

Spring 2020



# Winds of Change

Supporting Organized Voices and Empowered Communities Since 1987

Huntington, WV

OVEC

www.ohvec.org

## LET'S KICK A\*S\*H



Selah Raines was among the participants at Let's Kick ASH.

### Concerned citizens fight for a better future

In early March, 26 OVEC volunteers, board, staff members, and supporters gathered at Cedar Lakes in Ripley for a weekend meeting devoted to determining how to kick ASH. If built, the proposed Appalachian Storage Hub (ASH) would be a colossal petrochemical complex for manufacturing primarily single-use plastics, as well as other petroleum byproducts, in the Ohio River Valley region.

The consensus was clear: A petrochemical hub is not in the best interests of our residents and will not bring greater long-term prosperity to our region.

If built, the infrastructure would flank the Ohio River for nearly 400 miles and affect more than 50 counties in West Virginia, eastern Ohio, eastern Kentucky, and western Pennsylvania, endangering drinking water for about five million people who rely on the Ohio River for their public water intake.

It is not only our drinking water that is at stake. The feedstock for the proposed petrochemical buildout would come from a massive increase in regional fracking, which is already taking a toll in

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# Connection, Course Correction



The spread of the novel coronavirus that causes COVID-19 is changing our world. What values will prevail on the other side of this pandemic?



*Reflections from OVEC's Executive Director Vivian Stockman*

How are you doing?

The question has much more weight in this time of worldwide pandemic. We are asking it, pointedly, of our families, our friends, our neighbors, even ourselves. Implied: What are you doing to take care of your mental and physical health? Are you sure you are okay?

While we need to be physically distanced, we are all scrambling to learn new ways to stay in touch and do our part to flatten the curve. Stay at home. Make face masks. Dance at virtual parties. Join the neighbors at our windows at 7 p.m. to cheer for the emergency and medical workers. Take long, lovely walks to look at the flowers of spring. Start a garden, even if only in a flower pot.

We are learning new techniques or deepening our practices of self-care. Beyond washing our hands often for 20 seconds at a time (never have we gone through bars of soap so quickly) and maintaining physical distance from others, good tips include setting daily goals and taking actions that give your life a sense of purpose.

No doubt, OVEC members and supporters already live lives imbued with actions and activities that give us a deep sense of purpose. But even when you move through life with strong moral and spiritual values, even when you see so much kindness and beauty in the way people are responding to the pandemic, this moment is nonetheless extremely scary.

It's not only the collective grief we face as the human toll mounts. It's whether or not our jobs will exist on the other side of this thing. It's what the pandemic exposes: massive social inequalities (will the privileged—who do not live them and seldom see

them—see them now?) and the unsustainability of consumer culture. It's the uncertainty of what values will prevail in shaping our post-pandemic world.

Danger: Will authoritarianism, xenophobia, racism, and all those other ugly isms and schisms gain a stronger, deadlier foothold?



Opportunity: Will we learn lessons from the pandemic about how connected we are and how so many of our societal norms are unfair, unbalanced, and unhealthy on so many levels? Will acts of connection and kindness to neighbors and strangers take deeper root?

Will efforts to eliminate systemic racism proceed

across all sectors of society with grave urgency? Will health care be universal, no longer tied to employment? Will governments establish a universal basic income? Will the Citizens United ruling be overturned? Will ecological economics supersede economics as currently practiced? Will clean air and clean water be protected because all life depends upon them? Will we learn that we must save some of the wild, not only for the wild itself, but for humanity? Will we see that climate change demands as much of our attention to save ourselves—and our fellow species—as this virus?

As members and supporters of a small but mighty environmental organization, we have been fighting these kinds of dangers and working to advance these kinds of opportunities for decades.

The pandemic dramatically underscores what we already know—the actions of individuals really do count and add up for better or for worse for all of us.

In the face of all the uncertainty, we will continue doing our parts to work for the better. 🌱

There's no single answer that will solve all of our future problems. There's no magic bullet. Instead there are thousands of answers—at least. You can be one of them if you choose to be.

*- Science-fiction author Octavia E. Butler, in a 2000 Essence magazine essay.*

# OVEC Hires Communications Specialist

At the beginning of March, OVEC hired Sarah Carballo, our new communications specialist. She will help get out the word about OVEC’s mission, programs, campaigns, events, and the endeavors of you, our members and volunteers.

A writer and visual storyteller, Sarah earned her Bachelor of Arts in mass communication with a concentration in environmental science from UNC Asheville in 2017, where she received numerous awards and scholarships for scholastic achievement. Professionally, her writing and photography have appeared in publications including the Register-Herald, Fayette Tribune, Mountain Xpress, Southern Highlands Craft Guild, and The Laurel of Asheville Magazine, among others.

Since 2017, she has dedicated the majority of her professional life to assisting nonprofits and other philanthropic organizations in central and southern Appalachia.



Sarah Carballo joined OVEC in March 2020.

Prior to joining OVEC, Sarah served as an AmeriCorps member with the Preservation Alliance of West Virginia in Fayette County, WV. Following her term of service, she was proud to receive a Segal AmeriCorps Education Award.

Sarah is currently working towards her master’s degree at Marshall University. Her graduate studies focus on media, culture, and ethics, with an emphasis on Appalachian studies.

Born and raised in Tampa, FL, Sarah’s love for Appalachia began as a child. She visited West Virginia for the first time nearly 15 years ago and immediately felt like it was where she was supposed to be.

“I was captivated by the beauty of the natural landscape, as well as the richness of the culture and heritage of the people who live here,” Sarah says. “Overwhelmingly, people genuinely care for each other. It’s a kind of close-knit community I never experienced when I was growing up.”

Sarah feels fortunate to have found a home in the hills. But most of all, she is honored to join a team of passionate individuals committed to making a positive impact in our community.

“Working for OVEC gives me a profound sense of purpose,” Sarah says. “I’m very grateful to be here.”

Sarah resides in Huntington, WV, with her amassment of houseplants.

*Interested in volunteering? You can help Sarah by sharing your stories. Contact [sarah@ohvec.org](mailto:sarah@ohvec.org) or 304-522-0246 for more information about how to get involved. You can also find us on Facebook, Twitter and Instagram for additional content.* 🍌

## OVEC Board of Directors & Staff

### Board Members

<i>Mike Sullivan, Chair</i>	<i>Steven Perry, Vice Chair</i>
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<i>Maryanne Graham</i>	<i>Vivian Stockman</i>	<i>Tonya Adkins</i>
<i>Robin Blakeman</i>	<i>Dustin White</i>	<i>Alex Cole</i>
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<i>Volunteer Editorial Consultant</i>	<i>Deborah Griffith</i>

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



# OVEC Executive Director Vivian Stockman Receives 2020 WOAP Appalachian Advocate Award

*A version of this press release originally appeared in multiple publications at the beginning of 2020.*

The Women of Appalachia Project (WOAP) recently announced that Vivian Stockman, executive director of OVEC, is the recipient of the 2020 Women of Appalachia Project Appalachian Advocate Award.

This award is given annually to a woman who has dedicated herself to enhancing the well-being of Appalachian culture, Appalachian women’s health, Appalachian families or Appalachian land issues. Since arriving in a small West Virginia community in the 1990s, Stockman has stood with local communities against well-heeled industries to fight for mountaintops, forests, water, and air.

According to nominator Susan Truxell Sauter, “Vivian Stockman serves as the person who links it all together—if it means coaching women living in coal communities on how and where to speak about the health impacts of such industry whether at a county commission meeting or even at the United Nations. She jumps the synapse, providing names, education, and media support. She meets people on their own ground, repeatedly, making a personal connection—while amplifying their truth with emails, tweets, essays, op-eds, newsletter articles, and award-winning photographs.”

Former OVEC Executive Director Janet Keating notes, “Vivian has developed long-term, trusting relationships with people in communities impacted by injustices of the coal industry. For example, she remains close to the Miller-Caudill family whose

ancestral land and homeplace were surrounded and threatened by mountaintop removal. The coal company had gone to court forcing the family to sell their land. Fortunately, the WV Supreme Court overturned the lower court’s decision. Vivian attended relevant hearings, communicated with family members, and stood in solidarity with them. To this day, Vivian is invited to the Miller-Caudill annual family reunion.”

According to Kari Gunter-Seymour, executive director of the Women of Appalachia Project, WOAP is proud to lift up women such as this year’s award recipient.

“Women often

go unsung as they go about their work with passion and purpose, knowing what they do is truly for the good of all,” Kari says. “Vivian is a prime example of someone who goes well beyond punching a time clock. Her dedication to the land is remarkable and should be celebrated.”

“I am honored by this award, and, of course, this honor is not mine alone,” Vivian says in a statement. “I would not be in any position to receive such an award without the organization for which I work, OVEC, the Ohio Valley Environmental Coalition. I began as a volunteer with OVEC in 1995. Though the work has been challenging, it has given meaning to my life.” 🍌



This year, Vivian is celebrating 25 years with OVEC! She’s shown tireless commitment and dedication to her work. She says that energy is fueled by all the support OVEC receives from volunteers, members, funders, board, and staff.

# Let's Kick A\*S\*H

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many ways on our communities. The infrastructure associated with ASH ("cracker" plants, fractionators, pipelines and underground storage for highly volatile liquid natural gas, and more) would further pollute the air, especially in valleys that are already prone to unhealthy air inversions. Regional greenhouse gas emissions would also spike.

To try to entice the polluting industries to come here, government officials have been writing and passing laws to allow more pollution and more tax breaks for multinational corporations, making backroom deals that the public can't get any information about, and trying to sell, sell, sell us on how wonderful this will be for our future.

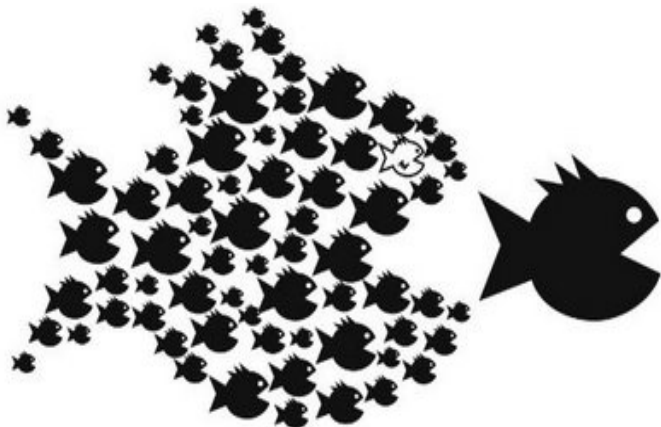
More fracking, more fracking-related impacts on our communities, more toxic-spewing factories, more cancer, more air and water pollution, more tax breaks for multinational corporations...

That is definitely not the future we want.

By the end of our Let's Kick ASH meeting, three workgroups had formed to work on two major campaigns.

Note that our meeting took place March 6-8. We didn't know then that the meeting would be our last public gathering for a while, nor that we would have to adjust our work plans due to stay-at-home orders. Our efforts to build a better future for our region will go on! Our post-pandemic quality of life is at stake.

Get involved to Kick ASH! 🍡



## ORGANIZE!



*Above: Scenes from Let's Kick ASH*

## Help Kick A\*S\*H

To learn more or to lend your volunteer skills for the three groups, contact:

- **Narrative change:**

**Sarah Carballo at [sarah@ohvec.org](mailto:sarah@ohvec.org)**

- **Engaging youth:**

**Dustin White at [dustin@ohvec.org](mailto:dustin@ohvec.org)**

- **Faith-based community:**

**Robin Blakeman at [robin@ohvec.org](mailto:robin@ohvec.org)**

*You can also call us at 304-522-0246.*

# Local Citizens Voice Opposition to Petrochemicals and Plastics Hub

Residents from Marshall and Ohio counties, WV, and Belmont County, OH, made a three-hour trek to the WV State Capitol today to meet with legislators to speak about their opposition to an ethane cracker plant that PTT Global Chemical wants to build in Dilles Bottom, OH, across from Moundsville, WV.

The cracker plant would impact the air quality of Moundsville and Wheeling, WV, which already have poor air quality.

The residents informed lawmakers of their concerns about the PTTG cracker, which is just one component of many that would be part of the Appalachian Storage and Trading Hub (ASH). This is an umbrella name for a proposed petrochemical mega-complex, which primarily would use fracked natural gas liquids to make plastics in the Ohio and Kanawha River valleys. One similar facility, the Shell ethane cracker, is already under construction in Monaca, PA.

“We are here today to represent our communities,” says Bev Reed, a Bridgeport, OH, resident and leader with the community group Concerned Ohio River Residents. “We ask the legislators to represent their people, not overseas corporate profits.”

The residents noted that this proposed petrochemical buildout would exacerbate air and water pollution and threaten the health of the five million residents who depend on the Ohio River as a public water source. West Virginia already has a history of petrochemical-related disasters, including C8 pollution and the 2014 MCHM water crisis.

Dr. Vincent DeGeorge, a researcher and professor of materials science and engineering in Wheeling, WV, also expressed his apprehension about petrochemical development in the region.

“As a lifelong West Virginian and as a scientific expert in both energy and materials, I cannot

justify new large-scale investment in fossil fuels and plastics as positive for our state,” Dr. DeGeorge says. “If West Virginia fails to diversify our economy away from its fossil-fuel dominance and dependence, and instead doubles down by adding the globally collapsing plastics industry, we can only expect our economic, environmental,

and public health problems to continue for future generations.”

This proposed petrochemical corridor would exacerbate both climate change and the growing global plastic pollution crisis. Nonetheless, during the 2020 Legislative Session, many legislators have pushed a pro-petrochemical agenda, often referring to the proposed hub as a “petrochemical renaissance.”

Legislators are pushing this agenda with little to no input from community members affected by the petrochemical complex and are ignoring scientific evidence and real-world precedence: Louisiana’s “Cancer Alley” has disproportionately high cases of human health impacts and economic disparity.

“I have children, grandchildren, nieces, nephews, great-nephews and great-nieces, and a great-great-niece,” says Barb Chamberlain, a resident of Moundsville, WV. “I am sure they would wonder why we would do this to their home. Will the final years of my life be spent struggling to stay healthy in this toxic environment?”

We say no! Please get involved in our efforts to Kick ASH! Email us at [info@ohvec.org](mailto:info@ohvec.org) or leave us a message at 304-522-0246. 🍌



*OVEC staff member Dustin White at the podium during the Charleston press conference about the PTTG cracker plant.  
Source: Screenshot of a TV news broadcast.*

**Stay up to date on  
the latest events.**

**Check our online calendar  
at [ohvec.org](http://ohvec.org).**







Concerned Ohio River Residents lead the opposition to PTTG's cracker, with assists from OVEC and other groups in the People Over Petro coalition.

## Ohio Valley Petrochemical Buildout Fails Econ 101

Cracker plants aren't all they are cracked up to be.

A planned buildout of a petrochemical complex (aka ASH) in the Ohio Valley was founded on weak financials even before the recent plunge in oil prices and the economic shock of a coronavirus pandemic. The scheme clearly offers little benefit to potential investors.

Fitch and Moody's, both credit rating agencies, are raising doubts about the viability of a planned PTTG ethane cracker in Belmont County, OH, which would be one part of ASH. According to media reports, the proposed \$5.7 billion ethane plant "may never be constructed because of circumstances that were present even before the coronavirus began to dramatically shrink the economy."

According to a March report by the Institute for Energy Economic Financial Analysis (IEEFA), the cracker plant may not be able to operate profitably.

Prices are weak for ethylene, the principal product made by ethane crackers. That means any crackers built in our region will struggle to make money on

sales, much less recoup the billions in investment required to build the plants.

There's already too much ethylene due to a buildout of crackers elsewhere; production capacity has gone up by about 50 percent in the past few years.

Growth in demand for plastics is slowing down. The economic downturn triggered by the coronavirus is expected to reduce economic growth globally for many years. Plus, a worldwide movement to reduce plastics pollution is slowing market growth.

These risks cast serious doubt on the notion that the region will ever benefit economically from a petrochemical buildout.

Without more crackers to produce ethylene, the raw material for plastics manufacturing, there is little business rationale for new manufacturing operations to locate in the Ohio Valley. The Shell cracker being constructed in Beaver County, PA, is not likely to attract new plastics manufacturing jobs, because it is specifically designed to produce commodity plastic beads that are easy to ship to other locations. 🍷

### **WV Interfaith Power and Light Update**

WV Interfaith Power and Light (WVIPL) is still in the midst of our postcard campaign to advocate for passage of the RECLAIM Act. We've distributed about 700 postcards to individuals, who sign and send them to their Congressional representatives.

We also have RECLAIM Act billboards up around the region. These are part of a "Congress, Pass the RECLAIM Act" campaign that also includes a new website, and radio and digital ads.

The RECLAIM Act is a bipartisan effort that commits \$1 billion from Abandoned Mine Lands funds to help clean up dangerous and abandoned coal mines on public and private lands. If passed, the act will spur immediate job creation and create

the conditions for longer term, locally driven economic development efforts in communities across the country.

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WVIPL steering committee members recently said a reluctant goodbye to co-founding steering committee members, Reverends Rose Edington and Mel Hoover. Both have been active OVEC members for a long time, and Rose also served on our board of directors. Rose and Mel are moving out of West Virginia to retire on the West Coast, closer to their daughter and granddaughter. We wish them well, but know that we will miss them immensely!

# HB 4615 *Speak Up, Speak Out About Right to Protest*



*Constituents and representatives from organizations across West Virginia attended a public hearing at the West Virginia Legislature to voice their concerns about HB 4615. From left to right: Larry Brumfield, Robin Blakeman, Mark Connelly, and Cabell County Delegate Chad Lovejoy.*

Protest was a foundational tenet for American democracy, and, since our founding days, protest has been essential in raising awareness about injustices to bring about social reforms. From the Sons of Liberty at the Boston Tea Party to Rosa Parks, our history is full of civil disobedience that shaped our country.

To this day, Americans come together to demonstrate and raise our voices about clean air and water, local land use, and other issues we believe in, because peaceful protest works. When we voice dissent, change happens! Without the right to speak up, we wouldn't have equal-ish rights for women and people of color, fair-ish wages and working hours, or clean-ish air and water (we do, of course, have a way to go on all these issues).

State representatives around the country should celebrate the fact that their constituents practice democracy by taking to the streets and making their voices heard. Instead, many are taking model legislation from the American Legislative Exchange Council (ALEC: Google them!) and proposing bills that would criminalize protest. Among the targets of these bills are people defending their land and communities from pipelines and the Black Lives Matter movement.

During the 2020 WV Legislative Session, an ALEC-inspired bill surfaced here. We called you to

action on HB 4615, which was touted as protecting "critical" infrastructure. In truth, the bill's purpose is to chill our fundamental right to peaceful protest.

To everyone who took action, thank you! So many of you called and emailed your legislators about the bill, and even drove hours to show up at the State Capitol on February 10 for a public hearing on the bill. Nearly two dozen people commented in opposition to the bill, including Vivian Stockman, OVEC's executive director. Three industry representatives made comments along the lines of "don't worry, trust us."

A majority of legislators ignored "we, the people," and the bill passed into law. Fortunately, the WV Environmental Council (representing OVEC and other environmental groups) and allied lobbyists were able to help spur amendments that made the bill less terrible.

Despite calls from people around the state, the governor did not veto the bill, and it will go into law on June 5. Stay tuned for next steps regarding this bill. Similar un-American bills around the country are facing legal challenges because of their unconstitutionality.

We must continue to speak up and demonstrate about the issues that matter to us, lest we risk allowing a slippery slope towards tyranny. 🇺🇸



# Big Win in Court!

## Northern Long-Eared Bat Unlawfully Denied Endangered Species Protection



*The population of northern long-eared bats has declined due to habitat destruction.*

In late January, a federal judge overturned a decision by the U.S. Fish and Wildlife Service (FWS) to protect northern long-eared bats as threatened rather than endangered under the Endangered Species Act (ESA).

Under the ESA, a species that is classified as endangered receives greater protections than one classified as threatened.

In 2015, OVEC joined with the Center for Biological Diversity, Defenders of Wildlife, Sierra Club, and Coal River Mountain Watch in challenging the FWS's threatened listing for northern long-eared bats.

Once common in the northeastern and mid-Atlantic states, as well as in eastern Canada, the species has suffered up to 99 percent declines in this core range and is now found only in patches across 37 states and all of Canada.

Of course, mountaintop removal coal mining represents a huge threat to the bat's habitat in our region.

The FWS listed the bat as threatened despite the fact that it has declined in its core range by over 90 percent since 2006, when the fungal disease known as white-nose syndrome began killing hibernating bats by the millions.

In rejecting the agency's decision, the judge found that the FWS had failed to explain why the species was not endangered after suffering catastrophic declines as a result of white-nose

syndrome. The judge also found the FWS failed to consider the cumulative effects of habitat destruction against that grim backdrop.

"This is a huge win for the northern long-eared bat, the bat species hit hardest by white-nose syndrome," says Jane Davenport, a senior attorney at Defenders of Wildlife. "Scientists are racing the clock to develop and test interventions to protect bats from white-nose syndrome, and the FWS must act immediately and definitively to protect the remaining population before the clock runs out for good."

Under the overturned threatened listing, the FWS used a so-called "4(d) rule" to allow nearly all habitat-destroying activities. The FWS argued that, because the species was primarily threatened by disease, there was no need to protect its habitat.

But the court rightly noted that, in combination with disease, habitat destruction and other threats can cumulatively affect the bats, and thus are cause for concern. The threatened listing and 4(d) rule will stay in place while the agency goes back to the drawing board, but once the species is listed as endangered, no such rule will be allowed.

The judge also rejected a FWS policy that allowed it to ignore the science on the bat's catastrophic declines in its core range in reaching its decision to list it as threatened. This policy was a key part of the FWS's denial of the bat's endangered status and allowed it to deny the bat the stringent legal protection the ESA requires.

"Coal River Mountain is home to both the northern long-eared bat and the endangered Indiana bat," says Vernon Haltom of Coal River Mountain Watch. "While both species benefit their human neighbors by keeping disease-carrying mosquitoes in check, mountaintop removal continues to destroy their home, practically unchecked. We hope this ruling will be a step toward protecting bats from mountaintop removal, as well as protecting human communities' health from this deadly practice."

"A good day for the future of this species is a good day for humans, too," says Vivian Stockman, executive director of the Ohio Valley Environmental Coalition. "With this ruling the Fish and Wildlife Service must acknowledge that habitat loss—such as that brought on by mountaintop-removal coal mining—is a major threat to this species. This ruling brings us closer to a long-overdue next step: official government acknowledgment that this extreme method of coal mining is also a threat to human health and must be banned." 🍌



WEST VIRGINIA HEADLINES

**West Virginians urged to vote by absentee ballot**

Getting counted in Census is a patriotic act, officials say

**Gov. Justice Moves Primary Election to June 9**

U.S. Census participation push continues in pandemic

It's the law: All voters count

**VOTE**

As evidenced by recent news headlines, current events have caused widespread disruptions to elections this year, both in WV and across the nation. Despite these challenges, it's important to protect our health as well as our civil liberties! We encourage everyone to do their part to safeguard democracy.

## Use It or Lose It!

# Participate in Your Democracy

This is a historic year for American democracy. Not only do we have elections, but we also have a once-in-a-decade opportunity to stand up and be counted, so that our communities can obtain their fair share of funds and representation.

Per the U.S. Constitution, we must count our population once every 10 years. The results of 2020 Census determine the number of seats each state has in the House of Representatives, they are used to draw congressional and state legislative districts, and they also inform how hundreds of billions of dollars in federal funding are allocated to more than 100 programs.

It's easy for your household to take the Census: go to [my2020census.gov](https://my2020census.gov) and take the Census right away. That way, no census takers have to come to your door—you are protecting yourself and the workers. Please, take the Census now, and encourage others to do so too.

In 2020, we also vote in both a primary and general election. Both are critically important elections for our state and for the nation. In WV, for example, the June 9 primary election is the *only opportunity* to vote for three state Supreme Court justices (out of a total of five).

The primary/judicial election had been scheduled for May 19, but due to concerns about the pandemic, the date was bumped to June 9, with early voting running from May 27-June 6.

But, we don't even have to vote in person; now all registered voters should be mailed a form to request an absentee ballot. If you didn't receive that form,

check with your county clerk. Once you receive your requested ballot, fill it in and be sure to mail it back by June 9 to your county clerk.

Go to [GoVoteWV.com](https://govotewv.com), the secretary of state's website, to check your voter registration status, find contact information for your county clerk, and find all the dates and details you need to be certain you can safely vote in the primary/judicial election.

The sometimes-tricky part of voting is in knowing where the candidates stand on issues important to

you. We do not advise relying on misleading TV ads and mailers funded by unknown sources (there is no law about truth in political advertising). Instead, try to ask questions directly of the candidates via their websites and social media feeds, or attend a virtual town hall. Local papers often publish guides to candidates' platforms.

A website

listing how each Supreme Court candidate responded to questions on issues important to many West Virginians should soon be live. Watch OVEC's blog at [ohvec.org](https://ohvec.org) for info on that website and other tips on how you can find out where the candidates stand.

The right to vote was hard-won. Many of our forebears suffered in order for every person to have the right to vote, and the battle goes on even today, in the form of voter suppression tactics and crazy gerrymandering of voting districts.

Democracy is not a spectator sport—without our participation, there is no democracy. Go forth and vote, and encourage everyone you know to do the same. 🗳️

**2020 WEST VIRGINIA PRIMARY ELECTION**  
**NEW ELECTION DATES**

- 5/19** ● Deadline to register to vote
- 5/27 to 6/6** ● Early Voting
- 6/3** ● Deadline to apply for an absentee ballot
- 6/9** ● Primary Election Day

[GOVOTEWV.COM](https://govotewv.com)



## Get Counted! Get Registered! Get Out the Vote!



# ORSANCO UPDATE

by Robin Blakeman

This winter, OVEC volunteer Randi Pokladnik joined with staff member Robin Blakeman to collaborate on two informational resources, which were presented at the February ORSANCO (Ohio River Valley Water Sanitation Commission) meeting.

One of the information sheets examines microplastics pollution in the Ohio River and its major tributaries. With this resource, we sent a request for implementation of baseline microplastics testing protocol throughout the Ohio River Valley region.

We also sent an updated information sheet on the Appalachian Storage Hub (ASH). This massive petrochemical project proposed for the Ohio River Valley region would primarily produce feed stock for plastic manufacturing, supplied by the glut of natural gas liquids in our state and region.

We hope that these two resources will spur a lot of discussion regarding the problems associated with both issues, and connect them in the minds of the ORSANCO commissioners.

To find the factsheets, go to [ohvec.org](http://ohvec.org) and search for the blog “Ohio River Pollution Control Standards, Microplastics and ASH: Making Connections.” We encourage you to communicate this information with your local elected officials, health department officials, and other concerned citizens like yourself.

If you and your friends and neighbors need to learn more about ASH and microplastics before speaking with elected officials, let us know. We can help get you up to speed. Randi has a microplastics presentation she’s happy to virtually share with groups small and large, and OVEC organizers can answer your questions about ASH.



In Moundsville, WV, in late winter, Randi Pokladnik, right, and fellow Ohio activist Bev Reed attended a screening of *The Story of Plastics*. The film exposes the truth behind the plastic pollution crisis and underscores the danger ASH poses for the Ohio River Valley.



Randi also recently attended a day-long Ohio River region development discussion hosted by ORSANCO and the Army Corps of Engineers in Pittsburgh, PA.

This was one of three such discussions in different locations within the Ohio River watershed, all aimed at developing a multi-year strategy document that will help guide ORSANCO policies for a long time.

OVEC will continue to provide comments and feedback on the evolution of this document via our involvement in the ORSANCO Watershed Organizations Advisory Committee.

Please contact [robin@ohvec.org](mailto:robin@ohvec.org) or 304-522-0246 if you are interested in more information. 🍌

## OVEC WORKS!

*Thanks to everyone near and far for taking action to end environmental injustice, with an extra special thanks to all the folks fighting extreme fossil fuel extraction. We know it takes courage to speak up! We hope you know how much we appreciate you. OVEC works because of you!*

## THANKS!

# Dark Waters Nightmare Happening in Ohio

by OVEC volunteer Dr. Randi Pokladnik

*A version of this letter to the editor originally appeared in the Columbus Dispatch on December 13, 2019.*

As I sat and watched the newly released movie *Dark Waters*, I thought, “This could be the future of the Ohio River Valley.” Inspired by a true story, the movie tells how a multinational company knowingly and willingly poisoned thousands of residents of Parkersburg, WV, for decades, all to make billions of dollars.

Parkersburg, WV, is not unique. There are hundreds of places all over the United States where industries continue to dump known toxins into waterways while leaders and politicians look the other way.

Ohio’s regulatory agencies know millions of tons of toxins will be coming out of the smokestacks of the proposed Belmont County plastic cracker plant and into the air. They know toxic organic compounds will be flowing into the Ohio River. They know that the current petrochemical hub of the USA, Cancer Alley Louisiana, has a cancer rate 50 times higher than the rest of the nation.

There have been no baseline studies to determine the amounts of plasticizers and microplastics now present in the Ohio River, the drinking water source for more than five million people. Based on peer-reviewed studies, we know that these compounds are carcinogenic and endocrine disruptors.

We have pleaded with Governor DeWine to meet with us, to discuss this, to listen to our concerns, to find other sustainable ways to provide jobs. He ignores us, and, instead, he met with the PTTG (the aforementioned plastic cracker plant) officials last week.

How can Governor DeWine say he cares about kids? Or clean water? Just like in the story of *Dark Waters*, money has become more important to our local, state, and federal politicians than the lives or the futures of the Ohio Valley residents.



*Water For Our Children by Jude Binder*



Tri-State Water Defenders group meetings take place once a month at a local library in Cabell County. TSWD consists of representatives from several Huntington-area groups, including OVEC, Fourpole Creek Watershed Group, and Tri-State Indivisible.

TSWD projects for spring and summer outreach include: tabling at Art in the Park, Huntington PRIDE events, and other area festivals and events, along with community and stream clean-up events. In coming months, we may also virtually screen a series of films or host a short virtual film festival.

*If you want more information on TSWD or want to join in our work, please contact Robin Blakeman at [robin@ohvec.org](mailto:robin@ohvec.org) or 304-522-0246.* 🍎

**We’ve been up to so much more!**

**Go to [ohvec.org](http://ohvec.org) to read our blog and subscribe to our action alerts.**

**Contact our organizers via [info@ohvec.org](mailto:info@ohvec.org) or 304-522-0246 to become more active with OVEC.**



## 2020 Legislative Update: You Helped Defeat a Bad Bill

### *Stay Tuned; Legislature Remains Primed to Continue Attacks on the Courts*

If you were among those people who responded to calls to action from WV Citizens for Clean Elections Coalition and our partners and allies during the 2020 WV Legislative Session, thank you! You helped generate thousands of emails and hundreds of calls to legislators about SB 275, and that helped kill the bill. Maybe you were one of the dozens of people who attended and/or spoke against the bill at a public hearing before the House Judiciary Committee.

SB 275 would have established an intermediate court of appeals. Ours is one of 10 states without an intermediate court, and that's a good thing, because our caseloads do not justify the expense.

Special interests have long sought the intermediate court, primarily for civil appeals, as a way to drag out appeals and tip the scales in their favor. The Senate passed the bill on a largely party-line vote, but the House of Delegates rejected the measure (44 Y to 56 N). After the bill was defeated, some legislators used a procedural move to vote it down a second time and keep it from being brought up again for the remainder of the session. We are thankful to those legislators!

As initially proposed, SB 275 would have created the first unelected judges in the history of WV and allowed Governor Justice to appoint all the members. That is court-packing, in which a governor (or a president) deliberately makes certain to appoint state (or federal) Supreme Court Justices who will change the ideological makeup of the court. This of course is bad news in at least a couple of ways: Judges are

supposed to be fair and impartial. When they are seen as having ideological bents, then public trust in the courts erodes.

SB 275 was amended so that the judges on the intermediate court would stand for election, instead of being appointed. However, this merely amounts to a court-packing scheme of a different sort because of the impact that big campaign donations have had

on judicial elections here in West Virginia. Powerful special-interest groups spending big bucks on these elections see our Supreme Court as an effective vehicle to further their political, ideological, and financial agendas. Why would this new court be any different?

What's more, most of this spending is hidden in the shadows, because West Virginia's current campaign finance laws allow groups that spend money on our elections to hide the identity of their donors, making it impossible for voters to know who is trying to influence the election or future court decisions.

The politicization of Supreme Court elections undercuts the ability of the court to be fair and impartial. Without shining a light on this spending, the appearance and reality of even-handed justice is at risk.

Besides SB 275, during the Legislative Session, WV Citizens for Clean Elections (OVEC co-founded and co-leads WVCCE) had to contend with multiple proposed constitutional amendments that would have undermined the independence of the courts. These attacks on the judiciary were fallout from the





2018 Supreme Court spending scandal and anger over a substitute Supreme Court putting a halt to impeachment proceedings against the justices.

We were able to stave off those attacks. Proposals we helped defeat included a proposed “Protecting the Separation of Powers Amendment” (SJR 7), which would have stripped state courts of their ability to interfere in any proceedings of the Legislature (not just impeachments), even if those proceedings aren’t constitutional! The Senate Judiciary Committee approved SJR 7, sending it to the full Senate for a vote, but we helped convince Democratic senators to hold the line, which kept the measure from getting the two-thirds vote it needed to be put on the ballot in November.

The House and Senate also reintroduced a 2019 proposal to amend the state constitution in order to clarify the role of the judiciary in impeachment proceedings. These proposals (HJR 109 and SJR 1) would have limited the ability of state courts to determine that impeachments or trials of impeachment were procedurally deficient or conducted in a way that conflicts with the constitution, although neither proposal advanced.

In addition to the growth of outside spending in judicial elections, these types of attacks on state



courts have become increasingly common. According to the Brennan Center for Justice, in 2019, legislators in at least 25 states (including West Virginia) considered at least 48 bills to diminish the role or independence of state courts.

Courts are powerful and they matter. State courts, where 95 percent of all cases are filed, play a crucial role. Their rulings impact our health, our freedom, and our bank accounts.

We elect presidents, governors, and legislators as advocates. But judges are supposed to be neutral arbiters of the law and Constitution, not swayed or bullied by special interests or the other branches of government. That’s why we must continue to fight these attacks and push for increased transparency in our elections and the adoption of strong recusal standards to remove political pressure and conflicts of interest from our courts.

And, as we prepare to elect an unprecedented three out of five justices to the WV Supreme Court on June 9, we must also be informed voters—know our court candidates and who is financially backing them—so we can effectively use our right to vote to protect ourselves, our loved ones, and the world around us.

Email [info@ohvec.org](mailto:info@ohvec.org) to get involved with OVEC’s work with WVCCE. 🍓

**Note  
For  
Now**



*It hardly seems adequate to say we hope you are doing well and taking steps to protect yourself and your community. Nevertheless, our fervent hope: that you and yours are well!*



## Join or Renew at No Cost to You

Beyond the grief and fear we are all experiencing, OVEC knows that many people are experiencing extreme financial stress due to COVID-19-related layoffs. That’s why we are offering to waive your annual membership dues. Although OVEC depends on membership dues to help support the work we do, we don’t want to have dues standing in the way of your membership.

If you need to, please do take advantage of the membership-dues waiver.

Your membership is extremely valuable to us: We know there is power in numbers!

Join or renew online at [ohvec.org](http://ohvec.org).

## Stay in Touch

We hope you are finding meaningful ways to connect and check-in with one another in these times of physical distancing. We are figuring out how to best stay in touch with you and the communities in which we work. Please make certain we have your up-to-date contact information. Go to [ohvec.org](http://ohvec.org), click on the action alert button, and fill in your details. (We never share your information with a third party.)

And, please don’t hesitate to reach out to us. Although we aren’t in the office to answer the phone, we check messages often, so leave us a message at 304-522-0246. You can reach us at [info@ohvec.org](mailto:info@ohvec.org) or connect via Facebook, Twitter, and Instagram. 🍓

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In the midst of uncertain, scary times, the Appalachian spring can provide much solace. Take that walk in the woods or in an (uncrowded) park. Have a friend on the phone while you both walk and enjoy the sights and sounds together, over a video call. Listen for those peepers. Watch the wildflower show. Smell the spring rain. Gaze at the Milky Way.

And continue looking out for community, continue to take action, continue to look forward.