compares status quo trends (which it refers to as “Business As Usual” or BAU, for short) with a “Transition Scenario” that maps out a much cleaner energy future by 2050. The Transition Scenario is superior to BAU in terms of cost, public health, water usage, and carbon dioxide emission reductions. It also creates jobs.

The greatest savings achieved in the study is in the cost of generating electricity. Significant savings are achieved by not building new coal or nuclear plants and systematically phasing out all coal and a portion of the nuclear fleet. This is done with off-the-shelf technologies and efficiency, and makes no assumptions about as-yet-unreleased innovations currently in research and development.

The Transition Scenario also harbors other benefits that would reduce cost and health risks to private investors and the public. If implemented, the Transition Scenario would reduce carbon dioxide (CO2) emissions in the electric sector by 81 percent. Under BAU they

continued on page 24



Business as usual: A coal-fired power plant is costly in so many ways.

Organizers' Toolbox: Relationships

By Andrew Munn

Welcome to the second "Organizers' Toolbox" column in *Winds of Change*. In this and upcoming newsletters, I'll write about why we organize and how we do it, with the aim of supporting you in becoming a more active and confident

organizer. This is one organizer's take on organizing, and I'd love to hear from others. Contact me via 304-924-1506 or anomu@gmail.com.

The last time I opened the Organizers' Toolbox, I talked about power: what it is and what forms it takes. We talked about it in the abstract, introducing the definition of power as "the ability to act" and categorizing it into four types:

- Power Within** — The power we all innately possess
- Power To** — When we give power to others, such as in electing politicians
- Power Over** — The power a boss has over workers or the government has over us
- Power With** — The power we share as equals

Organizers bring disenfranchised people together to better our conditions and build our power (power with). To do this, an organizer must build and maintain relationships. In this Organizers' Toolbox, I'll explore relationships, building them through one-on-ones, and self-interest, the glue of organizing relationships.

Relationships are central to our lives, and the process of building relationships is often automatic. Without thinking about it, we have conversations and participate in work and activities, and therefore grow to understand the people around us more fully. In organizing, however, building relationships is more purposeful: **relationship building is the intentional practice of identifying common interests or causes and establishing mutual trust and commitment in the pursuit of those interests or causes.**

An organizer develops relationships to reach a political goal and build community, so the relationships an organizer cultivates are determined in part by the political struggle. That is to say, the circumstances are not as happenstance as the friendships we fall into with co-workers, neighbors or classmates.



They are intentional and driven by both social and political motives.

The intentionality of this practice may make it sound false, artificial or even manipulative, and, if done wrong, it can be. The important element here is transparency of purpose on behalf of the organizer and the organizer's willingness to take direction from the community they work in. Much of this begins with a **one-on-one**.

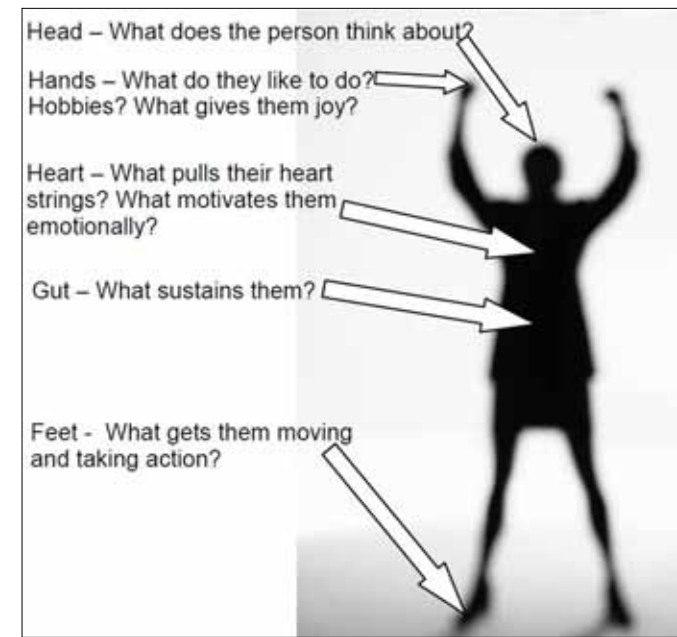
A **one-on-one** is a purposeful conversation in which you and another person mutually deepen your understanding of one another. Every one-on-one is different, but they should all include the following elements:

- Intent** — Be up front in sharing your intent, both your goals and what drives you. By sharing from your gut, you are both providing meaningful information to the other person and making it easier for them to do the same.
- Exploration** — Much of the time in a one-on-one is spent learning about one another through probing questions that reveal a person's motives, perspectives and values. Ask open-ended questions, and listen to both the stories a person will tell you and why they feel how they feel or do what they do. Here is where you find your common interests and goals.
- Exchange** — A one-on-one is an exchange of information and sometimes resources. You have something to offer them, whether it is assistance navigating the DEP's website or bringing them into a powerful organization, and they have something to offer you, such as valuable local knowledge and allying themselves with your cause.
- Commitment** — A successful one-on-one will end with both parties having a clear understanding of the next steps and who will do them. Following through with these commitments is key to building and maintaining trust.

Schedule one-on-ones ahead of time and make ample time for them. Most organizing books say to allow 30 to 60 minutes, but in rural organizing, it might be more appropriate to set aside 60 to 120 minutes. Although the conversations are intentionally structured, they should feel natural and be given the flexibility to go in unexpected directions.

Over the course of a one-on-one, you should

learn about a person's thoughts, interests, emotions and motivations.



The diagram above is a helpful tool to use in thinking about it: All of those factors can be summarized in the concept of **self-interest**. **Shared self-interest** is the glue of an organizing relationship. Some of the relationships developed in organizing turn into independent friendships, but let's face it, not all of the relationships we have with our comrades become friendships. Shared self-interest, our common cause, holds us together and propels us into action.

In the next "Organizers' Toolbox," I'll explore how relationships enable collective action and how collective action strengthens relationships.

MLK Jr. March in Huntington

On January 17, several OVEC members joined the Huntington-Cabell Branch of the NAACP in the Martin Luther King, Jr. Civil Rights March in Huntington, W.Va. In 1965, Dr. King and others led a major civil rights march through Alabama, from Selma to Montgomery.



Photo by Janet Keating

The 2012 march in Huntington symbolized the continued struggle for justice in the U.S. Following the march, participants gathered at Marshall University's Joan C. Edward Theatre to listen to a play about a fictional conversation between Dr. King and Malcolm X.

D.C.'s Calling

A Chance to Build Those Relationships

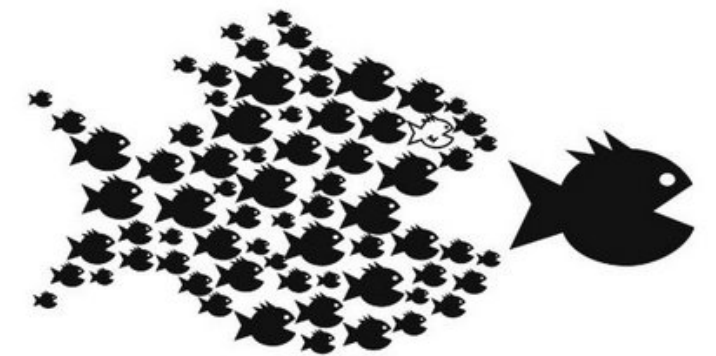
OVEC is a member group of The Alliance for Appalachia, which has some big plans in 2012.

Join OVEC and other Alliance member groups for "DC Days" in, you guessed it, Washington, D.C. We spend 2-3 days lobbying for legislation that will help end mountaintop removal and/or lobbying against legislation that would allow more MTR. We'll likely head to D.C. in late April, July and September.

The main event will be the **June 2-6 End Mountaintop Removal Week in Washington**. Politicians there need to hear from folks like you that our health, our water and our mountains matter. This year, we need participants who are willing to not only meet with their Congresspeople and agency officials, but also to stand up and take action to stop mountaintop removal coal mining. Yup, a Day of Action to End Mountaintop Removal will be part of this year's End Mountaintop Removal Week in Washington.

Bird-dogs' paradise! The 2012 election campaigns offer a chance to publicly ask candidates where they stand on mountaintop removal. Get involved with the "bird-dogging" (trying to catch candidates at times where you can ask them questions directly). We'll have chances to bird-dog at local district offices and political rallies, including the RNC and DNC conventions.

To join in any of OVEC's work with these Alliance activities, please contact OVEC staffer Robin Blakeman at 304-522-0246 or rbrobinjh@gmail.com.



ORGANIZE!

Pray for the dead and fight like hell for the living.

— Mary Harris "Mother" Jones



Citizens Unite to Expose *Citizens United* and Corporate Money in Elections

In the *Citizens United v. Federal Election Commission* decision of January 2010, the U.S. Supreme Court said that reining in corporate spending related to elections in any way harmed corporations' free speech. Corporations have free speech because they are considered, incredibly, to have the same rights under the Constitution as natural persons.

The high court's decision opened the floodgates to unlimited corporate money in elections.

OVEC has recently been involved with an effort in West Virginia to call attention to this troubling issue. A group in Charleston organized by Barbara Frierson, Hedda Haning, Marian Keyes and John Palmer worked to set up meetings with Congressional offices and to plan "Occupy the Court — Demonstration for Democracy" for January 20, one day before the second anniversary of the Supreme Court decision.

OVEC staffer Carol Warren, who coordinates the West Virginia Citizens for Clean Elections coalition, attended two of the Congressional meetings, held in the representatives' Charleston offices. At the first, Congresswoman Shelley Moore Capito's staffer Mary Elizabeth Eckerson said the congresswoman was very concerned about transparency in elections and had supported the McCain-Feingold legislation.



Mike Harman at the rally.

At the second meeting, Senator Jay Rockefeller's staffers Jessica Tice and Greg Buzzard, who attended the meeting by video conference from Washington D.C., noted the senator was very disturbed by the *Citizens United* ruling and had been one of the very early co-sponsors of the DISCLOSE Act. This legislation would require much broader and more specific disclosure of corporate contributors to third-party ads, etc. It was never brought to a vote because of a Republican filibuster. The senator continues to support legislation that would bridle corporate spending and force disclosure.

Just hours after the second meeting, the Occupy

the Court rally began outside the federal courthouse in Charleston — one of four rallies in West Virginia and one of more than 300 events held nationwide that day and the next.

Rally organizer Haning said, "We do not want to equivocate at all: many, if not all, of our society's problems relate to corporate wealth and the power corporations have because of that wealth. They can run our government using that wealth."

OVEC's Warren was one of several speakers who



OVEC's Carol Warren addresses the crowd at the Occupy the Court Rally.

addressed the crowd of about 70 people. She and other speakers warned that our democracy is ebbing away from us in a sea of corporate money. It's no wonder people feel disenfranchised and powerless to effect positive change.

Delegate Mike Manypenny (D-Wayne) told the crowd that resolutions were introduced in both Chambers at the West Virginia Legislature that very day, calling for action to overturn the effects of *Citizens United*. Corporations are not people, and money is not speech.

Gary Zuckett, executive director of the West Virginia Citizen Action Group (CAG), said, "Corporations should not enjoy the rights of flesh-and-blood citizens. They should not be able to spend money to influence elections." Zuckett said overall spending in the 2012 election is expected to reach an all-time high of \$8 billion and that 9 out of 10 Americans believe corporations have too much power in D.C. Groups that helped organize and support the rally in Charleston included OVEC, CAG, Seneca2, League of Women Voters of West Virginia, AFL-CIO, Move to Amend,

continued on page 21

Clean Elections: Supreme Court Pilot Project Update

2011 was a tough year. The West Virginia Supreme Court Public Campaign Financing Pilot Project, enacted by the Legislature in 2010, has seen its share of difficulties. In January 2011, advocates for the program, which is to provide a public financing option for the two Supreme Court seats to be contested in 2012, narrowly missed gaining additional funding in a last-minute failure in Senate Finance Committee. We had hoped that a larger pool of funds for the pilot project would give prospective candidates more certainty that there would be adequate matching funds if they were substantially outspent by non-participating opponents.

But, in June, the concept of matching funds based on an opponent's spending was ruled a violation of the opponent's free speech in the Arizona *McComish vs. Bennett* case. That put a wrench in the West Virginia program that has yet to be addressed; the matching funds in the state's pilot project are similarly structured. West Virginia Citizens for Clean Elections immediately provided Secretary of State Natalie Tennant's staff with draft legislation for a possible new plan that would allow candidates to continue raising small contributions after they qualify for the program. Those contributions would be matched by the Public Financing Fund at a ratio of 3:1, removing any comparison to opponent spending. The secretary of state's staff tried unsuccessfully to have the legislative fix included in the Call for one of the Special Sessions in 2011, hoping to have the matter

Exposing *Citizens United*

continued from page 20

Communication Workers of America Local 2001, Common Cause, People For the American Way, Public Citizen and Free Speech For People.

Post-rallies, the Move To Amend coalition is working to grow grassroots support for a constitutional amendment that clearly and unequivocally states that: 1) Rights recognized under the Constitution belong to human beings only, and not to artificial legal entities such as corporations or labor unions; and 2) Political campaign spending is not a form of speech protected under the First Amendment. Learn more and get involved: movetoamend.org

resolved prior to the beginning of the qualifying period in September.

On January 6 this year, several clean elections coalition members met with Secretary Tennant and four members of her elections and legislative staff to talk about the future of the pilot project.

All were in general agreement that, between the demands of three "extraordinary" elections in 2010 and 2011 and the uncertainty caused by the *McComish* decision, the pilot project had truly not been able to proceed as planned. Advocates asked the secretary to consider introducing legislation in the 2012 Regular Session to fix the matching-fund provision and to extend the project to the next judicial election cycle in 2016. The

pilot project is due to sunset at the end of 2012, and it would be unfortunate for the project not to be given as fair a chance of success as possible. The secretary and her staff were supportive and agreed to request the extension until 2016 immediately. They wished to wait until the end of the filing period (end of January 2012) to see if any candidate has qualified for the program in 2012 before deciding what course to adopt with regard to a fix of the matching fund provisions.

Coalition members checked with House and Senate allies and found no one opposed to the idea of an extension, especially if requested by the secretary of state's office, the agency in charge of the pilot project oversight. Legislators recall that there were good reasons for the legislation establishing the project, including the fact that West Virginia received several black eyes due to the conduct of certain Supreme Court justices. Public financing was one possible solution recommended by then-Governor Manchin's Independent Commission on Judicial Reform. All the original reasons are still valid, and they favor giving the pilot project a fair shake. Here's to a better year in 2012.



Corporations dominate the political process through political action committees (PACs), highly paid lobbyists and multi-million dollar contributions. Corporations negatively impact our everyday lives by lobbying to defeat policies meant to protect We the People and the planet. So, movetoamend.org.

WV Council of Churches New Statement on MTR

Studies on Health Impacts of MTR Prompt Changes

The recent publication of troubling studies concerning likely health impacts of mountaintop removal mining moved the West Virginia Council of Churches to revise its 2007 statement on this mining practice.

The addition to the statement, adopted in December 2011, reads in part, "One study released in June 2011 suggests a very significantly higher incidence of birth defects among infants in areas where mountaintop removal is occurring, as opposed to areas where there are other types of mining, or no mining. These are children whose life potential may have been compromised in the womb, and who will require specialized care for the rest of their lives. This is a tragedy for children and their families."

"While we support responsible mining, we are also called upon to support others living in our coalfield communities, whose well-being may be compromised," said Bishop William B. Grove, Co-Chair of the Council of Churches' Justice and Peace Program Unit. "We are particularly concerned about possible negative health effects on our children, who are more vulnerable to environmental toxins than adults. We have a moral obligation to protect our children and their future."



The revised statement further reads, "Mountaintop mining is not the only way to recover coal and to provide miners with jobs. The present and future harm to our people — especially the health and well-being of our children — and to our state's air and water are unacceptable, and we urge the industry to immediately begin to seek and implement alternative models of production."

The original statement, issued in September 2007, recognized the damage to God's creation and effects on people living in nearby communities. While acknowledging that surface mining is also a source of employment in these communities, the Council called upon the industry to minimize the effects in whatever ways possible, and to carefully and completely follow all related laws.

Reverend Brian O'Donnell, Co-Chair of the Council's Peace and Justice Program Unit, encouraged the involvement of our state universities in moving needed research forward. "We will soon have a new School of Public Health at West Virginia University. We strongly support the new School's investigation of the human health impacts of both mining and gas drilling practices. **Healthy people are necessary for a healthy economy.**"

When you drink of clear water, must you foul the rest with your feet? Ezekiel 34:18

As part of our prophetic witness, we take a stand against the injustice of mountaintop removal coal mining and the devastating impacts it has on Creation and local communities' health and livelihoods.

Over the past 20 years, mountaintop removal mining has left thousands of communities in extreme poverty, destroyed 14 million acres of forest and 2,000 miles of headwater streams, and leveled 501 mountains.

Mountaintop removal puts nearby communities at risk from: mudslides, flooding, loss of crops, and increased levels of birth defects, respiratory disease, and cancer.

— From a petition circulated by the Eco-Justice Program office of the National Council of Churches.

Sign it: <http://nccecojustice.org/energy/MTRPetition.php>

Learn more. Go to ohvec.org and click on "Health Study Articles on the Effects of Coal Mining."



According to a recent study, birth defects were significantly higher in mountaintop mining areas vs. non-mining areas.

Unless MTR 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.

A Salute to Sparks' Special Spark and Spirit

West Virginia Council of Churches Executive Director Reverend Dennis Sparks retired from the position at the end of 2011. Many varied groups around the state focused on social and economic justice issues, OVEC among them, will miss his support and counsel.

An ordained minister in the Christian Church, Disciples of Christ, Sparks also has a history as a community organizer. He has on several occasions brought Si Kahn, a well known organizer, to West Virginia to present workshops and trainings for community members. He's sponsored anti-racism events and workshops in non-violent communication. He has arranged meetings between community groups and public officials that the groups would have found difficult — if not impossible — to plan on their own.

The Council of Churches was an early supporter of OVEC's clean elections work, and Sparks faithfully attended coalition meetings. Even more important, he was present at the Capitol, lobbying for the legislation and informing Governor Manchin how important public financing could be to the image of West Virginia's Legislature and Supreme Court.

He worked quite hard on the federal Wilderness Bill, giving testimony in Washington, D.C. at the time West Virginia's potential wilderness areas were being discussed. He stressed the importance of wild places — places of natural beauty and quiet reflection — to the human spirit.

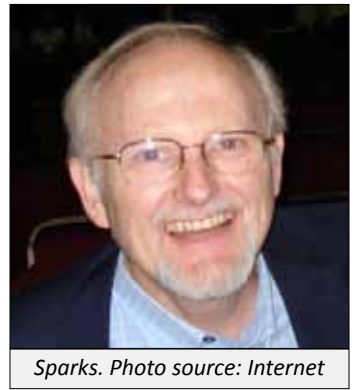
The Council was also active from the beginning with former OVEC staff member Patricia Feeney in gaining legislator participation and faith community participation in the Sludge Safety Project hearings. Sparks attended and led in prayer a number of hearings at which affected persons told their stories, and he encouraged other faith leaders to be present.

In April 2007, Sparks arranged a trip for the Council's board to Kayford Mountain to hear from Larry Gibson and to view the destruction visible from his homeplace. A number of judicatory heads participated in that trip, which may have been largely responsible for the board's approval of the council's statement on MTR the following September. (See story top, left).

He offered tireless support for cemetery protection legislation in 2010, coordinating with OVEC's Carol Warren in keeping the bill moving forward. On at least two occasions, the bill would have been killed without Sparks and the Council's intervention. Sparks assisted in gaining attendees from the religious community at

legislative hearings on the cemetery bill, and the effect of the presence of a row of clerical collars in the committee room cannot be overestimated.

Most recently, he has come forward to support groups working for surface owner rights and improved regulation of Marcellus Shale gas drilling. It is no wonder that Dennis Sparks received OVEC's 2011 award for Outstanding Ally at the August Annual Meeting. We will miss him in his role with the West Virginia Council of Churches and look forward to his continued friendship wherever his new path leads. Best of luck, Dennis!



Sparks. Photo source: Internet

Mother Warren

Congratulations to OVEC staffer Carol Warren whose responsibilities include serving as one of our faith-based liaisons to other groups.

In February, Warren was honored with West Virginia Environmental Council's highest award, the Mother Jones award. Congratulations too, to E-Council's Leslee McCarty, who was also awarded that honor this year.

OVEC Executive Director Janet Keating presented Warren's award and DL Hamilton presented McCarty's award. Warren and McCarty are cousins.

Congratulations to Maya Nye who received the Linda Schnautz Courage award, presented by Pam Nixon.

Congratulations to Kathy Cash for the Laura Forman Grassroots Activist award, to Delegates Bonnie Brown and Mike Manypenny for the Chuck Chambers Service award, and to Dale Hawkins for the Green Entrepreneur award. You each make our world a better place!

OVEC WORKS!

Thanks to everyone near and far for 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!



Cleaner Energy Future

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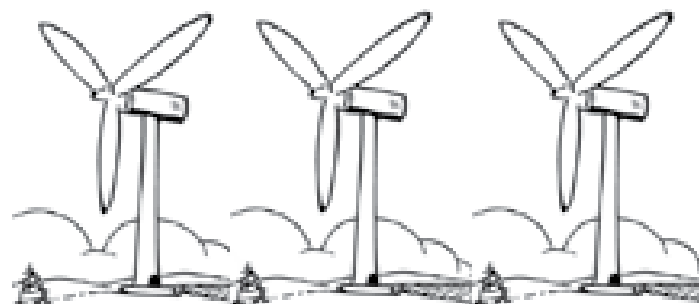
rise 28 percent. There is also far less water use in the Transition Scenario.

Finally, the study estimates the creation of 310,000 full-time equivalent jobs in the first decade of the transition to a more sustainable energy sector. The manufacturing base would receive a much needed near term boost with investment in energy efficiency.

There is something for everyone in this approach. Some people will like the fact that net savings over 40 years are projected at a whopping \$83 billion. That's great news for consumers! Others will embrace the notion that eliminating pollution from dirty coal-fired power plants by 2050 will mean roughly 55,000 fewer premature deaths over the next several decades.

West Virginia is at a crossroads. Coal-based "Business As Usual" will increasingly be out of phase with the rest of the nation, and we will lose critical momentum toward the transition to a clean energy economy. Or West Virginia can line up to support clean energy, create new jobs and infrastructure, lower energy costs, and take a moral high ground for the future generations who will inhabit this earth. We need to start focusing on the bigger issue of our clean energy future and how we get there. It is the responsible path to take. It is the right thing to do.

See the report at www.theclean.org.



Would You Order a FOM License Plate?

Nonprofit groups meeting certain specifications can apply to the WV Division of Motor Vehicles (DMV) for specialty license plates. The Appalachian Mountain Advocates are asking partner groups to assess potential interest in a "Friends of the Mountains" license plate.

If the DMV says we meet their eligibility requirements, we must secure funding for 250 special license plates within six months. The funds should be obtained from citizens who intend to purchase the special license plates for their vehicle. The cost is \$70 per plate for your first registration. For 250 plates, the total is \$17,500; this amount must be paid before plate production will begin. After your first registration at the \$70 level, the annual fee to register is \$45 (everyone has to pay \$30 for regular lines plates — the specialty plates are an additional \$15 annually.) No money from plate sales will benefit the nonprofit; the plates will serve to raise awareness only.

Appalachian Mountain Advocates is willing to do the paperwork and get the ball rolling, but we need to gauge interest. If you would pony up \$70 in advance for this license plate, please e-mail vivian@ohvec.org or leave a message at the OVEC office, 304-522-0246.

We'll keep a list and see if we hit critical mass.



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 and click on the "Donate" 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.

MTR and Fracking Activists Join Forces for Mountain Justice Spring Break

OVEC Members Invited to Attend

Excerpted from an article by Dave Cooper

While combating dirty-fossil fuel energy we often find ourselves so intensely focused on one issue that we lose track of important developments in other related fossil fuel campaigns. Success often seems to come from focus — for example, the historic campaign against the Keystone XL tar sands pipeline has quickly vaulted this issue into the national spotlight by maintaining an impressive, laser-like focus on opposition to the pipeline.

But if we aren't careful, single-focus activists can find themselves wearing blinders and inadvertently create problems in other campaigns.

Mountain Justice Spring Break (MJSB), March 21-28 in northern West Virginia, seeks to build bridges between the long-established anti-mountaintop removal (MTR) campaign in Appalachia and the newer, fast-growing anti-fracking campaign. College students and young people on their spring breaks from about a dozen states will attend MJSB for a week of trainings, skill-sharings, workshops, documentary films, speakers from the mountains and the hollows — learning about Appalachian music and culture through bluegrass, folk and old-time music in the evenings. A special emphasis at MJSB is connecting activists in the anti-MTR campaign with the "Fracktivists" in the anti-fracking campaign.

Mountain Justice Spring Break will offer site tours to see mountaintop removal on Kayford Mountain with Julian Martin of the West Virginia Highlands Conservancy and Larry Gibson with Keepers of the Mountains, and fracking sites in Wetzel County, W.Va. Ed Wade of the Wetzel County Action Group, plus tours of a coal slurry impoundment and a strip mine near Morgantown, W.Va.

MJSB participants will also hear from citizens who live close to coal-burning power plants, including Elisa Young of Meigs County, Ohio, who has to deal with air pollution and ground water contamination from multiple power plants with coal ash impoundments in her county.

Featured MJSB workshops include information and training sessions. Topics include anti-oppression, community grassroots and campus organizing with OVEC's Andrew Munn and others, listening projects, coal slurry impoundments, non-violent direct action,



Larry Gibson and Julian Martin will lead tours, like this one to Kayford Mountain, for MJSB 2012.

tree-sits, media skills with OVEC's Vivian Stockman, fundraising, citizen air monitoring, and coal ash.

The MJSB camp location is surrounded by drilling sites. Fracking equipment and tanker trucks constantly thunder along the main highway.

Environmental groups combating fossil fuels are facing gigantic energy industries and a congress that is deeply indebted to them for big campaign contributions. There are many difficult choices and difficult decisions. No one has all the answers, but building stronger bridges between the campaigns against coal and fracking — as Mountain Justice Spring Break seeks to do — seems like a good start.

For info and to register, go to www.mjsb.org.

Stay Connected!

Stay Informed by E-mail: Join OVEC's Action Alert! e-mail list by going to www.ohvec.org and clicking the "Action Alert" button. This is not a discussion list, so you won't be swamped with e-mails.

Stay Informed by Phone: 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 Online: Visit www.ohvec.org frequently for updates. Check out our extensive background information in the Issues section. We are on **Facebook**, too. Link up from www.ohvec.org.

What's Not to Like? Energy Efficiency Measures Save Money and Mountains, Create Jobs

by Molly McLaughlin, EEWV

Electric rates across the country have increased dramatically in recent years, especially in West Virginia. A typical Appalachian Power customer who was paying \$56 per month in 2007 is now paying \$90 per month, an increase of nearly 60%. Mon Power and Potomac Edison customers have experienced rate increases of over 30% in the past three years.

Many homes in West Virginia, and across the nation, are drafty and lack insulation. Households in West Virginia consume 25% more electricity than the national average, and, according to Michelle Connor, director of Almost Heaven Habitat for Humanity, low-income families spend one-fourth of their income on utilities. Investing in energy efficiency not only saves people money, as much as \$40 per month according to Connor, but it also decreases the demand for coal and is therefore a key puzzle piece in ending mountaintop removal coal mining.

According to the American Council for an Energy-Efficient Economy, the United States can decrease projected 2050 energy consumption by 40 to 60 percent by properly investing in energy efficiency. This would save consumers an average of \$400 billion per year (equivalent to about \$2,600 per year per household) and create a net increase of 1.9 million jobs. There are many ways for states to invest in and promote energy efficiency, including adopting more energy efficient building codes and requiring utility companies to invest in energy efficiency.

Energy Efficient West Virginia (EEWV), a group created to promote stronger energy efficiency policies that protect residents from future rate increases, proposed two energy efficiency related bills to the State Legislature during the 2012 session — an Energy Efficiency Resource Standard and Least Cost Planning (LCP) legislation.

The utilities in West Virginia — Appalachian Power, Mon Power and Potomac Edison — are subsidiaries of utilities that also operate in Ohio and Pennsylvania, which both have Energy Efficiency Resource Standards. Ohio has set annual energy targets for their utilities

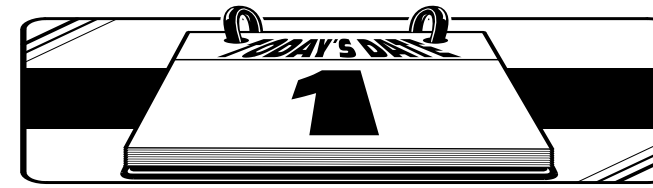
with a goal of 22% savings by 2025; thus far, most utilities are exceeding these targets. In 2010 and 2011, an estimated 1,700 jobs were created because of these energy efficiency targets. In Pennsylvania, all but one utility exceeded the target of a 1% reduction over two years. The energy efficiency programs in Pennsylvania created 4,000 new jobs and are expected to save Pennsylvanians \$2.3 billion over the lifetime of the efficiency measures.

Utility companies have achieved these savings by offering programs that help users more easily take advantage of opportunities to save money through energy efficiency. This includes offering rebates and subsidies on more energy efficient lighting and appliances, funding low-income weatherization and offering energy assessments for users.

Least Cost Planning legislation, which is also referred to as Integrated Resource Planning, would require utility companies to determine the mix of resources that will meet electricity demand at the lowest cost and to provide this analysis to the Public Service Commission for review. For this analysis, utilities evaluate the costs and risks of a range of options — including traditional power plants, energy efficiency and other alternate ways of meeting demand. More than half the states in the country require Least Cost Planning from their utilities. Often, the analyses show energy efficiency to be the lower-cost option. For example, investing in energy efficiency is less expensive than building a new power plant.

Both bills EEWV proposed would help save West Virginia residents and businesses money on their utility bills, create jobs, reduce the demand on coal and cut energy waste. West Virginia doesn't want to be left behind anymore — utility companies are required to do Least Cost Planning and have Energy Efficiency Resource Standards in other states, and West Virginia should be no different.

To see how the bills EEWV fared during the 2012 Legislative Session, go to the group's website, www.eewv.org.



March 14: Energy Efficient West Virginia and OVEC will co-host a public meeting at the downtown Huntington branch of the Cabell County Public Library, in the public meeting room on the third floor. Doors open at 6 p.m.; meeting starts at 6:30. Snacks provided.

March 21–28: Mountain Justice Spring Break 2012. This Spring Break, avoid the hangovers — learn about and take action against the destructive effects of the dirty life cycles of coal and natural gas. Stand in solidarity with the communities in Virginia, West Virginia and southwest Pennsylvania that are facing the ongoing destruction of extreme extraction. For info: www.mjsb.org.

April: D.C. Days.* Join OVEC and the Alliance for Appalachia in D.C.

April 2: Save the date for a public action with Mountain Justice and OVEC. Contact the OVEC office at 304-522-0246 for more info.

May 19–25: Mountain Justice Summer Camp, Pipestem, W.Va.

June 2–6: The Alliance for Appalachia's 2012 End Mountaintop Removal Week in Washington, complete with a Day of Action.*

July: D.C. Days.*

September: D.C. Days.*

September 8: Save the date! OVEC is organizing a conference on the health impacts of fossil fuel energy, to be held in Morgantown, West Virginia.

*If you want more information on D.C. Days or the Week in Washington, contact OVEC staffer Robin Blakeman at 304-522-0246 or rrobinjh@gmail.com.

Visit our "Events Calendar" page at www.ohvec.org often for more calendar updates. If you have events you would like included on OVEC's online calendar, e-mail the event name, day, time and location to vivian@ohvec.org. We reserve the right to reject submissions.



April 21: OVEC's Victory Celebration Dance on the eve of Earth Day. Members and their guests are invited to join us at the Charleston Woman's Club. Great conversation, excellent food and dancing, with tunes spun by the DJ folks enjoyed so much at last year's dance. Call the office at 304-522-0246 to make reservations.

October 27: OVEC turns 25 years old in 2012. Our big celebration will take place Oct. 27 in Charleston, West Virginia at the Woman's Club.

As these dates approach, we'll have more information in future newsletters and online.



"Oops, Sorry" Isn't Good Enough on This One

Kudos to attorney Jason Huber, a long-time OVEC supporter. Late last year, Huber filed an ethics complaint against Crowell and Moring, the Washington, D.C. law firm that implied inbreeding was responsible for birth defects in Appalachia. That insinuation came as part of the firm's attempt to refute a scientific study showing that mothers living near mountaintop removal operations have a far greater risk of bearing babies with birth defects than do mothers living in non-mining areas.

The D.C. Office of Bar Counsel could look into Huber's complaint. "It is not fair and it is misleading when you attempt to mask the economic, epidemiological and environmental consequences of mountaintop removal by degrading the Appalachian people through casting them as inbred hillbillies," Huber said.

If the Office of Bar Counsel finds that the Crowell and Moring attorneys violated ethics rules, then they could be reprimanded or possibly disbarred.

The firm responded to Huber's complaint in a written statement, which included this comment, "We regret that Mr. Huber has chosen to revisit this issue long after we withdrew the communication and apologized for any offense it may have caused in July."



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40 Years Ago: Remembering Buffalo Creek



Photos from the West Virginia Historical Archives.

On the rainy, peaceful Saturday morning of February 26, 1972, coal slurry dams burst and sent a raging flood of water and sludge 30 feet high through the communities along Buffalo Creek in Logan County, West Virginia. One hundred twenty-five people died, more than one thousand were injured, and thousands were left homeless. Forty years has not abated the pain of families who lost loved ones to the churning black water; the scars from that day are indelible.

Forty years later, coal slurry is still claiming lives. So, we pray for the dead and fight like hell for the living.

