



# Winds of Change

the newsletter of the

## Ohio Valley Environmental Coalition

Huntington, WV

www.ohvec.org

## Mattea, Kennedy Stunned by Scope of Devastation

### Mattea:

by Scott Finn

(Excerpted from a July 11, 2007, WV Public Radio story)

One of West Virginia's most famous musicians is taking center stage in the fight over mountaintop removal mining. Yesterday, two-time Grammy winner and Cross Lanes native Kathy Mattea came home to see firsthand the impact of mountaintop removal mining. What she saw upset and disturbed her. Scott Finn reports.

"Larry Gibson's homeplace on top of Kayford Mountain is surrounded by a huge strip mining operation, and it's become a regular stop for people wanting to see the effects of mountaintop removal.

Everything there is coated by a thin layer of rock dust, and you can't escape the sound of dozers and rock trucks at work. This is where Kathy Mattea spent most of a hot, sticky afternoon – sitting on a picnic table, listening to the families affected by mountaintop removal. They showed her picture albums of the dirty water, cracked foundations and flooded homeplaces that they blame on mining. She listened, hugged them, and more than once, cried with them.

*I didn't know what was going on. I went to make a record of coal mining songs. I saw Al Gore give his*

*continued on page 5*



**A crew films Larry Gibson, Robert F. Kennedy, Jr. and Jack Spadaro talking on the devastated slopes of Kayford Mountain, WV.**

### Kennedy:

Just one week after Kathy Mattea wept upon seeing mountaintop removal, Robert F. Kennedy, Jr. came here for three days to film for his "Crimes Against Nature" documentary, based on his book of the same name.

The film crew shot footage of Kennedy in conversation with several OVEC members.

Like Mattea, Kennedy saw mountaintop removal from Kayford Mountain and also from the air, taking a flyover with SouthWings.

"This is the worst stuff I've seen anywhere," Kennedy said. And, as an environmental attorney, Kennedy has seen far too many human-perpetrated environmental disasters. "If the American people could see it, it would cause a revolution. If a foreign enemy had done to this country what this industry has done to West Virginia, it would be

*continued on page 4*

### Inside *Winds of Change*

Trashing the Buffer Zone	.....page 3
<b>Another Court Victory</b>	.....page 8
State Wants Liquid Coal	.....page 9
Prayer Vigil at Kayford	.....page 20
Climate Action Required Now	.....page 23

# Organizing for a Better World

by Dianne Bady

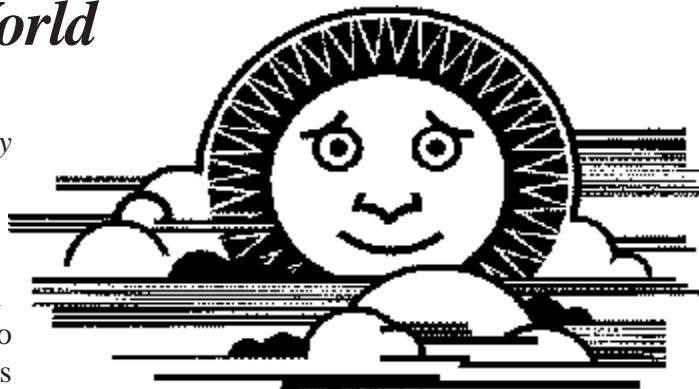
Book Review: *We Make Change: Community Organizers Talk About What They Do – and Why*, by Kristin Layng Szakos and Joe Szakos. (Joe is Executive Director of the Virginia Organizing Project.)

I just saw a job announcement from an environmental group in a far away state. They want to hire someone who will learn the facts on the group's issues, and then will be the group's spokesperson to tell those facts to politicians and other important people. The assumption seems to be that this is what the group needs to do to win their issues; that once politicians hear the well-documented facts, they will change their positions and vote the right way.

It's not for me to judge whether this approach will work in that far away state, but it sure doesn't work here. If getting the documented facts out were the way to win, then there would be no more mountaintop removal permits granted. A full scale move to putting miners to work reclaiming abandoned mines would be underway. There would be no more active coal sludge dams or sludge injections. Instead, a much safer dry press method of disposing of coal wastes would be widely used – as it is in other countries. Increased energy efficiency and use of renewable energies would be the obsession of our political leaders.

Yes, we do need to have the facts, backed up by solid evidence. But politicians and regulators can easily ignore or distort the facts; it is much harder for them to ignore the power of many well-publicized, organized people working together to force reasonable, responsible changes.

In the upcoming documentary film, *Under the Grid*, OVEC member Billy Sammons of Mingo County says, "It's amazing what you can do as a group. This water tank is proof that if you stick together, you can get



things done.”

The new book *We Make Change: Community Organizers Talk About What They Do – and Why*, by Kristin Layng Szakos and Joe Szakos, uses community organizers' own words to discuss how they bring people together and help them become a stronger force for change. In the case of the Mingo County water victory

mentioned above, it was the people in the affected communities who won clean water in their homes – water that's not contaminated with toxic coal sludge. But leaders of this effort are upfront about how OVEC's community organizers helped to make their group stronger so that their voices were heard and acted upon.

In Szakos' book, Lisa Abbott says that organizers need a balance “of caring enough about the details to make sure there's a key to the building when you need it to have a community meeting, and caring enough about the big picture to really be able to talk to somebody effectively about a different vision for the world.”

Like good organizers, the Szakos' listened carefully. They compiled the stories of dozens of organizers. Here are some of those organizers' words:

*“I think organizing is important, where it comes out of community discussions and community effort to solve shared problems. You want things to happen, and you have to influence the power structure*

*continued on page 7*

*“We Make Change is an inspiring, optimistic book about the people who are doing the hard, creative work to renew American democracy. It puts a spotlight on community organizers, who are the neglected and hidden heroes that are developing the capacity of ordinary people to do extraordinary things. In these difficult and dark times, this book provides hope for the future of America. It should inspire thousands of people to find their calling in organizing.”*  
– Deepak Bhargava, Executive Director of the Center for Community Change

# Injury, Insult, Insanity: Buffer Zone Rule Change

Earlier this year, we won a major lawsuit – a federal judge ruled that new, large valley fills are illegal in West Virginia. OVEC, Coal River Mountain Watch and WV Highlands Conservancy filed the case, with our excellent team of lawyers from the Appalachian Center for the Economy and Environment and Earthjustice.

But the Bush Administration’s Office of Surface Mining now wants to make valley fills legal by changing the federal stream buffer zone rule. This poorly-enforced rule said that land within 100 feet of a stream cannot be disturbed by mining unless a company can prove it will not hurt water quality and quantity. So once again, the Bush administration moves to legalize that which is illegal.

The Bush Administration’s latest attempt to increase mountain range removal mining has drawn unprecedented national outcry. Never before have so many national newspapers and other media reported on mountaintop removal in Appalachia. Many groups from around the country that had never taken a stand on mountaintop removal are now asking their members to send letters and e-mails opposing this buffer zone rule change.

Federal spokespeople were quoted in the media as saying that valley fills are needed in order to continue mountaintop removal.

After the *New York Times* ran a front page story on this proposed legalizing of valley fills, OVEC’s website

received 37,000 hits in one day. (Yes, that’s 37 thousand hits!)

Some of our long-time allies are speaking out in outrage at this new federal attempt to promote more stream burial and more mountain annihilation.

“The Bush administration just doesn’t give up in its quest to give away more and more legal protections to the mountaintop removal polluters – despite the federal government’s own studies showing widespread, harmful, and irreversible stream loss in the region,” said Joan Mulhern, Senior Legislative Counsel for Earthjustice. “OSM is demonstrating that it is not an effective regulator for the public, but the ‘Office for Slicing Mountains’ and ‘Office of Stream Mangling’ for coal companies.”

The proposed rule change will say the rule requiring buffer zones does not apply to putting excess spoil into valleys near mines (valley fills) or to impoundments that coal companies build to hold waste left over from processing coal, Mulhern explained.

The effort to repeal the buffer zone rule dates back to 2004, when OSM proposed repealing the Reagan-era rule to allow coal companies to accelerate mountaintop removal mining in Appalachia. In response to loud protests from coalfield residents and citizens groups, OSM agreed it would complete an Environmental Impact Statement (EIS) before changing the long-standing rule. But in its new draft EIS, OSM rejected and failed to analyze all alternatives that would have restricted stream filling. In its own words, “OSM would not anticipate a major shift in on-the-ground consequences from any of the alternatives.”

**Most egregious is that the agency did not even consider the effect of enforcing the stream buffer zone rule as written.**

Jim Hecker, environmental enforcement director for the group Public Justice, said, “OSM summarily rejected all alternatives that would reduce harm and only considered those that would allow stream burials to continue at the same rate as in the past. OSM’s own report shows that valley fills harm downstream water quality, but this proposal does nothing to address it.”

“OSM has chosen to turn its back on irreplaceable water resources of the Appalachian region,” said Cindy Rank with West Virginia Highlands Conservancy. “Headwater streams are the lifeblood of the mountains and those of us privileged enough to live in those mountains. This new interpretation of the buffer zone rule is an unholy reversal of

*continued on page 6*

## OVEC Board of Directors & Staff

### Board Members

LaShonda Bare	Regina Hendrix
Jeff & Victoria Bosley	Dan Kash
David Duke	Thomas Kincaid
Eric Fout, Chair	Michael Morrison
Winnie Fox	Elinore Taylor
Larry Gibson	John Taylor

### Full- and Part-Time Staff

Dianne Bady	Janet Keating	Vivian Stockman
Maryanne Graham	Abe Mwaura	Tonya Adkins
Maria Gunnoe	Patricia Feeney	Carol Warren

<b>OVEC Webmaster</b>	Don Alexander
<b>Winds of Change Editor</b>	Vivian Stockman
<b>Winds of Change Scratch Builder</b>	Monty Fowler

### Ohio Valley Environmental Coalition

P.O. Box 6753, Huntington, WV 25773

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

e-mail: [ohvec@ohvec.org](mailto:ohvec@ohvec.org) web page: [www.ohvec.org](http://www.ohvec.org)

OVEC is a founding member of Community Shares of West Virginia and a 501(c)(3) non-profit organization.



## Kennedy: Mountaintop Removal A Disaster

*continued from page 1*

regarded as an act of war.”

As part of his visit, Kennedy addressed a crowd of about 100 folks at the Rebecca Chapel in Rock Creek, Raleigh County. After dining the night before with WV Coal Association President Bill Raney, Kennedy had questions for Raney he shared with the crowd.

“If these are your people, and you care so deeply about these people and these jobs – these 15,000 jobs – where were you when they brought the draglines into the state and fired another 100,000?

“(Raney) is willing to stand up to environmentalists, he’s willing to stand up to the communities who are impoverished or alienated, or powerless, . . .but he does not have the guts to stand up to these companies that are employing him and paying his salary – who are the real culprits in depriving this state of all those jobs.”

Kennedy noted that the mountaintop removal is not just erosion of the mountains – it’s erosion of democracy.

“When the EPA tries to stop (the coal industry) with 59,000 . . . violations, they are breaking the law every single



**OVEC members Charles and Donna Branham of Lenore in Mingo County met Kennedy on Kayford Mountain. Charles, a retired coal miner and member of the UMWA, and Donna discussed mining safety, global warming and mountaintop removal with Kennedy.**

the public the question pressed: What will it take for the law to give mountaintop removal its true conviction?

Maria Gunnoe asked if Kennedy supported an Appalachian uprising (He said yes!)

Kennedy acknowledged the difficulty of the task ahead, citing media corruption and campaign finance reform as two of the key issues impacting the fight for justice in West Virginia.

He added, *“This is the most important fight that’s going on in America, because if these companies steal West Virginia, they’re gonna steal the country next.”* 🍌

## *Mining Dams Check is DEP’s New Top Priority*

*WV MetroNews, August 29, 2007*

The state Department of Environmental Protection is now putting a review of all deep mining permits that have been issued for areas near impoundments at the top of its “to do” list.

“We have office staff looking at mining permits that have been approved in the last year or two to make sure none of them have been illegally approved,” said DEP Communications Director Jessica Greathouse. “We also have our inspection staff out in the field right now looking at all underground mines near impoundments to make sure no mining is happening in the safety zone.”

day... This is criminal racketeering. It is a conspiracy to break the law, and the only way that they can get away with it is because they have corrupted the political process...they’ve bought themselves a system where the law is not enforced.”

Julia Sendor, A Mountain Justice Summer volunteer working with Coal River Mountain Watch, described the question and answer session following Kennedy’s speech:

When Kennedy handed over the mike to

the public the question pressed: What will it take for the law to give mountaintop removal its true conviction?

Maria Gunnoe asked if Kennedy supported an Appalachian uprising (He said yes!)

Kennedy acknowledged the difficulty of the task ahead, citing media corruption and campaign finance reform as two of the key issues impacting the fight for justice in West Virginia.

He added, *“This is the most important fight that’s going on in America, because if these companies steal West Virginia, they’re gonna steal the country next.”* 🍌



Alarm bells were raised at DEP earlier this month when it was discovered a permit for a Wyoming County mine would have mistakenly allowed the miners to dig coal from the earth directly below the Smith Branch impoundment. That could have put the miners and residents nearby into a precarious situation.

Greathouse says DEP noticed the mistake and immediately suspended the mining permit in the safety zone for Bluestone Coal Company. Now they want to make sure it was only an isolated mistake and there aren’t other problems out there just waiting to happen. 🍌

## Mattea Crys Over Mountain Massacre

*continued from page 1*

*PowerPoint presentation. I trained to be a grassroots presenter. They said personalize your slide show any way you want, so I went looking for a picture of a strip mine in West Virginia and found a world I didn't know existed. And so I met some people who said do you want to come see for yourself instead of just looking at pictures and I said yeah... – Kathy Mattea*

...Mattea was invited to see it for herself by filmmaker Mari-Lynn Evans, who is working on one of at least three new documentaries on mountaintop removal. Evans says the time was right for Mattea to get involved.

...The visit also was hosted by most of West Virginia's environmental groups, including the Sierra Club, which also is helping to sponsor the mountaintop removal documentary. Mattea started her day in the air, flying over mountaintop removal sites. As the flight went on, her questions to the pilot became more and more pointed.

**Mattea:** *Is this reclaimed?*

**Pilot:** *Yes, this is reclaimed.*

**Mattea:** *I am holding back expletives at the moment. Let me get this straight – that's reclaimed.*

**Pilot:** *It's having a hard time because we haven't had any rain this year.*

...By the end of the flight, she stopped asking questions and just stared out the tiny window, tears streaming down her face. Then, it was on to Gibson's homeplace, up a dusty, steep road from Cabin Creek in Kanawha County to the top of Kayford Mountain.



**Kathy Mattea speaks at a press conference about MTR on the steps of the WV State Capitol.**



**Lorelei Scarbro, a new Coal River Mountain Watch employee, and her granddaughter Madison Meadows, speak with Kathy Mattea, left.**

...Gibson led her up to an overlook where a mountaintop removal site filled the view from left to right. On the left, four bulldozers were pushing rock and dirt up and down a barren mountainside. In the middle, a huge truck, like a dump truck on steroids, hauled rock away from a dragline. On the right was an area that apparently has been reclaimed. Rocks and boulders were sticking out of the hard-packed earth. The grass and weeds grew in isolated clumps. It looked more like the deserts of the West than West Virginia.

...Then came the stories. People like Maria Gunnoe of Bob White, who lives in the shadow of a valley fill and blames mining for a flooding her homeplace. Gunnoe has become an outspoken critic of mountaintop removal, at a cost to both her and her family.

*“Quite honestly, it does cause ... constant trouble for me and my family. My vehicle gets keyed, I get sand put in my gas tank, I've had my brake lines vandalized, my kids harassed. Yeah, it's caused me a lot of trouble. But I tell you what – let me put that valley fill in their backyard, and see how they feel about it...”*

*– OVEC Organizer Maria Gunnoe*

*“I'm just listening and looking, you know ... I walk around thinking I've got a house in Tennessee that's burning some of this coal right now. The problem is big. It's humbling and it's infuriating and it's heartbreaking ... What if you knew every time you flipped on a light switch, a mountaintop in West Virginia just blows up? It's crazy.” – Kathy Mattea*



## Buffer Zone Insanity

*continued from page 3*

the original intent of the Surface Mine Act, which was to protect communities and streams, not bury them.”

The agency also assumes all stream loss will be fully mitigated, even though it freely admits that stream mitigation has generally failed. OSM reports, “While proven methods exist for larger stream channel restoration and creation, the state of the art in creating smaller headwater streams on site has not reached the level of reproducible success... Attempts to reestablish the functions of headwater streams... have achieved little success to date.”

“The coal companies have yet to show that they can successfully recreate streams after they completely destroy these mountains and bury these waters, yet OSM still gives them this major exemption from the law,” said Dianne Bady, with the Ohio Valley Environmental Coalition. “These headwater streams are the sources of our drinking water and our heritage, and this administration is knowingly allowing them to be buried and poisoned.”

Citizens have 60 days to comment on the plan, which basically says it is not illegal to push the spoil into streams and nearby valleys if coal companies can show the process mitigates environmental damage. 

## Your Work is Appreciated

Dear Coal River Mountain Watch and Ohio Valley Environmental Coalition folks,

Thank you for your continued wonderful work fighting Mountain Top Removal and the horrible sludge ponds that it creates. Congratulations on your two recent court victories. I know it is a long, hard fight, often gone unappreciated. What you are doing is needed, admirable, and a good example of responsible citizen action. Perhaps there are many hours you spend away from family, friends, and leisure, dedicated to the protection of the environment. This is a big sacrifice. I just wanted to thank you for your leadership, your help and your efforts.

Thank you for all you do. I know it can feel like you are at war. From another perspective, you are doing what is right: you are educating the ignorant, and protecting what is vulnerable and treasured. Getting folks to see the light is sometimes difficult, but always worthwhile. Thanks for hanging in there.

*Barbara Weaner, Tucker County*



## ACTION ALERT!

The Appalachian Center for the Economy and the Environment, Earthjustice and Public Justice have prepared excellent talking points to help you make your comments. View them at [WWW.APPALACHIAN-CENTER.ORG/ISSUES/COAL/2007\\_08\\_29.HTML](http://WWW.APPALACHIAN-CENTER.ORG/ISSUES/COAL/2007_08_29.HTML).

### Speak Out!

**Important - in all communication please note the docket number: RIN 1029-AC04.** You can *comment online* via the federal rule-making portal at [WWW.REGULATIONS.GOV](http://WWW.REGULATIONS.GOV). The rule is listed under the agency name of OSM.

### Comment by Oct. 23.

To ask for a *formal hearing* in the coalfields, submit your request **before 4:30 p.m. Eastern time on Sept. 24, 2007** to:

Dennis G. Rice  
OSMRE  
US Dept. of Interior  
1951 Constitution Avenue, NW  
Washington, DC 20240

E-mail: [drice@osmre.gov](mailto:drice@osmre.gov)

Send *written comments* by **Oct. 23, 2007** to:

OSMRE  
Administrative Record  
Room 252 SIB  
1951 Constitution Avenue NW  
Washington, DC 20240.

**Remember, please identify comments with: IN 1029-AC04.**

Be sure you are on OVEC's Action Alert list for updates. Go to [WWW.OHVEC.ORG](http://WWW.OHVEC.ORG), click on "Action Alerts" and sign up.

If you don't use e-mail and would like buffer zone talking points to help you write your comments, please call Vivian at (304) 522-0246 and leave a message.



# Sludge Safety Project Meets with DEP



by Billy Sammons, Lick Creek, Mingo County, WV

In July, OVEC members of the Route 49 area in Mingo County, Coal River Mountain Watch, and other concerned citizens met with head officials of the WV Department of Environmental Protection (DEP), the Department of Health and Human Resources and the Office of Surface Mining.

We met to inquire about the study, which the WV legislature had mandated the DEP conduct. The study looks into the effects of underground slurry injection on human health and the water aquifer in areas near slurry injection locations.

The mandate came after the Sludge Safety Project lobbied to move a resolution through the 2007 Legislative Session.

We were informed by members of the DEP that some testing had begun, although no testing would be done near Rawl, Mingo County, due to pending litigation. The lawsuit concerns slurry injection carried out by a coal

## Organizing

*continued from page 2*

*to make it happen. You don't have dollars, but you definitely have people. To have people you have to organize. I wanted to see some real change happen that would affect the things that I think are important. Other people think those things are important too, and we can come together to make it happen."* – Julie Jones, then the Director of the Virginia Health and Environmental Project.

*"There's got to be something inside a good organizer – a powerful drive to want to do this – that's more than just 'I want a job.' A good organizer is not afraid to challenge people. Someone who can think larger picture, strategically... Someone who opens up with people and builds relationships with folks. Someone who is not afraid to make a mistake... and learn from it... Smart organizers learn from each situation and build on that."* – Patrick Sweeney, Western Organization of Resource Councils.

*"For me, it was definitely a calling... it's a connection to my faith and what I understand, from my faith, about how we're supposed to be as a society. I can't say anything except God put me into the work, because I did not come here looking for this. But here I*

company over the last 20 or so years in our area.

We asked the DEP to allow an independent scientist to accompany them as they carry out tests. We also asked that we be allowed to pick one or two sites to be tested.

The DEP officials said permission for independent scientists' sampling would have to be obtained from the coal companies involved. DEP assured us they would work to get that permission.

The meeting was held in a very cordial manner. There were no arguments, no allegations made. We were received and treated well.

The DEP officials were very attentive to our suggestions and we listened intently to their representatives. We established a good relationship at the beginning.

We read a letter we had jointly prepared that stated our position on the study and the changes we would like to add to the plan. Overall, the meeting went well. We had

*continued on page 8*

*ended up."* – Presdelane Harris, Alabama Arise.

Organizer after organizer talks about what a tough job it is – everywhere – when unchecked power oppresses people and/or damages the environment, those who are doing the oppressing do not give in easily.


But the rewards of this work are often even greater than the difficulties.

"Individual transformations happen when people find power in working together on issues that affect their lives. Sometimes those transformations are sudden and life changing," the Szakos' wrote.

Organizing often includes seeing people you care about who develop their abilities and become stronger, more fulfilled people; people who are making a visible difference.

For an organizer who truly loves people, what can be more rewarding than that? Well, maybe seeing clean water flow out of faucets that formerly ran black.

I wholeheartedly recommend the Szakos' book to all who are interested in working for a better community, a better state, a better world. (And OVEC is always looking for people willing to become volunteer organizers – let us know if you're interested – we can help make that happen!)

For more info, including how to order the book, visit [WWW.WEMAKECHANGE.ORG/CHANGE/](http://WWW.WEMAKECHANGE.ORG/CHANGE/) or call the Virginia Organizing Project at (434) 984-4655. 





## Coal - to - Liquid

# WV Public Energy Authority's Plan for Your Future

The WV Public Energy Authority's (PEA) energy plan is out for public comment. Read the document at [WWW.WVDO.ORG/COMMUNITY/EOD.PDF](http://WWW.WVDO.ORG/COMMUNITY/EOD.PDF).

Three easy guesses, kids! What's the centerpiece of their plan for "energy security and independence"? No, it's not all hands on deck for transitioning out of the carbon-era into our job-filled renewable energy future. The PEA's top priority is coal-to-liquid.

The document states, "New technologies applied to our conventional energy resources will be an even more significant factor in our energy future than nontraditional resources. **Specifically, advanced coal technologies represent the most viable option for our nation to transition away from imported oil. Coal, via advanced coal technologies, can be gasified and liquefied.**"

Ummm ... right. The PEA's plan pays lip service to energy efficiency, conservation and renewables. But all the meaty details are about coal. Well, the supposed positives of coal, especially coal-to-liquid.

There's scant attention paid to downsides –such as the wisdom of giving more corporate welfare to coal companies so they can build highly polluting refineries that use loads of water and loads of energy and pump out massive volumes of global warming gases. 🍌

## Training to Listen, Listening to Tears of the Mountains

by Rev. Jeff Allen

Tears and storytelling framed the experience of 11 seminary students from Drew University, Memphis Theological Seminary, Columbia Seminary and a seminary in New Zealand.

The ministers in training visited Kentucky and West Virginia through the Appalachian Ministries Education and Resource Center (AMERC) in conjunction with Drew University to learn about health and healing issues in Appalachia. Dr. Heather Elkins of Drew University, Dr. Lon Oliver of AMERC and I, a United Methodist pastor, led the immersion.

In Kentucky, the students learned about health issues by visiting a health clinic, talking with an herbalist, and going to Appalshop, the Appalachian arts and education center in Whitesburg, where they saw a film on sludge.

Their first full day in West Virginia included a trip up to Kayford Mountain to hear from OVEC board member

### ACTION ALERT!

Written comments on the PEA's plan can be submitted here: [WWW.WVDO.ORG/COMMUNITY/EODCOMMENTS.HTML](http://WWW.WVDO.ORG/COMMUNITY/EODCOMMENTS.HTML).

Please plan to attend the remaining public hearings on the plan. (There was a July "public hearing" that few of the public knew about.) We need to get an outpouring of concern about the whole coal-to-liquids push before the Legislature can act on it.

The hearings take place at the Summit Conference Center, 129 Summers St., in Charleston. Doors open at 2 p.m. and the meetings are from 2:30 to 5 p.m.

**Sept. 27** is the day for the public hearing on the plan's renewable energy measures. **Oct. 25** is the day they will review the fossil fuel aspects of the plan.

If you would like more information, contact Vivian at (304) 522-0246 or [vivian@ohvec.org](mailto:vivian@ohvec.org).

Larry Gibson. Sitting on picnic tables and joined by Larry's dog, the students listened as Larry spoke about his life on the mountain, his family's connection to the land, and his first-hand experience of living next to a mountaintop removal site.

The students watched closely as Larry took apart a model of the surrounding mountains and described the destruction of the hills that he had known since his childhood. However, nothing prepared the students for the actual scene of mountaintop removal. Standing on the rim of the deep gash in the earth where the coal company was furiously at work, the students talked about how impossible it was to convey the scale of devastation. Larry and the students sought to comfort each other in the face of the injustice that was before them.

Two days after the visit to Kayford Mountain, the students met with Dianne Bady, Abraham Mwaura and  
*continued on page 10*

## ***Surface Mine Board Rules to Allow Inaccurate Permit in Mingo County***

In mid-July, more than 40 people – residents of Mingo County and their supporters – gathered at the DEP office in Charleston to attend an appeal hearing before the state Surface Mine Board.

“We are here today because this permit that the DEP issued is unlawful,” Lenore resident Donna Branham said in a press conference before the hearing. “The reports on which this permit was based are incomplete, wrong, and inaccurate. This is what we will show to the Surface Mine Board in hopes that they will rescind the permit.

“The original decision to grant this permit said that no one uses this water, but this water is our life. We don’t want city water and I can’t run my farm on city water,” Branham added.

Branham and other residents who live on the right fork of Laurel Creek are most concerned about how this permit will affect their water. Two valley fills and two run-off sediment ponds will be placed at the head of the hollow.

“I am seriously concerned about how these ponds will affect the creek and our hollow,” said Rita Vance, also of Lenore. “We hear about all these disasters happening

with black water spills, or about streams drying up in the coalfields and I want to make sure that doesn’t happen to us.”

The DEP scientists who testified at the hearing could not prove whether the stream water would be cut off post mining.

After a full day of hearing the case, the Surface Mine Board unanimously ruled in favor of the DEP to accept the permit and continue with the operation.

“I don’t understand how the board can admit that the DEP messed up on this permit, and still not send it back to the DEP to revise the permit with the facts before the operation starts,” said Kelli Branham of Lenore.

“Although yesterday we weren’t able to rescind the permit, we showed that at times the DEP is inaccurate in their assessment and findings, and that it is up to us as citizens to speak out and make sure everything that is important to us is being considered,” Branham said. “We will continue to work toward discovering a balance between protection of our water and livelihood and the mining of coal. I encourage everyone to get involved.” 🍂

## **Go Larry! CNN Profiles OVEC Board Member for Defending the Planet**

Congratulations to OVEC board member and Keeper of the Mountains founder Larry Gibson. In August, CNN ran a profile on Larry. “CNN Heroes: Larry Gibson – Defending the Planet” chronicles Larry’s effort to preserve Kayford Mountain, located near Cabin Creek, WV.

The segment premiered on “Anderson Cooper 360” on August 14 and was repeatedly run on both CNN and CNN Headline News for a couple of days.

CNN’s website includes the on-air segment and extra features. Go to: [EDITION.CNN.COM/SPECIALS/2007/CNN.HEROES/](http://EDITION.CNN.COM/SPECIALS/2007/CNN.HEROES/) and click on Larry’s profile.

OVEC’s co-director Janet Keating told Heath

Harrison of the *Huntington Herald-Dispatch* that Gibson has been involved with OVEC since our first public forum on mountaintop removal in 1997. She said Larry, like others who live in the shadow of mountaintop removal, is an ideal spokesman for the issue.

“The true experts are the ones who live with the problem,” Keating said. 🍂

### **Listening to Tears**

---

*continued from page 9*

Chuck Nelson from OVEC, and Sage with Christians for the Mountains.

Abraham led the students in a training for a listening project that was to take place in the town of Eccles, near Beckley. The goal of the project was to identify issues that impact local residents, and to look for persons who would be willing to work on those issues. Dividing up into small groups, the students knocked on doors and listened to the concerns of local residents.

Throughout their journey, the students reflected on and discussed what they were seeing and hearing. One student remarked that what impressed him most about West Virginia is that the people here always fight for what they believe in. 🍂

## **Two New Books on Ravages of MTR**

Want to learn more about mountaintop removal? Check out these two new books:

*Bringing Down the Mountains* by Shirley Stewart Burns from WVU Press and *Moving Mountains* by Penny Loeb from University of Kentucky Press. Loeb wrote the “Sheer Madness” article for *US News and World Report*.

Just Google the authors’ names and the titles for ordering info, or visit your favorite locally-owned bookstore, such as Taylor Books or Frog Creek Books, both in Charleston. 🍂

## Religious Community Engaging to End Mountaintop Removal

by Joshua Ashton Hill

So you're reading this, but you're not sure what you can do to act on your faith. Indeed, the struggle against mountaintop removal is vast, but so is our God. If we respond to this crisis in faithful ways, God will be faithful.

Together, we will end this violence. Here are a few ideas for putting your faith in action:

🌍 Publicly post your denomination's Official Resolution on Mountaintop Removal on your church's bulletin board. Resolutions are posted at [www.OHVEC.ORG/TEMP/CH\\_SYN\\_AGAINST\\_MTR.PDF](http://www.OHVEC.ORG/TEMP/CH_SYN_AGAINST_MTR.PDF) and [www.ILOVEMOUNTAINS.ORG/RESOLUTIONS](http://www.ILOVEMOUNTAINS.ORG/RESOLUTIONS).

🌍 If your denomination is not represented above, find out why.

🌍 Organize a viewing of the DVD *Kilowatt Ours* in your church, Sunday school class, youth group or bible study.

🌍 Conduct an energy audit for your house of worship. Visit [www.ELCA.ORG/ADVOCACY/ENVIRONMENT/ENVAUDIT.PDF](http://www.ELCA.ORG/ADVOCACY/ENVIRONMENT/ENVAUDIT.PDF) for more information.

🌍 Ask your pastor and/or church leaders to utilize the National Council of Churches' Eco-Justice curriculum resources. They are available at:

[WWW.NCCECOJUSTICE.ORG/RESOURCES.HTML](http://WWW.NCCECOJUSTICE.ORG/RESOURCES.HTML)

🌍 Make a love offering for Christians for the Mountains. Visit the site at

[WWW.CHRISTIANSFORTHEMOUNTAINS.ORG/](http://WWW.CHRISTIANSFORTHEMOUNTAINS.ORG/)

🌍 Print your church's monthly electricity bill in the bulletin or order of worship.

🌍 Buy green power if it is offered by your utility. If not, write a letter to your utility expressing your desire to do so.

🌍 Encourage your pastor to incorporate environmental awareness into prayers and sermons.

🌍 Plant trees on your church's land to offset carbon emissions from burning coal.

🌍 Have conversations with members of your church who may disagree with you. Remember, the spirit of Christ is the spirit of prophetic peacemaking.

🌍 Pray. Pray. Pray. 🌰

## *Teetering on the Edge - Is the Future of Coal in Question?*

by Bill Billeter, excerpted from an article in the August 1, 2007, Beckley Register-Herald

Under attack from powerful environmentalists and politicians, the future of the coal industry is uncertain, according to a number of coal company executives and

industry leaders.

Nationwide, opposition is growing to coal-fired power plants because of their carbon dioxide emissions that contribute to global warming.

Although more than 50 percent of the U.S. electricity supply still comes from coal, it is getting harder to build coal-fired plants because of activist groups that file lawsuits, cause delays and raise operating costs.

Meanwhile, many in Congress are considering placing tough new regulations on carbon emissions, which would make burning coal more expensive and reduce coal use in the United States.

In a related development, even Wall Street analysts, not generally known for caring about anything other than profits, are starting to call the continued drumbeat for more coal mining a bad investment decision.

"The continued prospect of environmentalist litigation, including mountaintop removal mining challenges and associated reclamation work, serves as a reminder of the significant risk associated with (suppliers) operating in the Central Appalachian region," said David A. Lipschitz, a Merrill Lynch analyst.

*(Heartless investors: Take note of the above.)* 🌰

### ***Blown Up 1 Mountain = 1 Hour of Electricity***

*"I am thinking about mountaintop mining, and just that the definition of where we live is a mountain. If we destroy the mountain, do you know how much electricity we get out of that mountain for the coal? An entire mountain provides an hour's worth of electricity for the U.S. That is insane by anybody's laws. So instead of respecting this icon of our area we grind it up, burn it for an hour's worth of electricity. And in the meantime, we've lost the most unique ecosystem east of the Mississippi. We've lost the fish, we've lost the plants, we've lost the birds – the migratory birds who breed here have no place to go. We've lost our cultural heritage, our Indian burial grounds, and shown total disrespect for nature."  
– Mike McKinney, University of Tennessee geology professor*



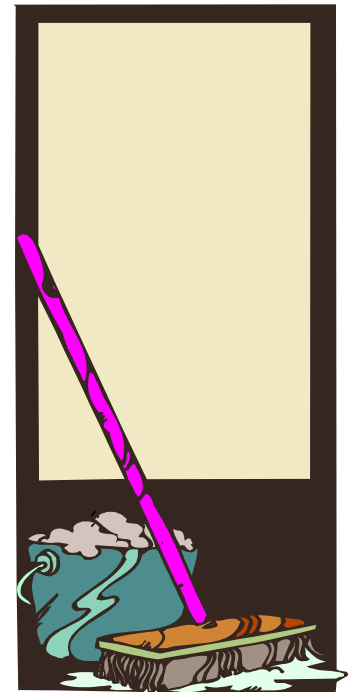
# OVEC Works! Thank You!

*Hearty thanks to all the following folks, and to those we missed here, please know we really value your help – thank you!*

**Extra special thanks to Jim Foster:** Jim's doing loads of interview, hosting and feeding visitors. Jim attends almost all events and trainings and is a steadfast voice in the fight to end mountaintop removal. Plus, he just turned 79!

**Another extra special thanks to all of OVEC's super-volunteers.**

**For Boone County efforts:** Jim and Jean Foster; Robin Blakeman; Scotty Walls; Patty Sebok; Roy Harless; Antrim Caskey; Priscilla Carol; BJ Gudmundsson; Verlin Burgess; Steve Burns; Lisa Smith; Audrey Fisher; Marvin Sanders; Nona Wilcox; Paul Workman; Tommy Nichols; Mark Vanatter; Joan Linville; Janie Linville; Richard Linville; Mikey and Kathy Workman; Delano and Gloria Gibson; Willie Huddleston; Bob and Brenda Farris; Chuck Nelson; CB; DJ Gibson; Danny and Tina Cook; Chrystal Gunnoe; Coal River Mountain Watch; Pauline Canterbury and Mary Miller AKA the DustBusters; SouthWings.



**In Mingo County:** Residents of Lenore and all who supported them at the Surface Mine Board Hearing at the DEP in Charleston July 10; Donna and Kelli Branham for speaking out in defense of their community; All who contributed and developed the Lenore newsletter; Walter, Carol and Tammy Young; Terry, Wilma and Dustin Steele for hosting the Youth Media Justice Participants; Barb and Roby Chafin; Donna and Charlie Branham; Donetta Blankenship and family; BI Sammons family; Route 49 Advisory Committee for guiding our organizing work in Mingo County. Larry and Brenda Brown.

**Also In Mingo:** Mentola Jackson for help with the Youth Media Justice Training.

**Sludge Safety Project:** Many of the above folks and Mel Tyree; Vern Haltom; Bill Price; RS; the Dustbusters; Carm and Ernie Brown; BI Sammons; B and M.

**OVEC Intern Cynthia Wildfire**, who earned a scholarship to offer her summer researching and supporting OVEC's work in Mingo County.

**Sludge Safety Project interns Melissa Ellsworth and Manali Sibthorpe** who raised money to bring their media skills to the coalfields.

**Work with Public Energy Authority:** Mel Tyree, Vicki Wolfe, Bob Hamburg.

**Funders Tour:** To all who helped.

**Delegates to the US Social Forum** in Atlanta for representing OVEC and coming back with ideas and energy to make OVEC stronger here in West Virginia. Thanks Chris Worth, Luther Payne, Michael Morrison, Mary Wildfire.

**David Duke** for his commitment and steady volunteer time in the office and branching out to other parts of the state, and **Sen. Dan Foster** for interviewing with Public Campaign. The interview is on their website.

**Youth Media Justice Training:** Amy Runyon, Kheldi Branham, Chrystal Gunnoe, Danny Chiotos, Melissa Ellsworth, Manali Sibthorpe, Selina Mitsuta.

**Sandra Diaz, Benji Burrell and Appalachian Voices volunteers** who came to support Lenore residents.

# *Learning How to Work With the Media to Get Our Message Out*

Shown at right are some of the participants in OVEC's August SpeakOut! training, the first of its kind ever held, as they do a one-on-one interviewing exercise.

We learned about speaking at press conferences and on TV, and effective tactics for getting media coverage of our events.

We had more applicants for the training than we could accept, so another Speak Out! training will be held soon.

E-mail or call vivian@ohvec.org, or (304) 522-0246 for details.

In the second picture, from left to right, teen-agers Amy Runyon, Chrystal Gunnoe and Keldee Branham participate in OVEC's Youth Media Justice training.

Participants learned about media justice, media literacy and how to produce their own radio stories.

More youth trainings are being planned for the coming months.

Contact the OVEC office and ask for Tricia or Vivian for more information. 🍌



## *Boone County's OVEC Team Really Taking Flight After Two Years*

Organizing efforts in Boone County are really taking shape. When we began organizing in Boone County we had only about five dedicated people who agreed that business as usual simply was not working.

Since 2005, people from West Virginia have

attended our local monthly meetings in either Van or Wharton. We have had as many as five counties represented at one meeting. Thanks everyone for dedicating yourselves to your communities and getting on board with OVEC to protect them.

Thanks to the OVEC board for visiting the Wharton/Route 85 areas and getting to know some of local members who make up Boone County's OVEC Team.

It was great for Boone County folks to meet some of the folks who work behind the scenes. 🍌

---

---

**Please support OVEC through  
Community Shares**



# Getting the GIST of



**Barb Chafin holds up a water sample she collected from the creek in Straight Fork Hollow. photos by Katharine Chandler**

The week of August 20, 2007, *Grist* online magazine featured daily news stories about OVEC members, plus a story about SouthWings. Here are condensed versions of the stories:

*Reporter Gabriel Pacyniak's and photographer Katharine Chandler's first stop was Kayford Mountain for the story, "Mountaintop removal mining: Larry Gibson, gatekeeper."*

(A)top Kayford Mountain lives Larry Gibson, the unofficial ambassador of the movement to stop mountaintop removal mining, or MTR. Gibson has been fighting MTR for 22 years, and has over 5,000 visitors signed into his guest book. This includes CNN's Anderson Cooper, who showcased Gibson last week on his 360 Heroes program.

*In "MTR from the sky," Pacyniak writes about SouthWings, which specializes in flying folks over environmental disasters:*

We fly south along the Big Coal River valley...From the sky, we see that devastation repeated over and over again. There are at least two or three large mines on the horizon at any time; in the course of our hour and a half flight, we pass more than 50 sites, some larger than a small city.

*Next the reporters visit OVEC members Terry, Wilma and Dustin Steele, from Mingo County.*

"This is what people around here don't understand, that this is forever," says

Terry Steele, a former coal miner who has brought us up to a reclaimed mountaintop removal mine (MTR) site just above his home in Meador Hollow, West Virginia...

Terry goes on to tell us how he used to "seng" – harvest West Virginia's coveted wild ginseng – all up and down the mountain for pocket money as a boy. "You wouldn't believe how beautiful this was," he says, "it used to be all hickory, beech and oak." Now the mountaintop is made up largely of grasses, with some sparse locust, pine and the invasive autumn olive.

Terry and (his wife) Wilma were opponents of strip mining on ecological grounds even when Terry was working in the union mines and jobs were scarce.

... What the Steeles can't get over is how little the coal companies and land companies seem to care about the hollow dwellers. Erosion from the MTR site has caused streams to regularly flood after a rain, in one case bad enough to pull the asphalt off the hollow road ... But few people are willing to speak out ...

"What people need to realize," says Terry angrily, "is that we have had coal mining here for a hundred years and what has it gotten us? We are still one of the poorest counties in the country."

. . . Dustin, Terry and Wilma's grandson, refused to attend his class Earth Day field trip last year in high school. They said, "We are going to take you to a mountaintop removal spot for Earth



**Wilma and Terry Steele are among the growing number of coal country residents speaking out about MTR in their hollows.**



# Grist

Day.’ They had, like, T-shirts, a chartered bus, free food,” he explains.

Dustin didn’t buy any of it. “It’s like taking a field trip to a KKK rally on Martin Luther King, Jr., Day,” he told his teacher.

*For the next installment on Grist, the reporters traveled to the Mingo County home of OVEC members Charlie and Donna Branham.*

Like the other critics of MTR we meet in coal country, Donna and Charlie are directly threatened by MTR. In their case, the mining hasn’t started yet ... Laurel Creek Co. has won a permit to open a deep mine on the mountain behind their 113-acre property ...

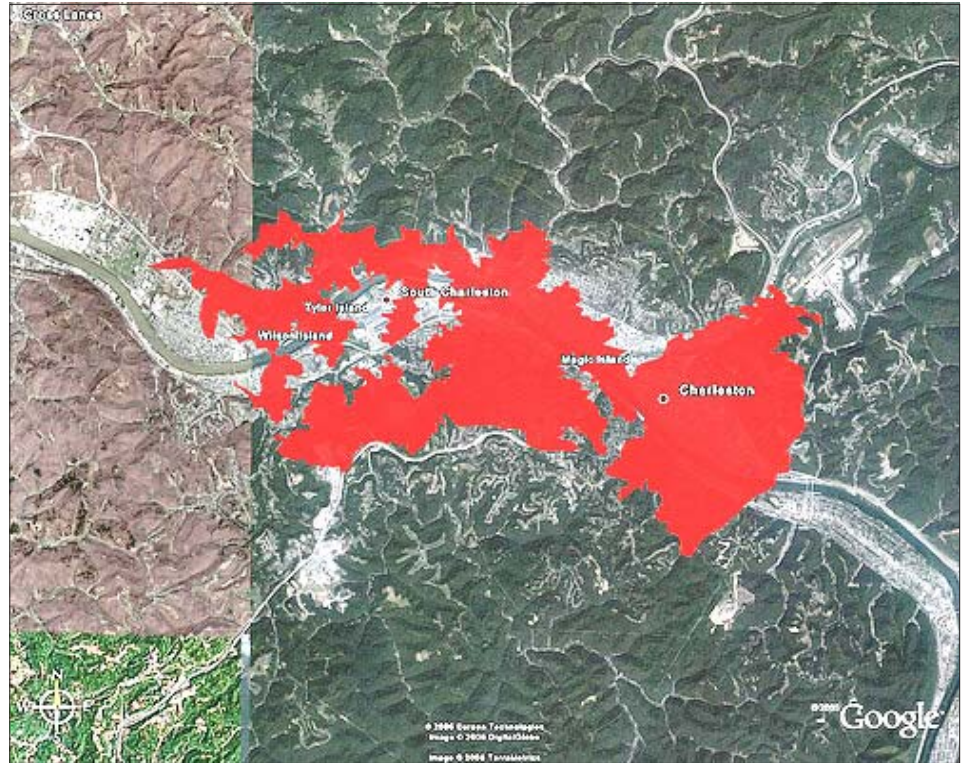
“When we built this house up here, we thought we were safe from coal mines,” says Donna, “but then I started to see the permits.”

Charlie ... and Donna have decided to actively fight for their land. With the help of the Ohio Valley Environmental Coalition, they protested the mining permits .... In the end, the Branhams lost. Although regulations prohibit mining within 100 feet of a stream or abandoned mine, as was the case here, Laurel Creek won five variances.

... Donna found that everything seems stacked against her. The West Virginia Division of Environmental Protection “seems like it’s mostly for the mine companies,” she says. The local paper wouldn’t run a letter to the editor she wrote ... She couldn’t get a single politician to support her case. “If I could have my legislator or my senator or even my county commissioner say, ‘Hey, let’s protect these people’s rights, let’s make sure these coal companies mine responsibly,’ that would make a difference.”

*As the reporters wound down their visit and prepared for their final installment on Grist, news about mountaintop removal broke nationally.*

... The federal Office of Surface Mining has issued new rules that will gut the already weak protections against burying streams during the



**If you can’t picture the impact of mountaintop removal mining on your life, picture this - the overlay above shows the size of just *one* such atrocity, the 12,000-acre Hobet 21 MTR site in Boone County, completely covering Charleston, WV.**

*photo from [WWW.ILOVEMOUNTAINS.ORG](http://WWW.ILOVEMOUNTAINS.ORG)*

course of mountaintop removal mining.

The rule change (was not a surprise) to Joe Lovett, executive director of the Appalachian Center for the Economy and the Environment ... “The Bush administration will do whatever it takes to get around any court order that we win,’ he says. “[They] will just not tell the coal industry, ‘Enough is enough, no more valley fills.’”

...In the coalfields, the outlook among critics is determined but sober. Opponents of MTR, like (OVEC members) Roby and Barbara Chafin, are resolved to prevent (it) as long as they continue to impact their lands. For them, the negatives associated with MTR far outweigh the benefits ...

The turning point for Barb was the flooding from MTR that occurred in her hollow in 1989. Currently, she is fighting against another operation near her house, worried that it might cause a similar disaster...

... Barb ... brings out two samples of water she keeps in her fridge. The one that came from her tap after a big day of blasting is brown; the one that came out of the creek is black.

*To see the photos and read all five, complete Grist stories, go to: [GRISTMILL.GRIST.ORG/STORY/2007/8/20/154023/594](http://GRISTMILL.GRIST.ORG/STORY/2007/8/20/154023/594)*

# OVEC Works! Thank You!

*continued from page 12*

**Danny Chiotos:** organizing the Mountain Keeper Festival on Kayford Mountain.

**Big Ups to Larry Gibson** for the use of his land and life to inspire people in and out of state to get involved in stopping mountaintop removal. Thanks to all who have attended the recent events up on Kayford Mtn. Thanks for speaking to all those documentary makers and journalists.

**Clean Water Protection Act lobby trip** to DC: Versie Simms, Donetta Blankenship, and Michael Morrison. All the DC and regional groups that worked on this, especially Appalachian Voices and Earthjustice.

**OVEC board:** Thank you!

**Kayford Mtn. Music Fest:** Thanks to Danny Chiotos, Jen Osha and all the organizers and attendees.

**Thanks to Rain Forest Action Network** Executive Director Mike Brune and CRMW's Hillary Hosta for arranging his visit.

**Jeff Bosley** for his work on sound equipment for Kathy Mattea's news conference.

**Chuck Nelson** for driving Mattea and others during her visit.

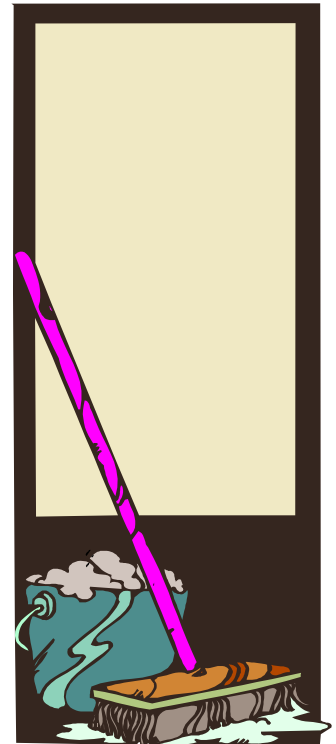
**Brad Wood** for beginning to organize in the Big Ugly area of Lincoln County

**Editing:** Laura Bannon; Mary Wildfire; Greg Wood

**Mailings:** Tom Jones, David Duke; Ronda Harper; Robin Blakeman; Michael Morrison

**Speak Out training:** Chuck and Linda Nelson

**UN:** All donors and participants and a special shout out to Chuck Nelson for mailing a follow-up package to all donors. 🌰



## Every Action Counts! Residents' Letters Result in Mining Site Inspection

OVEC, alerted by Coal River Mountain Watch, sent a written request to the WV Division of Environmental Protection (DEP) for a citizen's inspection of Wind River Resources "reclamation" at their mining site, in response to a bond release application by the company.

Additionally, Maria Gunnoe, OVEC's community outreach organizer in Boone County, encouraged other citizens in her area to write letters, too.

This simple action paid off. OVEC received a letter from DEP informing us that before the final bond release could occur, Wind River Resources had to check with the landowner (Penn Virginia) to see whether or not Penn

Virginia approved of leaving in place ponds and sediment ditches.

Penn Virginia did, in fact, want these structures removed. DEP said that the earliest anticipated date for achieving Phase III release will now be in the last half of 2009.

At that time, OVEC, Coal River Mountain Watch and other interested parties can again request an inspection of the site to make sure that the "reclamation" is not deficient in any way.

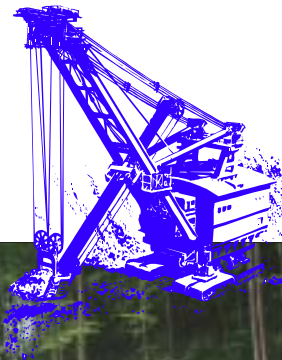
Never doubt the power of taking even what seems like a small action. 🌰



**When you're finished with this newsletter, please pass it on!**



# King Coal, State Chamber of Commerce Say Environmental Groups Attacking WV's "Economic Lynchpin" – Coal!



In mid-May, the *Charleston Gazette* ran an op-ed titled "Singular mission: Economic cornerstone of W.Va. under attack." Steve Roberts, president of the West Virginia Chamber of Commerce and Kenny Perdue, president of the West Virginia AFL-CIO, were listed as authors of the column.

The column said environmental groups are using lawsuits to attack the economic cornerstone of the state – the coal industry. The only group named in the column was OVEC, and the authors referred readers to OVEC's website, because there they would learn – and this is shocking, people! – that OVEC wants to end mountaintop removal.

The column extolled the jobs and taxes the coal industry provides the state and railed against those who dare to speak against Big Coal's excesses: "Clearly the actions by groups such as OVEC are nothing more than an all-out assault on the economic and fiscal well-being of our state. They are also an assault on our nation and its energy security... West Virginians from all walks of life should be outraged by this and should speak up to put an end to these misguided campaigns. We must preserve West Virginia's coal industry and its communities."

One of our legal challenges seems to have provoked this op-ed. As OVEC members know, throughout the years we've worked to make coal companies obey laws and regulators enforce them.

In an apparent attempt to skirt one of our pending lawsuits over individual valley fill permits, Magnum Coal's Apogee mine in Logan County secretly contacted the US Army Corps of Engineers. Apogee asked the Corps to "evaluate" and permit the mine's valley fills under the lenient Nationwide 21 provisions rather than the more stringent Individual permit provisions of the Clean Water Act. The Corps quickly complied and rubber-stamped its approval for the mine, **even though Apogee would be violating its own strip mining plan if it filled those streams.**

We found out about the Corps' authorization of the valley fills at the Apogee mine thanks to Freedom of Information Act requests filed by the ever-vigilant Margaret Janes of the Appalachian Center for the Economy and the Environment.

Margaret contacted the WV Department of



**Says Magnum Coal, "Stream? We ain't got no stream ... we don't need no stream ... we don't have to show you any stinkin' stream!" This is what the stream in question looked like after Magnum had rearranged it more to their liking.**

Environmental Protection to see if the coal company had started work on the valley fills. The DEP inspector told her no work had started on the valley fills. So, we filed a motion for an injunction to hold up work until the permit was reviewed under our lawsuit.

The motion prompted an anti-OVEC rally in Logan County, where one mine official exhorted those present to consider our legal challenge a call to arms. The Governor railed against us, and at the rally and in letters-to-the-editor we were portrayed as job-hating, family-hating, out-of-state extremists. We received threatening e-mails. The bullies were out in force.

Two days before the rally, we knew we would have to drop our motion for an injunction, but not because of the rally or published vitriol. The DEP was wrong. The DEP had misinformed us. Work had already started on the valley fills at Apogee.

**We had to withdraw our motion because the waters of the United States had already been buried**

*continued on page 18*



## King Coal Doesn't Like OVEC? No Way

*continued from page 17*

**under tons of rock. Once the streams were buried, our legal legs were swept out from under us** – the judge simply would not have been able to grant our motion because there were no streams left to protect.

To those who relied on TV for their news, it probably looked like the bullying scared us off. Not true!

Every permit granted means several hundred more acres of West Virginia is lost forever to mountaintop removal. But, while we've lost the Apogee permit thanks to the Corps' underhanded dealing, lawsuits before the courts are holding

up dozens of big permits...buying time for all of us to organize and educate and build the movement that will end mountaintop removal.

We are hugely grateful to the Appalachian Center for the Economy and the Environment for leading the lawsuits.

All the bully-style name-calling from Big Coal brought OVEC a flurry of support in the form of donations, new members, letters-to-the editor (too many to reproduce here!) and general thanks to OVEC members who dare to stand up for their communities. 🍓

## Let Us Be Very Clear: Mountaintop Removal Mining is NOT About Creating Jobs, It's About \$\$\$\$\$

*by Denise Giardina, WV novelist, excerpted from a May 22, 2007, op-ed story, Charleston Gazette*

The column by Steve Roberts and Kenny Perdue on May 16 is reprehensible on a number of levels...

(I)t attacks the decent citizens of West Virginia who are trying to protect their beloved state and mountains. It uses inflammatory language that could invite others to level attacks, even violent ones. If that happens, Roberts and Perdue and their ilk will be responsible.

Such a blatant attack upon basic human decency calls for an equally blunt response...

Mountaintop removal is evil, and those who support it are supporting evil. The mountains of West Virginia are God's greatest gift to West Virginia. To destroy the

mountains is to spit in the face of God Almighty. Our state motto and state song are about the mountains. Our state university's football team is named after the mountains. Blowing apart these beautiful mountains is an attack upon this state and this people.

...Let us be clear. Mountaintop removal is not about creating jobs, it is about enriching coal companies. Mountaintop removal destroys deep mining jobs, and ensures that other companies will never, ever locate here. It assures that the only future for southern West Virginia will be as a garbage dump.

The full op-ed is online: [WWW.OHVEC.ORG/LINKS/NEWS/ARCHIVE/2007/FAIR\\_USE/05\\_22.HTML](http://WWW.OHVEC.ORG/LINKS/NEWS/ARCHIVE/2007/FAIR_USE/05_22.HTML). 🍓

## Attempt to Undermine OVEC Just Shows Its Importance

*by Barbara Hutchison-Smith, Cross Lanes, WV, June 19, 2007, letter to the editor in Charleston Gazette*

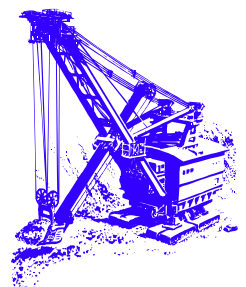
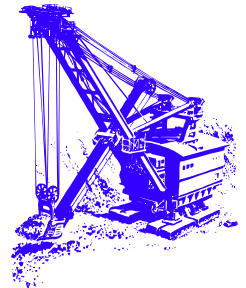
In response to Steve Roberts' and Kenny Perdue's major bashing of the Ohio Valley Environmental Coalition (May 16), their attempt to undermine this environmental group just solidifies my belief that we are very fortunate to have organizations such as this that provide a system of checks and balances for people who think the way they do. If this were not the case they would most surely attempt to annihilate West Virginia from the planet all for the sake of retrieving coal from the mountaintops.

Just as long as the bottom line consisted of making major profits for coal companies and their affiliates, I feel sure that they would have little or no consideration for the negative consequences of mountain range removal. You notice I did say mountain range removal, not other methods

of mining coal. Do you want West Virginia to be as flat as Kansas? Do you like the thought of a tornado taking your homes and families? If this ungodly practice continues, we may see much worse results of it than just altered weather patterns. 🍓

## Goodbye to Mitch, Writer and Friend

John "Mitch" Mitchell, nationally known author and editor of several prominent magazines, died on July 7 at the age of 75. Mitch wrote the story on mountaintop removal in the March 2006 issue of *National Geographic*, introducing millions of subscribers to the horrific mining technique. His prose called to task those who would defile the environment for profit. Goodbye, Mitch, you will be missed. 🍓



# Interests of the Working Man: Citizen Groups Are Working to SAVE the Mountain State

*Op-ed published June 7, 2007, in the Charleston Gazette. Written by Terry Steele, member of UMWA Local 1440 and OVEC; Jim Foster, member of UMWA Local 1503 and OVEC; Charles Branham, member of UMWA Local 9603 and OVEC; Charles Nelson, member of UMWA Local 6608 and OVEC; Paul Nelson, member of UMWA Local 7086, OVEC member and on the board of Coal River Mountain Watch.*

Is the “economic cornerstone” of West Virginia under attack, or are its citizens under attack?

In a May 16 commentary, we noticed two strange bedfellows – Steve Roberts and Kenny Perdue, writing together in an all-out attack on the Ohio Valley Environmental Coalition.

At first glance we wondered what in the world would these two have in common, but after reading a few lines, it became quite clear. One is a user and the other seems to not have enough sense to know that he is being used. Any time the Chamber of Commerce becomes involved in an issue or backs an issue, you can bet it does not have the interests of the working man in mind.

As citizens of Southern West Virginia, and as people who have worked and made their living working in the underground mining industry, we take issue with Mr. Roberts and Mr. Perdue.

Mountaintop removal does not create jobs. It costs jobs. It rapes and completely devastates the mountains, streams and communities.

Certain organizations always want the union on their side – when it benefits their cause. These groups never seem to be around when the union is fighting for safety issues, health benefits or pensions.

Mr. Roberts and Mr. Perdue don’t seem to

## ***Stover Cemetery Desecration Aided by State Agency’s Repeated Inaction***

Stover Cemetery is in the middle of an active mountaintop removal site on Kayford Mountain.

The morning of July 17, 2007, the cemetery looked like a little green promontory that stuck up in the middle of a bizarre desert – much of the mountain around the cemetery had been blown to bits.

Even on July 17, the cemetery wasn’t intact. Years ago, it had been violated by a logging skidder. Gravestones were knocked over and pushed aside which made it difficult

understand that what the Ohio Valley Environmental Coalition is asking the courts to do is to enforce the law. The Clean Water Act that was passed by Congress was supposed to protect streams and rivers, thus protecting citizens who live where mining is taking place.

Our homeplaces are being destroyed. Not only for our lifetime, but for generations to follow. We are working to end mountaintop removal because we are working to protect our families, our homes, our water and our mountains.

If coal is such an “economic cornerstone,” why are we consistently one of the poorest states in the nation?

Why are the coal counties consistently among the poorest counties in the state? Go to McDowell County, to Keystone, Kimball, Welch or Gary Hollow, and look at what out-of-state coal barons have wrought. Mr. Perdue and Mr. Roberts are like the politicians in the 1940s and ’50s who told the people of McDowell they were part of the billion-dollar coalfields.

The only difference between McDowell and other counties, such as Mingo, Logan and Boone, is the destruction is greater. In Mingo, Boone and Logan, not only will the jobs be gone, but also our homeplaces, our precious water and our beautiful mountains. Most of the money made will be whisked out of state, and our children will be left with bleak futures.

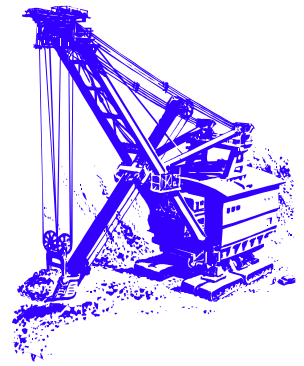
We are opposed to mine owners’ breaking the law and carelessly putting our miners and our families in danger for the sake of their own personal gain. We need to stand up and demand good paying jobs, clean water, safe homes and an end to illegal mining. 🍓

to identify where the graves were located.

Larry Gibson had contacted folks whose kin lay buried there and worked with them to determine that 21 people, possibly more, have their final resting place there.

For about a year and a half, Larry had been trying to summon help from State Historic Preservation Office (SHPO) personnel.

He wanted them to accompany him there so he  
*continued on page 20*



## Cemetery Desecration

*continued from page 19*

could point out additional gravesites beyond the 11 graves they had recorded.

By July 20, the cemetery was further desecrated. The coal company, Magnum, apparently bulldozed inside the cemetery, as evidenced by before and after aerial photos. Rows of blasting charges are visible inside the cemetery in the “after” photo.

Lois Armstrong, who has (had?) family buried there, says that during the last year and a half before the cemetery was desecrated, the families and friends planned to clean up the cemetery, but they were never even allowed to get onto the site.

## Coalfield Delegation at the UN for Sake of the Mountains

Thanks so much to everyone who helped the Appalachian Coalfield Delegation go to the United Nations this year.

*“At the UN, we were able bring awareness to other countries about the human rights abuses of mountaintop removal ... it is up to us to get the truth out there. We worked hard this year at the UN and we did it because we know we can't sit back and rely on our government delegates to do it for us.” – OVEC member Chuck Nelson*

Y o u r donations helped residents living with the atrocities of mountaintop removal to complete their mission to the UN in New York City. Our voices were heard at the UN Commission

After the July desecration, Larry Gibson tried repeatedly to get onto the cemetery, but all of his attempts were futile until he got a lawyer.

How did such an outrage happen? Was the apparently illegal coal company refusal to grant access to the cemetery a deliberate attempt to prevent documentation of all of the graves?

*Is nothing sacred?* How can this sacrilege be stopped from happening again?

A team of OVEC volunteers and a Sierra Club staffer are working to find the answers.

**With mountaintop removal, even the dead can't rest in peace!** 🍂

on Sustainable Development and through the press conference outside the UN. We gained media coverage, and built alliances with governments and grassroots communities across the globe. This was a big step in raising awareness and bringing the fight for environmental justice in the coalfields to a national and global level.



We brought our perspective to the ongoing debate on environmentally- and economically-sound energy development.

We exposed the human rights violations being committed by the fossil fuel industry here in Appalachia and demanded just and sustainable energy policies. Again, thanks for your help in making this experience possible. 🍂

## DIRECTIONS to VIGIL:

- Take I-77 to exit 79 (Sharon/Cabin Creek Road).
- Go 7 1/2 mi. to the “Y” at Leewood, take right fork.
- Go 3 1/2 to 4 mi. and come to blacktop and dirt.
- At the left hand corner, take the one-lane bridge across the creek.
- Stay on this road for 1½ to 2 mi., go right up the hill.
- Follow the guard rails to the end where you will come to a large white rock and a fork in the road.
- Take the right hand fork to the parking lot on the left.

## Prayer Vigil - Kayford Mountain

Oct. 20, 2007

1- 3 p.m.

Please join us for prayer and witnessing against mountaintop removal mining

For more information or to carpool:  
Call or e-mail Abe: (304) 633-6976,  
abe@ohvec.org, or e-mail Robin  
Blakeman, robinbe@peoplepc.com





# We care, We Count, WE VOTE!

## What a Concept – Government Of, By and For the People!

“Most of all, I want a government that ...” How would you complete this sentence? In a recent survey by Public Campaign, a national organization working for campaign finance reform, most voters said they want a government that serves the interests of all citizens. *They want a government that is honest, open, and accountable to the people.*

The way we currently pay for election campaigns works against this desire. The pressures on candidates to raise large sums of money promote corruption and lead to special favors and sweetheart deals for campaign contributors. Elected officials are not accountable to the voters, but to the special interests that helped elect them.

The influence of money also leads to a closed and stagnant system, in which well-qualified people are prevented from running for office because they lack personal wealth or connections.

Elections have become less a contest of ideas than a race to amass the largest campaign war chest. If we want sound policies on environment, health care that works for everyone, good schools in our communities, and other laws that benefit all citizens, we need to eliminate the undue influence of special interests.

**Public financing of campaigns allows the voters to take back control of the electoral process.** Clean Elections level the playing field, and the process allows people of many different backgrounds who do not have wealthy connections a fair shot at being elected.

West Virginia would benefit from having more good people with fresh ideas running for office. Publicly financed candidates are responsible only to the voters, feel obligated

to keep promises, and can help us, as citizens, get what we want and need from government.

The cost of public financing for elections is only about \$6 per household – a very reasonable amount to pay for a system that will result in voter control and more beneficial public policy. Of course, there are always other pressing needs for public funds, *but the state will actually save millions of dollars* as expensive deals and subsidies for special interests are eliminated.

**Sound too good to be true? It isn't!** Other states like Maine, Arizona, Connecticut and Vermont already have Clean Election laws and they are delivering on its promise of more voter control and sounder policies.

Read two testimonies from Arizona voters:

*“When public financing first came out in Arizona, I was opposed to it because I didn't want my tax dollars going to pay for politicians getting elected. Now I support it because I see that politicians are spending more time paying attention to voters like me and less time listening to special interest groups and wealthy donors. Voters have more power under this system.”*

*“I voted for Janet Napolitano for governor because she promised to do something about prescription drugs. Her campaign stressed that public financing meant she did not have to take contributions from the pharmaceutical drug industry. She kept her promise. Her first act as governor was to require that the state buy its prescription drugs in bulk, lowering costs and saving all of us money.”*

*continued on page 22*

## *Farewell to Si Galperin, Champion of Clean Elections*

We sadly report that on June 17, 2007, Si Galperin, our lead Clean Elections lobbyist and former state Senator, beloved and respected by so many, died.

Si was a mentor to many people and a champion for both good government and the environment.

He was welcome in every office of the state Capitol. Words cannot adequately express our sense of loss. Si not only helped write the Clean Elections bill, but despite his health problems for the past few years, he also faithfully lobbied our bill.

His wonderful sense of humor, his sage political advice and his smiling face will be deeply missed. To honor him, we pledge to carry on this important effort and see it through to victory. Si, we hope you can whisper in a few politicians' ears from the other side! 🍌



**Si Galperin**

☆☆ DEMOCRACY WORKS! ☆☆

# We care, We Count, WE VOTE!

## Public Financing Would Mean Cheaper Elections

by Mike McCabe, August 26, 2007, The Capital Times (Wisconsin)

Unless you ask the right question, you'll never get an answer that's worth a damn.

Failure to use such common sense is on prominent display in the debate over the pros and cons of publicly financed elections. We're always asked whether the public should pay for election campaigns.

Wrong question. The only relevant question is how the public should pay. **Because we always will pay one way or the other. There's no way for us to skip out on the bill.**

We can either pay for election campaigns directly – as citizens in places like Arizona and Maine and Portland, Ore., do – or we will pay for them indirectly, as we do here in Wisconsin (*Ed. note: same for WV!*) every time we all have to pick up the tab for another favor our elected officials do for their biggest campaign donors.

The direct way has a price tag attached. Depending on the kind of system you put in place, the cost for publicly financing state elections in Wisconsin ranges from about \$4 million a year on the low side to \$10 million to \$12 million annually. There are about 3.9 million taxpayers in Wisconsin. So we're talking about somewhere between \$1 and \$3 per taxpayer per year.

Yes, the direct way costs millions, but it's a bargain compared to the indirect way.

If you tally up the value of all the special-interest tax breaks, pork barrel spending projects and sweetheart no-bid contracts for state work that Wisconsin politicians have been doling out to their most generous campaign contributors, as Wisconsin Democracy Campaign researchers have done, you come up with a list totaling more than \$5 billion a year.

That's more than \$1,300 for every state taxpayer each year. The same thing is happening out in Washington, D.C., to our federal government, only on a grander scale.

So we have a choice to make. We can collectively pay millions to have voter-owned elections, or we can keep paying billions for the donor-owned elections we have now. The problem is we never consciously think of that as our choice, because we've fallen for a false choice – namely that we can somehow get off scot-free and not pay a dime

toward electing our government officials.

That false choice has been put before us very deliberately and very skillfully by the very people who are profiting at our expense from the current corrupt system. They make sure we are asked a false question – whether the public should pay for elections, not how the public should pay – based on the utter fantasy that there's somehow a way for the public to pay no price.

Then they slap every pejorative label they can think of on the idea of the public playing any role in financing election campaigns. They call it socialized campaigning and welfare for politicians.


Notice that they are gladly footing the bill for the smear campaigns, because then they own those politicians and are getting a handsome return on their purchase.

You have to hand it to them. They manipulate public opinion with breathtaking skill. Then they financially rape you and me, paying politicians to tax us to benefit them. And as they do it, they count on us getting even more fed up with government and even more cynical about politics.

They count on us throwing up our hands and saying we don't want anything to do it. They count on us to retreat to our private lives, and leave the governing to them.

Too many of us have done what they expect us to do. And we are paying a stiff price for that.


So go ahead and say you don't want your tax money used for their election campaigns. But they're using it anyway, way more than you ever knew. And they'll keep right on doing it until enough of us wise up and stop listening to their propaganda, start asking the right questions and then demanding answers that serve the public interest.

*Mike McCabe is executive director of the Wisconsin Democracy Campaign, a nonpartisan watchdog group. The group's web site is [www.wisdc.org](http://www.wisdc.org).* 

### Government For the People

---

*continued from page 21*

It's time for West Virginia voters to take back control of our state legislative races by adopting the Public Campaign Financing Act! For more details about how the Clean Elections process works, and for ways you can get involved, check our website, [www.wvoter-owned.org](http://www.wvoter-owned.org), or contact Carol Warren at [peacelovemom@gmail.com](mailto:peacelovemom@gmail.com). 

☆☆ DEMOCRACY WORKS! ☆☆



# GLOBAL WARMING / CLIMATE INSTABILITY In the Mountain State



## *Earth: Code Red*

### **Immediate Action Essential to Stop Global Warming, Climate Change**

by Mel Tyree (this column appeared in the August 22, 2007 Charleston Gazette)

For nearly 12,000 years, since the end of the last ice age, the Earth has enjoyed a relatively mild and consistent climate.

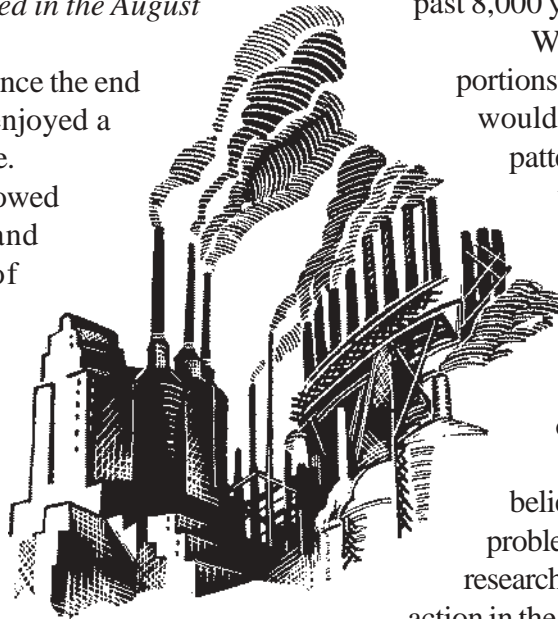
That consistent climate allowed humans to invent agriculture and nurtured the development of civilization. All the grand accomplishments of humanity such as democracy, science, music, literature and modern medicine would never have occurred without that predictable mild climate in place.

We are now at a critical turning point to preserve that consistent climate for future generations. The decisions and actions that humanity makes over the next 10 years will determine if the Earth's present biodiversity and civilization itself will survive this century.

Former World Bank Chief Economist Nicholas Stern, in his 2006 landmark, 700-page study (*The Economics of Climate Change*) warns that if the Earth's atmospheric temperature increases by just 3.6 degrees over pre-industrial levels, more than 40 percent of the planet's wildlife will go extinct, 2 billion people will suffer water shortages and the economic impacts will be more than \$20 trillion.

The United Nations' 2007 Intergovernmental Panel on Climate Change researchers predict that a 3.6 degree increase above pre-industrial levels would cause replacement of the Amazon's rainforest with savanna habitat; possible irreversible melting of the Arctic ice cap; greater impacts to the United States from floods, wildfires, heat waves and coastal erosion; and permanent destruction of the world's coral reefs.

The danger is this: Even if we don't care a dime about the environment, humans are absolutely dependent on the functioning of those key ecosystems. The Arctic ice cap acts as a climatic regulator to maintain ocean currents and weather patterns we've grown accustomed to for the



past 8,000 years.

Without it, our breadbasket (large portions of Oklahoma, Kansas and Nebraska) would become sterile desert, and weather patterns would become disrupted. Loss of the Amazon rainforest would severely disrupt rainfall and weather patterns in South America. The loss of the planet's coral reefs would cripple humanity's access to seafood due to a loss of about 30 percent of the ocean's fish.

Contrary to what many people believe, dangerous climate change is not a problem awaiting us by mid-century. Recent research indicates that if we don't take decisive action in the next 10 years, it will be too late.

Total levels of greenhouse gases (primarily carbon dioxide, methane and nitrous oxide), which are causing our climate to change rapidly, are now at 430 parts per million (ppm) in our atmosphere, according to the Stern Report. Both the U.N. and Stern reports recommend that total atmospheric levels of greenhouse gases should cease increasing and stabilize at 450 ppm before 2015 to ensure avoiding the 3.6-degree temperature increase.

The major reason for the short window of time is that atmospheric temperatures have already increased 1 degree and another 1.5-degree increase is now in the pipeline, due to the time it takes climate inertia to react to present gas levels. Basically, we have 1 degree to play with.

As concerned citizens, what do we do? We should demand and hold accountable the following three declarations from the present lot of presidential candidates:

First, they should promise that the US will work with other world governments to implement an iron-clad, strongly enforced global agreement to stabilize greenhouse gas emissions as soon as possible.

A similar policy worked for reducing chlorofluorocarbons, which were destroying the Earth's ozone shield. Nicholas Stern maintains it should occur within two years. California, New Jersey and Minnesota have passed laws that commit those states to an 80 percent

*continued on page 24*





# GLOBAL WARMING / CLIMATE INSTABILITY In the Mountain State



## Earth: Code Red

*continued from page 23*

greenhouse gas emission reduction by 2050. More than a dozen states are working on similar legislation. A similar federal law should be passed as soon as possible. Then the United States should work with Europe, China and India to seal a planetary agreement.

Second, he or she should demand an immediate moratorium be placed on the construction of additional old-fashioned coal-fired power plants not designed to capture and sequester carbon dioxide. The energy shortfall until carbon capture and storage technology comes online can

be compensated through savings gained by a national energy efficiency program.

Finally, our future president should see that a comprehensive, strictly enforced, national energy efficiency policy is passed. The recent US House of Representatives bill is a first step. George W. Bush will probably veto it.

However, this is a vital framework for 2009, when, hopefully, we have a president who comprehends the seriousness of global warming and has the political will to begin solving the problem.

*Tyree, of Hurricane, is a geologist and OVEC volunteer.*

## ***Feed Your Family, Support OVEC's Work, Life Is Good!***

Buy apples. Help support OVEC's work. Buy salsa. Help support OVEC's work. What if every time you shopped for groceries, 5 percent of the money you spent went to OVEC? Well, now it can!

Here's the scoop. Fill out the form below, clip it and mail it to OVEC at P.O. Box 6753, Huntington, WV, 25773-6753 along with a \$20 check made payable to OVEC. Write "Kroger gift card" in the memo line. We will purchase and send to you a \$20 Kroger gift card. The gift card is rechargeable. Here's where helping OVEC comes in: **Every time you buy groceries using your gift card, OVEC gets a donation equal to 5 percent of your purchase total.**

Once you receive the gift card, all you have to do is to keep it recharged and OVEC will continue to benefit.

**It's important to use your gift card regularly so OVEC receives the 5 percent** (a gift card with a zero balance for 90 days will be voided out of the system).

When your balance is zero, don't throw it away, but have it recharged for any amount up to \$500. Go to any Kroger's customer service desk prior to shopping, and add whatever amount you want. Remember that you have to have an adequate amount on the gift card to cover your purchase BEFORE you get to the register.

Read the back of the gift card when you receive it. Kroger is not responsible for lost, damaged or destroyed cards. Any balance you had on the card will be lost along with the card.

Thanks to OVEC member Carey Lea for bringing this opportunity to our attention, and to you for helping us.

✂

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

Name \_\_\_\_\_

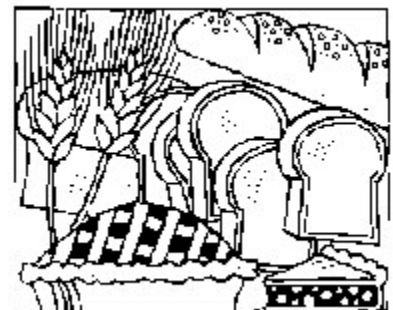
Address \_\_\_\_\_

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

Phone \_\_\_\_\_

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

**My \$20 check is enclosed! Please send me a Kroger gift card so OVEC can benefit from my purchases. Make checks payable to OVEC. Mail with this coupon to OVEC, P.O. Box 6753, Huntington, WV 25773.**



# Coal-to-Liquid is Nuts - Here Are Just A Few Reasons Why

Coal-to-liquids (CTL) is a technology that converts dry coal into a liquid fuel that could be used in place of diesel and jet fuels. The process proposed for use in the US would first use heat and pressure to gasify the coal, then cool the gas to form a liquid – a highly energy-intensive process. Just a few facts:

☞ CTL produces nearly TWICE as much carbon dioxide as petroleum. As the League of Conservation Voters put it, CTL “turns a compact car into an SUV from a global warming perspective.”



☞ Around 5 barrels of our precious fresh water resources are needed to produce each barrel of fuel.



+

☞ One ton of coal (2,000 pounds) produces only 2 barrels of fuel (84 gallons). It would take about three 20-ton coal trucks to carry the same number of barrels of fuel as a single oil tanker.



+

☞ Sharp increases in demand for coal will encourage mining companies to cut even more corners to produce coal quickly and cheaply – meaning even less regard for the safety of workers, communities and the environment.

☞ CTL refineries use loads of energy. Proponents of CTL gloss over this fact and don't have hard figures on the energy conversion rate: That is, how much energy goes into creating CTL versus how much energy is yielded.



=

☞ Sasolburg, South Africa, has been the center of CTL production for years and is cited by supporters as an example of the commercial viability of the fuel. It also demonstrates the great costs borne by local citizens.

?

☞ Air samples taken in Sasolburg showed very high levels of benzene, which can lead to anemia and leukemia, and hydrogen sulfide, which is linked to respiratory problems; statistics indicate high rates of anemia, asthma and other respiratory problems in the communities near Sasolburg.

## Local Impacts – Mingo County, WV

The Mingo County Redevelopment Authority and Rentech, a Colorado based corporation, are planning a coal-to-liquid plant for Mingo County.

☞ Rentech's senior Vice President Richard Sheppard calls the project an “exciting opportunity for devastated coalfield communities.” Has he thought about why they are devastated?

☞ Output is to be 20,000 barrels per day, with a start-up cost of \$2 billion-3 billion dollars.

☞ Much of that cost is likely to be borne by citizens, both through direct subsidization and through tax benefits given to the corporation. Citizens, of course, would also bear the environmental costs of increased mining and the accompanying pollution and health problems.

☞ 60 percent of citizens in Mingo County rely solely on well water in their homes. The CTL supporters do not address the issues of the waste that the plant will produce or the health impacts to the community.

## The Solutions – Alternatives

☞ Burning the same amount of coal to produce electricity to power plug-in hybrids would replace twice as much oil without generating nearly as much greenhouse gas. But to end mountaintop removal, we must reduce our use of coal.

☞ Fortunately, plug-in hybrids could use truly renewable resources, including wind, solar, and hydroelectric power. Fuel cell vehicles may be marketable by 2010.

☞ Policies that promote public transportation, energy efficiency and conservation will help reduce our energy usage.

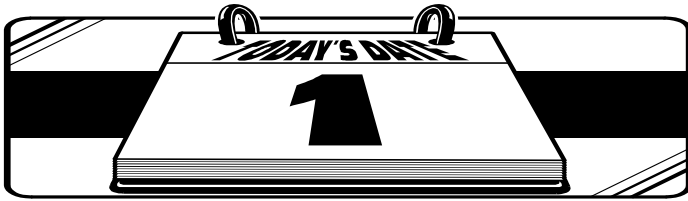
## Take Action

☞ Write a letter to the editor.

☞ Write to your state and federal representatives and tell them how you think your tax dollars should be spent. As a group of national environmental organizations put it, “Every dollar invested in coal-to-liquids is a dollar unavailable for investment in efficient vehicles, improved transportation systems, smart growth and sustainably-made renewable fuels.”

☞ Get organized! Talk to your friends and neighbors about your concerns and about what you envision for your community.

☞ Join the Ohio Valley Environmental Coalition to work for justice in the coalfields and promote better policies for our future. 🍌



## CALENDAR

See [WWW.OHVEC.ORG/EVENTS\\_CALENDAR/INDEX.HTML](http://WWW.OHVEC.ORG/EVENTS_CALENDAR/INDEX.HTML) for the absolute latest info.

**Every day in Sept.:** Ed Wiley in Rockefeller Plaza, NYC, to raise awareness about the coal sludge dam and prep plant above Marsh Fork Elementary School. (304) 731-9127.

**Now thru Sept. 24:** Exhibition of OVEC staffer Viv Stockman's mountaintop removal photos at Taylor Books on Capitol St. in Charleston, WV.

**Sept. 24:** 4:30 p.m. EST: Deadline to submit request for public hearing on proposed Stream Buffer Zone Rule changes. See page 6.

**Sept. 27:** 2:30 p.m. Public hearing at the Summit Conference Center, 129 Summers St. Charleston, on the WV Public Energy Authority's energy plan. See page 9.

**Sept. 29:** Asheville, NC. Events marking 10<sup>th</sup> anniversary of SouthWings. See [WWW.SOUTHWINGS.ORG](http://WWW.SOUTHWINGS.ORG).

**Oct. 25:** 2:30 p.m. Public hearing at the Summit Conference Center, 129 Summers St. Charleston, on the WV Public Energy Authority's energy plan. See page 9.

**Sept. 23:** 8 - 10 p.m. EST: The History Channel presents *Hillbilly: The Real Story*, which includes a segment on the Battle for Blair Mountain.

**Sept. 29:** 1 – 3 p.m. This Land is Our Land – Fun Picnic with music and food to celebrate Mingo County and gather to protect it. At Laurel Lake, Mingo Co.

**Oct. 6:** *United States of Appalachia* author Jeff Biggers reading in Huntington or Charleston. E-mail [vivian@ohvec.org](mailto:vivian@ohvec.org) or call (304) 522-0246 for details.

**Oct. 13:** Flyover of Mingo County. Contact Patricia at (304) 235-2618 for more info.

**Oct. 20:** 1 p.m. Prayer Vigil on Kayford Mountain. Call or e-mail: Abe at (304) 633-6976, [abe@ohvec.org](mailto:abe@ohvec.org), or Robin at [robinbe@peoplepc.com](mailto:robinbe@peoplepc.com). See page 20.

**Oct. 22:** Marshall University, Huntington, WV. Ann Pancake reads from her new novel about mountaintop removal, *Strange As This Weather Has Been*. E-mail [vivian@ohvec.org](mailto:vivian@ohvec.org) or call (304) 522-0246 for details.

**Oct. 23:** End of comment period on the Office of Surface Mining Reclamation and Enforcement's proposed Stream Buffer Zone rule changes. To send your own comments, see page 6.

**Oct. 23:** Policy meeting for the WV Council of Churches. For info, call Carol at (304) 522-0246 or e-mail [peacelovemom@gmail.com](mailto:peacelovemom@gmail.com).

**OCT. 27: OVEC'S 20TH BIRTHDAY CELEBRATION AT CAMP MAD ANTHONY WAYNE. CALL THE OFFICE AT (304) 522-0246 FOR DETAILS.**

**Oct. 27:** Cheat Mtn. Events marking WV Highlands Conservancy's 40<sup>th</sup> year. See [WWW.WVHIGHLANDS.ORG](http://WWW.WVHIGHLANDS.ORG).

**Oct. 27:** 5:30 p.m., Taylor Books, Charleston, WV. Ann Pancake reads from her new novel about mountaintop removal. E-mail [vivian@ohvec.org](mailto:vivian@ohvec.org) or call (304) 522-0246.

**Nov. 1:** West Virginia Wesleyan, Buckhannon, WV. Ann Pancake reads from her new novel about mountaintop removal. E-mail [vivian@ohvec.org](mailto:vivian@ohvec.org) or call (304) 522-0246.

**April 10 -12, 2008:** Energy and Responsibility: A Conference on Energy and Environment sponsored by the University of Tennessee, Knoxville, TN, [ISSE.UTK.EDU/ENERGY\\_AND\\_RESPONSIBILITY/](http://ISSE.UTK.EDU/ENERGY_AND_RESPONSIBILITY/). 🍌

### ***Why Are Wild Boar Declining?***

*by Tom Dotson, Spring/Summer 2007 edition of West Virginia Wildlife*

Wild boars are a poor pioneering species. Good boar habitat contains a high abundance of mast-producing trees, primarily mature oak forest ...

Biologists hypothesize that the main reason for the decline of wild boar in Boone, Logan, Raleigh and Wyoming counties is habitat destruction ... Since the mid-1980s, mountaintop removal mining and logging have removed vast tracts of mast-producing trees ... much of the ideal oak forest habitat favored by the wild boar has disappeared ... 🍌



# Miner Takes His Battle to West Virginia Supreme Court

by Kyle Lovern, excerpted from article in July 24, 2007, Boone Standard

After working 27 years in the coal industry, Boone County native Harry "Butch" Sebok is in a battle with his former employer over a back injury he suffered while working at the Big Mountain No. 16 mine located in Prenter.

The 57-year-old Sebok, a U.S. Marine Corp and Vietnam veteran, is disheartened over the legal squabble (to get his worker's comp) with Peabody Energy.

"I will speak my mind, and they won't shut me up," Sebok said sternly. "A coal company acts to me like a spoiled brat. They always get their way. And when it goes against them, they really get upset.

"They can't back me down or back me up," the resident of Seth said. "I've gotten this far with it. I intend to see it to the end."

Now his fight has gone all the way to the state

Supreme Court.

"There was never a report to MSHA," said Sebok. "We had to mail them proof that there had been an accident."

"The bottom line for a coal company is profit," said his wife, Patty Sebok, who has strongly stood by her husband. "They will spend a million dollars to keep from paying an injured man a dime. That's just the way they are. Profit is their goal."

"...Coal companies like to hire public relations firms and to pay them a couple of million a year. They don't want any accidents or violations reported that make them look bad," Sebok said. "They will stop anything negative that comes out about them," he added.

"...I spent 27 years in the coal mines," Sebok says. "As long as you're working, it's fine, but if you get hurt, you're screwed."

...Patty Sebok said the last MRI her husband received shows that his back condition has worsened.

"I couldn't go back to what I was doing," Sebok said. "I really miss the men I work with, but I know I could not go back and do what I did."

(Patty works for Coal River Mountain Watch.)



## Environmentalists Protest Coal-to-Liquids

Many environmental groups joined forces to protest outside the national coal-to-liquids conference, held Aug. 15, 2007, at the Glade Springs Resort in Daniels, WV.

Coal River Mountain Watch, West Virginia Highlands Conservancy, Ohio Valley Environmental

Coalition, the Sierra Club and Mountain Justice Summer were all represented.



At left, Mingo County resident and OVEC member Donetta Blankenship speaks at a No! to coal-to-liquids June rally organized by Kentuckians For The Commonwealth in Pikeville, KY.



**Make a DIFFERENCE!**  
**Join a WINNING TEAM!**  
**Get ACTIVE with OVEC!**

Cut this coupon out *today* and mail to:

**OVEC**  
**P.O. Box 6753,**  
**Huntington, WV 25773-6753**

\_\_\_\_\_ New member or renewal (Dues \$20-30 per year, pay what you can)

\_\_\_\_\_ Donation

\_\_\_\_\_ Please add me to OVEC's e-mail Action Alert! list

Name \_\_\_\_\_

Address \_\_\_\_\_

City/State/ZIP \_\_\_\_\_

Phone \_\_\_\_\_

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

For more information call  
**(304) 522-0246** or go to  
**www.ohvec.org**



*Remember – All donations to OVEC are tax deductible!*

# We're Standing Our Ground, and We Won't Back Down



**Larry Gibson and Ken Hechler on Kayford Mountain.**

*photo by Mark Schmerling, [www.schmerlingphoto.com](http://www.schmerlingphoto.com)*

+ Printed on recycled-content paper. Please recycle. :

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

**NONPROFIT ORG  
US POSTAGE  
PAID  
HUNTINGTON WV  
PERMIT NO 370**