

Fall 2018



Winds of Change

Supporting Organized Voices and Empowered Communities Since 1987

Huntington, WV

OVEC

www.ohvec.org



Among those celebrating the news about Blair Mountain are the folks pictured here, inside the UMWA Local 1440 Union Hall in Matewan, near the WV Mine Wars Museum. Left to right: Bobby Lee May, OVEC Executive Director Natalie Thompson, Jimmy Simpkins, Terry Steele, and Wilma Steele. Photo by Addison Post.

After Years of Legal Action, Blair Mountain Back on the National Register of Historic Places

On June 27, the Keeper of the National Register of Historic Places announced its decision to restore the site of the 1921 Battle of Blair Mountain labor conflict to the National Register, which should help protect the site from mountaintop removal coal mining.

This decision follows years of legal action brought by a coalition of environmental and historic preservation groups including OVEC, Friends of Blair Mountain, West Virginia Highlands Conservancy, Sierra Club, the West Virginia Labor History Association, and the National Trust for Historic Preservation.

The Battle of Blair Mountain is a central event in U.S. labor history and one of the best known of the

many labor struggles in WV. In 1921, the Battlefield in Logan County was the site of the largest armed insurrection in the United States since the Civil War, as 10,000 coal miners clashed with mining company-financed forces over the right to unionize.

In recent years, the legal battle to historically preserve Blair Mountain includes protecting the battlefield from mountaintop removal. After many nominations and revisions, the site was finally listed on the National Register of Historic Places in 2009, only to be de-listed nine months later in a move that a court later declared to be unlawful.

Over the next six years and through a series of coalition-led legal actions, the matter was remanded to the Keeper to review the events that led to the

continued on page 16

Inside This *Winds of Change*

Calling All Snitches - 6 / Empowering People, Fighting Big Money - 8 / The Storage Hub, and Why You Must Act - 14

Appreciate One Another: *Our Efforts Together Matter*

*OVEC member and super fracktivist Bill Hughes had been ill and had missed attending a recent meeting of leaders of the Appalachian Gas Working Group.**

He sent along a note to the AGWG listserv group, thanking everyone who had sent him “get well/ thinking of you” cards, saying such notes are always appreciated:

I especially am moved and grateful for the number of folks who also included an expression of their appreciation of what I have tried to do over the years. I think we all lose track of our long-term efforts, particularly when it is difficult to see many results. And, here in Wetzel County, the resurgence of drilling activity and all the pipeline construction makes it seem worse than eight years ago. Sometimes it feels like we have gone backwards, and it does get discouraging. Disappointments come easy; successes are the few and far between exceptions.

So, thanks for the notes and many thanks for your acknowledgment of my efforts over the years. I keep those cards and re-read them now and then, when I need a morale boost to get me moving again and to help me feel more connected to the cumulative joint efforts of all of you folks.

Many folks responded to Bill’s note, among them OVEC member Mary Wildfire, who wrote:

This is important. Years ago, I was at a meeting where someone talked about being “in the ditch” and needing his compadres and co-madres to lift him out, and in turn lifting them out when they were in the ditch... feeling despair, that we can’t win, that we’re wasting time. Seems like many of us are spending some time in that ditch these years, and lifting each other out is one of the most important parts of what our coalition can do.

So, here are some thoughts: It does look dark. But it often looks dark before dawn breaks, and you often don’t see the sky lightening behind the tall trees to the east.

We have enemies, and they may seem invincible to us—but, of course, they do their best to hide their



weaknesses. And they do have weaknesses—not only that what they want to do is criminally irresponsible and that history will see them in a light similar to the one now shining on the Nazis. They have more immediate problems.

Financial problems, for instance. Money is their reason for all they do, and they’re losing money steadily, struggling to keep up with debt payments. But they’re entangled with Wall Street, which bet on fracked gas as a new bubble after the subprime housing thing crashed. So, they’re reaching for profitability via two methods—one, to pipe the gas to export terminals in hopes of much better prices abroad. But the cost of shipping and compressing

“Seems like many of us are spending some time in that ditch these years, and lifting each other out is one of the most important parts of what our coalition can do.”

the gas makes that far from a sure thing, especially given competition from cheap Russian and Middle Eastern gas (which may have a lot to do with foreign policy). The other plan is to make up for the low price and drain off some of the local glut by selling the NGL (natural gas liquid): hence, this awful fantasy of a plastics and chemical bonanza (they want to expand the existing petrochemical mess on the Gulf, as well as here). But is there a market for more plastic at a time when a young anti-plastics movement is growing rapidly? Will they be able to sell more fertilizer, when the

regenerative farming movement (which features polyculture, in which animal manures replace artificial fertilizers) has the potential to grow? The trade war with China and the mysterious upheaval in which Governor Justice pretends to be concerned about ethics are other blocks in the works, giving us time.

continued on page 5

* AGWG is a consortium of green-minded groups and organizations. Our vision is to support healthy communities, property rights, and a just transition to clean renewable energy, while leading a coordinated effort to end public harm from fracking and gas related extraction and infrastructure.



Photos by assorted event participants.

Paddle Against Petro

We have been working to network and help build a coalition of groups and individuals in West Virginia, Ohio, and Pennsylvania who are committed to stopping the proposed Appalachian Storage Hub and Petrochemical Complex. So, when the 2018 Northeast U.S. Petrochemical Construction Conference & Exhibition was announced for June 18 in Pittsburgh, we thought it would be a great opportunity for action.

The conference was designed for petrochemical bigwigs to get together to promote the petrochemical complex, which would provide profits for them, while

threatening the health and economy of hundreds of thousands of regular folks who live in the Ohio River basin.

More than 20 environmental organizations in the Ohio River Valley, including OVEC, planned an event to counter the conference, which would be held at a venue overlooking the Allegheny River. That location meant we had a great opportunity for a “kayaction,” with people in kayaks on the river with signs and a large banner, while others held a press conference on the riverbank near the conference center.

About 40 people took part in the action, either on the river or its banks. A local student group from the University of Pittsburgh dropped a banner from a nearby bridge. Our banner, raised on the river by our kayactivists, read “No Petrochemicals, No Plastics, No Cancer Alley.”

OVEC’s Dustin White spoke at the press conference, where he highlighted the threats more oil, gas, and petrochem infrastructure would bring to our region by giving examples of recent disasters, including the Leach Xpress Pipeline explosion, the Ames Plant fire in Parkersburg, and the MCHM spill.

Thanks to all the groups who took part in the action and planning: Breathe Project, Clean Air Council, Center for Coalfield Justice, Free the Planet (University of Pittsburgh), EarthWorks, Fracktracker, Marcellus Outreach Butler, Marcellus Protest, Mountain Watershed Association, No Petro PA, PennFuture, OVEC, Sierra Club, Three Rivers Waterkeeper, Three Rivers Rising Tide, and Women For A Healthy Environment.

If you would like to get in on work relating to the Appalachian Petrochemical Hub, contact OVEC’s Dustin White at dustin@ohvec.org. 🍌

OVEC Board of Directors & Staff

Board Members

<i>Rev. Jeff Allen, Chair</i>		<i>Mike Sullivan, Vice Chair</i>
<i>Lauren Kemp, Treasurer</i>		<i>Diane Wellman, Secretary</i>
<i>Pam Nixon</i>	<i>Rev. Rose Edington</i>	<i>Dave Lavender</i>
<i>Lyndsay Tarus</i>	<i>Gina Hart-Smith</i>	<i>Brian Hoey</i>
<i>Stephen Perry</i>	<i>Abe Saad</i>	

Staff

<i>Natalie Thompson</i>	<i>Maryanne Graham</i>	<i>Vivian Stockman</i>
<i>Tonya Adkins</i>	<i>Robin Blakeman</i>	<i>Dustin White</i>

<i>OVEC Webmaster</i>	<i>Don Alexander</i>
<i>Winds of Change Editor</i>	<i>Vivian Stockman</i>
<i>Volunteer Editorial Consultant</i>	<i>Deborah Griffith</i>

*All photos here by V. Stockman, unless otherwise noted.
Graphics from assorted sources.*

*Ohio Valley Environmental Coalition
P.O. Box 6753, Huntington, WV 25773
304-522-0246
ohvec.org*

To unsubscribe from WOC mailings or to receive WOC online only, contact maryanne@ohvec.org with “WOC subscription” in the subject line.

OVEC is a coalition member of the WV Environmental Council and the Alliance for Appalachia, and is a 501(c)(3) non-profit organization registered with the IRS and the West Virginia Secretary of State.

Victory! Community Groups Force EPA to End Delay of Chemical Disaster Rule

In mid-August, we received really good news. Thanks to the representation of Earthjustice, OVEC and other community groups won key protections that safeguard the public and first responders from chemical disasters. The United States Court of Appeals for the District of Columbia ruled that the U.S. Environmental Protection Agency's delay of implementation of its Chemical Disaster Rule was unlawful.

OVEC owes a really big thank you not only to Earthjustice, but also to board member Pam Nixon and member Maya Nye, both of whom are quite active with People Concerned About Chemical Safety.

Because of the court's decision, the chemical industry will now have to implement the life-saving protections of that rule. The EPA had been delaying implementation of the rule since March 2017, based on petitions from industry trade associations. EPA stated it wanted to "reconsider" the rule.

EPA originally developed the rule after communities around the country submitted a petition in 2012 asking EPA to protect them from the constant fires, explosions, and spills they were being exposed to.

In 2013, President Obama signed an Executive Order to address community preparedness and government coordination following various tragic incidents at chemical facilities including a fire that broke out at the West Fertilizer Company plant in West, Texas, in 2013, in which a total of 15 people died, including 12 volunteer first responders.

The Chemical Disaster Rule amended EPA's

Risk Management Program and requirements to coordinate more with emergency responders before a chemical emergency begins, to share information about chemical threats with community members, to better investigate disasters and near misses, and to assess whether safer technologies or alternatives are available to save lives and prevent injuries to workers, communities, and first responders.

As the Court explained in its ruling, "The

Chemical Disaster Rule is the most recent outgrowth of Congress's effort in the 1990 Amendments [to the Clean Air Act] to ensure adequate protections against highly dangerous releases of chemicals."

Shortly after coming into office, the Trump EPA suspended these critical disaster prevention and safety

measures. The court's ruling means that industry will need to start implementing practices that protect approximately 177 million people living in the worst-case scenario zones for an industrial chemical disaster.

"The government cannot withdraw critical safety rules based on political whim—people's lives should come first," said Earthjustice attorney Gordon Sommers. "This court decision is a victory for communities around the United States who have worked for years to win stronger protections from chemical disasters and a reminder to President Trump's EPA that no one is above the law."

The court held that EPA's action "makes a mockery of the statute." Finding the delay unreasonable and illegal, the court ordered it to be vacated. During Trump EPA's unlawful delay of the Chemical Disaster Rule alone, more than 58 major



Above: Folks representing several of the community groups involved in the lawsuit came to Washington, D.C. on June 14. They came to speak at a public hearing on the chemical disaster rule. Maya Nye, front row, second from right, represented both People Concerned About Chemical Safety and OVEC. Thank you Maya! Photo courtesy Earthjustice.

incidents have occurred around the United States, including, on April 26, 2018, the 10-mile evacuation of thousands of people living near the Husky in Wisconsin.

In this case, Earthjustice represents OVEC and the Union of Concerned Scientists, Environmental Integrity Project, Sierra Club, Coalition For A Safe Environment (Wilmington, CA), Del Amo Action Committee (Torrance, CA), California Communities Against Toxics, Louisiana Bucket Brigade, Air Alliance Houston, Community In-Power & Development Association (Port Arthur, TX), Texas Environmental Justice Advocacy Services, Clean Air Council (Philadelphia, PA), and Utah Physicians for a Healthy Environment.

The United Steelworkers Union, represented by Santarella & Eckert LLC, is a petitioner-intervenor. Eleven states—Illinois, Iowa, Maine, Maryland, Massachusetts, New Mexico, New York, Oregon, Rhode Island, Vermont, and Washington—are additional petitioners. Former regulatory officials, represented by Public Citizen, filed an amicus (or “Friend of the Court”) brief, in support of our case. The Institute for Policy Integrity at NYU School of Law also filed an amicus brief.

Unfortunately, EPA’s proposal to actually *rescind* (as opposed to “merely” delaying) the rule is still underway. As this edition of *Winds of Change* went to press, Earthjustice attorneys were working on this matter on the behalf of the groups they represent. 🍌

Appreciate One Another

continued from page 2

In fiction, one lone man or woman saves the day. In reality, heroes like Bill Hughes (and he surely is one!) never get to know that their work made the difference. Even the ones we know, like Martin Luther King Jr., didn’t win one of the major rounds of the civil rights struggle—thousands of people did. Making the world better requires that we do this effort in the dark, not knowing whether we’re making any difference, not knowing what the outcome will be. Just hoping that dawn is coming, “not rolling in on wheels of inevitability, but through the tireless efforts of men and women willing to be co-workers with God,” as MLK put it, in his letter from the Birmingham jail.

To all of us doing the tireless good works, thank you! Together, we make a difference! 🍌

Interior: No “Specific” Reason MTR Study Cancelled



Excerpt from a June 13 Charleston Gazette-Mail article by Kate Mishkin. Full article: bit.ly/2wkUPBS

There’s no apparent reason why a study on the health effects of mountaintop removal was halted last year, according to the Department of the Interior’s deputy inspector general.

The study would have looked at the health effects on residents who live near MTR coal-mining sites. The DOI’s Office of Surface Mining had committed \$1 million to the study, but put it on hold after the office said it was reviewing grants and agreements that cost more than \$100,000.

Rep. Raúl Grijalva, D-Ariz., the ranking Democrat on the House Natural Resources Committee, sent a January letter to the DOI’s deputy inspector general asking for a review of the decision to halt the study.

He referenced two letters to Secretary of the Interior Ryan Zinke, on Aug. 25 and Oct. 17, asking for more information about both studies and said he hadn’t received a response.

“Other than a general document entitled ‘Secretary of the Interior’s Priorities,’ departmental officials were unable to provide specific criteria used for their determination whether to allow or cease certain grants and cooperative agreements,” Mary Kendall, the deputy inspector general, wrote to Grijalva in a June 7 letter.

“Department officials decided to halt the study because they did not believe it would produce any new information and felt costs would exceed the benefits,” Kendall wrote.

In Grijalva’s Oct. 17 letter to Zinke, he asked for more information about the \$400,000 that was spent on the study.

“It increasingly appears as if [the] DOI ended the study because of fears that it would conclusively show that mountaintop removal coal mining is a serious threat to the health of people living in Appalachia,” he wrote.

The decision to halt the study, he said, was politically motivated. 🍌

Support local journalism! Subscribe to the Charleston Gazette-Mail; just search for the newspaper online or call 304-348-4800.



MXP work in Roane County, WV.
Photo by Vivian Snitch Stockman.

Calling All Snitches*: You Can Help Make a Difference

As you know if you read our blogs, two Columbia/TransCanada fracked-gas pipelines, the Leach Xpress and the Mountaineer Xpress (MXP), seem to connect at both their origin points and terminal/transition points. Both originate in northeastern WV, with the Leach Xpress traveling soon thereafter under the Ohio River into Ohio, heading to Lawrence County, OH. There in the Burlington/South Point area, it traverses under the Ohio River again, emerging on WV soil near Camden Park. The pipeline travels through the Westmoreland area of Huntington to plug into the Ceredo Compressor Station.

The MXP, which recently moved to construction phases, travels from northeastern WV through multiple counties to Cabell County; at Milton, the 36-inch pipeline is scheduled to empty its contents via a small compressor station into the old SM-80 lines, which will then transport the fracked gas to the Ceredo Compressor Station.

From the compressor station, the gas from these two lines will be transported into the Gulf Xpress pipeline, which will transport the gas southward towards Louisiana’s Gulf Coast, potentially for export.

In January, TransCanada crowed about the start-up of the Leach Xpress Pipeline, “This is truly a best-in-class pipeline and we look forward to many years of safe, reliable, and efficient operation on behalf of our customers.”
Six months later, in June, this happened:



TransCanada Pipeline Explodes in West Virginia
Newly installed TransCanada pipeline exploded in the remote Nixon Ridge area of Marshall County.
ecowatch.com

As even a first grader with a crayon could see, if you trace these pipelines on a map, it looks like one big loop through WV and Ohio, with a tail leading to Louisiana. While some gas may be siphoned off at some points for local consumption, this massive system may well send a lot of the natural gas extracted in our region to export markets overseas.

One huge problem with this system has already exploded, quite literally: on June

7, an explosion on the Leach Xpress decimated 10 acres of forest near Moundsville, WV. No one was hurt, only by the fortuitous fact that the failed portion of the pipeline was located far away from structures occupied by humans. Since the time of the explosion, reports have been issued which show that hillside

***Sure, fracking industry, call us SNITCHES—Stream Navigators
Intelligently Testing Creek Health: Environmental Stewards**

slippages were at least partially responsible for this major failure in the system.

This is a concern now in the context of the MXP construction and other pipelines being built on steep slopes, due to lack of appropriate “Best Management Practices” when it comes to erosion control on these hillsides. The stream testing volunteers in our five county programs have thus far made at least six reports to regulators, regarding failed or absent erosion controls. We know that others have been making similar reports on other segments of the MXP, and on the Mountain Valley, Atlantic Coast and Rover pipelines.

A swarm of citizen monitors are literally stepping up to do the monitoring that our state regulators find impossible, due to lack of adequate staffing. We know that these reports have resulted in at least one voluntary work stoppage along the route of the MXP.

Citizen reports and legal actions helped bring about a temporary work stoppage on the Mountain Valley Pipeline. This apparently has the purveyors of the website Marcellus Drilling News hopping mad, as evidenced by the story headlined, “Mountain Valley Pipeline Snitches Now Have Nothing to Do.” (Conduct an internet search to find and read the whole article.) The article contends:

We spotted another story about a group of landowners and outside radical anti-fossil fuelers who call themselves Mountain Valley Watch. The group, adamantly opposed to MVP, flies drones over work areas to see if they can spot the least little “violation” by workers (Look! That guy just dropped a Snickers bar wrapper on the ground!). The members and fawning media try to label them as “citizen-scientists,” which is laughable. They’re snitches. They run around spying on their neighbors (i.e. workers) hoping to catch



Above: June 30, OVEC hosted our second Volunteer Stream Testing Training, attended by seven new volunteers, pictured here, and one stream team veteran, Ruth Smith (third from left), along with our trainer, WV Rivers Coalition’s Autumn Crowe (right).

Everyone quickly received a dose of “real world” experience: When we went to Fourpole Creek for some hands-on training, we discovered a diesel spill in the creek! Fortunately, we had rubber gloves handy and some of the volunteers had rubber boots, so we were able to complete the hands-on portion of the training.

These seven new volunteers are ready to join with the teams already monitoring our existing stream testing sites, and at least one new site will be established soon. The streams teams have already been hard at work monitoring their sites, with many of them putting in extra hours doing additional stream visits as the Mountaineer Xpress Pipeline moves to construction phase. We watch for and have reported permit violations such as failed erosion controls, and dramatically increased sediment in streams.

More volunteers are welcome. Get involved! Contact Robin Blakeman at 304-522-0246 or robin@ohvec.org. Photo by Robin Blakeman.

them in violation of some obscure code—all in the name of “being an extra set of eyes.” That’s why there’s [sic] environmental agencies with trained regulators and inspectors—to do that kind of work.

The people looking out for their neighborhood are outsiders?! If you have seen a pipeline crew at work, you will have seen all the out-of-state license plates on the workers’ trucks. You may well have also noticed that there are too few agency inspectors for all the work going on. And certainly candy wrappers are the least of your worries.

So, my snitches, it’s quite obvious that pipeline monitoring efforts are making a difference. We are trying to remain vigilant, but we need your help. To get involved with OVEC’s efforts, e-mail robin@ohvec.org. 🍎



The Pro-Democracy, Anti-Corruption Platform:

Every day, West Virginians pay a heavy price due to the influence of money in politics. An opioid crisis, insufficient resources for our schools, persistent poverty, and lack of opportunity continue to plague our state. Regular West Virginians know how to solve these problems, but our voices are not heard in the halls of power.

The modern campaign system is broken and prevents elected officials from solving big problems. The vast majority of elected officials in West Virginia are hard-working, ethical people who want the best for our state. Unfortunately, candidates must raise a massive amount of money to run for office. This makes candidates dependent on big donors that drown out the voices of average West Virginians who can't afford to contribute. Consequently, most voters believe that powerful interest groups use their donations to steer policy in the direction of their own interests, which may not be in the public interest.

Now we have a solution to fix the problem. The Pro-Democracy, Anti-Corruption Platform is a set of common-sense solutions that can help put our government on a path to solve problems that affect us all. This is not about Democrat vs. Republican; this is about fixing a broken system, and moving toward a government that's more transparent, accountable, and responsive to the needs of all West Virginians.

The Pro-Democracy, Anti-Corruption Platform would increase accountability and transparency in West Virginia elections, make voting more accessible to all citizens, limit the influence of big-money in politics, ensure fairness and impartiality in our courts, and increase citizen participation in the electoral process.

Support our Pro-Democracy, Anti-Corruption Platform! Contact 304-522-0246 or info@ohvec.org.

EVERYONE DESERVES TO KNOW

Voters have a right to know who is spending money to influence our votes and our elected representatives. The Legislature should strengthen disclosure laws in elections and increase the transparency of campaign and lobbying activities to give the public more information on who is impacting our elections and legislative decisions.

- **No secret money**—Put an end to big money funneled through groups with secret donors by requiring timely online disclosure of all political spending.
- Establish an **accessible online Voters' Guide** on the Secretary of State's website that would provide information about all candidates for statewide and legislative office, including a list of their top campaign contributors.
- **No secret lobbyist meetings**—Take advantage of modern technology to require prompt reporting of meetings, who attended, and what was advocated for.
- **Require elected officials** (state senators, delegates, and members of the Board of Public

Works) **to hold regular public forums** and provide advance notice of the date, time, and location.

- **Establish an Office of Public Lobbying** to counterbalance corporate activity and give a greater voice to societal interests.

EVERYONE IS HELD ACCOUNTABLE

An open and transparent government requires strong enforcement of our laws and real consequences for those who violate them. The Legislature should close loopholes in our election and ethics laws and make sure that state agencies and prosecutors have the tools they need to ensure enforcement and accountability and to combat corruption.

- **Prevent elected officials from fundraising during working hours/legislative session** when they should be serving their constituents.
- **Strengthen and enforce the revolving door law** to prohibit elected officials from negotiating for jobs while in office and bar them from paid lobbying activity for several years once they leave.
- **Prevent and punish coordination** of political spending between candidates and outside groups.
- **Make it illegal for politicians to take money from lobbyists**—People who are paid to lobby cannot donate to politicians and should be prohibited from bundling contributions from their employers and clients.



Empowering People, Fighting Big Money

- **Remove conflicts of interest from our courts**—Adopt an objective recusal standard so that judges who take money from someone cannot preside over their case.

EVERYONE CAN PARTICIPATE

Democracy requires everyone to have a voice in the decisions affecting their lives, from equal access to the ballot box to the right to have your voice heard above the special interests that try to buy our elections. The Legislature should give a greater voice to each citizen and lower barriers to participation in political life in the following ways.

Changing the Way Elections Are Funded and Empowering Small Donors

- **Improve, strengthen, and expand** existing laws making **public campaign financing** available for candidates who agree to limit their fundraising. This enables a more diverse set of candidates to run for office and be accountable to their constituents rather than to their largest campaign contributors.
- Provide limited **tax credits for small donations** or small dollar vouchers to encourage active participation of small donors and give everyday people a stronger voice in our elections.



Protecting and Expanding Access to the Polls and Increasing Voter Participation

- **Repeal Voter ID**—Although West Virginia’s law isn’t as strict as voter ID laws passed in other states, it’s an unnecessary law that can disenfranchise eligible voters and cause unnecessary delays at the polls.
- **Defend and expand Automatic Voter Registration (AVR)**—Our voter rolls and

registration systems are outdated, error-prone, and costly. AVR can save taxpayer money, increase accuracy, and improve security, while ensuring that all eligible voters are able to participate on election day.

- **Implement a vote-by-mail system**—Forcing voters to take time off from work and their families to stand in long lines on a Tuesday is ineffective, insecure, and outdated. Sending ballots to voters at home and allowing them to mail them back in their own timeframe or drop it off at a professionally staffed voting center would make voting more convenient. Voters could still vote in person or receive assistance at a voting center.
- **Provide Same Day Registration** as a fail-safe in order to protect eligible voters from improper voter roll purges.
- **Improve/mandate poll worker training**—Set and enforce standards for poll worker training to avoid lines and delays, and ensure eligible voters aren’t disenfranchised.

Improving Redistricting, Representation, and Participation

- **End gerrymandering**—Reform the rules and make the process of drawing legislative and congressional districts transparent and impartial by establishing an independent redistricting commission.
- **Extend the filing deadline for candidates until after the end of the legislative session** and, if need be, hold the Primary Election later in the year (June 20, West Virginia Day).
- **Hold judicial elections in November**, during the General Election when turnout is generally higher. 🍌

VOTE VOTE VOTE VOTE VOTE VOTE

And as we let our own light shine, we unconsciously give other people permission to do the same.

- Nelson Mandela



OVEC is often out and about; join us at future events! **Above left:** On June 16, OVEC tabled at the 2nd Annual Huntington Pride Picnic at Ritter Park. **Above right:** Members of the Huntington-Cabell NAACP Youth Group and OVEC’s Natalie Thompson at the June 18 “Fair Courts 101: Protecting Our Democracy” training and discussion organized by WV Citizens for Clean Elections. Courtesy photos.

The WVCCE event explored the direct link between people power at the community level and the impartiality of our courts. With civil rights and democracy increasingly under attack, the strength and impartiality of our courts may be the last mainstay for achieving justice on all of our issues. Our rights as voters, parents, workers, and community members depend on the decisions of our elected judges. Do get involved in our Clean Elections work! See related stories beginning on pages 8 and 13.

Opposite page, starting upper left, moving across to right, then down to next row:

Photo 1: Some of the folks who took part in the June 30 stream monitoring training, in action. See related story on pages 6-7. Photo by Robin Blakeman.

Photo 2: On June 8, OVEC tabled right outside our office for Huntington West Side’s Old Central City Days. Photo by Nathan Luton.

Photo 3: OVEC’s Dustin White speaking at a DEP hearing about water standards. He also spoke about the proposed Appalachian Storage Hub during the July 29 “Community Informational Forum on Oil and Gas Infrastructure in Appalachian Ohio,” held in Powhatan Point, OH, and hosted by Ohio Environmental Council, Earthworks, SW PA Environmental Health Project, and OVEC. Courtesy photo.

Photo 4: Left to right: Tuesday Taylor, Crystal Good, and Natalie Thompson take part in the “St. Dolly Parton” scene during a “revival” at Keeper of the Mountains Foundation annual SolarFest, held in June in Fayette County. Courtesy photo.

Photo 5: A few of several active members of the Appalachian Gas Working Group who gathered near the New River Gorge to meet and plan some next steps on June 19. Photo by Vivian Stockman.

Photo 6: On June 9, the Catholic Committee of Appalachia honored the one-year anniversary of the passing of Chris Hale, the founder of Friends of Water. His father Bernie Hale stands at the podium. Seated at front, left to right, are author and OVEC member Denise Giardina, retired OVEC Executive Director Janet Keating, and author and OVEC member Ann Pancake. Janet facilitated a “Reflections on Sacred Action for Earth” conversation between the two renowned authors. OVEC was a co-sponsor of the event. 🍌



Don't Cede Your Role in Pollution Control



OVEC member Don Criss heeded our calls urging people to comment on the Ohio River Valley Water Sanitation Commission's proposal to change the way it deals with pollution control standards for the Ohio River. Here are the comments he submitted to ORSANCO:

My name is Donald R. Criss. I have an M.S. in Geology. I have worked for the WV Dept. of Environmental Protection for 24 years, focusing on groundwater remediation. I have done extensive research regarding the impact of endocrine-disrupting contaminants in surface and groundwater, and I wish to express my concern over the proposed revisions to key pollution control standards. We are all aware that pollution does not stop at political boundaries. That is why the need to preserve consistent water quality standards throughout the Ohio River has never been more urgent. Without consistent water quality standards throughout the watersheds, individual states and local entities will be free to set their own pollution standards that will inevitably conflict with the common-sense goals of maintaining the viability of our water resources. Without broader oversight, we can expect water quality standards to be dictated by short-sighted economic policies.

Development of deep-well fossil fuels and the Appalachian Storage Hub poses much more risk than benefit. Massive water extraction and disposal of used fracking fluids threaten the viability of our water resources, as does the pollution at cracker/processing plants. These are chlorinated organic hydrocarbons

that have the ability to accumulate in fat deposits of humans and other species and cause cancer, as well as reproductive disorders and endocrine disruption. These compounds can cause damage in very small quantities, which makes it even more obvious that we need water quality standards set by ORSANCO now more than ever before.

Many of these compounds must be tested by using a gas chromatograph/mass spectrophotometer. Individual states cannot be trusted to set standards and carry out monitoring programs that would be equivalent to ORSANCO's. The states would have to be able to purchase this very expensive equipment, train operators, and interpret results. The states have shown they are more inclined to overturn or ignore efforts to protect our waters.

Without abundant clean water, we will have no economic development, no quality of life, no way to simply live on our lands. Our water resources are truly more precious than gold and we are being asked to roll the dice with our most valuable resource so the wealthy few can become even richer.

We owe it to the next generation and all future generations to keep vigilant on water quality. Bear in mind more than four million people drink from the Ohio River.

ORSANCO must maintain its pollution control standards rather than abandoning them. 🍷

*Above: OVEC member Connie Mayle speaks in Cincinnati at the only hearing ORSANCO held on its proposal.
Photo by Robin Blakeman.*

Making Sense of the Chaotic WV Supreme Court Impeachment

Excerpt from an August 17 Facing South article by Billy Corriher

For the second time this year, a state legislature is contemplating the impeachment of an entire state supreme court: The WV Supreme Court faces trial in the Republican-controlled state Senate.

The impeachment charges, which include lavish spending on renovations and excessive salaries for semi-retired judges, are sure to anger legislators who grappled with an \$11 million budget shortfall last year. The most serious allegations involve Republican Justice Allen Loughry, who in addition to overspending and taking home office furniture was charged with lying to federal investigators.

As news spread of the justices' spending spree, legislators toured the court. House leaders surprised their Democratic colleagues the next day by announcing that they would vote on impeaching not just Loughry but the entire court.

Before two justices recently resigned, a majority of the justices were Democrats. Though WV switched to nonpartisan judicial elections in 2016, most of the justices were elected in partisan races. Although Democratic lawmakers have said the case for Loughry's impeachment is clear, some believe the charges related to overspending are not impeachable.

The proceedings in WV are playing out against a broader trend of conservative politicians targeting judges who rule against them. Pennsylvania's GOP-controlled legislature also considered impeaching the entire state Supreme Court this year for striking down a gerrymandered election map. In North Carolina, Republican leaders have lashed out at the courts for the same reason, passed laws changing how judges are chosen, and threatened impeachment. Meanwhile, President Trump and Attorney General Jeff Sessions have questioned the very legitimacy of federal judges who ruled against them.

Amid this national atmosphere of judicial intimidation, the WV court's spending scandal presented Republican legislative leaders with an opportunity for radical change.

Democratic Justice Menis Ketchum left the court on July 11, a few weeks before pleading guilty to a federal fraud charge. Justice Robin Davis, also a Democrat, retired this week after the state House voted to bring impeachment charges. She

did so in time to let voters choose her successor, rather than having Republican

Governor Jim Justice—a billionaire whose coal companies have a history of worker safety violations—appoint her replacement in case of impeachment.

Democratic legislators accused Republican leaders of intentionally delaying impeachment proceedings until after the August 14 deadline for having voters choose new justices in this year's election. If the three remaining justices are removed now, the governor would appoint replacements to serve until 2020.

Big Money Shaped the Court

Long before this latest scandal, the WV Supreme Court was targeted by conservative special interests seeking to influence its makeup. That spending itself has led to ethics problems, such as when coal mogul Don Blankenship spent \$3 million in 2004 to unseat a member of the court and elect Justice Brent Benjamin, who went on to vote to overturn a \$50 million verdict against Blankenship's company. The U.S. Supreme Court ultimately overturned that decision due to the glaring conflict of interest.

The controversy over Blankenship's money led legislators to establish a public financing program for judicial elections. However, that program was challenged in 2016, when the Republican State Leadership Committee (RSLC) dumped millions of dollars into a WV Supreme Court election. The RSLC, the state Chamber of Commerce, and other big business interests spent millions to defeat Justice Benjamin—whose re-election campaign was funded by public financing, not Blankenship—and elect Justice Beth Walker.

As this corporate money poured into its elections, the WV Supreme Court also found itself in the crosshairs of another corporate-funded group dedicated to making it harder for injured people to file lawsuits.

For years, WV or parts of it made the American

continued on page 19



The Proposed “Storage Hub” and Why *You* Need to Take Action

by Randi Pokladnik (read a longer version of this article on ohvec.org)



Outside the Northeast U.S. Petrochemical Construction Conference & Exhibition, the signs were clear on land and afloat: No Petrochemicals, No Plastic, No Cancer Alley! See story about this press conference and “kayaction” on page 3. Photos courtesy action participants.

The petrochemical industry is taking a hard look at the Ohio River Valley as a location for a massive project. Our region sits atop major sources of petrochemical feedstocks (Marcellus, Utica, and Rogersville shale gas deposits). There is an ample water supply (Ohio River), necessary for making plastics and other petrochemical products. There are potential salt caverns along the Ohio River that could serve as storage hubs for the gas and liquids extracted through fracking. There are also politicians who are more than willing to ignore the known health effects and environmental destruction that these industries will bring to the region.

A fracked gas and petroleum liquids storage hub is in the planning stages and would be built near Monroe County, OH. There are also proposals for the construction of up to six huge ethane cracker facilities, as well as some methane cracker plants, with one located near Institute, WV. A cracker plant manufactures the building blocks or precursors of plastics by either breaking large organic compounds or removing hydrogen from small molecules to create double bonds and hydrogen gas.

For many years, Louisiana has been the “host” of the majority of the USA’s petrochemical industry. However, the threat of major storms, flooding, and other weather-related events have caused concerns for the continued buildup of the facilities in that region. This has the industry’s CEOs and stockholders looking for a more “weather stable” environment.

So, what exactly is salt dome storage and how can it be used to store ethane gas and other petroleum liquids? A salt dome is basically a large salt deposit

that can be as deep as five miles below the surface. Companies create storage caverns within these deposits. The caverns are approximately 150 to 300 feet in diameter and are up to 1,200 feet tall.

They are constructed by first drilling a well deep into the salt deposit. They then inject fresh water, which will dissolve the salt, creating very concentrated brine. When the brine is withdrawn from the dome a cavern remains. It is this cavern which could be used to store hydrocarbon liquids and gases. The organic compounds, being water insoluble, will not dissolve the remaining salt in the cavern.

Industry likes this method of storage because it protects against supply interruptions, allows them to buy and then store gas when prices are low, and keeps raw materials close to plastic and chemical production sites.

One of the potential problems with salt cavern storage is that a minimum gas or liquid pressure must be maintained to keep the above ground strata from collapsing into the cavern. One such collapse occurred in the Assumption Parish of Louisiana, when an Occidental Petroleum cavern became an enormous 35-acre sinkhole called the Corne Bayou Sinkhole.

Methane leaks are also an issue. The Aliso Canyon Natural Gas Storage Facility in California experienced a massive leak from October 2015 until February 2016. A report by researchers at the University of Southern California said the largest greenhouse gas leak in American history was caused by “dysfunctional management and poor regulatory oversight.”

The industry is pretty much self-regulating, and,

according to the study, this leak could have been stopped in four days instead of four months if shut-off valves had been installed.

The proposed Appalachian Storage Hub would collect natural gas and related liquids from counties along the Ohio River in the states of Ohio, West Virginia, Kentucky, and Pennsylvania. It would do this via a six-pack of pipelines running 386 miles along the banks of the Ohio River from Monaca, PA, to Catlettsburg, KY.

Air pollution and water pollution remain the most important issues when it comes to health effects in the tri-state region. Ask the residents of the town of LaPlace, Louisiana, located in what is called “Cancer Alley.” This industrial corridor stretches between Baton Rouge and New Orleans and hosts more than 100 petrochemical industries. Residents suffer from contaminated air and water from their petrochemical neighbors. They can share stories of their increased neurological disorders, cancer deaths, and childhood asthma incidents.

If this project comes to fruition, the enormous amounts of fugitive methane emissions that are associated with these facilities and pipelines will only add to atmospheric methane, a major climate changing gas.

Additionally, the Ohio Valley topography is unlike Louisiana’s flat landscape. The valleys are prime regions for air inversions which cause air pollution to build up under a cold air layer trapped under warmer air. The 1948 historic air inversion in Donora, Pennsylvania, that killed 20 people and sickened 7,000 is a reminder of what might happen to the valley residents.

Water pollution is also a major concern, considering that the Ohio River is the drinking water source for three to five million people. It has been named the most polluted river in the USA for the past seven years. In 2014, more than 24 million pounds of industrial wastes and chemicals were dumped into the Ohio River. That’s twice as much as in the Mississippi River. If this storage hub and the additional industries associated with it come online, the Ohio River will receive even more industrial pollution.

You might be saying to yourself, “Wow this sounds disturbing, but how will it affect me if I don’t live on the river?” Well, if this project goes online as the oil and gas industry hopes it will, we could see unprecedented levels of fracking in all regions of the tri-state area. More than three thousand new

Former WV Commerce Secretary Woody Thrasher was scheduled to speak at the Northeast U.S. Petrochemical Construction Conference & Exhibition (see story about our response to this conference on page 3). Thrasher, however, did not attend. Just days before the conference, Thrasher resigned his commerce secretary position amid scandal that included conflict of interest allegations; Thrasher took part in the government’s signing of a \$87.3 billion MOU with China to invest in a proposed massive petrochemical complex along the Ohio River. Thrasher, while commerce secretary, still owned 70 percent of the Thrasher Group, which would have been in a position to profit from construction of the complex and the China investment.

pipelines would also be constructed to transport the raw materials to and from the industrial sites.

Petrochemicals, pipelines, and plastics are not a plus for the Ohio Valley. We are threatening the future of generations to come if we buy into this promise of short-term economic gains instead of realizing the disastrous long-term effects that would occur if this boondoggle is built.

Get involved. Learn more. Write letters-to-the-editor of your local and statewide newspapers. Contact state and national politicians to let them know you demand a more sustainable future for our region. If you are not a member, join OVEC. If you are a member, give a gift membership to a friend. Need help taking action? E-mail info@ohvec.org. 🍌



Climatic Cinema

Do you like watching movies with environmental and climate themes? If so, join OVEC and WV Interfaith Power and Light for our new Free Movie Fridays, which take place the second Friday of every month, at 7 p.m. at the Unitarian Universalist Congregation, 520 Kanawha Blvd. W., Charleston, WV.

Watch for postings on both WVIPL and OVEC’s Facebook pages and in OVEC Action Alerts to find out the title of the film chosen for each month. We hope to see you there! 🍌



*Miners turn in their weapons following the battle.
Photo: WV State Archives.*

Blair Mountain

continued from page 1

site's initial listing and subsequent de-listing. The coal industry has repeatedly challenged all efforts to protect the site in order to maximize profits.

Now that the battlefield is back on the National Register, these efforts should now mean we have preserved a valuable piece of American and West Virginian history and have helped to protect nearby communities from more mountaintop removal mining.

On social media and in press releases, the parties involved in working to protect Blair Mountain breathed a sigh of relief and thanked one another.

Front and center in thanks from everyone is Logan County resident Kenny King, who, since 1991, has been central to the whole effort to protect the battlefield. Kenny has worked especially closely with Charles (Chuck) Keeney and the rest of the folks at Friends of Blair Mountain, Inc. on this effort.

On Twitter, Chuck shared a photo of his great-grandfather, Frank Keeney, at Blair Mountain, circa 1933, and wrote, "I think he would be smiling today." (We can't help but think that OVEC organizer Laura Forman (1961-2001), who worked with Kenny King, would be smiling too!)

On Facebook, WV Mine Wars Museum leader and OVEC member Wilma Steele wrote: "I have cried and rejoiced since this was announced yesterday. I want to thank our friends Kenneth King, Regina Hendrix, Chuck Keeney; all our West Virginia Mine Wars Board; Mari-Lynn Evans; my friends from OVEC: Janet Keating, Vivian Stockman, Robin Blakeman, Tonya Adkins, and Natalie Thompson; my

Oscar Thompson, a hard working West Virginian coal miner, fought on Blair Mountain in 1921. He was also my great grandfather. This victory is reflective of the hardworking West Virginians' success at fighting for what they deserve, with passion and dignity. Today, I am so proud of the many who have been fighting this modern day battle for years and those who still fight for their rights to deserving pensions, honor, respect, and a quality of life. May we continue to fight for our health, our homeplace, and our heritage.

– OVEC Executive Director
Natalie Thompson

friends from Sierra Club: Bill Price and Mary Anne Hitt; and our friends from UMWA Local 1440. This would not have happened without all of you. The number of friends that were a major part of this is indeed long..."

True to form, Facebook also produced some disconcerting posts, which Chuck took on in a series of Tweets, after others alerted him to the posts:

Apparently some posts are circulating on Facebook (which I'm thankfully not on) accusing the relisting of Blair to be "fake news" or that the battlefield has already been destroyed and there is nothing left to save.

This is simply untrue. Of the 1,669 acres of the battlefield 424 of those are permitted to coal companies. Even if they had already blasted all the acreage on all the permits (which they haven't on any of them) there would still be 1,245 acres left undisturbed.

To repeat, the companies have not done ANY blasting on the battlefield. Also, the town of Blair is not on the Battlefield Area, in case anyone is confused. We have documented small disturbances within the battlefield due to timbering. But we handled that back in 2014.

The vast majority of the 1,669 acres remains completely undisturbed and unstudied by scholars. Certainly, areas around the battlefield have been surface mined, but not ON the battlefield. Don't be fooled.

But to reiterate, every inch of the battlefield is worth fighting for as far as I'm concerned. Even if there was only one acre left, I'd fight to stop them from destroying it.

As with so many victories when it comes to the long battle to once and forever end mountaintop removal, we can't yet say the Blair Mountain Battlefield is *for sure* safeguarded from this insane form of coal mining.

Once again, we look to Chuck's tweets as a succinct way to explain things:

First, last week was a big win because Blair is back on the National Register. However, the victory is not quite complete yet. I'll explain.

There are 3 surface mines overlapping onto the battlefield. State code forbids surface mining on a place listed on the National Register of Historic Places and it is WVDEP's responsibility to enforce the Nat. Historic Preservation Act.

Therefore, it is WVDEP's duty to order Arch Coal and Alpha Natural Resources to modify those permits so that they do not overlap onto the battlefield and that the boundary of those permits allows for a 1,000 ft. buffer zone between mining activity and the battlefield boundary.

So, we await word from DEP. There's always a next step, but the good folks who have fought so long and hard for Blair Mountain have shown they are clad in tough working boots that are designed to keep on stepping. 🍌

For the people who fought at Blair Mountain, like my great-grandfather, the relisting is a salute to them. Their story was one that was nearly written out of history books and then threatened to be erased from the map by mountaintop removal. They endured so much hardship and unrest at the hands of greedy coal companies. As long as the mountain was under threat by that same greed, their battle could never end. That is why it was up to us to continue that fight, in their memory.

Blair Mountain represents so much, including the breaking of racial and social barriers to come together for labor justice, to the modern threat of environmental injustice. If I had one wish in this victory, it would be that Blair Mountain could be a beacon for labor, social and racial, and environmental justice. But until then, in the memory of those who fought there, we can at least declare, finally, a victory on Blair Mountain!

– OVEC Project Coordinator Dustin White



A Sad Farewell to Ben Stout

OVEC extends our deepest sympathy to the family of Dr. Ben Stout, who passed away the morning of August 3, 2018. We hope they can take comfort in knowing that so many West Virginians join with them in grieving his passing. We are filled with deep gratitude for his lifetime of work on behalf of the people and waters of West Virginia.

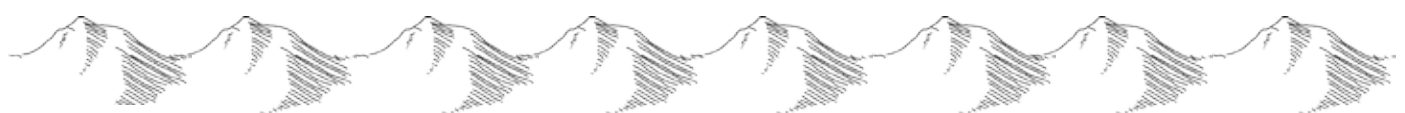
From mountaintop removal coal mining to longwall coal mining to coal sludge impoundments to coal slurry injection to coal fly ash impoundments to the MCHM water crisis to fracking activity and wastes, Ben was there—testing the waters, backing up what people were saying with scientific evidence, and always genuinely caring for the health and safety of the people whose waters he tested.

We are extremely fortunate to have had Ben as a longtime ally of OVEC, and we are heartbroken at his passing.

We only knew one aspect of Ben's work. He was a professor at Wheeling Jesuit University and no doubt touched the hearts and lives of many students and faculty there, as well.

When she learned the sad news, Janet Keating, OVEC's retired executive director, who had worked closely with Ben, wrote, "He was a rare scientist who cared deeply about people and his work." Read Janet's remembrance of Ben here: ohvec.org/remembering-ben-stout.

Thank you Ben, for your work, your ways, and your love for our state and its people. 🍌



Symbolic, Spiritual Actions Seal Our Intent to Value Water as the Source of Life

by Janet Keating

Many folks think that “symbolic” actions have little or no effect on an issue, but I’m not one of them. Something deep inside me believes that any action, however small or symbolic, may be the one thing that shifts the balance in a positive way. That’s why I was such a proponent of OVEC’s taking part in the Global Earth Exchange 2018, organized by Radical Joy for Hard Times. This year’s event, People Binding the Earth, occurred on June 16 across the globe in more than 60 locations to show love, appreciation, and gratitude for places that people love that are hurt or wounded.

Each individual or group of folks was given three yards of homespun and dyed wool made especially for this event to weave into art made at the site, as a sign of our global connection to all people and life on earth. You can read about and see photos of these other radical acts of beauty in our country and across the world at: <https://bit.ly/2K4AC1v>.

Do not despair. Beyond our individual activism and our collective action that day, we can all take solace knowing that people across our country and the globe are engaged in work to protect and defend the earth. Know this. You, as one who cares about the environment, our water, land and air, are not alone.

As the “leader” of this year’s event for OVEC, I chose the Ohio River. The past abuse and new threats to this water source for about five million people are too numerous to list, but primarily, major concerns exist over the current fracking of shale gas in north central West Virginia, along with all the infrastructure needed to refine and transport the products. Paramount is the crazy proposal of the Appalachian Gas Storage Hub/petrochemical complex (ASH; see page 14), which would serve to store gas underground until it is needed for export or the manufacture of plastics (bad idea: Our oceans and land and wildlife are already choking to death on toxic plastic!).

As for the choice of a hurt or wounded location at which to create beauty: The Ohio River is the most

polluted river in our country, awash in millions of tons of toxins. And so that Saturday morning, we gathered to tell our stories, express our concerns, and show the Ohio River some love. This was a perfect day, because earlier that morning, people had assembled at Harris Riverfront Park to pick up litter.

Several organizations and individuals participated in our 2018 Global Earth Exchange: OVEC, Fourpole Creek Watershed Association, Tri-State Water Defense, and the Marshall University Native American Student Organization. See Amy Maynard’s photos of the event and her brief video of individuals talking about their connection to the Ohio River here: <https://bit.ly/2LZZCT2>.

GLOBAL EARTH EXCHANGE



Some told stories of how the Ohio River served as a childhood playground, a place of solace for a young adult, or as habitat for the osprey, which depends on rivers for fish. Mark Connelly provided a reading with advice from the river (such as “go with the flow”). Robin Blakeman talked about valuing the Ohio as a source of tap water now and Connie Sayles expressed

concerns about the health impacts on current and future generations of her family. And one participant talked about how water connects us.

Larry K. Brumfield said he sincerely believes that we are all connected as individuals, metaphorically, but without a doubt every body of water shares droplets from every other body in the world, and is connected to the rest of the world. When you damage this river, you damage people across the world.

After our stories, we each scoured the riverbank for items to make this gift of beauty to the river. We collected leaves, feathers, interesting twigs, and flowers. We also added cracked corn to our creation for the ducks and other birds that reside and depend on the river for life. Once completed, we encircled the art, each holding the golden yarn; collectively, we placed it around the interior perimeter. From the grass knoll above, we watched as the birds converged on it!

We then joined members of NASO who helped us understand more about propriety actions at a Native

American ceremony. We learned that photos and videos are prohibited. Also, one should not touch someone else's drum--not just out of courtesy, but also as a matter of energy. If that happens, then the drum will need to be smudged (cleansed with the smoke of sage).

In gratitude, before we departed from the Ohio River, Vikki and Autumn Lee sang two Native American Water songs to the water.

A special thanks to Mark Connelly, Robin Blakeman, and Autumn Lee for their work on the planning team. Thank you, Autumn, for the Facebook announcement. And thank you everyone who brought your positive energy to the Ohio River. This essential water body needs our love, actions on its behalf, and vigilance!

And finally, thank you Radical Joy for Hard Times for bringing OVEC and others together to celebrate our hurt and wounded places.

Water is life! 🍷

OVEC's Robin Blakeman is an ordained Presbyterian minister. For the Global Earth Exchange event she chose to read this prayer by Valarie Kaur, who is a civil rights activist, documentary filmmaker, lawyer, and faith leader.

What if this darkness is not the darkness of the tomb, but the darkness of the womb?

What if our America is not dead but a country still waiting to be born? What if the story of America is one long labor?

What if all the mothers who came before us, who survived genocide and occupation, slavery and Jim Crow, racism and xenophobia and Islamophobia, political oppression and sexual assault, are standing behind us now, whispering in our ear: "You are brave"? What if this is our Great Contraction before we birth a new future?

Remember the wisdom of the midwife: "Breathe," she says. Then: "Push." Because if we don't push we will die. If we don't push our nation will die. Tonight we will breathe. Tomorrow we will labor in love through love and your revolutionary love is the magic we will show our children.

Listen to the full speech associated with this prayer:
<https://youtu.be/-2uv6-2FVhA>

WV Supreme Court



continued from page 13

Tort Reform Association's (ATRA) annual list of "Judicial Hellholes," supposedly places where "judges systematically apply laws and court procedures in an unfair and unbalanced manner, generally against defendants in civil lawsuits." The group gets funding from the Koch brothers, organizes "astroturf" groups that work to create the impression of grassroots support for tort reform, and has been a major funder of the RSLC. The ATRA recently singled out Davis for what it suggested were conflicts of interest.

The so-called "tort reform" laws promoted by ATRA have a disproportionate impact on the most severely injured plaintiffs. Such laws can be particularly harmful in a state like WV. "With regulatory oversight of mining and other industries so weakened, the right to bring reckless corporations to court is more precious than ever," the Center for Justice & Democracy has pointed out.

Even though ATRA's list of "hellholes" is based on an unscientific survey of corporate lawyers, Republican legislators used it to justify new tort reform laws that limit lawsuits by injured people. 🍷

Use a search engine to find and read the article above, as well as the August 15 Washington Post article "West Virginia's efforts to impeach the state's Supreme Court are just the latest in a worrisome trend," by Amber Phillips, which notes:

Lawmakers in 16 states have considered more than 50 different bills to minimize the role of state courts or make it harder for judges to do their jobs, according to an analysis by the nonpartisan Brennan Center for Justice, which described this as an "assault" on the judicial branch: "In the Trump era, courts frequently appear to be the last line of defense against partisan overreach. But in many states, courts' vital role in our democracy is under threat."

"We feel West Virginians are right to be outraged about justices' alleged spending," says Julie Archer with West Virginia Citizens for Clean Elections, "but we think the optics of what's happening is really bad: potentially removing multiple justices, subverting the vote of the people and letting the governor fill multiple vacancies on the court."

"No charges have been brought against any other justices," she adds. "It just seems suspicious that all of a sudden they are being swept up in this as well."

(Editor's note: OVEC is a co-founder and leading member of WVCCE.)

Obviously now is a crucial time to get involved with OVEC's Clean Elections work. To do so, call the office at 304-522-0246 or email info@ohvec.org.

Ohio Valley Environmental Coalition
P O Box 6753
Huntington WV 25773-6753

NON-PROFIT ORG
U.S. POSTAGE
PAID
HUNTINGTON WV
PERMIT NO 370

It's Past Time to Accelerate into a Renewable Future



Is your OVEC membership up to date? Your membership dues and donations help keep OVEC at work for our future. You can update your membership, join for the first time, and donate online at ohvec.org. Also, check out ohvec.org/kroger/ and remember to relink your card annually. Need help? Call the office at 304-522-0246.