

Spring 2021



Winds of Change

Supporting Organized Voices and Empowered Communities Since 1987

Huntington, WV

OVEC

www.ohvec.org



Tanking the Tank Bill: **People's Public Hearing and People Power**

During the 2021 WV Legislative Session, special interests managed to reintroduce a bill, defeated last year, to exempt oil and gas tanks from the Aboveground Storage Tank Act. That act came about in 2014, in wake of the MCHM West Virginia water crisis.

The bill would have deregulated and removed inspection requirements for storage tanks in zones of critical concern, many of which are located near public water intakes.

Spoiler (not!) alert: People power—staying engaged and contacting legislators—does work! Thousands of people spoke up to legislators on this issue and the bill failed, though it seemed touch and go until close to the end of the session. Thank you to everyone who commented and an extra special thanks to WV Environmental Council (our reps under the Golden Dome; OVEC is an active E-Council member) and to WV Rivers for leading the charge on educating legislators and mobilizing the public.

Above: Screenshots of some of the hearing participants surround an image of the failed MCHM tank, the WV State Capitol, and one of the 2014 post-water-crisis marches demanding better protections of our drinking water.

The bill was first taken up by the Energy and Manufacturing Committee, whose chair is Delegate Bill Anderson, R-Wood. Several community organizations, including OVEC and Mid-Ohio Valley Climate Action, wrote Chairman Anderson to formally request a public hearing to allow citizens to voice concerns about the bill on the record; we also asked for a written receipt of the request. OVEC was one of several groups that never received a reply acknowledging our request.

West Virginia Public Broadcasting did receive a reply from Delegate Anderson, and published it: "I did not see the need for a public hearing on House Bill 2598 because of our concerns with COVID. I did provide ample time for presentations from those in

continued on page 14

#SayTheirNames

Your Dollars as a Catalyst for Change

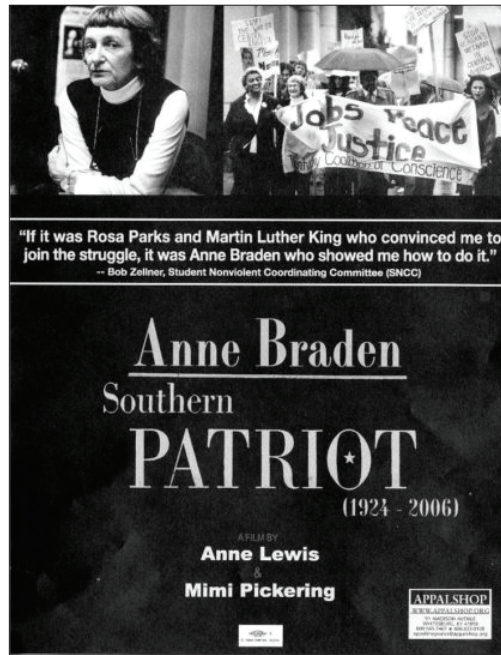
by Vivian Stockman

Each year, the Catalyst Project hosts the Anne Braden Antiracist Training, which involves three trips to California for four-day training sessions, as well as plenty of homework.

Enter the pandemic. This year's intensive training moved online and takes place from February to June. I applied and got in, as did my co-worker Dustin White.

The training is for White people who—through an examination of history and present-day issues—want to dive deep into what White supremacy culture is, obtain a better understanding of how pervasive its impacts are, learn how to recognize and overcome it in our own thoughts and actions, and learn how to be a better part of the worldwide movement building racial justice.

One of our homework assignments includes a



work sheet on White supremacy culture by Tema Okun, with dismantlingracism.org. Search her name online and you will quickly find the worksheet, which states:

This is a list of characteristics of White supremacy culture that show up in our organizations. Culture is powerful precisely because it is so present and at the same time so very difficult to name or identify... Because we all live in a White supremacy culture, these characteristics show up in the attitudes and behaviors of all of us...

One consequence of White supremacy culture shows up in the access to funding that white-led non-profit groups have versus that of BIPOC-led organizations. So, part of our homework includes fundraising for a local BIPOC-led organization. Dustin and I have both been doing that for local organizations. Perhaps you would consider doing the same! 🍌



An Earth Day Message from the

NAACP's Environmental and Climate Justice Committee

An excerpt from an NAACP Earth Day e-mail



This Earth Day, it's time we acknowledge how, although climate change is a global issue, the damage being done to our planet disproportionately harms Black and brown communities, both in the United States and abroad...

Decades of redlining and racist zoning policies

have forced Black, Indigenous and People of

Color (BIPOC) communities to live near polluting industries across the nation: from dirty power plants in the South Bronx, to the "cancer belt" of heavily Black communities near oil refineries in Texas.

BIPOC communities are often first in the path of devastation from superstorms like Katrina, Sandy, and Harvey; and the last to receive funding to rebuild.

And as the planet's health continues to deteriorate, it will also be those same communities that continue to face the rapidly worsening effects of climate change.

We need Congress to act fast on climate change, not just for the future but for communities TODAY. Will you help the NAACP push them to pass policies to address the ecological crisis by making a generous contribution? The safety and resilience of not just Black and brown communities, but the planet itself is at stake right now: MAKE A DONATION ONLINE HERE: bit.ly/3ek1sJC 🍌

5 Years On: Paris, Climate, and West Virginia

In early January, we teamed up with Corazón Latino and the West Virginia Climate Alliance for a virtual event to celebrate the fifth anniversary of the Paris Agreement, the first universal, legally binding global framework for addressing climate change mitigation, adaptation, and finance.

Since 2015, 197 countries—nearly every nation on earth with the exception of three major emitting countries—have endorsed the Paris Agreement. Of those, 189 have formally approved the measure.

However, on November 4, 2020, the United States officially withdrew from the accord as part of Trump’s broader effort to dismantle decades of U.S. environmental policy. Fortunately, instead of abandoning the fight, city, state, business, civic leaders, and many other ambitious individuals across the country got to work, ramping up efforts to drive



the clean energy advances needed to meet the goals of the agreement regardless of support from the federal government.

“There seems to be a collective recognition that one of the best things that we can do as climate activists is to keep the conversation going,” says Leah Barbor, the West Virginia state field organizer with Moms Clean Air Force.

OVEC Communications Specialist Sarah Carballo agrees, adding, “The fact is that our climate is changing in ways that will have devastating consequences for the whole of humanity and the natural world. It’s critical for us as climate activists to clearly communicate those risks.”

But is it just a bunch of hot air? Not if we work together and take action, say local climate advocates. According to Sarah, building an active movement of informed and engaged citizens has been, and will continue to be, the most effective way of making a positive impact.

Sarah quotes the words of Greta Thunberg: “This is the solution. We are the hope. We, the people.”

Speaking of hope, the day after his inauguration, President Joe Biden recommitted the United States to the agreement and is taking bold executive actions to tackle climate change, environmental justice and other major environmental concerns.

To listen to Sarah’s full statement, watch a recording of the virtual event at bit.ly/wvclima. 🍌

OVEC Board of Directors & Staff

Board Members

Mike Sullivan, Chair	Baleigh Epperly, Vice Chair
Lyndsay Tarus, Treasurer	Gina Hart-Smith, Secretary
Becky Ellis	Mike Forman
Kate Lamdin	Amy Parsons-White

Staff

Vivian Stockman	Tonya Adkins	Matt Spurlock
Robin Blakeman	Dustin White	Alex Cole
Sarah Carballo	Dani Parent	(one position in flux)

OVEC Webmaster	Don Alexander
Winds of Change Editor	Sarah Carballo
Volunteer Editorial Consultant	Deborah Griffith

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 admin@ohvec.org with the subject “WOC subscription”

OVEC is a coalition member of the WV Citizens for Clean Elections, 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.

Mountaineer NGL Storage Update

by Alex Cole

Thank you, thank you, thank you! With your help, Concerned Ohio River Residents (CORR), OVEC, and allied groups who pitched in, sent more than one thousand letters to the Ohio Department of Natural Resources (ODNR) in an effort to stop the permitting of the Mountaineer NGL Storage facility.

You would not be remiss in thinking that we had already stopped this project once. You may recall that OVEC, CORR and other groups, represented by Earthjustice, filed a lawsuit, which argued that the permits should have gone through the proper public commenting period and that the public should be adequately notified of such a major project that could potentially put their land, their drinking water, and their lives at risk.

By October 2020, the ODNR cancelled the drilling permits for three injection wells that the industry intends to use to store highly explosive and toxic natural gas liquids next to and below the Ohio River.

Unfortunately, the project reared its ugly head again near the end of 2020, when Powhatan Salt Company and its parent company Energy Storage Ventures hastily reapplied for the salt-well drilling permits. The re-filed permit applications still did not fully disclose what materials would ultimately be stored in the salt caverns, nor did they provide any meaningful analysis of the risks involved with such a process, and they largely failed to inform the public about the project and its implications.

So, yet again, the grassroots groups of the region had to come together to perform that key part of the democratic process: public education. With the help of CORR, Ohio Poor People's Campaign, Ohio Sierra Club, The People Over Petro Coalition, The Ohio River Institute, and of course the legal expertise of Earthjustice and Fair Shake Environmental Legal Services, we sounded the alarm bells as loudly as we could, despite the pandemic and all the other competing emergencies being dealt with during these times.

With community meetings, radio interviews, podcasts, TV commercials, online forums, newspaper ads, letters to the editors, and national anti-plastic coalition meetings, again the grassroots environmental community warned the community of



what industry shills planned to risk for their short-term profit.

Our rabble rousing made enough noise to be heard in some halls of power. Ohio Senator Sherrod Brown's office heard and set up a phone call with OVEC, CORR, and Earthjustice to find out just exactly what was happening on-the-ground in Monroe County. Interested and receptive to our message, the staffer we spoke with promised to relay what he learned in the conversation to the senator, and we are hopeful that good will come of the conversation.

As CORR notes in a call to action, "Despite overwhelming public concern and glaring technical deficiencies in the company's application, on March 11, 2021, the ODNR issued a draft permit to Powhatan Salt Company. The official draft permit addressed only eight of the fifty-eight concerns raised by legal experts. Forty-two comments on the safety and technical integrity of the proposed solution mining wells received absolutely no response from ODNR."

Learn more and take action here: <http://bit.ly/Hey-ONDR>.

There will be yet another opportunity for the public to intervene when the salt solution mining itself is permitted.

But after that ... nothing. There is no permitting process for the actual storage of the natural gas liquids at all in the state of Ohio and that is why this

continued on next page

ORSANCO Update

A wide banner image showing a large ORSANCO barge with several blue cylindrical tanks and a tugboat on a river. The barge is dark blue with the number '4152' visible. The tugboat is white with a red and black funnel. The background shows a forested riverbank.

Thanks to OVEC volunteer Dr. Randi Pokladnik and staff member Robin Blakeman, we continue work with the Ohio River Sanitation Commission (ORSANCO), in order to monitor developments on pollution control standards and water monitoring in the Ohio River region.

Due to the COVID-9 pandemic, significant delays have occurred in many of the routine water monitoring processes conducted along the course of the river's mainstem. We heard concerning news about several spills, but ORSANCO officials say none of these have caused any adverse impacts to tap water intakes along the Ohio.

The ORSANCO Technical Committee and Commission met virtually from February 9 to 11. Randi and Robin attended the meetings; Robin is now the vice-chair of the Watershed Organizations Advisory Committee (WOAC). WV Rivers Coalition's Angie Rosser serves as WOAC's chair. Angie updated ORSANCO on the work of all WOAC member organizations, as follows.

For 2021, WOAC is focusing on the persistent toxic chemicals called PFAS, harmful algal blooms, and emerging and legacy pollutants, such as mercury, coal ash, microplastics, oil and gas waste, and spill

Mountaineer Update continued

is so insidious. In local newspapers, company officials tell people that they intend to store natural gas liquids and maybe even hydrogen in the underground caverns, but the permits say nothing about this. As far as the ODNr knows from reading the permits, these are just salt wells. In early January an ODNr official asked us, “Why is there so much interest in a simple salt-well permit?”

We cannot allow Energy Storage Ventures and Powhatan Salt Company to slip this in under the radar as they did once before. We cannot let these outside companies come in and gamble with our lives and livelihoods. OVEC, our members, and our allies will make every effort to stay up to date and aware of what is going on. And, if together we explore all our options and put our foot down, then I am sure that, at minimum, our voices will be heard. 🍵

prevention and response. That's enough to keep them busy, but WOAC also established a subcommittee to facilitate a strategic planning process, further identify shared priorities, and coordinate activities.

ORSANCO has an Ohio River Basin-Wide Strategic Plan, and WOAC members take part in work groups related to that plan: Abundant Clean Water, Healthy & Productive Ecosystems, and Knowledge & Education to Inform Decisions. There is continued interest in advocacy for funding to implement the Plan.

WOAC is also working to ensure that the commission and staff of ORSANCO are aware of the emerging pollutants that could result from developments such as barging of oil and gas waste, and the Mountaineer NGL Storage facility, which would store massive amounts of natural gas liquids in underground storage caverns close to the Ohio River. To create the caverns, the company would pump large quantities of brine water into holding ponds on the surface; it appears part of the holding pond complex is within the floodplain of the Ohio River. Powhatan would withdraw approximately 1,928,000 gallons of fresh water each day from the Ohio River to carve out the first storage cavern. More caverns could be constructed to increase storage capacity, each of which would require approximately 380,200,000 gallons of freshwater. (See the story on page 4.)

As regular readers of this newsletter know, three barge dock facilities—in Meigs, Washington, and Belmont counties of Ohio—have recently been permitted by the U.S. Army Corps of Engineers for the purpose of accepting large quantities of oil and gas waste. It appears most of the waste is bound for underground injection wells near, or connected to, the barge facilities. These facilities raise concerns of emerging risk due to the toxic and radioactive nature of oil and gas waste and byproduct components. WOAC recommended that ORSANCO consider adding many of the known components of this waste stream to a list of emerging pollutants to consider/monitor.

A coalition of groups is working on bargaining issues. For info, contact Robin: robin@ohvec.org. 🍌

Press Conference:

Solutions for DEP Office of Oil and Gas Budget Shortfalls

On February 4, six days before the start of the 2021 WV Legislative Session, OVEC and WV Coalition held a virtual press conference in which advocates and state lawmakers presented solutions to recurring budget shortfalls at the WV DEP's Office of Oil and Gas.

Speakers at the press conference included attorney Dave McMahon, OVEC staff member Dustin White, Delegate Evan Hansen, and Senator William Ihlenfeld.

According to Dave, co-founder of WV Surface Owners' Rights Organization, more than a hundred years of extractive industry have resulted in problems for WV landowners that require appropriate monitoring and oversight, not just during the drilling of oil and gas wells, but also during the decades of the producing life of those wells.

However, due to insufficient funding, the DEP Office of Oil and Gas recently reduced its staff from 40 to 25 positions. Now, there is only one inspector per every 5,000 gas wells, making oversight of more than 55,000 active and 12,000 inactive oil and gas wells in the state practically impossible.

The Office of Oil and Gas is currently funded solely through one-time fees on new permit applications, but this funding structure is inconsistent with other DEP Offices and not sufficient for sustaining the office's responsibility for monitoring and regulating all actions related to the exploration, drilling, storage and production of oil and natural gas.

"It needs constant funding," Dave said. "Not just when new wells are drilled."

Dustin noted that OVEC is deeply concerned about the budget shortfalls and what that means for the health and safety of people who live near oil and gas wells.

Delegate Hansen agreed that this is an issue related to public health and the environment.

"On top of that, we need to get this right because the industry deserves to have regulatory certainty," Hansen said. "I think most people in industry realize that it's important to have proper regulation and



the regulation needs to be fairly enforced across all the businesses that participate in that industry. We need to have enough inspectors so that inspections can be done and everybody can be held to the same standard."

Hansen announced that in order to address the issue, he would co-sponsor legislation enacting a \$100 fee per well. This legislation would generate enough funding to increase staffing at the Office of Oil and Gas and could potentially address abandoned oil and gas wells scattered across WV as well.

Senator Ihlenfeld, a member of the Senate Energy Committee, said "I don't think the public realizes the dangers that are posed by this situation. And if we don't have enough inspectors out in the field to keep an eye on these and to identify dangerous situations, then we're all at risk."

The 2021 Legislative Session ended at midnight on April 10. Hansen's bill, HB 2725, did not pass.

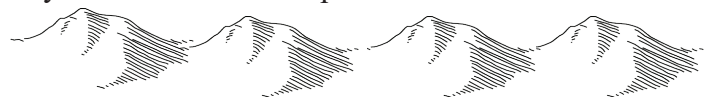
On April 14, in an article titled "Legislative session comes up short on long-term funding for DEP oil, gas and air quality regulators," the Charleston Gazette reported:

The state office responsible for overseeing 75,000 oil and gas wells across West Virginia looks to be in better financial shape because of the legislative session, but only marginally so.

Gov. Jim Justice signed into law Senate Bill 404, which establishes a \$2,500 fee for modifications of well-work permits that state Department of Environmental Protection officials have estimated would provide an additional \$500,000 annually for the Office of Oil and Gas.

But the office faces a \$1.3 million shortfall as its main revenue pipeline, permit fees, has dried up amid oil and gas industry struggles. Last year, the office resolved to eliminate 14 of about 39 positions, saving around \$1.1 million.

This issue isn't going to magically disappear, so stayed tuned for next steps. 🍌



Belle Explosion:

DEP's Air Quality Statement Is Just Hot Air

by Dustin White

The WV Department of Environmental Protection (DEP) issued a statement after the Optima Chemical December 8, 2020 explosion at the Chemours facility in Belle, WV, saying that their data indicated no exceedances of the national ambient air quality standards during or in the hours following the explosion. From that statement and the use of big words by then-outgoing DEP Cabinet Secretary, Austin Caperton, it would be easy for residents living near the plant to think DEP did its due diligence in protecting them from possible exposure from anything that might have been released in the explosion. However, it doesn't take much looking to figure out their statement really doesn't make sense.

Here are just a few reasons why.

The first issue is with where they obtained the data. DEP collected data from their NCore air-monitoring site located at 1436 Dixie Street, Charleston, approximately eight miles as the crow flies northwest of the site of the explosion in Belle. This monitor is nowhere near the communities of Rand, Belle, Marmet, and Chesapeake that were closest to the incident. That means any pollutants would have had to travel that far to be detected and possibly would have been dispersed/diluted before reaching the monitor in Charleston.

Weather data sites, such as Weather Underground, indicate that wind was mostly moving from the

south toward the north/northeast between 9 p.m. and midnight on Tuesday, December 8, the day of the explosion. Meteorological data provided by the Environmental Health Project indicate that weather patterns caused the plume of contaminants to disperse northeast of Charleston, WV. The air monitor in Charleston—again, eight miles away—is northwest of Optima Belle, meaning that the air at the time of the incident was moving in the opposite direction. So, it's no wonder the DEP monitoring site in Charleston

did not register any pollutants from the explosion.

Even if the distant monitor had picked up data from the explosion, other factors are at work here. WVU Professor Dr. Michael McCawley notes that the location of the plant in question and the surrounding community are at the bottom of a river valley. These valleys, and the local weather that happens because of them, can typically limit the dilution of any chemicals discharged into the air. So, the nearby area would be most impacted, rendering the data from Dixie Street in Charleston



Not what you want to see from your backyard: the chemical plant across the river on fire, after a massive explosion shook your house.

Photo courtesy of Chesapeake resident Melissa Smoot.

relatively useless.

Also, according to sources at the DEP, there was no real-time monitoring on site during the explosion. Therefore, there were no real data to determine what amount of chemicals escaped into the air and how much they may have impacted the immediate

continued on page 15

Marshall University's Sustainability Efforts

by Alex Cole

As you may have already heard, plenty of good news is coming out of Marshall University in Huntington, WV. In December 2020, Marshall's President Jerome Gilbert signed the Break Free from Plastics Campus Pledge, an agreement that commits the University to becoming single-use plastic free by 2026.

And that's not just an empty promise or a far-off goal; behind that objective are people and a PLAN—the Post Landfill Action Network, to be exact.

First and foremost, credit is due to some familiar faces on campus and around Huntington, including Marshall Director of Sustainability Amy Parsons-White and Marshall Sustainability Club President Baleigh Epperly, both of whom happen to be recent welcome additions to OVEC's Board of Directors.

Amy has been a force on campus for years. You may recognize her from the yearly zero-waste football games. But on top of the recent campus-wide zero-waste plan, she also made news for the shipment of an anaerobic digester. It is the largest and final piece of a sustainability puzzle Amy has been solving for more than two and a half years: how to take the food waste coming from the campus' dining halls, dormitories, and sporting events and turn it into a usable product, compost! A key component to making any economy circular, the newly completed composting facility will be the only one operational in the state. The anaerobic digester and some composting earthworms will make "Herd Dirt," a product Amy hopes to make available to the public.

Baleigh, a senior studying art and sociology, is the president of Marshall University Sustainability Club, which has 18 members as of this writing. With the mentorship of Amy and the friendship of OVEC, Baleigh has become a leader on campus and an active voice fighting the proposed Appalachian Storage Hub, a scheme to build a massive network of petrochemical and plastics manufacturing facilities and related infrastructure across the Ohio River Valley. By focusing on and taking aim at its key product—plastic—Baleigh has raised awareness with art installations on campus and given OVEC an outlet for our message at Sustainability Club meetings and events. In doing so, Baleigh has earned a paid fellowship with the Post Landfill Action Network's Students Taking on Oil and Petrochemicals (STOP)

program.

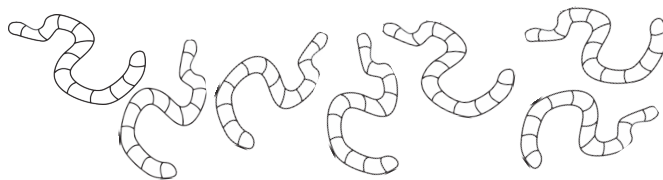
That is how we arrived at today and Marshall University's pledge to be plastic free by 2026. PLAN and its organizers Young Grguras and Alex Freid recognized the

great work already underway at Marshall and saw an opportunity to apply their experience organizing such efforts on other campuses around the nation.

They had zero-waste plans on hand tailored to other campuses like Marshall's. They recognized the good work already underway, and they saw the opportunity to do the same right here in the Ohio Valley, in the heart of the petrochemical industry's long-dreamed-about plastics manufacturing megacomplex.

Laying out all the points and offering solutions to the problems one might imagine to such a plan, Amy, Baleigh, Young, and Alex addressed everything from the grab-and-go mentality of dining hall food to the logistics of plastic-free sporting events and even how to deal with food vendors and on-campus retailers like Starbucks and the campus bookstore.

With a team like this, a clear game plan, and the foundational work of a composting facility already coming into place, how could the president say no? It is clear that Marshall University, and grassroots leaders like Amy and Baleigh, will be at the forefront of the sustainability movement in WV and the Ohio River Valley now and into the future! 🍌



Stay current on what we are up to:
Read our blog and subscribe to our
YouTube channel and action alerts at ohvec.org.
Join in! Contact one of our organizers
via info@ohvec.org or 304-522-0246.



Statement from the Catalyst Project

An excerpt from an email update. Read the full statement and find links to action steps here: bit.ly/2QPUK6m

BLACK LIVES MATTER

In reflecting on the guilty verdicts of former Minneapolis Police officer Derek Chauvin in the death of George Floyd, the Catalyst Project sent an email noting:

As the media reporting on the trial were assuring us that Chauvin was just a bad apple in an otherwise fair system, Daunte Wright was killed in Brooklyn Center, Minnesota, just a few miles from where George Floyd was murdered; 13-year old Adam Toledo was killed by Chicago police while his hands were in the air; high school student Anthony Thompson, Jr. was killed by police in his high school

in Knoxville; moments before the verdict came in Tuesday, 15-year-old Ma'Khia Bryant was killed by police in Columbus, Ohio; that morning Mario Gonzalez was killed by police in Alameda, California, and Wednesday morning, police shot and killed Andrew Brown Jr. in the small town of Elizabeth City, North Carolina.

We don't need more evidence than this to be clear that the system of policing is beyond reform, that our visions of justice are bigger than anything that this system can meet. 🍌

Demand support for the BREATHE Act, bold Federal legislation supporting a community-led vision of health and safety for Black communities: breatheact.org

Congressional Committee's *Environmental Justice Now Tour*

On December 9, 2020, the House Natural Resources Committee held a virtual forum titled Environmental Justice Now Tour: Appalachia.

The citizen-panelists spoke to the effects industrial pollution and mountaintop-removal coal mining have on residents of our region. The panelists were Julie Bledsoe with Statewide Organizing for Community eMpowerment (SOCM), Gabby Gillespie with the Southern Appalachian Mountain Stewards and Sierra Club Virginia, and OVEC organizer Alex Cole. Watch the forum here: bitly.com/AppEJCongress.

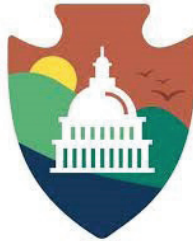
This event was the latest "stop" of the committee's Environmental Justice Now Tour, which is serving to underscore the urgent need for passage of the House Environmental Justice for All Act.

Last year, then Vice President-elect Sen. Kamala Harris introduced a companion bill in the Senate.

As E & E News coverage of the event reports, "One provision of the bill would require fossil fuel companies to provide economic aid to communities transitioning from coal, oil, and gas."

In an article titled "Environmental Justice Now Tour—A Just Transition in Appalachia," the

Environmental and Energy Study Institute reported:



The Environmental Justice Now Tour's panelists opening statements described their own experiences with the impacts of pollution in the region, observing increases in respiratory diseases and contamination of their lands. Julie Bledsoe, of Statewide Organizing for Community eMpowerment, described the health challenges her husband has been facing. He was denied protective equipment while working to clean up the Kingston coal ash spill and now struggles from Chronic Obstructive Pulmonary Disease (COPD). Similarly, Alex Cole of the Ohio Valley Environmental Coalition described the contamination in the Kanawha river valley. The river's sediments have toxic concentrations of PCB and dioxins and the water is unusable to the municipalities who reside alongside it.

Recognizing the harm that has been done in the region, the hearing looked to the future and addressed how policymakers could better serve the communities in Appalachia. The panelists emphasized the need to create multiple, meaningful solutions that incorporate local voices and span research, education, policy, and economic development.

Hear, Hear! Hear our voices! 🍌

Grocers: Help Us Help the Planet. Learn About and Move Away from Plastic Packaging.

Plastics, Plastics Everywhere

Corporations and financiers that want to profit from fracking would love to see a massive petrochemical/plastics industrial buildout in the Ohio River Valley.

More plastic is the last thing we need. We already face a global crisis of plastic pollution. Every year, humans generate more than 35 million tons of plastic waste. Of that waste, less than nine percent is recycled. The remaining 90 percent is incinerated, dumped in landfills, or ends up littering streams, rivers, and oceans.

More than 40 percent of all plastic produced is for single-use packaging. Our food and other household products didn't used to be wrapped in plastic, and things don't have to be this way. For the sake of human health and the planet itself, we have to change things.

Letters Launch Campaign

Dr. Randi Pokladnik, whose doctoral degree is in Environmental Studies, notes, "Plastics have become so prevalent in our world that even the most pristine areas of our planet are drowning in plastic. Scientists know that we are threatening our very ability to reproduce as we are being exposed to plastics and plasticizers in every aspect of our lives."

Randi knows so much about what plastic does to our bodies and our planet that she is compelled to educate others and demand change. She speaks at regional workshops and now she's sparked a new campaign.



Above: an image of plastic pollution in the Pacific Ocean, shared by women from India and the Philippines when they were visiting with us in Wetzel County, WV, where fracking supplies the raw material for plastic production. Read about that visit: bit.ly/3gx8p4A

Micro-plastics on fingertips.



"An ideal way to address the plastic crisis is to refuse single-use plastic packaging and find alternative packaging materials."

Working with other OVEC volunteers and staff she's written a letter to more than 500 regional grocery store managers and the CEOs of their parent companies in the Ohio River Valley.

Twenty-five regional social justice and environmental organizations signed on to her letter, which, along with an informational packet, was mailed out in April. The mailing aims to educate the grocers on the negative health and environmental

effects of single-use plastics, the links between plastics and climate change, and the sad truths about plastic and its lack of recyclability. And, it calls upon the grocers to take steps to begin reducing plastic packing in their stores.

Sign the Action Network Letter

You can take part! Go to bit.ly/32BzDr4 to e-mail a letter to the

CEOs of regional grocery store chains to ask them to learn about and move away from plastic packaging.

If you participate in social media, see a toolkit here, bit.ly/32FVv9r, that you can use to spark your own ideas for posts.

And, here's a letter you can download, print, sign and give to the managers or clerks at stores where you shop for your groceries: bit.ly/3dNIQCS

Check out the press release to learn more and read the list of groups that signed on, along with statements from representatives of some of the groups that signed on to the letter: bit.ly/3xiboMy 🍌

WV CITIZENS *for* CLEAN ELECTIONS

Update on The Legislative Session

WV Citizens for Clean Elections (WVCCE) fought hard during the 2021 WV Legislative Session. West Virginians banded together to help defeat a few bad bills, including threats to voting rights. Fifty-seven people signed up to speak at the public hearing on that bad bill. Thanks to all of you who took part in helping to defeat it!


However, legislators passed two measures we opposed, both related to state courts. The governor has already signed one bill into law; we will need your help in monitoring the creation of the intermediate court. The other measure will go before voters in November of 2022 in the form of a proposed amendment to the state constitution; we'll need your help in building a campaign to stop the impeachment amendment. Learn more: bit.ly/3dMUTQT

Federal Legislation

Voting rights are under attack at the state level nationwide, but there's potential relief at the federal level. That's why, in early January the WV NAACP, Our Future WV, and the WV Citizens for Clean Elections coalition hosted a "We Demand Democracy" Virtual Town Hall (watch it here: bit.ly/3euIJve) in support of the For The People Act (HR 1) and the John R. Lewis Voting Rights Act (HR 4). Work supporting these measures is ongoing—join in!

HR 1 is a once-in-a-generation democracy reform package to clean up our political system, expand and protect voting rights, end gerrymandering, and counter the power of big money in politics. HR 4 would restore and update the full protections of Section 5 of the Voting Rights Act of 1965 (VRA)—the most effective civil rights legislation in the history of the United States.

Thank You

Starting late last year and into this year, we asked for your donations for our WV Pro-Democracy Match. If we raised at least \$10,000 from folks like you, then we would receive a matching \$10,000 grant. Thank you! We ended raising more than \$13,000 in the matching-grant drive. We value our partnerships and collaborations with you as we continue fighting for free, fair, and safe elections for West Virginians and a fair and impartial court system. To join WVCCE's work, please e-mail dani@ohvec.org. 


Moral Mondays in WV

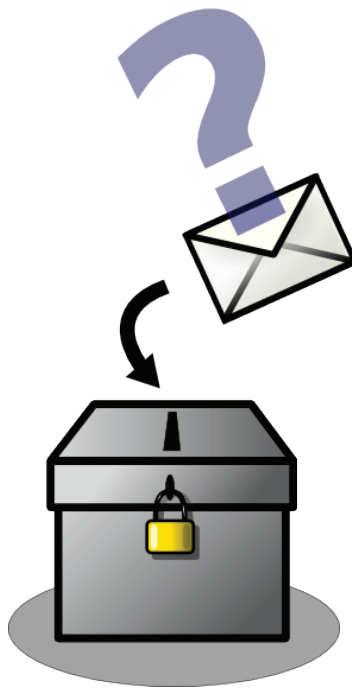
As part of their continuing state and national

Moral Monday series, organizers from the WV Poor People's Campaign delivered 14 policy priorities, part of their Jubilee Policy Platform, to the State Capitol in Charleston, WV, on March 15. The demands included guaranteed healthcare, housing, and adequate incomes for all, along with racial justice, as well as an emphasis on voting rights. The event was live streamed locally and on the national Poor People's Campaign pages to thousands.

The event, which took place simultaneously across the country at 30 other statehouses, emphasized voting rights in response to a Brennan Center for Justice report stating that "as of Feb. 19, state lawmakers had carried

over, prefiled, or introduced more than 250 bills with provisions that restrict voting in 43 states. This attack comes as poor and low-income voters flexed their political muscle in the 2021 election, helping to elect leaders who promised to pass laws that lift from the bottom, including voter protection laws."

To view the full Poor People's Campaign Jubilee Policy Platform and to sign your name in support of the policy priorities, please visit this link: bit.ly/ppc-jubilee-platform 



Court: You'd Better See About Protecting Those Bats!

In early March, a federal judge ordered the U.S. Fish and Wildlife Service to determine whether the northern long-eared bat warrants listing as an endangered species under the Endangered Species Act by December 2022, after remanding the service's flawed threatened listing last year.

The judge rejected the service's request to be given "an extraordinary three and a half to four years" to make a new listing determination for the bat as "unreasonable."

"We're thrilled the judge is holding this foot-dragging agency's feet to the fire," says Ryan Shannon, a staff attorney at the Center for Biological Diversity (CBD). OVEC first joined with CBD, Coal River Mountain Watch, Defenders of Wildlife, and Sierra Club to challenge the threatened listing in 2015.

In reconsidering, the service should list the bat as

endangered, given the severity of declines. If it's protected as endangered, the animal will gain critical protections it was long denied as a threatened species. On top of that, the service's so-called "4(d) rule"—which allowed nearly all habitat-destroying activities within the bat's range to proceed despite listing—would be rescinded if the bat is reclassified as endangered.

Once common in the northeastern and mid-Atlantic states as well as in eastern Canada, the bat has suffered close to 99 percent declines in its range and is now found only in patches across 37 states and all of Canada. This is due largely to the fungal disease known as white-nose syndrome, which has killed hibernating bats by the millions.

Despite these devastating declines, the bat was listed as threatened rather than endangered in 2015.

In January 2020, the judge rejected the agency's

decision, finding that the service had failed to explain why the species was not endangered after suffering catastrophic declines in the core of its range as a result of white-nose syndrome. The judge also found the service failed to consider the cumulative effects of habitat destruction against that grim backdrop.

"Ongoing mountaintop-removal coal mining is destroying the northern long-eared bat's home on Coal River Mountain and elsewhere in Appalachia," says Vernon Haltom, executive director of Coal River

Mountain Watch.

"Strong protective measures would benefit not only this endangered bat, but also the humans in our communities who endure the deadly health impacts of this catastrophic process."

The northern long-eared bat is associated with mature, interior forest environments. Unlike most other bats, the northern long-eared forages along wooded hillsides



*Mountaintop removal coal mining is extremely harmful to bats and other living things (such as humans), as well as to the land, air, and water.
Photo by Vivian Stockman.*

and ridgelines—not above valley-bottom streams and along the edges of riparian forests. The species is also much more solitary in its roosting and hibernating habits than other bats, preferring to hide in tight crevices and holes instead of hanging out in open areas within caves.

"This is not only about protecting bats. Protecting the habitats of bats and the ecosystem services that bats provide ultimately protects human health, because our physical and economic well-being depend on a healthy ecosystem," says Vivian Stockman, OVEC's executive director. "This ruling adds another exclamation point to the declaration that the ecologically insane coal mining method called mountaintop removal/valley fill must be immediately and forever ended." 🍌





Water, Water (Crises) Everywhere

In 2021, WV Interfaith Power and Light, OVEC, and WV Rivers Coalition are teaming up for five virtual public events, “Standing Up for Appalachia: Dialogue for a Positive Change.”

We held the first, Holding Water In WV, on January 13. About 45 attendees reflected on the 7-year anniversary of the WV Water Crisis, heard about water issues at the State Legislature, and received action tips. OVEC staff members took part: Robin Blakeman emceed and Dustin White spoke. OVEC’s communications team—Dani Parent and Sarah Carballo—are helping with promotion and technical production expertise for these events.

The second event, Climate Change: A Hot Topic in Appalachia, ran on March 10. Speakers included Perry Bryant, founder of the WV Climate Alliance, WV Rivers Coalition’s Dr. Sarah Cross, and Morgan Sell, with the Shepherdstown Presbyterian Church.

We’ll post upcoming events on ohvec.org. 🌰

Face History Because It Is Here, Now Ta-Nehisi Coates, in his book Between the World and Me:

To do evil a human being must first of all believe that what he’s doing is good, or else that it’s a well-considered act in conformity with natural law. This is the foundation of the Dream—its adherents must not just believe in it but believe that it is just, believe that their possession of the Dream is the natural result of grit, honor, and good works. There is some passing acknowledgment of the bad old days, which, by the way, were not so bad as to have any ongoing effect on our present.

The mettle that it takes to look away from the horror of our prison system, from police forces transformed into armies, from the long war against the black body, is not forged overnight. This is the practiced habit of jabbing out one’s eyes and forgetting the work of one’s hands. To acknowledge these horrors means turning away from the brightly rendered version of your country as it has always declared itself and turning toward something murkier and unknown. It is still too difficult for most Americans to do this. But that is your work. It must be, if only to preserve the sanctity of your mind.

January marked the seventh anniversary of the WV Water Crisis, during which the petrochemical known as MCHM burst from its storage tank on the Elk River just a mile above the public water intake of West Virginia American Water. The spill subsequently left 300,000 residents without the use of their tap water for up to nine days.

To mark the anniversary, we asked folks to watch Cullen Hoback’s 2017 documentary, What Lies Upstream, and join us online afterward for a discussion about the documentary, which details events during and after the water crisis and shines a light on just how at-risk water systems are throughout the U.S. If you have not seen this film, we highly recommend it!

Former WVDEP employee and OVEC member Pam Nixon and attorney Kevin Thompson, who are both featured in the film, joined us for our live online event. They described their experiences during that harrowing time. Attendees then asked questions of Pam and Kevin and discussed current environmental issues plaguing their communities.

The events of the January 9, 2014, MCHM spill highlight what can and will go wrong if we continue down the path of a lack of environmental regulation enforcement and no corporate accountability, especially when those companies deal in hazardous materials, like fossil fuels, that pose a risk to our communities.

With the threat of a proposed petrochemical/plastics megaplex along the Ohio River Valley, upstream of the drinking water intakes of more than five million people, there is too great of a potential for an event like the chemical spill in Charleston to happen again on an even larger scale.

We at OVEC will not forget the events of the water crisis, nor will we stop fighting to prevent it from happening again. But we cannot carry out this work without a strong base of members and volunteers, so please become an OVEC member, contact us about volunteer opportunities, and donate to support our work. Clean water and air are basic human rights. 🌰



A Win Thanks to You, the Public, Participating!

continued from page 1

support of the bill as well as opposed to it, including West Virginia University and the Department of Environmental Protection for the full consideration of the Committee.”

Okay, a couple of things. Nearly a year into the pandemic, had Delegate Anderson not heard of Zoom or any other virtual-meeting platform? When the committee was hearing presentations on the bill, Delegate Anderson told the speaker from the United States Geological Survey that he would have to keep his presentation brief, but Anderson let a lobbyist for the Independent Oil and Gas Association speak as long as he wanted.

Since the water-drinking public was denied a public hearing on a bill that impacts the safety of our drinking water, we decided to hold our own hearing, and invite legislators. OVEC’s communication team worked with Rivers, E-Council, WV Citizen Action Group, and the WV Sierra Club to host a People’s Public Hearing on the morning of February 26. Sam Hickman, the Executive Director of WV Chapter National Association of Social Workers, moderated the hearing. Our allies noted that the people’s public hearing could not have taken place without the tech-know-how of OVEC’s communications team.

One hundred twenty-six people registered to attend the hearing, and it was also broadcast on Facebook live, where about eighty people tuned in live. Twenty-four people testified with some really moving and informative statements. Young adults were especially passionate. Young and old alike noted that bills like this are one reason that so many West Virginians are leaving the state. Who wants to live in a place where clean water is not valued as the essential underpinning of a vibrant economy, let alone as central to life itself?

One speaker, Elise Gooding, noted that she had just graduated from Marshall University (MU) and wants to go on to medical school, and is hoping to do so here in West Virginia. But bills like this one makes her question if she can stay, because she wants “to live somewhere that cares about its people and not just the profit of companies.”

Matthew Adkins, a student at MU and treasurer of the MU Sustainability Club noted:

In 2014, our state faced a water crisis which did not allow me or anyone in my school district to attend for several months. I was 16 at the time,

and we did not know that this event would be a defining moment in our lives or the state’s... we will never know the long-term effects that this chemical spill will have on West Virginia.

Young people such as myself see this bill as a smack to the face, redefining our relationship with West Virginia, looking to either stay or more than likely leave.

When voting on this bill put yourself in your constituents’ shoes, your family’s shoes.

Do you want to come home and tell your children they can’t bathe? Tell your wife she cannot cook? Or your husband he cannot shower?

No one should ever have to worry if their water is safe or not. 🍷

Read more testimony and find a link to a video recording of the people’s public hearing on OVEC’s blog: ohvec.org/hrng-hb-2598.



GLOBAL DAY *of* MOURNING

As COVID-19 rages in our communities, the negative impacts have cascaded and infused into nearly every aspect of our lives—from lost incomes, unpaid mortgages, poor health, loss of camaraderie, etc. We are suffering from a multitude of losses. On January 10, thanks to the efforts of former OVEC staff members Janet Keating and Carol Warren, we joined in the Radical Joy for Hard Times’ Global Day of Mourning. Read statements from Jan and Carol on the ohvec.org blog; search for “mourning.” 🍷



Above: On April 10, as part of statewide protest in Ohio, OVEC member Connie Sayles and staff member Robin Blakeman unfurl a banner to carry from Huntington, WV into Ohio, while they still can...

According to ALEC Exposed, "Through the corporate-funded American Legislative Exchange Council, global corporations and state politicians vote behind closed doors to try to rewrite state laws that govern your rights. These so-called 'model bills' reach into almost every area of American life and often directly benefit huge corporations."

The anti-pipeline protest bill that reared its head in the WV State Capitol last year is one such bill. Ohio's SB 33 is a law to penalize and criminalize many forms of peaceful protest at oil and gas infrastructure sites. It went into effect two days after the protest.

Ohio is facing an onslaught of ALEC bills this year, with language so vague, confusing and complex, that those of us who participate in any kind of peaceful public protest anywhere for any reason, risk being charged with felonies, incarcerated, and paying heavy fines. Learn more: bit.ly/ourvoicestogetherinfo.

Belle Explosion

continued from page 7

surrounding areas. Although it is true that some of what was released may have burned off in the fire, we don't know for certain how much without real-time monitoring. It's bad enough current laws do not require any fenceline monitoring at chemical facilities to begin with, but to take no sampling during the explosion and expect to have accurate data is ridiculous.

Finally, the Clean Air Act requires the U.S. Environmental Protection Agency to set National Ambient Air Quality Standards (NAAQS) for six common air pollutants: carbon monoxide, lead, ground-level ozone, nitrogen dioxide, particulate matter, and sulfur dioxide. These standards exclude many other kinds of emissions that could negatively affect outdoor air quality near the site.

Just because DEP uses data from the air-monitoring site to claim there were supposedly no exceedances of the federal air quality standards during or in the hours following the explosion does not mean air quality wasn't impacted for nearby

residents. DEP's monitor would have never picked up traces of methanol or CDB 63 because it is not designed to detect them. Methanol alone is toxic, but if CDB 63 disperses into the air where it can contact moisture, it can react with water to form extremely toxic chlorine gas. But what you don't test for can't hurt you, right?

These reasons alone are enough to poke holes in DEP's statement. Fact is, it's obvious DEP has no clue if air quality was impacted by the explosion.

Why did it take so long for the DEP to gather its "data" to make a statement to begin with? The statement came out two days after the explosion. Do citizens not deserve immediate answers to what might affect them when companies get careless?

Horribly, the explosion killed one plant worker and sent several others to the hospital. The families of those killed and injured, and the rest of us living in the Chemical Valley, deserve better from the DEP. At the very least we can demand that the DEP stop giving the public just a bunch of hot air. 🌰

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

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



Early spring in Roane County, WV: Redbuds and solar panels, signs of greener things to come.

Hey, isn't there some kind of announcement
coming from OVEC? Patience, grasshoppers.
That wasn't ready as we went to press.

