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"E"-NOTES

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Ohio Valley Environmental Coalition

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OVEC Challenges Massive Coal Sludge Impoundment

An enormous coal sludge impoundment above Whitesville, WV, is frighteningly similar to the failed Kentucky impoundment. The WV Division of Environmental Protection has approved A.T. Massey's plan to dramatically increase the Whitesville impoundment, which takes wastes from mountaintop removal mines.

Massey Energy owns both impoundments. Some of the same engineers worked on both. OVEC, Coal River Mountain Watch and Student Activism For the Environment are appealing the proposed expansion of this sludge lake.

This article is based on a preliminary report by OVEC hydrogeologist Rick Eades, and his legal appeal on our behalf. A.T. Massey subsidiary Marfork Coal wants to continue large-scale mountaintop removal operations, and to continue disposing of waste sludge into this huge impoundment above a populated area.

by Rick Eades

The area of the approved Brushy Fork (Whitesville area) impoundment pond at normal stage is 112.9 acres. For comparison, the failed Martin County, Ky., site was a 72-acre pond. If Marfork Coal Company is successful in



A gooey mass of coal sludge quivers on the edge of Wolf Creek, Ky., after the impoundment that held it failed.
photo by Vivian Stockman

further expanding the dam, it could eventually hold over 22,700 acre-feet of slurry at normal stage.

That is roughly equivalent to a slurry aquarium with a base the size of a football field and a height that is higher than Mount McKinley, the highest mountain in North America.

Two of five piezometers (pipes that measure water levels within the impoundment dam) showed higher than

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Island Creek Residents Make A Difference In Arch Permit Fight

by Laura Forman

"It was a nightmare. We had to evacuate our home in the middle of the night," Joann Hammond testified in federal court in February, about the flood that caused Island Creek to be named as a federal disaster area in 1996.

An Island Creek resident for over 50 years, Moss Burgess testified that while Island Creek had suffered from other floods, the 1996 flood was the worst he had ever

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Faith

by Dianne Bady, Janet Fout and Laura Forman

The three of us have worked closely together for eight years, as full-time OVEC staff members. (Laura worked as a volunteer for one of those years.) We know of no other activist organization where staff has worked together for so long. This continuity has helped us to build long-term relationships with many individuals and groups, and helped us win many concrete successes over the years.

All of us, since we were very young, have felt a deeper connection, a kind of spiritual connection, to the natural world. We love being embraced by the steep hillsides that run down to West Virginia's lifeblood, the streams below. Ours is a region of rivers and valleys, of hills and steep mountains covered by the most biodiverse forest in North America.

This is an awe-inspiring landscape that is embedded in the very soul of our people. West Virginia is truly almost heaven. She has given so much to our lives and to our spirits. How can we not try to help save her? The survival of the culture of the Appalachian people depends upon the survival of the mountains themselves - mountains that are being annihilated, and mountains that are under imminent threat, by the greed of outside corporations and the cooperation of "our" politicians.

Nowhere is exploitation and the unjust use of power more apparent than in West Virginia's southern coalfields, where the landscape is being massacred and communities destroyed.

Ironically, while many West Virginians feel a deep connection to the land, a sense of powerlessness pervades. Internalized oppression caused by more than a century of domination by powerful coal interests and corrupt politicians, along with fear of reprisal, has prevented many people from speaking out for themselves. But systemic change will only happen as people here lay claim to their own personal power.

Part of our work includes serving as examples to others - three ordinary women, putting aside fear and speaking truth to power when it serves a higher purpose.

We have not shrunk from confronting injustices perpetrated by the single most powerful entity in the state, the coal industry. Others see how we openly confront systemic injustices that have been swept under the rug by the powers-that-be, and how we have had major successes. Then they too, feel able to speak publicly for themselves and their communities.

Some of these good folks are fighting to try to ease the pain of losing what they'd never imagined could be lost. Some are people who live in neighboring areas who feel a strong love and connection to the mountains, streams and coalfield communities. Others recognize the

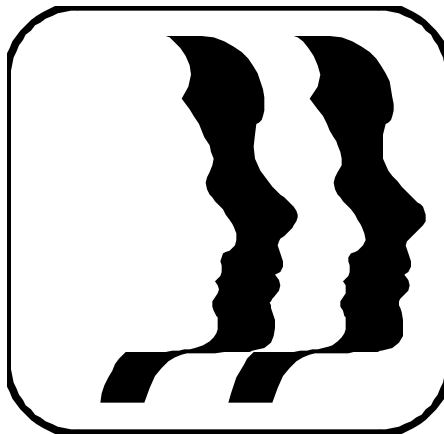
political corruption here and want to work on an underlying cause - the current political campaign finance system. We feel blessed to share in the struggles of those who are fighting to save the very landscape of our state; those who are fighting for REAL democracy. We feel deep satisfaction when we help to connect people with others who are having similar struggles. Those connections broaden the base of citizen power.

There is anger against injustice that helps drive us but ultimately a vision guides our work - that we can bring about positive change if we work together.

A common remark we make to each other is that **personal growth is not optional** in this ever-more-demanding work. We support each other through the pain that occurs when our old ways of being are no longer adequate, and new ways haven't been fully birthed yet. This is one of the reasons we've been able to work so closely together, for so long, with no end in sight.

We've found that when we work with integrity, when we intentionally treat others with care, respect and patience, that sometimes magical things happen. We see shy, unlikely people speaking publicly with an eloquence that makes our skin tingle; we somehow attract just the right people and resources, just when we need them; and in spite of hearing again and again how we can't win a specific battle, we do.

And so we continue, trusting deeply that there's much more going on here than meets our eyes.



Clean Money, Clean Elections - Levelling the Playing Field

by Janet Fout

West Virginia had a record low turn out for the 2000 election, a sad commentary on voter cynicism and a flailing democracy. Noted activist preacher, Jim Wallis (editor of *Sojourner's* magazine) says Americans are suffering from "civic poverty."

Surely we can take some steps to enliven the electoral process and re-engage citizens who have given up. Lucky for us, the world has no lack of gifted people looking for solutions to big problems.

One of the most creative approaches to the issue of our failing democracy and the undue influence of big special interests who contribute millions of dollars to "our" politicians, is the idea of Clean Money Clean Election Reform. It's an idea that has led to the passage of Clean Election laws in Maine, Massachusetts, Vermont and Arizona. Some political reform activists in West Virginia, including the People's Election Reform Coalition-WV (PERC), are ready to be part of the solution to our

flagging democracy.

OVEC is one of the co-founders of PERC, which researches, analyzes, and publicizes special interest campaign contributions to "our" politicians.

In the late summer of 2000, PERC activists developed a list of long and short-term goals and set priorities for our work. We were alarmed that PERC's earlier analysis of the 1998 election showed that in spite of the notable increase in the dollar amount of contributions from 1996 to 1998, fewer than 4/10 of 1 percent of all West Virginians contributed to West Virginia legislative campaigns in 1998.

As a result of that meeting, a small group of dedicated folks began crafting what we've dubbed HB 1776 or the West Virginia Clean Elections Act. Though the task seemed daunting at first, we began by analyzing Clean Elections bills enacted in Maine, Massachusetts, Vermont, and Arizona. We also used a Model Bill prepared by Public Campaign as a template for a bill in West Virginia.

Our committee members were aware that both Maine and Arizona were running Clean Money candidates in the 2000 election and realized that the outcomes of elections in those two states could provide a measure for how well Clean Money Election Reform was working. In Arizona, the number of overall candidates increased by 60 percent. A full 70 percent of the candidates would not have run without the Clean Elections Fund. Sixteen out of 44 (36 percent) candidates were elected to Arizona's legislature. What was even more encouraging in Arizona was the

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Massive Sludge Impoundment

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expected water levels. These higher-than-anticipated water levels in the Brushy Fork dam may indicate that the dam design and engineering, or its construction and performance in draining water, is already flawed! The elevated water levels support reasonable concerns that more water than anticipated is flowing into the dam, and/or the dam does not adequately provide for outflow from the underdrain.

Seepage A Question

If the problem is more water seeping into the dam from underground sources, this would also suggest more seepage than expected from the dam into groundwater on the opposite side of the valley, which could potentially contaminate groundwater. Either scenario - more seepage or inadequate drainage - means that the dam could become more saturated than expected, creating a destabilizing effect on the dam that could place the downstream public at extreme risk.

Several coal seams have been mined beneath the Brushy Fork impoundment. The Eagle seam has been deep mined extensively in the area by room and pillar method. One of the map plates shows only a partial area of the permitted slurry pond. Over 350,000 square feet of that partial area of the pond is estimated to be underlain by Eagle underground mine workings.

In spite of reassurances from the consultants and approvals by DEP, some pillars directly beneath the slurry pond are small and present additional concerns. The engineers themselves admit on their maps that there are nine pillars below the pond's permitted area that had safety factors of less than 1.5 (a safety factor of 1 suggests the pillar will fail).

Profit Over Safety?

Mining engineering "common sense" dictates that you leave only the amount of coal in pillars necessary to support the roof, extracting the rest for profit. The pillars are coal that is left for one reason – to prevent the roof (overburden) from caving in (subsiding). It seems highly unlikely that these pillars were designed to not only support the overburden, but also over 400 feet of compacted coal

waste.

This is not a blanket indictment of the consultants' or DEP's best efforts to establish that the roof is safe for 400-plus feet of additional material. Rather, it is based on simple economics. The coal companies would never leave that much coal underground to be "overly" safe. In my opinion, any mining engineering firm that came up with a design to leave coal/money underground in oversized pillars, in the remote event that someday, someone would allow a slurry dam higher than the New River Gorge (when excessive coal pillars and roof stability would be needed), would have never worked again for that coal company.

Let there be no doubt, THE job of coal/mining engineering consultants today is to assist coal companies in getting permits. They have to do whatever they can to achieve that goal. That is their job! Otherwise, they are out of business. How do I know this? I was a consultant for 16 years and served dozens of commercial and government clients.

Rolling The Dice

As I see it, Marfork Coal and their consultants are rolling the dice. They hope to extend the dam rapidly up-valley within Brushy Fork. The sheer volume of material at Brushy Fork combined with the close proximity to the Eagle Coal seam workings indicates this facility warrants the utmost caution.

I am quite sure as we see inspections increase at other sites that we will see subsidence sinkholes at high-risk impoundments – right where consultants and mining companies said subsidence wouldn't happen. This, in essence, was the case at the Martin County, Ky. site.

All parties with any concerns about the integrity of sludge ponds located over deep mines should err on the side of caution at this time. Experience is the best teacher. Let's all pray that we learn something from the Martin County, Ky. disaster, and that neither automatic pilot levels of denial – nor business as usual mentalities – will govern our actions.

Renewable Energy - Just Do It!

In the March 9 issue of *Science*, Terry Collins of Carnegie Mellon University writes, "Renewable energy will be the central pillar of a sustainable high-technology civilization." Regarding federal research and development subsidies for fossil fuels and nuclear power, he adds, "If solar research had received anything like this colossal support, solar-rich California would almost certainly not now be experiencing energy shortages."

All that is necessary for the triumph of evil is that good men do nothing.

Edmund Burke

OVEC Visits Kentucky Sludge Disaster

by Laura Forman

On Oct. 11, 2000, an A.T. Massey subsidiary's coal sludge "pond" broke through into the deep mine below and spewed 250 million gallons of toxic sludge into Coldwater and Wolf Creeks in Inez, Ky.

It has been estimated that over 90 miles of streams and rivers in Kentucky and West Virginia have been damaged by the sludge disaster, as well as drinking water supplies and residents' land and property. This mammoth sludge lake is from Kentucky's largest mountaintop removal mine. *The unprecedented rapid growth of coal waste ponds is another way that mountaintop removal threatens the environment and the people.*

Thanks to Inez resident Monroe Cassady, in early March, a few OVEC members were "treated" to another tour of the sludge-impacted areas. We stopped on Wolf Creek, where we saw a pumping station sucking up water, ostensibly to remove sludge from the creek. Only two of four pumps were working. The sludge was being dumped



It wouldn't matter if this picture of Coldwater Creek was printed in color - there is no color except for the black of the goey coal slurry that still clogs the creek, and the muted grays and browns of the mud on this "cleaned" section. *photo by Vivian Stockman*



A contract worker for A.T. Massey uses a high pressure water hose to force coal sludge back into Coldwater Creek, where it will eventually (so says Massey) be removed. The workers have no protective gear except for safety goggles. *photo by Laura Forman*

into a new 20-acre impoundment behind the operation.

As we continued to drive through the hollow, there appeared to be extensive damage to the creek banks from scraping the sludge back into the water. Instead of gently sloping, vegetation-covered banks that could prevent runoff, the banks had been denuded and scraped to an unnatural 90-degree angle, allowing greater sedimentation of the creeks. The destruction from the clean up also spread from the banks to the areas immediately surrounding the creek, where heavy equipment has torn up the land.

As we proceeded up Coldwater Creek, we were horrified to see that the creek banks were still covered with the thick black sludge. We stopped and got out where much of a local resident's farmland had been turned into a giant holding pond for the sludge. We climbed up to the edge of the pond and saw two huge pipes spewing black water that was being pumped directly from the creek.

We then headed down to the creek itself. The water was an ominous shade of gray. Our spirits were as damp as our rain-soaked clothing as we surveyed the area. OVEC member Tonya Adkins asked incredulously, "This is 80 percent cleaned up?" An *Associated Press* article from Jan. 13, 2001, quoted Heather Frederick with the Kentucky Cabinet for Natural Resources and Environmental Protection as saying that 75-80 percent of the sludge had been cleaned

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Island Creek Residents Fight

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seen. The court was filled on one side with coal industry supporters and DEP employees. The other side was filled with concerned citizens, including residents from Island Creek and Marshall University students. Joann continued, "I believe the flood was at least partially caused by strip mining." The hearing, before U.S. District Judge Robert C. Chambers, was an attempt to stop a new mountaintop removal permit for Arch Coal subsidiary Mingo Logan Coal Co. In addition to other mountaintop removal operations in the area, the company wants to strip another 560 acres of forested hills in Island Creek in Logan County.

Although coal industry cheerleader Mike Castle is no longer the director, the DEP continues to issue permits and spend tax payer money to fight citizens in court in order to allow coal companies to devastate the hills and valleys in West Virginia.

DEP Failed, Again

The hearing was a part of a "pattern and practice" lawsuit by OVEC and Citizens Coal Council. The lawsuit asserts that the WV Division of Environmental Protection inadequately performs required cumulative hydrologic impact assessments, or CHIAs. CHIAs are supposed to

More Coal Sludge Horrors



Heavy-duty pumps on Wolf Creek, Ky., sucking the sludge out of the creek to temporary holding ponds where the company says it will be treated. At some clean-up points, only half the pumps were working. *photo by Laura Forman*

ensure that a strip mine is designed to prevent material damage to streams in the off site cumulative impact area. The lawsuit requests the court "declare" the mandatory non-discretionary duties of WV DEP.

Over the DEP's attorney's objections, a home video was played showing the black water that came down the creek during the 1996 flood. The black filthy muck spared little from the homes it claimed. As an emotional Joann Hammond testified, "Everyone's belongings were out in the street. I lost personal possessions, things like photographs that can never be replaced." Joann also told the court that the people driving the emergency vehicles during the flood claimed that a coal dam had burst that night.

That, combined with the stripped hillsides that could no longer contain the heavy rains, is what is thought by many to have caused the flood.

More Flooding?

Following the flood, Burgess Moss became chairperson of the local flood committee. Moss told the court of increased flood insurance rates and decreased property values since the 1996 flood. Moss also told the court that he feared more mountaintop removal on Island Creek would further pollute the stream and increase the

chances of flooding. "We are worried about our quality of life and our future." Moss stressed the point that a majority of Island Creek residents are retirees and cannot and should not have to move out and start over. Many others in Island Creek share their fears, as a petition signed a few years ago has shown. The petition, which said that there should be no more mountaintop removal on Island Creek, was signed by almost 1,000 people. Not surprisingly, DEP attorneys objected strenuously to the admittance of that document into evidence.

Out-Of-Staters

Amazingly, DEP attorneys claimed that this permit is in the public interest. Attorneys for

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Teach-In Brings Mountaintop Removal Issues Into Focus

by John Taylor

On Jan. 23 and 24, 2001, Marshall University faculty and students conducted a very successful “teach-in” on the dangers of coal slurry impoundments in West Virginia and around Appalachia. The breakout of over 250 million gallons of nasty coal sludge from an A. T. Massey mine in Kentucky was given special focus by hydrogeologist Rick Eades and participating Marshall faculty.



Lynda Ann Ewan, John Taylor and Rick Eades at the teach-in.

photo by Paul Justice

The sessions were very well attended by 90 to 100 students, faculty and community people present at each one. A student environmental group, Student Activism For the Environment (SAFE) was formed as a direct result of the teach-in, and is currently very active.

At the teach-in, when people entered the session rooms in the Student Center, they were confronted by a can of very ugly gray sludge obtained fresh at its source. Moving further into the room they saw at eye level large, very powerful, photographs of the sludge’s destruction of home

places and streams taken by Paul Justice, a Marshall student and OVEC member. Paul lives in Martin County and knows the ground and the people who live there.

Lynda Ann Ewan, Ph. D., professor of sociology, convened the first panel, which discussed the impoundments themselves, and the ecological damage caused by the slurry breakout. Eades presented a detailed critical description of the “dams” showing their inherent dangers and the engineering flaws in several of them that he had personally reviewed.

Frank Gilliam, Ph.D., professor of biology, explained the devastating effect of the sludge on all living organisms in the creeks and rivers. West Virginia water enforcement officer Michael Zeto gave his report on his agency’s response to the inundation and how they plan to prevent further occurrences, if possible.

The coal industry demonstrated its indifference by its absence from the event notwithstanding persistent calls, invitations and pleas from it to send someone, anyone, from the Massey Company or the West Virginia Coal Association.

After the first panel we went to the Student Center lounge and listened to bluegrass music by OVEC member Tonya Adkins and her band, and classical music by Tom

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New SAFE Group Works To Keep Mother Earth Safe For All Of Us

There’s been a new awakening at Marshall University: SAFE, or Student Activism For the Environment, has appeared on campus to channel energy into the local movement. Anyone can be a member, not only students. Membership has nearly tripled since the inception of SAFE in January.

SAFE has signed on to an appeal of the Brushy Fork coal sludge impoundment expansion, and also participated in a letter writing campaign to help save Pine Mountain Settlement School in Kentucky from the threat of nearby mountaintop removal.

Plans for the future include flyovers of mountaintop removal sites and bringing speakers to campus to discuss globalization.

Meetings were held bi-weekly on Fridays during the school year. For more information, contact Chris Brady at 523-3696 or Michelle Townsend at 529-4403.

OVEC staff and volunteers have been delighted at the energy and enthusiasm of these fine students.

They are inspiring and are truly a pleasure to work with!



Just a few of SAFE's members after one of their recent meetings at Marshall University. *photo by Chris Brady*

Clean Election Law

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significant increase in the number of women and people of color who indicated that without the Clean Elections Fund, they would not have run for office. Arizona's law encouraged

M U Teach-In

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Jones, another OVEC member.

The next day's session was on "Issues Of Community Impacts," and included persons from communities affected by the impoundments and members of the Marshall journalism and sociology departments. Monroe Cassidy, a Martin County resident and Julia Bonds, Freda Williams and Janet Nease of Coal River Mountain Watch, a Boone County, W.Va., group, spoke movingly and effectively of the damage caused by the spill, and the fear of other spills which haunts their daily lives. Julia Bonds described how her 9-year-old grandson laid in bed at night and planned an escape route in case the impoundment poised above their home (in the Whitesville area) should burst.

Journalism professors Janet Dooley and Sharon Brescoach and Sociology professor Dan Shope spoke about the effects of environmental degradation on communities, and also about the glaring absence of media coverage of the October 11, 2000, spill and inundation of homes and streams in Martin County.

The teach-in got good coverage from the Marshall student newspaper, *The Parthenon*, and from Dave Peyton, columnist for the *Huntington Herald-Dispatch*. But the main thing - the very best thing - that resulted was the formation of SAFE. It is almost impossible to put into words the importance of this student group. Perhaps we can help with the formation of similar groups on other area campuses.

MTR Hurting Songbirds, Too

The U.S. Fish and Wildlife Service has argued against more mountaintop removal in West Virginia, pointing out that migratory songbird populations throughout the Eastern U.S. are dependent on southern West Virginia's vast forests. As these forests fall, so do the populations of migratory birds that fascinate and inspire people throughout the eastern U.S.! Yet our local, state and federal politicians work to aggressively promote more MTR at a time when alternative energy sources are growing rapidly elsewhere, and could grow here, if Coal weren't King.

competition and diversity, increased voter choice, helped to level the campaign playing field and reduced the influences of special interest groups - a win-win for democracy.

The story from Maine was similar, where 115 candidates, Republicans, Democrats and Independents, took part in the Clean Election program.

In Maine's June Primary, 57 percent of the publicly-funded candidates were victorious and Maine voters wrote over 10,000 small contributions of \$5 each to help Clean Election candidates qualify for funding, a strong statement of support for grassroots democracy.

After four months of meetings, our committee has a draft of the West Virginia Clean Elections Act, which would have many advantages over the current system. If enacted, it would:

- ✓ Be a voluntary system;
- ✓ Increase participation in the electoral process;
- ✓ Allow voters to decide which candidates are viable;
- ✓ Allow regular people to run for office regardless of wealth;
- ✓ Restrict the amount of money a Clean Elections candidate receives;
- ✓ Allow a candidate to focus on important public interest issues rather than chasing campaign donations;
- ✓ Restore confidence in the integrity of elected officials.

Under the West Virginia Clean Elections Act, a candidate could chose the traditional method of financing his/her campaign with private contributions, OR forgo private contributions in exchange for money from the Clean Elections Fund (established by the Clean Elections Act).

How does it work?

- A West Virginia Clean Elections candidate must demonstrate broad public support in his/her district by raising a specific number of qualifying contributions of \$5 in a limited time period, known as the "Qualifying Period."
- Candidates must forgo ALL private money and agree to spend only the amount of money received from the Clean Elections Fund.
- Once qualified, a candidate would receive a specific amount of public funding for the primary and general election races.
- Matching funds would be made available, up to 200 percent of the original funding, to allow participating candidates to keep their campaign funds equal to their non-participating opponents.

Where would the money come from? While we

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Clean Elections

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realize that the state legislature will have their own ideas about sources of potential revenue, our PERC committee came up with several ways to fund the West Virginia Clean Elections Act. Funds would come from:

- All qualifying contributions;
- Excess seed money contributions (candidates are permitted to raise a limited amount of seed money while gathering qualifying contributions);
- Fines levied for violation of election laws;
- Voluntary donations made directly to the Clean Money Fund;
- Revenue from a state tax check-off program (\$3 is the suggested amount, up to \$6 for a husband and wife filing a joint return)
- Interest generated by the Clean Elections Fund
- A dollar-for-dollar tax credit not to exceed 20 percent of the tax amount or \$500, whichever is higher

Won't public financing of elections cost too much? No! States which have already enacted public financing estimate that it costs only \$4-5 per voter - a small price to pay for "clean" elections.

Many argue that public financing will actually save states money by making it easier to eliminate the costly and often-unnecessary tax breaks for special interests, which pass every session.

PERC activists are gearing up for a campaign to educate citizens about the benefits and need for a clean election act in West Virginia. A big THANK YOU goes to Si Galperin, John Welbourn and Bob McDonald who worked diligently with me to write our draft bill.

Island Creek

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Mingo Logan Coal, sitting on the same side as the DEP, proclaimed job layoffs without the permit. Under questioning from OVEC attorneys, coal company official Gary Beth admitted that only 15-20 employees of the 130 on the existing permit were from West Virginia. OVEC challenged the Arch permit for a number of reasons, including the following:

☒ The DEP did not, as required by regulations, consider all the anticipated mining in the area. Under direct questioning from OVEC attorney Walt Morris, DEP's George Jenkins, who wrote the CHIA, admitted that the Road Fork permit, which

will be in the Island Creek watershed, was somehow not included in the CHIA.

☒ The DEP issued the permit despite the fact that Island Creek is already over-polluted from mining operations.

☒ DEP made the cumulative impact area smaller than their own regulations stipulate, thus not having to show all of the anticipated mining in the area. The reason given by Jenkins in court was "we don't have to".

☒ The DEP has not defined "material damage" to the streams in Island Creek. Without this definition, the permit would be impossible to enforce. In his testimony, Jenkins defined material damage as when the water quality is significantly altered from the baseline. That would be a baseline for which DEP gathers and relies on as little data as possible: one sample per month for half the year.

On March 8, 2001, Judge Chambers, citing the narrow scope of the court's review, ruled that he would not stop the Mingo Logan Mine expansion. Still, the court recognized flaws in the CHIA process. Judge Chambers said that "in several respects, the [permit] fails to adequately consider certain factors" and "more data is preferable," but refused to force the DEP to adopt the more environmentally protective measures.

Although the ruling was a great disappointment to the folks in Island Creek, the larger picture reflects a more positive image that has come out of OVEC's involvement. There is real leadership in Logan County from Island Creek residents. Despite attempted intimidation by the Logan County Coal Vendors Association and others, Island Creek residents continue to speak out publicly against abuses by the coal industry. These same people who were unafraid to

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Island Creek

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come to the hearing, have been fighting for years to protect not just their own homes but their entire community.

Even some DEP personnel recognize the need for improvements of the agency's CHIA process. There are capable professionals within DEP who can improve the CHIAs, but have been hindered by the agency's long-standing allegiance to the coal industry.

At the hearing, the DEP admitted that after they received the OVEC notice of intent to sue, they worked to upgrade the CHIA process.

As Joann Hammond said, "The original size of the permit on Island Creek was more than 1,500 acres. Because of our unrelenting pressure, the permit was reduced to 560 acres with flood control measures implemented."

As they continue to try to get more members of their community involved and informed, this small group of strong and committed people has made a difference; no small accomplishment in Logan County.

OVEC will continue to move ahead with the overall CHIA lawsuit. We are grateful for the ongoing work of attorneys Walt Morris and Charley Kincaid.

A Warm West Virginia Welcome!

Fifty people gathered on April 17, 2001, to "welcome" Massey Energy shareholders to their Charleston stockholder's meeting. This photo shows just a few of those good folks.

Welcomers lined both sides of the street, chanting "Keep the Mountains, Remove Massey!" Dozens of passing cars honked and many motorists waved in support. One sign carried by coalfield residents read, "Massey: Destroyers of Our Homes, Schools and Communities."

A large banner, made by the Marshall University organization SAFE (Student Activism For the Environment) was hung on the adjacent parking garage, and is pictured on the back page of this newsletter. After this banner was taken down by the authorities, several protesters retrieved it from a trash can, so it can be recycled at a future event.

photo by Janet Fout



Speaking Truth To Power

On April 30, 2001, almost 200 people attended a public hearing near Whitesville, WV, on the National Academy of Sciences' ongoing study of coal waste impoundments. Dozens of people told the scientists about their concerns.

"We're sitting on a powder keg here, people," said Patty Adkins, who survived the Buffalo Creek disaster. "We need to stick together and demand that changes be made."

Many folks gave examples of coal waste laws not being enforced by the state. Judy Bonds reminded people of why these laws were passed. "We have a saying in the coalfields about laws concerning coal mining. 'Every law has been written in blood.' We're tired of those laws being written with OUR blood."

Activists Honored for Their Courage

Congratulations to the recipients of the WV Environmental Council's 2001 Linda Schnautz Environmental Courage Award: OVEC Board member and mountaintop removal activist Carlos Gore, and mountaintop removal activist James Weekley.

Bill Moyers on Money, Politics and Public Funding of Elections

“You don’t need an outsider, a former insider, to tell you what’s happened to politics...politics has become an arms race. Each side escalates. I feel for the politicians caught in this system...We wind up spending all of our time raising money...it’s legal bribery, if it is not another kind of bribery. It is killing our democracy, folks. It is really killing our democracy, the spirit of it. I don’t know if this bill {McCain-Feingold} is going to come out with anything that’s really good or just more of an illusion... The real answer sooner in time is public funding for democracy (like Maine, Arizona and Massachusetts)...I believe if anyone is going to own politicians, we should, not the chemical industry, not the manufacturing industry, not environmental organizations; we should, the voters. They should be accountable to us. I care about this issue for my three grandchildren. I don’t want them growing up in a society where their civic worth is determined by their net worth. And that’s what’s happening. The rich have every right to buy more cars, more houses, more vacations, more leisure. But they don’t have the right to buy more democracy. And they are. And if we don’t change it, then as Teddy Roosevelt said, we won’t know this country 20 years from now.”

Journalist Bill Moyers,
National Press Club, March 22, 2001

If They Level All of It, Will Anyone Even Want To Use It?

by Rick Eades

Recently, advocates for mountaintop removal mining, like Art Kirkendoll, have again touted that “flat land” is needed for developers, while applauding successful development of old mountaintop removal sites. Let’s examine their premises.

If one combined the Buck Harless wood processing plant, Logan’s airport and jail, the Mt. Olive Correctional Facility, the aquaculture project, and all other development of mountaintop removal sites, it’s reasonable to estimate we’ve developed only 2,000 acres of former mountaintop removal land.

For the past 24 years, federal law said post-mining use of MTR lands must be developed to “equal or better use,” if the mountains are not restored.

Roughly 298,000 undeveloped acres would seem to exist under MTR permits, which still remain for Mr. Kirkendoll to wave at prospects. Applying some simple math, at the rate of development of the past 24 years, it will take about 3,700 years to develop the rest of the permitted mountaintop removal sites - if we never permit another acre.

Maybe Mr. Kirkendoll will focus his efforts on the best sites and get cracking. If the wisdom these “flat land” advocates hold dear does prove true, West Virginia can set up toll plazas at the state border to tax incoming developers,

who will be backed up for miles trying to get into the southern coalfields.

With all the infrastructure, education, and health care that pro-West Virginia coal companies have provided during their raid on our mother lode of coal, developers ought to flood these areas like the Oklahoma land rush.

And God knows, we’ve got some flat land waiting for them.



Art Kirkendoll - An Un“Wise” Appointment In Charleston

by Laura Forman

“Kick ME and Get a Job with Bob Wise” read Secretary of State Ken Hechler’s sign to protest Gov. Bob Wise’s appointment of Art Kirkendoll to a newly created position, Southern West Virginia Economic Development Coordinator.

Kirkendoll, a former Logan County commissioner, was among a mob in August 1999, that attacked a small, legally permitted group of people re-enacting the 1921 march preceding the Battle of Blair Mountain. Ken Hechler and other marchers were pushed, shoved, hit, kicked and pelted with eggs by the pack that outnumbered them 4 to 1. I know, I was there. Later, the attacking thugs “justified” their assault on us by saying that they thought it was an anti-mountaintop removal protest.

On Inauguration Day, about 30 protestors gathered in front of the governor’s mansion and then proceeded to the capitol. The group, carrying signs like “Dump the Thug”, “No Mob Leaders in State Government” and “Kirkendoll, an insult to the memory of Dr. Martin Luther King, Jr.” chanted “Hey hey, ho ho, Kirkendoll has got to go.” Ironically, the inauguration was held on Martin Luther King



Former Secretary of State Ken Hechler tells it like it is at a rally protesting Kirkendoll's appointment. photo by Deana Smith

“ I believe that unarmed truth and unconditional love will have the final word in reality. This is why right, temporarily defeated, is stronger than evil triumphant.”
Martin Luther King, Jr.

Jr. Day, a day when we honor a man who spent his life fighting against injustice and fighting for the civil rights of all people. Kirkendoll, with his mob mentality, stomped all over those marchers’ rights the day of the attack, whether he physically struck anyone or not.

As a county official, Kirkendoll should have felt compelled by an ethical obligation to try to halt the attack. Instead, by his presence alone, he condoned the actions of these thugs and possibly helped to incite the violence that ensued. Kirkendoll could not deny his participation that day, since photos clearly showed him among the mob. But, instead of having the courage to admit his moral and ethical breach, he continued to avoid telling the truth.

Kirkendoll said he neither participated in, nor saw any violence and that the police came and saw no problem

and left. If that were true, Kirkendoll would have needed earplugs and a blindfold to miss the physical and verbal assault. As for the police, they were called by a young girl who was not a part of the march but recognized the danger people were in. The police must have felt there was a threat of further violence because they escorted the march on the following days, where more eggs and foul language were hurled at the marchers.

Under citizen pressure and media scrutiny, Governor Wise claimed the situation had been investigated. In truth, Wise investigated **nothing**. He took Kirkendoll at his word and never asked any of the marchers, including Secretary of State Hechler, for their version of the attack. Kirkendoll’s “story” was in direct conflict with the facts that Ken Hechler and others reported. Wise should have invited a person of Hechler’s political stature and moral character to discuss the issue with him. Instead, Wise brushed all of the complaints aside and shoved the appointment down West Virginia citizens’ throats. As Ken Hechler said about the appointment, and many believe, “I think it was essentially a political payoff, simply because Kirkendoll was able to carry Logan County for Wise.”

Many may wonder what Kirkendoll’s qualifications are for the position. What has Kirkendoll done to bring a diverse and stable economy to Logan County? Kirkendoll is a vocal supporter of mountaintop removal mining, not exactly an environmentally benign, labor-intensive or

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Kentucky Sludge Disaster

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up. An interesting figure, considering what we saw and the fact that much of the clean-up seems to involve putting the sludge back into the creek with the hope that it will be sucked up by the pumps.

What about the sludge that is on the bottom of the creeks? Will there ever be a time when the creeks don't run black after a heavy rain?

We stopped next at a site where two contract workers were using high-pressure hoses to spray the sludge back into Coldwater Creek. As they sprayed the banks, they were sprayed

with the black, slimy water, without the benefit of protective clothing or masks. They had goggles only.

We then proceeded to the county courthouse where

Kirkendoll

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sustainable form of development. Kirkendoll has been a divisive force in Logan County as well. He was quoted in the Logan Banner as saying, "This is war," when he condemned those trying to save the mountains and their homeplaces from mountaintop removal.

According to a *Charleston Gazette* editorial, "Kirkendoll is a courthouse politico who has managed to get government jobs in Democratic and Republican administrations alike. Back in the late 1980s, corrupt Gov. Arch Moore put Kirkendoll on the state payroll, working for the Department of Energy. But DOE's Logan chief told reporters he didn't know what Kirkendoll's job was." In 1998, Kirkendoll, unemployed except for his part-time commissioner's job, was hired by state Treasurer John Perdue. Kirkendoll made \$25,000 a year to be a "local government specialist," whatever that is.

Following all the citizen pressure and media attention about the appointment, Wise changed the name of Kirkendoll's position to "southern coordinator" for addressing constituent services. Whatever that is.



Monroe Cassady of Inez at one of the holding ponds, background, where the sludge is pumped out of Coldwater Creek to be "cleaned up." *photo by Laura Forman*

the recently formed group HELP (Health, Environment, Life, Preservation) was conducting a town meeting about the sludge/water situation. This was the second such meeting that OVEC folks have attended.

Environmental attorney Jan Schlichtmann, famous from the movie and book "*A Civil Action*" was present and has been working with hundreds of residents. Schlichtmann and Henshaw Associates, an environmental consulting firm, have taken water samples and planned to announce the most recent findings.

"There are several things in the water which could pose serious health concerns," Schlichtmann told the crowd of almost 200 people.

The test results of the tap water found heavy metals in the water, cancer-causing polycyclic aromatic hydrocarbons (PAH) and fuel oil. Schlichtmann reminded everyone that these were preliminary tests

Samples had been collected from the home of a family suffering from persistent skin rashes since the October 11th disaster.

Warfield Elementary School, where there have been a lot of gastrointestinal complaints, was sampled as well. Samples were taken from the Crum Reservoir. The reservoir had been pumping in water from the Tug Fork for the schoolchildren. Yet the Tug was contaminated by the spill!

Coal Slurry:

Black Goo Coming To A Community Near You?

by Vivian Stockman

“These things never break.” So said a coal company engineer on October 11, 2000. He was reassuring concerned residents of Perry County, Ky., about Coastal Coal’s plans to build a 560-acre coal-waste slurry impoundment near their homes.

Having lived in the land of King Coal a little too long, residents weren’t comforted by the engineer’s comment. They peppered Coastal employees with more questions.

Well, yes, a Coastal engineer conceded, two impoundments in Virginia had partially collapsed into underground mines back in 1996, resulting in some major environmental problems. But not to worry, those impoundment failures prompted federal mine safety officials in 1997 to call for inspections of the (estimated) 653 coal slurry impoundments nationwide. Remedial actions had been recommended in cases where dams presented any danger to communities.

Near their mining operations, often at the heads of hollows, coal companies construct dams from mine refuse. Behind the dam, they create slurry lakes, which store the liquid waste leftover from washing and processing coal. Solids settle to the bottom of the pond, while water clears enough at the top to be reused or discharged. The companies say the slurry contains mostly water, rocks and mud. Activists worry that the slurry contains a witch’s brew of carcinogenic chemicals used in coal washing and processing. Slurry also probably contains and concentrates potential toxins - metals such as arsenic, chromium, cadmium, boron,

selenium, nickel and others that are present in coal.

Citizens also worry that the impoundments could fail, releasing a tidal wave of sludge onto downstream communities. Often, these impoundments are associated with mountaintop removal operations, which produce more coal more rapidly than any other form of mining. This means more coal waste than at other operations. The intense blasting at mountaintop removal sites has people worried that the impoundments will suffer structural damage. In 1972, a coal waste dam of much shoddier construction than present day impoundments, failed at Buffalo Creek, WV, killing 125 people. The disaster helped prompt passage of the 1977 Surface Mining Control and Reclamation Act (SMCRA).

What the folks at the Perry County meeting didn’t know was at the very moment they spoke, a disaster - the worst ever environmental disaster of its kind - was unfolding over in Martin County.


Just after midnight on October 11, a Martin County Coal computer operator at Kentucky’s largest mountaintop removal site noticed a glitch in a coal conveyor belt system. Workers sent to inspect the problem found a whirlpool of sludge swirling inside the site’s 72-acre coal slurry impoundment. The “pond” had sprung a major leak.

A crack had opened up between the bottom of the 2.2 billion gallon impoundment and the underlying underground mine. Before workers could get control of the situation, about 250 million gallons of lava-like black sludge gushed into the mine. The sludge exploded out two mine portals and into two creeks. (The Exxon Valdez oil tanker spill was “only” 11 million gallons of oil.)

Residents along Coldwater Creek and Wolf Creek awoke to a nightmare. Thick black gunk oozed out of the creek banks - at some points up to 10 feet deep, in other spots up to seventy yards wide - swallowing backyards, gardens and driveways and annihilating fish and other aquatic life. EPA officials said it was miraculous that no (human) life was lost.

Cleanup operations began, creating new disasters as equipment crushed septic tanks, broke water lines and scraped sludge-covered vegetation off stream banks. Residents have spotted backhoe operators “cleaning up” by turning layers of sludge-contaminated soil over into

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A Thank You Note

OVEC - Thanks for fighting to protect our mountains! What would a “level” West Virginia be like? Our mountains are beautiful, lets keep them that way!

Joanne Black

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

"Clean Coal" Is Dirty Deal For U.S. Taxpayers

by Vivian Stockman

It's the mother of all oxymorons: "Clean Coal." But politicians and their financiers expect us to scarf down their doublespeak. Their latest pet phrase is popping up in bills and proposals that would slop billions in taxpayer money into the trough to feed 'ole King Coal.

Senator Robert Byrd has joined with Kentucky Republican Sen. Mitch McConnell to introduce Senate Bill 60. The bill would blow \$1 billion of taxpayer money in ten years for "clean coal" research and would toss \$6 billion in tax breaks to power plants. It exempts coal burning plants for 10 years from Clean Air Act provisions that, among other things, require the plants to measure mercury and acid rain forming pollutants. Why does "clean coal" need exemptions from the Clean Air Act?

This corporate welfare would subsidize coal at the expense of less polluting natural gas. The bill works against truly clean energy sources such as wind, solar and fuel cells. It works against taxpayers' wallets, lungs, children and common sense.

Whatever the results of the taxpayer subsidized research might be, "clean coal" technologies definitely won't reduce emissions of carbon dioxide, a major heat-trapping gas that is contributing to the greenhouse effect. Coal is primarily carbon, the combustion of which emits greenhouse gases and escalates global warming. According to economists, we should follow the United Kingdom's lead and tax carbon emissions, not subsidize further pollution.

The Money Trail

All told, in 1999-2000, coal-mining interests gave over \$3.8 million in soft money, PAC and individual contributions to federal political campaigns. Most of the money was funneled to Republicans. Senator Byrd rolled in \$67,611 from mining interests in the 2000 election, according to the Center for Responsive Politics (www.opensecrets.org). He ranks third and McConnell fifth highest amongst congressional recipients of King Coal campaign donations. Among Senators signed onto S. 60 are George Allen (R-Va.), second highest recipient of Coal's largess in 2000; Rick Santorum (R-Pa.), third highest; Byrd, fourth; McConnell, sixth; Mike DeWine (R-Oh.), seventh;

and Craig Thomas (R-Wy.), eleventh.

Portions of Byrd's clean coal bill are incorporated into the National Energy Security Act of 2001, introduced by Senate Energy and Natural Resources Committee Chairman Frank Murkowski (R-Alaska). Coupled with the "clean coal" doublespeak, the Murkowski bill would open up the Arctic National Wildlife Refuge to oil drilling and would stoke up the nuclear industry.

President Bush, citing the power "crisis" in California, is not to be left out of the coal chorus. His budget includes \$2 billion for "clean coal" over a ten-year period. During the 2000 campaign, Bush was the number one recipient of coal cash. Bush has already given the full-pollute-ahead nod to Coal by renegeing on his campaign pledge to

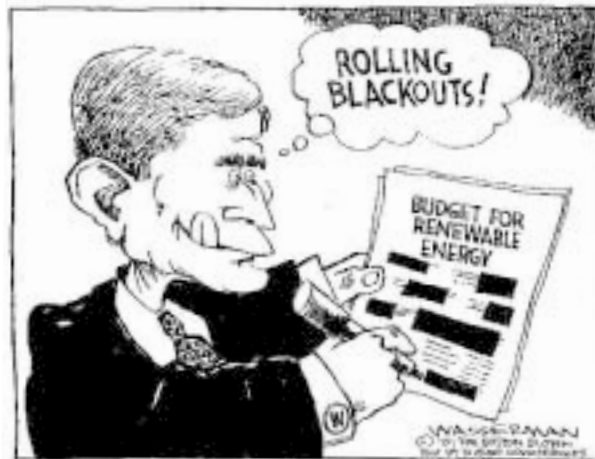
reduce carbon dioxide emissions and by rolling back rules that would have reduced arsenic in drinking water. Sorry if I missed a few of his other gifts to Coal, I can't keep up with the pace of Bush's agenda.

Bush appointed Spencer Abraham to head the Department of Energy. When he was a Republican Senator for Michigan, Abraham ranked tenth highest amongst

congressional recipients of coal cash. Abraham and Vice President "Oilman" Cheney are heading up a task force to develop a national energy policy. Apparently the policy will include proposals to ease clean-air rules for coal-fired power plants.

In her successful bid for one of West Virginia's House seats, Republican Shelly Moore Capito received \$17,750 from coal mining interests. She believes in "clean coal" too, saying coal needs to be burned in an environmentally friendly manner. Does that mean she agrees with Senator Byrd that it's okay to dodge measurement requirements for mercury emissions? Mercury is extremely hazardous, especially to unborn babies and children.

Let's pretend for a moment that coal really can be burned cleanly. Before you burn it, you have to extract it. Up north, in the traditional deep mining areas, that means black lung disease for miners and eons of costly treatment for acid mine drainage. For southern West Virginia, and parts of Kentucky and Virginia, that means more mountainside stream burials under valley fills.



Dirty Money Fouls Clean Water Bill in WV

by Janet Fout

(This article was adapted from “Industry stream rule provides little protection; state could take a ‘step backward,’ feds warn,” written by Ken Ward, Jr., *Sunday Gazette-Mail*, March 25, 2001. Opinions are solely Janet’s.)

As the West Virginia legislature takes up an important bill that will affect the future of 33,000 miles of streams, creeks and rivers, how far will our politicians go to protect West Virginia’s water from pollution?

According to the current federal anti-degradation rule, the current water quality of all waterways should be protected. Only if a requisite cost-benefit analysis indicates new jobs or development would offset the losses, would additional pollution be permitted. An anti-degradation plan, that should have been implemented nearly three decades ago, would provide our waters a level of protection above WV’s water quality standards. For instance, if an industry wants to discharge arsenic into a stream below the water quality standard for that pollutant, it would not be allowed under a strong anti-degradation plan.

Until March 27, two versions of the anti-degradation rule were in the House Judiciary Committee: a very weak, non-protective rule written by industry lawyers and lobbyists, and a slightly stronger compromise version proposed by the West Virginia Division of Environmental Protection (DEP). Neither really gives our state’s waters the protection we, as citizens, deserve. Under the Clinton Administration, EPA even threatened to take over the state’s water program unless strong protections were included in the rule. But that was under Clinton.

CASH for Used Inkjet Cartridges

Thanks for the support of our inkjet printer cartridge recycling program. After we included plastic envelopes for this recycling program in our last newsletter, we’ve been receiving money for the recycled cartridges. This is an ongoing project, so if you run out of those plastic envelopes please call the OVEC office at (304) 522-0246 and ask for Maryanne so she can mail you more.

Remember, just pop the used ink jet cartridge in the envelope, no postage required. The cartridge gets recycled, and OVEC gets \$1.50 for each one. If you don’t use an inkjet printer, please pass the bag along to someone who does.



Unfortunately, Bush’s U.S. Environmental Protection Agency (EPA) backed off significantly from the demand that West Virginia approve a strong new water regulation throwing its support to a weaker anti-degradation rule proposed by Gov. Wise’s Division of Environmental Protection. **Significantly, under the DEP proposal, valley fills that receive US Army Corps of Engineers permits would be exempt from the anti-degradation rule.** EPA has said that DEP should make it clear that the exemption applies only to the actual fill area, and not the area downstream. DEP’s rule also exempts existing polluting facilities and activities like logging and farming (Ward, Jr., Ken. March 28, 2001. “EPA backs down on W.Va. water quality rule.” *Charleston Gazette*, Charleston, WV).

Why would legislators even consider supporting industry’s version of the rule? Let’s follow the money to look for a few clues.

Since 1996, the People’s Election Reform Coalition-WV (PERC) (OVEC is one of PERC-s cofounders) has been researching and analyzing campaign reports submitted to the Secretary of State’s office by our legislators. A recent preliminary analysis by PERC researchers from WV Citizen Research Group (the research arm of WV Citizen Action Group) of the 2000 Election Cycle indicates that contributions from construction and real estate companies, coal, oil and gas, chemicals and manufacturers, corporate lawyers and other businesses (those who profit the most from polluting our state’s waters), contributed more than \$675,000 to legislators.

Amazingly, twenty-three of the 25 members of the House Judiciary Committee considering the bill received nearly \$100,000 from those who want to further pollute our waters. PERC found that Delegate Kevin Craig, D-Cabell, was the top recipient of “Dirty Water” money with \$12,000, followed by Delegate Carrie Webster, D-Kanawha. The chairman of the committee, Jon Amores, received about \$4,100.

The House Judiciary Committee voted to replace the “Dirty Water Bill” with DEP’s compromise bill. Then industry lobbyists were successful in a push to further weaken an already flaccid bill.

The legislature adjourned in mid-April, with the passage of a very weak anti-degradation bill. A strong case could be made that campaign contributions from polluters were effective in fouling both the political the process and West Virginia’s waters.

Why We Marched

King Memorial March Highlights Need For Social Justice

by John Taylor

O V E C ' s Board of Directors members present and voting at the board meeting of Jan. 11, 2001, voted unanimously that OVEC would participate in the Martin Luther King, Jr. Day commemorative march on January 15, 2001, as an organization.

A respectable number of OVEC members wearing OVEC badges came and proudly marched in honor of Dr. King and all that he stood for.

The important fact here is that we marched as an organization, and not simply as good-hearted individuals as many of us had previously done. We are an organization with a good number of members and supporters, a sizable constituency that looks to us for leadership on environmental issues. And there are many people locally, regionally and nationally who watch what we do, or read about us, and

“Injustice anywhere is a threat to justice everywhere. We are caught in an inescapable network of mutuality tied in a single web of destiny. Whatever affects one directly affects all indirectly.”

Martin Luther King, Jr.
“Letter From Birmingham Jail,”
April 1963

follow our organization’s leadership.

In “Parting The Waters”, a history of the Civil Rights Movement 1954-1963, there is a photograph showing hundreds of thousands of people marching down the main street of Detroit in June 1963, marching with Doctor King for racial justice. I’m somewhere in that picture, a skinny crew cut 23-year-old, following the leadership of Walter Reuther and the United Automobile Workers International Union. The union had urged its members to come out and



OVEC members and others march for Dr. Martin Luther King Jr. in a memorial parade.
photo by Janet Fout

marched with King.” But I wouldn’t have without the organizational encouragement of the U.A.W.

It is crucially important for all justice organizations to bear very public witness to their beliefs on racism in this period of deep national divisions on race relations. Progress has been made, but deep unhealed wounds remain.

Wendell Berry, a Kentucky environmental writer, has poignantly described how racism has wounded Appalachian white people in his book, “The Hidden Wound.” Describing the injury, he says, “If the white man has inflicted the wound of racism upon black people, the cost has been that he would receive the mirror image of that wound into himself. . . the wound is there, and it is a profound disorder, as great a damage in his mind as it is in his society. This wound is in me, as complex and deep in my flesh as blood and nerves. I have borne it all my life.” Later, he suggests a possible cure: “This, as I think Martin Luther King understood, is the real point, the real gift to America, of the struggle of the black people. In accepting the humanity of the black race, the white race will not be giving an accommodation to an alien people; it will receiving into itself half of its own experience, vital and indispensable to it, which it has so far denied at great cost.”

So, we must ask: What started the hateful and hurtful relationship of racism, and what are its effects?

We must start with the recognition that we are a racist country. How could it be otherwise? Our original economic base was the genocide of the native peoples and the theft of their lands followed by 500 years of slavery and Jim Crow laws. We, and all of our institutions, have been

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King March

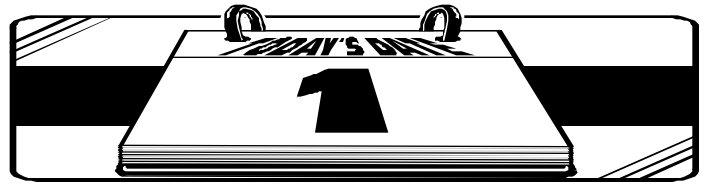
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unavoidably tainted and hurt by this history. This is emphatically not a question of individual fault. But if all of our hearts were somehow “purified of racism” tomorrow, the gigantic problem of our racist national political and economic institutions would remain. W.E.B. DuBois stated this accurately in, “The Souls Of Black Folk” when he said, “The problem of the 20th century is the problem of the color line, the relation of the darker to the lighter races of men in Asia and Africa, in America and the islands of the sea.” The truth of these words is today intensified because while we can see the mountain tops (those that still have tops) bathed in the pure light of possibility, a dark abyss of environmental, economic and political disasters lies immediately before our feet.

DuBois also pinpointed one of the most crippling effects of racism upon black people in his discussion of their “double consciousness.” He said, “it is a peculiar sensation, this double consciousness, this sense of always looking at ones' self through the eyes of others...” A black person can never be just a “regular person.” They must always be conscious of themselves as people with dark skin while at the same time being conscious that they are being observed and judged by people who never have to think about their own “whiteness.” White people have skin privilege. Unless and until we get rid of it along with the other pernicious privileges of sex, gender and class, we aren’t going to prosper or even survive as a nation “of the people, for the people and by the people.”

There are no guarantees of survival, let alone success, for individuals, organizations, movements, nations or even the human race. Our movement is an overwhelmingly white movement. If we are to have any hope of achieving our goals we have no choice but to cross the “color line” and all the other “lines” that are holding us back. We have to move into action large numbers of persons of color and ordinary working people by showing them that protection of the environment is essential to the well-being of them and their children. If we can’t, or won’t, do that we will forever be nothing more than a sometimes significant, but always isolated, movement.

**IF YOU WANT TO GET
INVOLVED,
WE CAN HELP!
CALL THE OVEC OFFICE AT
(304) 522-0246**



UPCOMING EVENTS

Thursday, May 31, OVEC Board of Director’s meeting, 6:30 p.m. at the OVEC office. Call (304) 522-0246

July 27-29, EAR (Economics in the Appalachian Region) Summer Institute; creative workshops about today’s economic realities; Breaks Interstate Park, Virginia-Kentucky border. Contact Janet at OVEC, (304) 522-0246

July 27-29, “Think Green” second Annual Sustainable Fair, West Virginia Wesleyan College, Buckhannon. Contact Denise at deniseap@earthlink.net; workshops, demonstrations, presentations, booths on a wide variety of sustainable topics such as: Organic Certification, Foraging for Edible Plants, Culinary Herbs, Industrial Hemp, Composting, Medicinal Herbs, Solar Energy, Green Architecture, Soap-making, Yoga, Reflexology and more. Keynote speaker: Bion D. Howard - “Building Green for Real Sustainable Development Now”. For registration & information contact Denise Poole: deniseap@earthlink.net, or (304) 522-8409. For continual updates: www.lapaixherbaljourney.com.

June 30 - July 1, Fourth of July celebration at Stanley Heirs Park on top of Kayford Mountain, 30 minutes south of Charleston. See mountaintop removal for yourself! Meet good folks! Visit the Stanley family cemetery which is surrounded by blown-up mountains and buried valleys. Call the OVEC office for directions. For more information, call Larry Gibson at (304) 586-3287, or (304) 542-1134. .

Slurry Coming?

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deeper, cleaner soil. At the peak of the cleanup, 500 workers and 300 pieces of equipment worked around the clock, costing Martin County Coal \$10,000 per hour. Officials estimate the cleanup will cost over \$46 million (activists expect it will cost much more) and will take at least six months, although they say a total cleanup is impossible. Some sludge will be stirred every time there is a heavy rain.

The ooze headed downstream, into the Tug Fork of the Big Sandy River, then on towards the Ohio, eventually affecting over 70 miles of waterway.

A New Role For The Environment : As Bush's Convenient Public Enemy No. 1

Excerpts from the *New York Times*, March 25, 2001:

"President Bush has declared that, once again, the nation has an acute shortage of energy.

"But the enemy his administration has identified is

not one of the usual suspects: profligate usage, OPEC or Saddam Hussein.

"Instead, it is environmentalism.

"A recent study by five national laboratories under the Department of Energy found that market-based energy efficiency policies, like tax credits for fuel-efficient vehicles, could reduce the growth of energy demand by a third through 2010.

"Yet the president's budget framework envisions cutting funding for energy efficiency and renewable energy programs by 30 percent, Congressional experts who have been briefed on the planned cuts said."

...And he hasn't even thanked us for providing such a convenient scapegoat. Sigh...where did that boy learn his manners?



No more waffling in the White House on mountaintop removal/valley fill strip mining! President Bush has already been to West Virginia and promised his support for King Coal's agenda.

OVEC NEEDS YOUR SUPPORT AND INVOLVEMENT YOUR CONTRIBUTIONS ARE VITAL TO KEEP OUR WORK GOING!

Cut and mail **today** to: OVEC, P.O. Box 6753, Huntington, WV 25773-6753

- New member or renewal (Dues: \$10 - \$30, pay what you can)
- Donation
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FOR MORE INFO CALL (304) 522-0246
 Remember - All donations to OVEC are tax deductible!



Finally, some truth in corporate advertising. A banner made by the Marshall University organization Student Activism For the Environment was hung from the parking garage next to the site of the Massey Energy shareholders meeting in Charleston, WV, on April 17, 2001.

photo by Chris Brady

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

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