

# Coal River Mountain Watch Messenger

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Volume 4, Issue 4

**A Banner Year in Review:** *As we close 2009 and look ahead to the new year, we want to take the time to reflect and share with you our greatest victories, the challenges that motivate us to fight harder, and events that will continue to unfold in 2010 (Good News, Bad News, and News to Watch). We are closer than ever to ending mountaintop removal and building a sustainable future. Thank you, as always, for your steadfast support!*

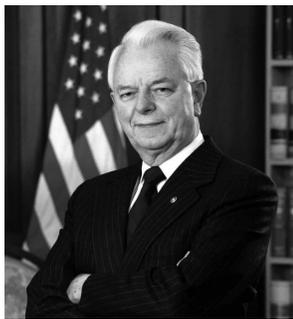
## Good News

**National Policy:** Unprecedented support for House and Senate bills to ban valley fills and rein in mountaintop removal. The Clean Water Protection Act (House bill)

and former staffer (now at OVEC) Maria Gunnoe offered incredible testimony on the negative impacts of MTR and valley fills.

**Changing National Opinions:**  
- In December, WV Senator Robert C.

new was of producing energy  
- WV Representative Nick Rahall publicly states in April that West Virginia will exhaust its most productive coal seams within 20 years, and that we need to develop "green jobs."  
- Hard evidence the coal is not cheap:



*Left to right: Senator Robert C. Byrd sees an end to mountaintop removal, heroes Winnie Fox and Robert F. Kennedy, Jr. connect (photo courtesy of Rainforest Action Network), construction on a new community building (photo courtesy of Maureen Farrell), Sludge Safety Project citizen lobbyists (photo courtesy of Vivian Stockman)*

now has a record 161 cosponsors. A similar Senate bill, the Appalachia Restoration Act, was introduced for the first time and now has 10 cosponsors.

- Our vigilant advocacy has forced to EPA to object to 79 mountaintop removal permits that would otherwise have been quickly approved.

- Senate hearing on mountaintop removal and valley fills: A national Senate Committee met to discuss the Appalachian Restoration Act. CRMW member

Byrd writes a powerful letter to the coal industry pointing out the "strong bi-partisan opposition in Congress to the mountaintop removal method of mining" and calling for

WVU researcher Michael Hendryx co-publishes a peer-reviewed study show-

**Continued, p. 2**



### MISSION

*The mission of Coal River Mountain Watch is to stop the destruction of our communities and environment by mountaintop removal mining, to improve the quality of life in our area and to help rebuild sustainable communities.*

## Inside this issue...

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ing that the costs of the coal industry to Appalachia, in premature deaths alone, outweigh all economic benefits it provides -- a benefit of approximately \$8 billion but a cost of \$42 billion each year.

**Coal River Wind:** The world learns about Coal River Wind, thanks to a Google Earth virtual "flyover" tour. The flyover was shown at the UN Climate Summit in Copenhagen and highlighted the wind campaign as a climate change solution.

- After limited blasting begins on Coal River Mountain, the EPA arrives and launches an investigation of Massey operations -- thanks to the pressure from thousands of citizens.
- Project continues to demonstrate to the nation and world the stark choice between renewable and dirty energy. Over 14,000 signed our Coal River Wind petition. Robert F. Kennedy, Jr. headlined a December 7 rally where hundreds gathered to defend Coal River Mountain. Filmmaker Chad Stevens also created a Coal River Wind public service announcement on hulu.com where it can be seen by millions.
- Resolution to support Coal River Wind wins 41 co-sponsors in the WV House of Delegates (though never passes out of committee).

#### **Sludge Safety Project (SSP):**

After SSP pressures the West Virginia Department of Environmental Protection (DEP) to study the effects of coal slurry in water, the DEP issues a moratorium on new underground slurry injection.

- Preter public water line breaks ground, thanks to tireless citizen organizing.
- Coal slurry's public health threat exposed to America -- on the front page of the New York Times and even on Oprah

#### **Sustainable Economic Development:**

- We launched the Sustainable Economic and Energy Diversification (SEED) Program. A new community sustainability team meets monthly to plan community initiatives.
- We partnered with Delbert and Judy Gunnoe to build a new community gathering space, and are collaborating with our local high school on a community weatherization project to train students in green jobs skills. In June, local residents met with the Council on Environmental Quality, to share a vision and policy recommendations for a sustainable economy in Appalachia.

#### **Marsh Fork Elementary gains an ally:**

After years of amazing community action, the Raleigh County School Board finally did the right thing: asked the School Board Authority for funds for a new, safe Marsh Fork Elementary in the community. Senators Byrd and Rockefeller and Rep. Rahall publicly endorse the request.

## Bad News

### **Blasting begins on Coal River Mountain: Massey has begun to blast in**



*Bad news: Massey begins blasting a limited area on Coal River Mountain (photo by Vivian Stockman, flyover courtesy of Southwings -- www.southwings.org).*

a limited area on Coal River Mountain, with a piecemeal approach since they do not yet have valley fill permits. Blasting shakes residents' homes, endangers all residents for miles downstream by blasting by the containing ridge of a sludge dam sitting on top of abandoned underground mines.

**EPA mixed messages:** The EPA does approve 42 of the 48 initial mountaintop removal permits it had pulled aside to examine.

**Bad choice for OSMRE administrator:** Joseph Pizarchik, new director of the OSMRE, has a history of siding with industry over public health concerns, according to the Pennsylvania environmental groups who dealt with him when Pizarchik was director of the PA Bureau of Mining and Reclamation, part of the state DEP. These groups protested his nomination, pointing out his support of coal ash dumping.

**Supreme Court OKs second silo for Marsh Fork Elementary:** Our valley's children may now go to school in the

shadow (within 225 feet) of not just one but two silos leaking chemical-laden coal dust. On June 9, the WV Supreme Court overturned our appeal to block the silo. They decided that even though the permit is outside the boundaries on the official site maps, the on-the-ground markers are actually the official boundaries, so the site is legal.

## News to Watch

### **Obama Administration taking action?**

In July, the Army Corps of Engineers, the EPA, the Council on Environmental Quality, and the Department of the Interior announce that they will take new steps to reduce the destruction of mountaintop removal.

- The Army Corps proposes to end the Nationwide Permit 21 program which allows streamlined rubber-stamping of valley-fill permits. During the WV public hearings, coal supporters drown out and threaten those speaking in favor of the change. The Army Corps does not restore order.
- The Office of Surface Mining, Reclamation, and Enforcement (OSMRE) says it will restore the Stream Buffer Zone rule, which protects streams from mining activity within 100 ft, and which

the Bush Administration reversed. However the OSMRE is now dragging its feet, saying it will not even begin the process for the rule change until 2011.

- **Climate change legislation?** The American Clean Energy and Security act passed the House of Representatives by 7 votes. If it becomes law, it will give cap and trade credits and funding for research on "clean coal technology" to the coal industry without solving the problems of mountaintop removal and coal processing waste. The Senate is now shaping their bill.

**It's a powerful mix of good, bad, and uncertain. We commit, once more,** to continue our fight for clean water, safe mountains, healthy communities, sustainable jobs, strong state and federal policy to support us, and informed and inspired citizens who will hold our institutions accountable and take personal action to create the communities we deserve.

Thank you for staying the course and joining us for another year of this movement!  
-- Coal River Mountain Watch

# MARK YOUR CALENDARS

**January 9:** Mountain Justice monthly meeting in Whitesville, WV -- email [vernon@crmw.net](mailto:vernon@crmw.net) for more info!

**January 16:** Coal River Sustainability Team meeting -- open to all residents from the Coal River Valley. 5:30 p.m. Contact [julia@crmw.net](mailto:julia@crmw.net) for more info.

**January 11:** From the WV Citizen Action Group: Citizen Advocacy Training. Marshall Student Union, Room 2W37, Huntington. 6 - 8 p.m. Learn how to be a citizen lobbyist and activist. For more info, please contact [lida@wvfree.org](mailto:lida@wvfree.org) or call 304-342-9188.

**January 13 - March 13:** West Virginia Legislative Session: Join the Sludge Safety Project to lobby for clean water each week! For more info, contact SSP co-coordinator Stephanie Tyree at (304) 896-9622 or [stephanie@sludgesafety.org](mailto:stephanie@sludgesafety.org)

**January 21:** Robert F. Kennedy Jr. debates Massey Energy CEO Don Blankenship at the University of Charleston, in Charleston, West Virginia. 6:30 p.m.

**March 6-11:** Join us at the 5th Annual End Mountaintop Removal Lobby Week in Washington! It promises to be a truly historic event. We have a real opportunity to pass the Clean Water Protection Act and the Appalachia Restoration Act in 2010. These bills will ban valley fills and the majority of mountaintop removal. For more information, or to register, visit: <http://www.ilovemountains.org/wiw>.

**March 9:** Call-in day: for those who can't make it to DC, call your representatives and senators and ask them to support the valley fill ban. More information at <http://www.ilovemountains.org/resources#federal>.

**March 13-21:** Mountain Justice Spring Break in Southwestern Virginia. Join folks young and old to learn about mountaintop removal and related issues, share what you know, and strategize for a clean energy future. (<http://www.mountainjustice.org>.)

**Ongoing:** Monday - Friday, 7:06-10 p.m. Tune in to Bob Kincaid's Radio Program for Progressive West Virginians - Call in to let others know your thoughts! Listen online at: <http://www.whiterosesociety.org/Kincaid.html> The call-in numbers are (304) 658-3333 and (877) 443-2366.

**\*\*\*Special Donation Opportunity:** For the first five people who support Coal River Mountain Watch with \$100 or more, we are giving free copies of the *Coal Country* DVD. The movie explores the struggles surrounding the use of coal in America, through a variety of stories and perspectives. Be sure to write "Coal Country" at the bottom of this form or on your check. Thank you!

## AMPLIFY YOUR VOICE!

Become a member or renew your membership today!



Coal River Mountain Watch (CRMW) is a grassroots organization working to preserve the communities in the mountains of southern West Virginia. Our mission is to stop the destruction of our communities and the environment caused by mountaintop removal mining, to improve the quality of life in our communities, and to help rebuild sustainable communities. CRMW works to empower local residents to work together to fight the effects of irresponsible mining techniques. While we honor the tradition of coal mining in this state, it is our position that mountaintop removal is destructive to our homes and to our mountain heritage, and must be halted. Our goals include advancing economic diversity and increasing public safety. CRMW welcomes members who support our mission and goals. CRMW does not discriminate against any person on the basis of race, gender, age, religion, physical ability, or sexual orientation.

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Name

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Street Address

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City, State, Zip Code

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Email Address

Friend \_\_\_\$10 Defender \_\_\_\$25 Champion \_\_\_\$50 Warrior \_\_\_\$100 Other \$\_\_\_



P.O. Box 651, Whitesville, WV 25209

# THANK YOU!

to all our funders,  
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and fellow fighters of the  
good fight

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You – every one of our members