



November 2001

"E"-NOTES

the newsletter of the

Ohio Valley Environmental Coalition

www.ohvec.org

One Year After "Black Day"

Remembering the Greatest Coal Sludge Disaster

Dave Cooper carried a sign reading "Unhappy Anniversary." The black day was October 11. Cooper and about 100 other folks gathered outside Massey Energy's headquarters in Charleston to mark the anniversary of the nation's worst "blackwater" spill.



Our October 11 protest at Massey Energy headquarters drew a diverse crowd. The Associated Press reported that about 100 protesters participated. This photo shows college students, United Mine Workers union members, a Methodist minister and environmentalists.

One year ago to the day, more than 300 million gallons of sludge broke through from a coal waste slurry impoundment at Kentucky's largest mountaintop removal operation, a site owned by a Massey Energy subsidiary.

The lava-like black goo (laden with heavy metals present in coal and coal cleaning-chemicals and who-knows-

Scientists: It May Happen Again

The day after our protest at Massey Energy headquarters, the National Academy of Sciences released a report on coal waste impoundments. Citizen outcry after the sludge disaster pressured Congress to order the study late last year.

Hydrogeologist Rick Eades spoke before the committee on behalf of OVEC. OVEC and Coal River Mountain Watch members attended meeting after meeting, demanding that the committee hold at least one hearing in

continued on page 5

what-they-dump-in-those-impoundments) poured into Coldwater and Wolf Creeks and oozed 100 miles down the Tug Fork and Big Sandy rivers into the Ohio, closing down community water supplies and devastating aquatic life.

People's yards and gardens were buried in over seven feet of sludge. The disaster "helped" place the Big Sandy on American Rivers' Most Endangered Rivers list.

Residents are upset about the slow pace of the clean up. Some still can't drink their well water. Septic systems are not working. What's left of stream bank vegetation isn't healthy. People are worried about their health. They wonder if the clean up will ever really be complete.

Still, Massey Energy insists it is a good corporate neighbor, even though the sludge disaster represents just one of Massey's many frequent blackwater spills, which in

continued on page 4

Inside

Telling It Like It Ispage 2
LaFollette on Campaign Reformpage 7
Brushy Fork: A Sleeping Giantpage 10
A Civil Rights Issuepage 17

Speaking the Truth About "the worst environmental disaster"

by Janet Fout

On this day one year ago, a 72-acre slurry lake owned by Martin County Coal Co., a Massey Energy subsidiary, failed - spilling 300 million gallons of coal sludge, chemicals, and water - filling streams and hollows in Inez, Ky., and polluting water supplies in Kentucky and West Virginia nearly 70 miles away.

The U.S. Environmental Protection Agency dubbed this "the worst environmental disaster in the Southeast." That same slurry lake had failed a few years earlier, and neither the federal investigating agency (Mine Safety and Health Administration) nor the company took any corrective action.

And on this day, one month ago, the brutal attack on the World Trade Center and Pentagon - the needless destruction and loss of human life - impacted all of us in unimaginable and numerous ways. Since those unspeakable events of September 11, we have been reflecting on our own work in the context of this national crisis.

The President has urged the people of this country to carry on - that we must not cave in to fear. Let it be known that we are all very sensitive and deeply grieved and affected by this great national tragedy and to the very personal losses of families who lost loved ones on September 11. Life for all of us will never be the same.

One important question we have been asking ourselves is this: Is the work of saving our mountains, streams and communities from the destructive practice of mountaintop removal/valley fill strip mining of coal still meaningful in the light of this present national crisis?

We believe the answer to this is undeniably, YES.

Mark Twain said: "My kind of loyalty was loyalty to one's country, not to its institutions or its office-holders. The country is the real thing, the substantial thing, the eternal thing; it is the thing to watch over, and care for,

and be loyal to..." (from *A Connecticut Yankee in King Arthur's Court*).

For us, what is real, what is substantial, what is eternal are our mountains, our streams and communities - and we must be loyal and watch over and care for them. Above all, our motivation for this work is love and a sense of justice.

In the wake of the horrific events of Sept. 11, the President has established a new Office of Homeland Security that will undertake to strengthen homeland defense. We see ourselves as the home guard of another kind of homeland defense. We can't turn our backs on

injustices and unlawful acts that affect our people and our homeland committed by companies like Massey Energy.

Because of the events of Sept. 11, greater pressure is likely to come to bear on West Virginia - to mine more coal for the sake of the nation. We will say to anyone who is listening - West Virginians are already paying too great a price - even immeasurable costs.

How does

anyone justify the total and permanent annihilation of mountains, streams, forests, communities and the lives of miners? We know in our hearts that there is no REAL justification. And we know why it is done and often done in an unlawful manner - to enrich the bottom line of companies like Massey Energy. Get it *cheaply*. Get it *quickly*. Get it *all*.

We love this state, its mountain beauty, its people and its communities.

We will carry on our work of shining light on the misdeeds of Massey Energy and other coal companies who show contempt for our land and its people by disregarding the laws of this state and nation. As long we have breath and as long as there are companies like Massey that see themselves above the law, we will raise our voices in protest



Janet Fout addresses the crowd at the October Massey Energy protest in Charleston.

OVEC Staff Wins National Leadership Award

by Vivian Stockman

In late 2000, the Ford Foundation, New York University's Graduate School of Public Service and the Advocacy Institute teamed up to launch the Leadership for a Changing World (LCW) program.

The national program highlights successful community leaders and provides them with \$130,000 in financial support. LCW sought nominations for leaders who manifested these characteristics:

- ◆ Leaders who are tackling tough social problems.
- ◆ Leadership that is strategic and gets results.
- ◆ Leadership that inspires others to believe they can make a difference.
- ◆ Leadership that brings people together.
- ◆ Leaders from whom one can learn; and leaders who want to learn from others.
- ◆ Leadership that is sustainable beyond any individual effort.

I thought of the leadership team of Dianne, Janet and Laura, who have worked together for eight years, and I checked off everything on that list. So I sent in the nomination. Over 3,000 others also sent in nominations for people they thought were special leaders. After site visits and loads of calls and letters, the OVEC team was chosen as one of 20 Leadership for a Changing World award winners!

We aren't just patting Dianne, Janet and Laura on the back here. One of the very special things noted about OVEC was the lack of a rigid hierarchical structure and the emphasis on involving everyone. To all of OVEC's members - THANK YOU for making this award possible! And, thank you to the groups we work most closely with - Coal River Mountain Watch, WV Highlands Conservancy, WV Citizen Action Group.

New fuel for an eminently sane crusade

Small Ohio Valley environment group deserves its honors

by Dave Peyton, Charleston Daily Mail columnist (Sept. 24, 2001)

I had to chuckle when I read the news release announcing that the Ford Foundation had awarded \$130,000 to three members of the Ohio Valley Environmental Coalition.

"(Dianne) Bady, (Janet) Fout and (Laura) Forman are now well known to the political and industrial leaders of the Ohio River Valley," according to the foundation.

In the vast library of mankind's understatements, this one surely must rank right

continued on page 6



OVEC women Janet, Laura and Dianne, left to right, pose for a photo at the first meeting of awardees for the Leadership for a Changing World award, in New York, with Sarah James, seated left, and Barbara Miller, standing far right. Sarah is a spokesperson for the native Alaskan Gwich'in - the Caribou People who oppose oil drilling on the coastal plain of the Arctic National Wildlife Refuge. Barbara leads the Silver Valley People's Action Coalition, which fights the human and environmental devastation caused by mining contamination in Idaho's Silver Valley region.

OVEC Board & Staff

Board Members

John Taylor, Co-Chair
LaShonda Bare, Co Chair
Gregg and Melissa Anthony
Jeff Bosley
Greg Carroll
David Duke
Eric Fout
Winnie Fox
Larry Gibson
Carlos Gore
Susan Hayden
Rebecca Hoff
Tom Jones
Dan Kash
Thomas Kincaid
Beady Phillips
Sharon Roon
Elinore Taylor

Full- and Part-Time Staff

Dianne Bady
Janet Fout
Laura Forman
Vivian Stockman
Maryanne Graham
Rick Eades
Denise Poole

E-Notes Editor

Dianne Bady

E-Notes Junior Cat Herder

Monty Fowler

OVEC

P.O. Box 6753

Huntington, WV 25773

phone: (304) 522-0246

fax: (304) 525-6984

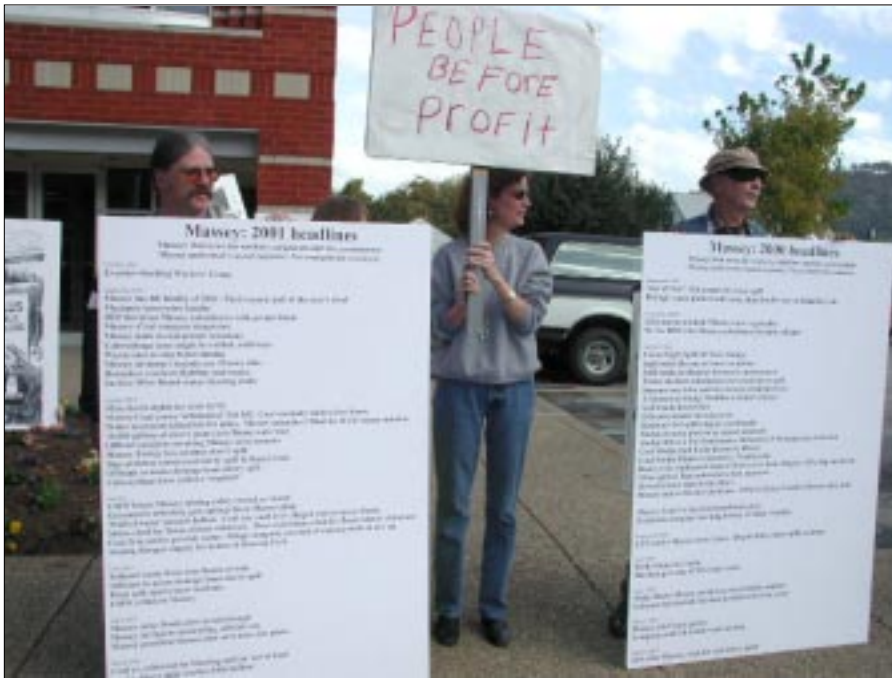
e-mail: ohvec@ezwv.com

web page: www.ohvec.org

All rights reserved.

Massey Protest

continued from page 1



OVEC and Coal River Mountain Watch members stand outside Massey headquarters to remind the company of all its misdeeds. The giant placards list headlines from just a few of Massey's sins in the last two years.

turn represents just one aspect of Massey's dismal record over the years:

- ☠ Miner fatalities;
- ☠ Strong anti-union stand;
- ☠ Contracts with frequently overweight coal trucks, one of which was recently involved in a deadly accident;
- ☠ Avoidance of worker's comp taxes;
- ☠ Patterns of law violations at many facilities;
- ☠ A preference for public relations ploys and litigation versus actual remedial actions.

So, on the one-year anniversary of the catastrophe Massey called "an act of God," we gathered outside Massey headquarters to deliver a list of demands, asking Massey to clean up its act. Present were representatives of OVEC, Student Activism for the Environment (Marshall University), Coal River Mountain Watch, Citizens' Coal Council, WV Rivers Coalition, the WV Highland Conservancy, Kentuckians for the Commonwealth, Kentucky Sierra Club and the United Mine Workers of America.

The UMWA does *not* support our drive for a ban on mountaintop removal (despite the fact that the huge machines used on mountaintop removal sites displace droves of workers), but the union certainly

agrees with us that Massey Energy is bad news for labor and the environment.

Nowadays, Massey tries hard at public relations (greenwashing), even though their spokesman is frequently unavailable for comment. But, back before Massey was so PR slick, it inadvertently let the truth out (*see photo below*).

OVEC's Larry Gibson, Coal River Mountain Watch's Pauline Canterbury and Reverend Jeff Allen went into Massey headquarters to try to deliver our demands that Massey clean up its act.

The press plowed in behind them, demanding to hear from Massey's usually absent spokesman (*see photo at right*).

The spokesman, Bill Marcum, again was unavailable. Massey attorney Shane Harvey said he could not guarantee the demands would be delivered to Massey's CEO Don Blankenship. Harvey repeatedly asked our delegation and the press to leave the premises.

When we finally did leave, one UMWA supporter deposited a gift for Massey at its front door - a long strip of truck tire.

She said she found the tire chunk on the road outside her home. It had peeled away from a tire on a truck heavily overloaded with Massey coal.

And so it goes ...



As the saying goes, "The Truth is out there."

Scientists Warn of Blackwater Disaster

continued from page 1

the coalfields (they did) and that they take citizen safety concerns seriously.

The committee's study shows that there are no guarantees a similar disaster won't happen at any of the nation's 700 coal waste impoundments, as map information used in engineering the impoundments is frequently inaccurate and government oversight has been ultra lax.

One problem with the failed Massey impoundment was that coal company maps showed at least 70 feet of rock between the bottom of the impoundment and the ceiling of underlying mine works. In reality, the rock barrier was less than 18 feet in some places.

The study recommends giving the Office of Surface Mining (OSM) and the Mine Safety and Health Administration (MSHA) more oversight of coal dams. That's cold comfort, because OSM has long had a hands-off attitude toward reining in the excesses of the coal industry. Six years before the Oct. 11, 2000, sludge catastrophe, after a smaller spill, MSHA knew of potentially life-threatening problems at the impoundment, but never forced Massey Energy to enact safety measures.

MSHA has just released its own report on the sludge disaster, predictably - and dangerously? - downplaying both Massey's inaccurate maps and the agency's own totally slack enforcement. But, hold on now, don't think MSHA isn't serious about protecting us - it issued two citations to Martin County Coal Co., the Massey subsidiary responsible for the sludge disaster. The whopping fines for these citations could range from \$110 to a total of \$110,000. The company thinks that is way too



Massey attorney Shane Harvey (center of photo at rear) said he could not guarantee the demands would be delivered to Massey CEO Don Blankenship. Harvey repeatedly asked our delegation and the press to leave the premises.

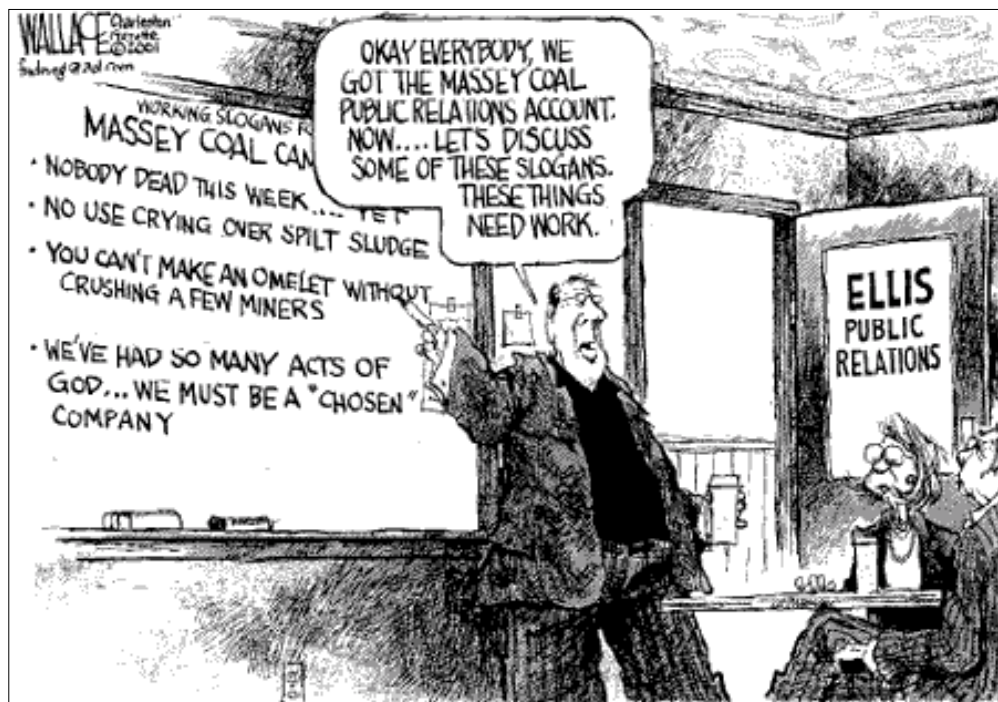
much and plans to appeal. Massey says it has spent over \$40 million on cleaning up its mega-mess. (We couldn't find figures on how much various local, state and federal agencies have spent.)

The National Academy of Science study calls for research to identify what chemical compounds are in coal waste slurry, how the compounds affect water quality around the impoundments and that the coal industry and regulators work to establish alternatives to coal waste impoundments.

Indeed. Let's get those alternatives in place NOW. As our friends at the Kentucky Waterways Alliance noted in a recent press release: "The need for immediate and decisive action to protect our citizens and our environment is clear when one considers that the worst environmental

disaster ever in the southeastern United States was caused by releasing just 22 percent of a small slurry impoundment in a rural area in Kentucky. Just imagine what could have happened if 50-100 percent of the slurry had been released or if this impoundment had been several hundred acres rather than only 72 acres."

Surely, folks living along the Coal River and in St. Albans, where the Coal empties into the Kanawha, would shudder reading that! Marfork Coal's (another Massey *continued on page 6*



OVEC Leadership Award

continued from page 3

up there with St. Matthew's biblical underestimation when describing Jesus in the wilderness:

"After fasting forty days and forty nights, He was hungry."

When the Ford Foundation announced last week that the three, representing OVEC, had been awarded \$100,000 to advance their work and an additional \$30,000 to "strengthen their skills and for other supporting activities over the next two years," it probably sent some of the business people in this region in search of the Pepto-Bismol bottle.

The award not only gives OVEC more resources to raise issues some would rather not see raised, but it legitimizes the environmental group in the eyes of a major foundation and perhaps the world.

Among OVEC's crusades, the most highly visible one is "pursuing its longstanding battle against mountaintop removal, which continues to threaten the state's environmental future," according to the Ford Foundation news release.

"They have proved a formidable force in fighting for sustainable and environmentally sound economic development in the region," the foundation news release continues.

How has OVEC done it? Through "community activism and strategic use of the media," the Ford Foundation news release says.

I've been on the receiving end of that "strategic use of the media" for the 10 years that OVEC has been around. It's their job to try to use the media, just as it's the job of the public relations folks in the business community to strategically use the media to get the business perspective to the people.

It's my job to sort through all the reams of material from both sides and try to find the truth.

The truth about OVEC, as I see it, is this: The group is made up of dedicated people who aren't out to drive us all from West Virginia by eliminating jobs.

When the group opposed what they saw as dangerous pollution from the Ashland Oil Refinery in Catlettsburg, Ky., when they fought against the construction of a paper mill and a toxic waste incinerator, they saw these

industries as long-term environmental threats to the region and not worth the future ecological heartache for the jobs they would create.

And when it comes to coal mining, OVEC believes that removing mountains simply isn't the way to get the coal. OVEC is attempting to strike a balance between the right to mine coal and this generation's ability to destroy the environment in the process.

In my estimation, it's an eminently sane crusade. I suppose there'll be a lot of grumbling in some quarters

about the prize. But now that the group has received plaudits for its work from an internationally-known foundation, don't expect OVEC to rest on its laurels.

It's simply not that kind of group.

"We are not pleased the Ford Foundation gave OVEC a grant to continue their work. Our view is that mining is good for West Virginia. To give OVEC money to continue their work hurts mining and hurts West Virginia."

Dan Miller, vice president of the West Virginia Mining Association, as quoted in a *Huntington Herald-Dispatch* story about OVEC's award.

Scientists Warn

continued from page 5

subsidiary) Brushy Fork impoundment is 645 acres (the dam and slurry lake) and is permitted to hold 5 billion gallons of slurry! (*see photos on pages 10-11*). Underground mine works lie below part of this impoundment and some of the same engineers who worked on the failed Kentucky slurry lake worked on the Brushy Fork impoundment, which looms above the town of Whitesville, W.Va.

Congressmen Nick Joe Rahall (D-W.Va.) and Hal Rogers (R-Ky.) have said they'll ensure that the NAS's study recommendations are implemented.

But will existing unsafe impoundments be closed? Even if new laws are implemented, will they be enforced? Or will it be business as usual in the coalfields?

Not if citizen activists can help it - and together we *can* help it.

Solar could meet 26% of demand by 2040

FRANKFURT - Solar power could cover more than a quarter of global energy demand in 2040, over 9,000 terawatt hours (TWh), a new report by Greenpeace and the European Photovoltaic Industry Association (EPIA) said recently.

Solar power is seen as a way to help combat climate change, provide easier electricity access to the world's poor and give greater energy security and independence than fossil fuels can.

Unholy Alliance of Money and Politics Wreaking Havoc on the Earth

by Janet Fout

"I'm a desperate optimist. I wouldn't be here today if I weren't an optimist," Wisconsin Secretary of State Doug LaFollette said.

His talk, entitled "From Nixon and Carter to Nader, Bush and Jeffords - the Politics of Our Environment and the Money that Corrupts It," struck a familiar chord with OVEC members and the public at an OVEC-sponsored event.

LaFollette, a Democrat, lived in Parkersburg and attended Marietta College as a young man. He returned to the Mountain State this fall to share his views on the environment and politics with OVEC members, university students and the public.

As a founder of Wisconsin Environmental Decade 30 years ago (a group that still exists), LaFollette smiled and offered that he was naïve to think that the work could be finished in only 10 years.

While some people haven't yet made the connection between a clean environment and campaign finance reform, for LaFollette the link is patently clear. LaFollette explained that although money has always played a role in elections, big money began to really take over politics two years after President Clinton was elected, when Republicans took control of the House.

It's his opinion that both the Democrats and Republicans "sold their soul for money" and that the major issue of politics has become money. What happened early in the Clinton administration was that key Republicans, like Young (R-Alaska) and Murkowski (R-Alaska), the most vocal opponents of environmental protection, became chairpersons on key committees.

New Board Member Named

The OVEC board wants to extend a warm welcome to our newest board member, Thomas Kincaid.

Thomas will serve as a liaison between OVEC and the Huntington-Cabell Branch of the National Association for the Advancement of Colored People. Thomas, replacing John Price (a very busy father of two little girls who is still deeply interested in OVEC's work), has lived in Huntington for many years after moving from the coalfields of McDowell County.

At a recent board meeting he said that his father, a coal miner, died at a very young age from black lung disease. As an active member of his community, he strives to make a difference. We are so pleased that he is willing to serve on OVEC's board!

LaFollette views Congress during Gingrich and the three Congressional sessions since then as the most anti-environmental of his lifetime. He said rumor has it that because politicians are so beholden to campaign contributions, industry lobbyists are invited to write legislation. The results were, and are, major environmental reversals and almost no progress.

Not wanting to give the impression that Republicans always had poor environmental records, LaFollette pointed out that President Nixon's legacy on the environment was not bad. Nixon gauged public opinion on environmental issues, and as a result significant laws came into being, such as the Clean Water Act and the Clean Air Act.

"People who vote against the (environmental) laws are the ones with the money from the industry. One of the most important issues is campaign finance reform. We need more groups like yours - more hard work."

Doug LaFollette, Wisconsin Secretary of State, at an OVEC-organized meeting.

LaFollette said environmentalists were very excited about the election of President Carter, who understood the importance of environmental protection and appointed many good people. For instance, to show support for the development of alternative energy sources, which he believed held real promise for commercialization, Carter had a solar collector installed at the White House.

Unfortunately, Carter's environmental vision would not come to fruition. He was defeated in his bid for a second term because of his handling of the Iran hostage crisis.

LaFollette explained that President Reagan's biggest problem was that he was "anti-government." This type of thinking, he said, continues today. As a result, many good environmental programs are weakened due to inadequate funding. He pointed out that big money special interests first began having a starring role under Reagan and continued during "Bush I."

Under Clinton the environment did not fare well. As governor of Arkansas and early in his presidential administration, Clinton learned he needed the support of big special interests. Although he appointed good people, Clinton was not particularly active on the environment.

During the first six months of his administration,
continued on page 8

continued from page 7

Clinton tried to pass a good budget that included raising taxes on wealthy individuals, ranchers and Western mining interests.

But when Clinton was confronted with the fact that not a single Republican supported his budget and that Montana Senator Max Bacchus (D) felt obligated to support the interests of ranchers and mining interest (instead of Clinton), Clinton panicked, fired his outspoken head of the Bureau of Land Management who went in with a mandate to reform grazing and mining laws, and then gave up on the whole thing. In LaFollette's mind, this was an indication, "Clinton could be rolled" (by special interests).

According to LaFollette, President Bush "is pretty much an environmental disaster," as first evidenced by his poor record as governor of Texas. Since his election, Bush has supported policies that hurt the environment - "from drinking water standards on arsenic, hardrock mining policies and roadless policy in our national forests - he is beginning to get rid of them all."

The energy industry is "the most obscene," LaFollette said. "Oil, gas, and coal are running the policy in Washington." He tagged Bush's energy bill as a "disaster," which subsidizes corporate fossil fuel industries and doesn't increase automobile efficiency.

What Bush hadn't seen coming was Senator Jeffords, "like a bolt of lightning," switching party affiliations, thus giving majority leadership of the Senate back to the Democrats. That could throw up some roadblocks to Bush's anti-environmental agenda.

Even the regulatory process has fallen under big money's influence, LaFollette said. A good environmental law may get passed, but the regulations may take years to write with industry representatives on the same committees as congressional staff, environmentalists and academics - and typically industry wants to know just where a politician stands on the issue. It isn't an unusual practice for industry lobbyists to write \$5,000 and \$10,000 checks for re-election campaigns during crucial times. As a result, the writing of rules and regulations can be delayed and industry can continue to do whatever it wants. It's a cozy relationship, he said.

Also disturbing were examples LaFollette gave on recent court rulings that he called "tremendously negative," such as a case where a judge ruled that hatchery salmon are

the same as wild native salmon. (Native wild salmon are a protected species.) In another, the courts allowed a man to build a dump on wetlands although the government had said use of this land was restricted.

In spite of the apparent anti-environmental trend in government, LaFollette pointed to what he called semi-good news and a "strange phenomena," taking root out West - a transition from extractive industries to tourism and high tech.

He sees a new wave of the pro-environment movement from citizens, although this hasn't transferred yet to politicians. He pointed to the Clean Election law in Arizona that provides public funding for elections as one of many reasons to hope.

Wind Power Now Cheaper than Coal!

Wind power is now cheaper than coal in the U.S., according to a study published in the journal *Science*. The study's researchers, two Stanford engineers, priced wind power at 3 to 4 cents per kilowatt hour, already competitive with the market price for coal power. After factoring in health and environmental costs, they put the true price for coal power at 5.5 to 8.3 cents per kilowatt hour.

For wind power to take off, however, the researchers say that lawmakers will need to give the industry the same investment opportunities and tax breaks historically given to fossil fuel industries.

The researchers propose this bargain-basement deal: eliminating nearly two-thirds of coal-generated electricity and single-handedly dropping the country's greenhouse gas emission levels below 1990 levels by building 225,000 wind turbines - at an initial cost of \$338 billion. (*from Grist magazine*).

This guy is:

- A. A corporate lobbyist about to deliver some "influence" to local politicians.
- B. A politician who has just been visited by a corporate lobbyist.
- C. The final contestant on CBS' "Survivor."
- D. None of the above. He's in the wrong newsletter.



WHEN YOU'RE FINISHED WITH THIS NEWSLETTER, PLEASE PASS IT ON!

Sustainable Fair

A Vision of How Things Could Be in West Virginia

by Mary Wildfire

A teenage girl examines a row of irregularly square packages in a variety of speckled, pastel shades...herbal soaps. She chooses teatree soap because she's read that it's good for acne. In another corner two men discuss the best building materials for an energy-efficient house. Several yards away, a woman draped over a massage chair closes her eyes as a masseur rubs all the tension from her muscles. Upstairs, people listen to advice on how to install solar electric systems in their homes.

These are scenes from the West Virginia Sustainable Fair, held July 27-29 at the West Virginia Wesleyan College in Buckhannon.

OVEC's Denise Poole was one of the central organizers of the event, along with Myra Bonhage-Hale, Lynn Degen and others.

At a time when politicians are pushing an expansion of fossil fuel and nuclear energy regardless of the costs, the Sustainable Fair was a place to learn about solar energy, to see a solar energy demonstration, or to check out two hybrid gas/electric vehicles.

At a time when multinational corporations are pushing a globalized, industrialized food system that sweeps farmers off their land and drops genetically engineered, irradiated and over-refined foods onto our plates, here was a place to talk about Community Supported Agriculture.



At a time when globalization is turning the whole world into one artificial, hyper-commercial "McWorld," the Fair was a place to celebrate the surviving diversity - biological and cultural - and join the emerging resistance.

The Sustainable Fair boasted four dozen booths, 30 speakers, an art exhibit, two sessions of live music and an auction. Nearly every environmental group in the state

was represented, as were some government agencies, the Mountain State Dowsers and the Northeast American Coalition on Religion and Ecology.

If you missed this year's Sustainable Fair, plan on attending the 2002 Sustainable Fair. For information, or to help plan next year's event, contact Denise at the OVEC office or Myra at lapaix@iolinc.net.

If we wait for our "leaders" in politics and industry to make the changes that will allow us to hand the next generation a world in decent condition, it may be too late.

But we don't have to wait. We can start making the changes ourselves. The Sustainable Fair is a fun place to share information on the practical details of guiding our own future.

(Mary Wildfire is the new president of the West Virginia Environmental Council.)



JOIN THE OVEC ACTION ALERT LIST TODAY!

Want to know what you can do to help stop mountaintop removal? Please join OVEC's e-mail Action Alert! list. This is NOT a list-serve that will land bunches of e-mails in your inbox, but rather a crucial way to keep you informed of timely events and actions in our struggle to stop mountaintop removal.

Join by sending an e-mail with the subject "join OVEC alert list" to vivian@ohvec.org. Be sure to let us know whenever your e-mail address changes.

If you don't have e-mail, call the OVEC office at (304) 522-0246 to make sure we have your phone number and mailing address so we can keep you up to date.

Remember, power comes from speaking up for change. Thanks!

5 BILLION Gallons of Potential Black

This op-ed appeared in the Charleston Gazette on August 6, 2001.

DEP looking out for coal interests, not citizens

by Rick Eades and Vivian Stockman

On June 26, the West Virginia Department of Environmental Protection (DEP) sued Martin County Coal Co., a Massey Energy subsidiary, alleging negligence and nuisance in the nation's worst-ever blackwater spill.

Last October, Massey's coal slurry impoundment at a Kentucky mountaintop removal site leaked over 250 million gallons of toxic sludge, annihilating aquatic life and disrupting public water supplies along the Tug Fork and Big Sandy rivers. The company apparently failed to heed mine agency warnings of a potentially life-threatening catastrophe at the impoundment.

So, this lawsuit shows that DEP shares citizen concerns over the safety of the 136 coal slurry impoundments in West Virginia - right?

Not really. DEP would be embarrassingly remiss if it did not try to collect damages and costs due to the Martin County sludge disaster. After all, not a teaspoon of sludge

has been removed from affected West Virginia rivers, even though the Agency for Toxic Substances and Disease Registry reported that six toxic metals were found in the sludge above levels for human health concerns.

Just as ugly, the very day DEP sued one Massey subsidiary, it apparently bent over backward to protect another Massey sludge impoundment, as four DEP employees conspicuously disappeared at the moment of truth about the biggest impoundment possibly in state history.

5 Billion Gallons

On June 26, the Surface Mine Board was hearing a citizen appeal of a DEP-issued permit for Massey subsidiary Marfork Coal Co.'s Brushy Fork impoundment. This permit will enable 5 billion gallons of coal slurry disposal in the headwater of Coal River. That is roughly equivalent to a slurry "aquarium" with a base the size of a football field, deeper than the altitude of Denali (Mount McKinley), the highest mountain in North America.

Put another way, every man, woman and child in the state would have to contribute 2,700 gallons of coal slurry to meet the permit allowance.

The Ohio Valley Environmental Coalition (OVEC), Coal River Mountain Watch, Marshall University's Student

The 645-acre Brushy Fork coal slurry impoundment, which Massey Energy subsidiary Marfork Coal Co. wants



Death Proposed for WVa. Mine Site

Activism for the Environment and two brave individuals appealed DEP's sixth rubber-stamp approval of the permit for this colossal impoundment. Attorney Mary Ann Maul, recruited just hours before a final deadline, led the appeal pro bono.

DEP Ignored Concerns

We had voiced numerous concerns about the impoundment's safety in a December hearing on the permit renewal. The DEP ignored most of the citizens' concerns and renewed the permit, forcing us into the legal arena.

Our appeal relied upon 10 sections of surface mining law and raised over 25 specific concerns. We submitted our list of witnesses, including four DEP employees who are most knowledgeable about this particular impoundment and all permitting decisions over the past six years.

Never, to our knowledge, have citizens been forced to subpoena DEP employees to appear at such a hearing. They are, after all, public servants charged with protecting the public and environmental health and safety. "Protection" is in the name of their agency.

Employees Were No Shows

But on the day of the hearing, these four DEP employees didn't show. Engineers in charge of permit review

and approval, Ed Wojtowicz and Greg Demyan, didn't show. Permit quality control engineer Dalip Sarin and the administrator of the Division of Mining and Reclamation, Ed Griffith, likewise disappeared.

Only the permit inspector, Tom Wood, came to testify. We found it disturbing that Wood was the only witness DEP legal counsel Tom Clarke deemed necessary to give details of permit renewal and compliance with the board. Unlike Demyan, Wojtowicz, Sarin and Griffith, Wood only acts as an inspector and has no direct role in permitting.

Subpoenas Needed

When it became obvious that central DEP staff who were most knowledgeable about permit decision-making had "forgotten" the hearing, we hurriedly sent the sheriff to serve subpoenas. DEP counsel Tom Clarke even blurted out before the board that we would not find them in Fayette County at DEP's regional office in Oak Hill. How did he know this?

Their bosses hadn't a clue where they were, and direct questioning of former Mining Chief John Ailes and DEP Secretary Mike Callaghan produced no information as to their whereabouts. Their subpoenas were never served,

continued on page 12

to make even larger. This montage gives some idea of the sheer size involved. *photos by Vivian Stockman*



Looking Out for Coal

continued from page 11

because as you may now understand, these folks responsible for ensuring that our environment and we are protected from a gigantic waste site had apparently run and hidden!

This is not what public service, public interest and accountability are about. This may be a benchmark of regulatory cuteness and cowardice. The waste impoundment, which has had too many violations to list here, was primarily designed by engineers who also were in charge of construction at the Martin County site at the time of that disaster, and evidence was mounting that toxic chemicals could be present in the slurry.

Concerns Presented

To document what DEP officials had considered during permit renewal, citizens needed to question these public servants.

Nonetheless, we were able to present before the board some of our case, including:

- 👉 Dam compaction problems discovered during permit review were gravely serious, as noted by the Mine Safety and Health Administration, which stated the problems had a potential to “result in fatalities.”
- 👉 Citizens had valid concerns about Marfork’s pattern of stream pollution and erosion, with seven violations in a one-year period.
- 👉 With an outstanding violation of the law uncorrected, which should have precluded renewal, DEP approved the permit.
- 👉 The coal operator had data indicating mercury was present in the slurry at the time of permit renewal but did not reveal that data to DEP. (DEP apparently never asked for such data.)
- 👉 Findings of heavy metals in Martin County slurry supported citizens’ concerns about toxic potential, despite company expert testimony to the contrary.
- 👉 Marfork Coal had failed to maintain monitoring equipment within terms of the permit and simply changed the permit to allow for 270 feet more water to build up in the refuse dam at one location (and DEP said OK!).

As a result of the citizen appeal, the board ordered new groundwater monitoring at the site for mercury, lead, arsenic, cadmium, cobalt and copper - an action that, as far as we know, is unprecedented and could be extended to any of the other 135 permitted coal waste slurry

impoundments in the state.

This condition was placed on the permit until 2022, the planned “life” of the impoundment. Unfortunately, the pathetic excuse of a groundwater-monitoring plan at Brushy Fork (two wells to monitor billions of gallons of slurry) will likely never detect contamination.

Why Did DEP Hide?

We did this without any help from our taxpayer servants. To the contrary, we did it despite their apparent deliberate boycott. Had the DEP employees presented themselves for testimony, who knows what the board would have heard, or ordered?

At a meeting days after the hearing, new DEP Mining Chief Matthew Crum stressed how

concerned DEP is about the sludge impoundments in southern West Virginia, how dedicated DEP is to impoundment safety, how DEP will really make the coal industry obey all the laws.

Under questioning from OVEC director Dianne Bady, Crum promised a letter explaining where the DEP employees were and why they didn’t show. It has been almost a month, and the letter hasn’t been received.

DEP information officer Andy Gallagher expressed shock over the DEP no-shows at our hearing. “You shouldn’t have to subpoena public servants,” he told Bady.

That’s what we thought. The disappearance of DEP employees at the Brushy Fork hearing is a sad and painful lesson. Their absence validates the highest degree of cynicism by citizens, and directly facilitates the interests of the coal company at the expense of citizens and the environment.

Hold Them Accountable

No longer should any citizen expect West Virginia taxpayer-paid environmental protectors to show up to tell the truth and be held accountable for their decision-making.

Hereafter, subpoenas of DEP staff will be absolutely necessary to serve public interests whenever we challenge DEP’s failure to enforce laws written to protect the public and our life-support system - the environment - from harm.

Eades is a contract hydrogeologist serving OVEC and other citizen groups.

Stockman is outreach coordinator for the Ohio Valley Environmental Coalition.

Under questioning from OVEC director Dianne Bady, Crum promised a letter explaining where the DEP employees were and why they didn’t show. It has been almost a month, and the letter hasn’t been received.

The July Floods: Act of God or Act of King Coal?

In July, floods devastated portions of southern West Virginia counties. Six West Virginians died. Governor Wise declared Boone, Doddridge, Fayette, McDowell, Mercer, Raleigh, Summers and Wyoming counties disaster areas.

One thousand homes were destroyed and thousands more were damaged. The business district of Mullens was wiped out. Bridges and huge chunks of roads and railroad tracks were washed away. Public water systems were shut down and private septic systems were ruined. Over 9,500 people applied for flood relief assistance to the Federal Emergency Management Agency.

By August, repair costs and estimates had topped \$150 million.

Groups from around the state and across the country have sent supplies and workers to help in the clean up. The WV Highlands Conservancy brought in loads of supplies. Coal River Mountain Watch and OVEC members rolled up their sleeves to help muck out houses.

Flood victims took a long hard look upstream. Many saw vast areas of land denuded by mountaintop removal/valley fill coal mining and/or basically unregulated timbering (loggers are supposed to follow "best management" guidelines, but many don't).

Even folks who have never considered themselves environmentalists pointed the finger at the mammoth mining

operations and the steep-slope timbering.

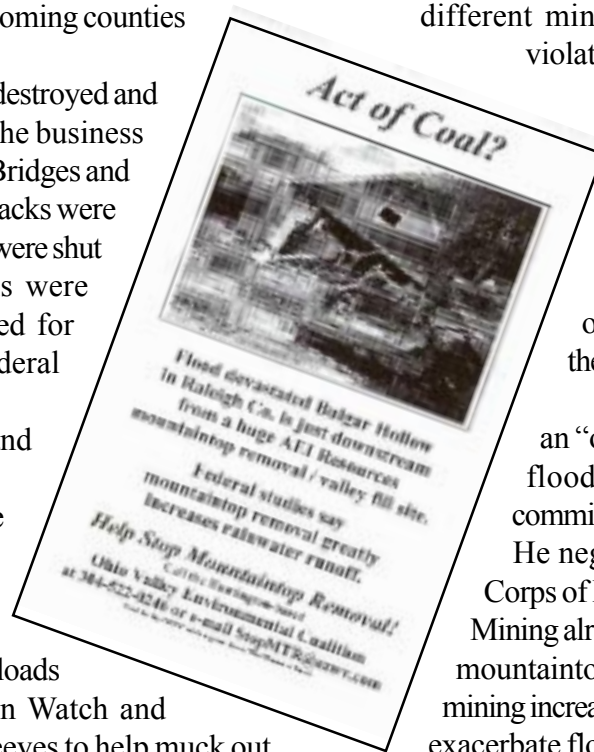
Within a week after the flooding, the WV Department of Environmental Protection cited at least 14 different mining operations for flood-related violations. At some sites, parts of valley fills and drainage ditches failed. But DEP director Michael Callaghan was quick to say that didn't mean mountaintop removal exacerbated the flooding - oh no! He even went so far as to say some of the mines might have helped control the flooding!

Governor Wise said he would keep an "open mind" about the causes of the flooding, and he has set up a study committee.

He neglected to say that the U.S. Army Corps of Engineers and the Office of Surface Mining already have drafted a study that shows mountaintop removal and other forms of strip mining increase the likelihood of floods and highly exacerbate floods when they do occur.

Gov. Wise also failed to mention that he has tried to keep this study from the public. Ken Ward Jr. of the *Charleston Gazette* obtained the study under the Freedom of Information Act.

(The ad appeared in Charleston, Huntington, Logan, Shepherdstown, Martinsburg, Beckley, Fayetteville and Bluefield papers. Watch newspapers and billboards for our next ad.)



Getting "The Word" Out on the Environment is a Never-Ending Task

OVEC staff and volunteers work tirelessly to spread the word about mountaintop removal / valley fill coal mining. We know that media contacts are crucial to educating the public, and we strive to get coalfield residents' voices heard around the nation. Lately, we've done a lot of talking to reporters about Bush's national energy policy and its effects on the coalfields of southern West Virginia and eastern Kentucky.

Recently and over the past few years, OVECians have provided information and contacts for, or been quoted in, stories in these newspapers: *New York Times*, *Washington Post*, *Wall Street Journal*, *St. Louis Post-Dispatch* and many others.

Video news includes: *60 Minutes*, *ABC Nightline*, CNN, Outdoor Life Cable Network and Australian, British, and French TV news programs. We have worked with documentary filmmakers and a book author. Magazines with which we have worked include: *US News and World Report*, *New York Times Sunday Magazine*, *National Geographic*, *Mother Jones*, *Sojourner*, *Audubon* and *Orion*. Radio work includes National Public Radio (*All Things Considered*, *Morning Edition*, *Living on Earth*), National Radio Project, Radio4All, Canadian Broadcasting Co. and Voice of America.

Within the state, we've lost track of all the radio, TV and print mentions of our work.

Better, Safer Ways to Handle Coal Slurry Do Exist

by Dave Cooper

After surveying the damage to Wolf and Coldwater Creeks in Martin County Ky., caused by the spill of 300 million gallons of coal slurry, one conclusion is inescapable: There has to be a better way.

The current coal industry standard practice of building mountaintop dams, often sited above narrow hollows with thousands of residents living below, then filling the impoundments with billions of gallons of slick, gooey coal slurry left over from processing, is an anachronism.

It's a decidedly low-tech, brute force method of dealing with waste.

In the Buffalo Creek disaster in West Virginia in 1972, 125 people lost their lives when a coal dam failed after a heavy rainfall. Coal impoundments should have been banned after this disaster, but the people who died were just poor Appalachians whose lives apparently didn't count for much.

If this disaster had happened in New York, or Chicago, there is no doubt that things would be different today.

Is there a better way of processing coal waste?

A Louisville, Ky., company, Phoenix Process Equipment, claims to be the world's largest supplier of alternative slurry processing equipment for the mining

industry. Their equipment uses a thickening tank, then a porous conveyor belt and pressure to squeeze water out of the coal washings. The end product is a semi-solid cake, which is then scraped off the conveyor belt and can be stacked like a pile of sand.

This dewatered coal waste (75 percent percent of water is removed) could then be handled without building a mountaintop impoundment. The water squeezed out of the coal can even be recycled to wash more coal waste.

An additional advantage is that less land is required to conduct mining operations, since slurry ponds may often reach up to 500 acres.

According to company president Gary L. Drake, the use of their equipment adds about 50 cents per ton to the cost of coal processing. Typically it costs about \$20 to mine, process, and deliver a ton of coal. The company has been in business for 17 years and has sold equipment to customers worldwide in the aggregate (sand, coal, gravel, etc.) mining industries, and also in the wood pulp and water treatment industries.

In a recent conversation, Drake told me that many coal mine operators use the Phoenix Process Equipment belt presses to process their coal waste while they are awaiting approval of permits for their slurry ponds.

Once they get their permit, they turn off the belt

press and start dumping waste in their impoundment, because it's cheaper to operate that way.

(Excerpted from the July Sierra Club newsletter, Cumberland, Ky. chapter.)



Rick Eades addresses the media on June 25 at the CRMW/SAFE/OVEC press conference at Massey Energy in Charleston. The press conference was held outside Massey's headquarters to discuss the threats posed by the Brushy Fork coal sludge impoundment near Whitesville. Massey continues to prove that it is an "equal opportunity violator," as about a dozen United Mine Workers of America members joined the citizen's groups to protest Massey's practices.

Success
flourishes only
in
perseverance-
ceaseless,
relentless
perseverance.

Manfred von
Richthofen,
the Red Baron

Campaign Finance Reform is a Civil Rights Issue

by Janet Fout

By following the money, one can find out who is pulling “our” politician's strings. (see Doug LaFollette article in this newsletter.) Since 1996, the People’s Election Reform Coalition-WV has shown that the coal industry is one of the largest contributors to “our” legislators.

It’s not rocket science to connect Big Coal contributions to West Virginia’s lax environmental law enforcement and the suffering of coalfield residents. But some issues are a little more difficult to track, like civil rights issues.

Whether something **even becomes** an issue in the legislature depends on who is already elected and who is financing campaigns. In 1998, Senator Marie Redd (D-Cabell) became the first African-American to be elected to the state Senate. Considering that West Virginia became a state in 1863, electing a person of color to the state Senate was **long** overdue. Without representation, how will issues of concern to the African-American community be raised?

During this summer’s national convention, the National Association for the Advancement of Colored People supported a resolution put forth by the Fannie Lou Hamer Project (FLHP) that defines campaign finance reform as a civil rights issue. According to their literature, the FLHP “is part of a national grassroots movement that connects the history of earlier voting and civil rights struggles to the ongoing struggle for campaign finance reform. The Project serves as a vehicle for traditional civil rights organizations and communities of color to engage in campaign finance reform initiatives.”

Recently, Dexter Wimbish, a board member of the

FLHP from Atlanta, spoke to the Huntington-Cabell branch of the NAACP about campaign finance reform as a civil rights issue. Dexter told the group that **public financing of elections is one way to help fix a very broken system.**

He said the current campaign finance system restricts civic and political participation because most contributions to politicians come from wealthy white contributors. Let’s face it: In this country, a person either has to be independently wealthy or financed by “fat cats” in order to successfully run for office.

Nationally, the current campaign system has a disparate impact on communities of color in key areas such as gun control, environmental justice, and health care.

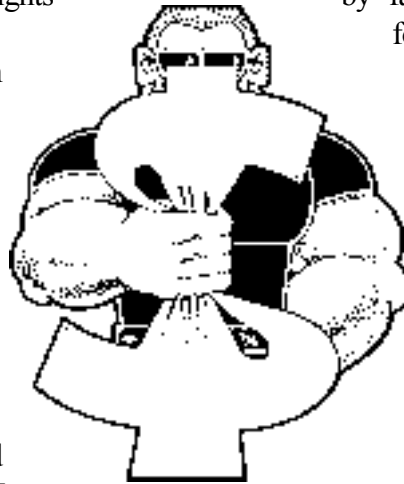
For example, guns are the leading cause of death for black males aged 15-24, and young black males are five times as likely to be victimized by gun

violence than their white counterparts. Despite this tragedy, meaningful gun control legislation has not materialized, for the National Rifle Association and its allies have recently contributed and spent over \$4.5 million on political campaigns (almost 27 times more than proponents of gun control).

The People’s Election Reform Coalition-WV has written a Clean Elections reform bill that would allow for

continued on page 16

FAT CAT ↓



Gambling gifts rise, but fall after vote

by Paul J. Nyden

excerpted from the *Sunday Gazette-Mail* Oct. 21, 2001

(A) look at recent gambling contributions to legislative candidates reveals some contributors have very specific goals.

Gambling contributions to state legislators rose throughout the 1990s, especially during the past three election cycles.

Racetrack owners wanted legislative approval to install more and more legal video lottery machines. The Greenbrier hotel sought to open a high-scale casino for

guests.

More recently, “gray machine” owners wanted to guarantee themselves a piece of the action when 9,000 video poker machines became legal and subject to state regulation.

Contributions from all three gambling groups to legislators rose from \$77,555 in 1996 to \$214,885 in 1998, according to an analysis of contributions by the People’s Election Reform Coalition-WV. Last year, gambling contributions to legislators totaled \$201,052.

Just after the 1998 elections, during the legislative session in early 1999, state legislators passed the bill The Greenbrier wanted.

RFK Jr. Says Government, Corporations, Liars in Environmental Dealings

by Rick Eades

Robert F. Kennedy Jr. didn't steal the show - he was the show at the October 18-19 Conference on the Environment in Charleston, W.Va. A few RFK Jr. nuggets:

➡ *"No movement has democratized us like the environmental movement... anyone with a question about (a project) can demand an Environmental Impact Statement."*

➡ *"The environment... (is) ultimately about community advocacy."*

➡ *"Men saw the gravest threat to community was what happened to the (Hudson) river."... fishermen formed the first Riverkeepers on the Hudson.*

➡ *"(The Hudson River) produces more pounds (of fish) per acre than any water on the Atlantic Seaboard." ... economic prosperity through environmental action.*

➡ *"For a few years of pollution-based prosperity, our children pay for our joy ride."*

➡ *"Polluters make themselves rich and lower the quality of life for everyone else. They liquidate our natural resources for cash."*

➡ *"Thirty billion a year in subsidies (has created) a lot of crybabies. You can hear them whine when you pull the Federal nipple out of their mouths."*

➡ *"Capitol Hill says they want to return control to states... (the) real outcome does not equal community control, the real outcome equals corporate control... (in states), where corporations so easily dominate the political landscape." ... how fast can you say coal, timber or poultry?*

➡ *"Rivers, streams and the fish in them are owned by the people (cited the Constitution). They are public trust assets owned by all the people. Every child should have the right to fish to feed his family. That right has been taken away!"*

➡ *"Animals and future generations don't vote, and in a tyranny don't get represented at all."*

➡ *"The economy is a wholly-owned subsidiary of the environment. When we destroy nature, we diminish ourselves."*

➡ Among many clinchers, Kennedy drove home the spirituality of environmentalism, *"God speaks to us in many ways, but most of all through nature. Nowhere (else does He) speak with such grace, and detail, and texture,*

and joy as through nature."

Kennedy described as "science fiction nightmares" what has happened to the Russia's Aral Sea (now a desert), Turkey's Black Sea (300 species gone), Thailand (people wear gas masks), China (100,000 smog related deaths/year), and Mexico City where driving is restricted to 3.5 days per week after environmental destruction "matured into economic catastrophe."

Later on a water panel, using research largely provided by Viv Stockman, I brought up some unspoken risks to WV's water future – corporate buyouts, downstream states securing their water at potential future expense of West Virginia, chlorine by-products, pharmaceuticals in water everywhere, and of course, the obliteration of headwater streams through mountaintop removal and slurry pond catastrophes.

WV Rivers Coalition's Jeremy Muller offered a factual and truthful portrait of the bleak environmental and economic landscape – strongly reinforcing his point: we must change.

Bryan Moore, possibly the least visible superstar in WV's environmental movement, delivered the message that high environmental standards directly correlate to robust economies. His message - so often repeated - rang with the truth only such integrity, professionalism, credentials, and a disarming style as Bryan's can produce.

On day two of the conference, DEP Secretary

continued on page 18

Civil Rights

continued from page 15

the public financing of elections.

Current supporters of public financing of elections in West Virginia include: Affiliated Construction Trades Foundation, AFL-CIO (WV), Catholic Committee of Appalachia, Common Cause West Virginia, Concerned Citizens Coalition (Calhoun, Roane and Gilmer counties), Ohio Valley Environmental Coalition, West Virginia Citizen Action Group, West Virginia Council of Churches and the West Virginia Environmental Council.

If your group or organization is interested in learning more about a proposal for Clean Elections in West Virginia please contact the OVEC office at (304) 522-0246. If you would like to learn more about the Fannie Lou Hamer Project visit its website at www.flhp.org or contact them at: 430 W. Paterson Street, Kalamazoo, MI 49007 or call (616) 349-9760.

Editorial about Texas Politician Supporting West Virginia Coal Gets Strong Pro and Con Reactions

(This op-ed appeared on Aug. 6, 2001, in the Fort Worth (Texas) Star-Telegram. This column generated Vivian's first ever fan-mail and hate-mail.)

Please keep Barton out of West Virginia *by Vivian Stockman*

We have enough trouble with politicians in West Virginia without you Texans messing things up. From here on out, please keep your politicians out of our state.

OK, maybe one of ours invited Rep. Joe Barton (R-Ennis), chairman of the House subcommittee on energy and air quality, here. Still, you folks in his district elected him.

On July 16, Vice President Dick Cheney sent forth unto the land his cheerleaders for the More, More, More National Energy Policy. Their goal was to whip the masses into frenzied support for drilling, mining and nuking the guts right out of the planet.

Here in (used-to-be) Almost Heaven, Rep. Shelley Moore Capito (R-W. Va.), dutifully organized the West Virginia Energy and America's Future forum, inviting Barton to be a keynote speaker.

The forum panelists consisted of executives whose future wallet fatness is directly tied to promoting the fossil fuel status quo and to blocking progress toward environmentally safer forms of energy, such as wind, solar and hydrogen fuel cells.

This was going to be a warm and fuzzy taxpayer-funded coal cheerleading session, with a little oil and gas thrown in for good measure. Not surprisingly, no one whose future is in peril from mountaintop removal/valley fill strip mining had a place on the panel.

Mountaintop removal, practiced most heavily in southern West Virginia and eastern Kentucky, is a form of mining in which up to 800 feet is blown off the tops of richly forested mountains in order to get to multiple, thin layers of coal. Surrounding valleys and streams are then buried in tons of the former mountains.

In West Virginia, about 500 square miles of forest and about 1,000 miles of streams have been destroyed. We're tired of being the nation's energy sacrifice zone.

Barton gave the opening remarks: "I think this is going to be the energy Congress." No wonder. During the last election cycle, Barton was the No. 1 House recipient of



Congresswoman Shelley Moore Capito (center) is surrounded by the media as OVEC supporters demanded that they be heard at the Energy and American's Future forum that Capito organized.

campaign donations from the electric utilities industry. Of all House members, he got the third most in campaign donations from oil and gas interests.

"You can be environmentally sound and produce coal, and we need for that to happen," Barton said. Yeah, we've needed that to happen for more than 100 years, and our environment is taking an ever-greater beating as mountaintop removal escalates.

After Barton, up came Nick Carter, chairman of the West Virginia Chamber of Commerce. Carter railed against environmentalists - "those people" who were opposed to wind power (huh?). "Those who fail to offer constructive and realistic ideas ... should be left behind. Get real, get involved or get out of the way," he said.

If Carter's remarks hadn't been so illogical and insulting to coalfield residents and environmentalists, we might have sat there, quietly listening to that stacked panel extol the virtues of George W. Bush's insane, gluttonous energy policy. Instead, activist Julian Martin - a man who has been getting real, getting involved and helping to lead the way for years - had to take exception to Carter's comments. Martin stood up and asked, "Do we get to speak, or do we just get to listen to these insults?"

Capito and Barton stood up, too. Barton told
continued on page 18

Texas Gets Reaction

continued from page 17

Martin to sit down and let the forum proceed. Martin countered: "I'm not talking to you. Go back to Texas."

Barton must not really like it in Texas, because that remark prompted Barton to say that he'd call the sheriff and have Martin's "butt" hauled off. Or is there a law in Texas against voicing dissenting opinions?

We've got some screwy laws here, but none like that, so naturally Martin - the son and grandson of coal miners - was upset that some outside extremist would try to silence him. Martin insisted that the citizens be given the right to talk about their future. Capito, sensing a public relations nightmare, finally agreed to let Martin have a say at the end of the forum.

Thank goodness Martin got to speak. He was the only one to mention mountaintop removal's worsening of the recent floods. When he mentioned Barton's campaign contributions, Capito told Martin to stick to the subject. So Martin mentioned Capito's campaign contributions.

As you can see, we really do have enough trouble with our own politicians. Please encourage Barton not to accept any more speaking engagements here in the Mountain State - while we still have some mountains left.

Vivian Stockman is outreach coordinator with the Ohio Valley Environmental Coalition based in Huntington, W.Va.



In August, about 40 people representing 18 different groups and four states gathered in Charleston for an OVEC-organized strategy session on our next moves in the drive to stop mountaintop removal. If you want to be in on these types of actions, make sure you are on the OVEC e-mail Action Alert list, or give us a call at (304) 522-0246.

RFK Jr.

continued from page 16

Michael Callaghan and Wise Commerce Commissioner Alisa Bailey made a scene as they created and signed a memorandum pushing ecotourism.

I was left wondering how you push ecotourism with a statewide advisory on fish, due to coal-fired power plant emissions and residual methyl mercury levels in their flesh? I wonder what RFK Jr. and his group the Riverkeepers would have to say about that.

RFK Jr. Harshly Criticizes Mountaintop Removal Mining Practices

"I believe that West Virginia is caught by a mentality that says that all that we have in this state is coal. **This state has some of the most beautiful landscapes in the country**, but if you stay in a mentality that the only way you can make money is by plowing down the mountainsides, then that's what's going to happen. (Mountaintop removal is) the worst example of what human beings can do to their environment when they behave irresponsibly... when they're looking at a few years of pollution-based prosperity and ignoring long-term consequences... Practices that destroy whole mountain ranges and entire landscapes have a real danger of destroying communities. It's mining in the worst sense, liquidating an asset for short-term cash and destroying a long-term asset of the community... What polluters do is evade the free market. They make themselves rich by making the rest of us poor."

—Robert F. Kennedy Jr., environmental lawyer, speaking at the WV Conference on the Environment, as excerpted from news accounts in an Oct. 19 *Charleston Gazette* article by Ken Ward, Jr. and other news stories.

..."There is a need to be sensitive to the Earth, for the destiny of the Earth identifies with our own destiny, exploitation of the Earth is exploitation of the human, elimination of the aesthetic splendors of the Earth is diminishment of existence. We do not serve the human by blasting the mountains apart for mineral resources, for in losing the wonder and awesome qualities of mountains we destroy an urgent dimension of our reality."

- quote by Thomas Berry (*The Great Work*) as excerpted in the July/August 2001 issue of *Weavings*

The Redoubtable Granny D - Still Marching for Campaign Finance Reform

America's campaign-finance-reform-crusading sweetheart returned to West Virginia this fall.

90-year-old Doris Hadock, better know as Granny D, relied on OVEC to help get the word out about her book signing events. She also relied on OVECians to chauffeur her around.

Her book-signing event at Marshall University was well attended and a crowd of about 300 at the Woodlands Retirement Home gave her a standing ovation. Her book, *Granny D: Walking Across American in My 90th Year*, written with Dennis Burke, flew off the shelves at Taylor Books in Charleston.

Granny D walked from Pasadena, Calif., to Washington, D.C., passing through West Virginia along the way, to carry the message that campaign finance reform is a major issue of concern to Americans.

Rain or shine, she walked 10 miles a day and celebrated both her 89th and 90th birthdays during that time. Go, Granny D, go!



In Taylor books at Granny D's book signing: Front row, from left, Granny D and Larry Gibson. Back row, from left, Vivian Stockman, Laura Forman, Ken Hechler, George Daugherty and Regina Hendrix.

CASH for Used Inkjet Cartridges



Thanks for your support to date for our ink jet printer cartridge recycling program.

After we included plastic envelopes for this recycling in a recent 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. There is no restriction on the brands that are recycled. Please try to use some of the packaging to cushion the cartridge for its journey to the recycling plant. When a cartridge gets recycled, OVEC gets some pocket change.

Remember, out of little acorns, mighty oaks grow!

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

_____ Keep me especially informed on this issue: _____

Name _____

Address _____

City _____ State _____ ZIP _____

Phone _____

E-Mail _____

FOR MORE INFO CALL (304) 522-0246

Remember - All donations to OVEC are tax deductible!





Why work to protect West Virginia? So many reasons. Spend a little time at any of the state's awesomely beautiful natural spots. Come away with solace, bolstered strength and reason enough to keep fighting for West Virginia.

photo at Lindy Point by Vivian Stockman

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

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