

Mountaintops Do Not Grow Back

Stories of Living in the Midst of
Mountaintop Removal Strip-mining

Ohio Valley Environmental Coalition

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Mountaintop Removal Strip-mining

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Sponsors include Catholic Committee of Appalachia, Christians for the Mountains, West Virginia Council of Churches (Government Concerns/Peace and Justice Program Units), and West Virginia Interfaith Center For Public Policy

Foreword

by Carol Warren

Oscar Romero of El Salvador is often called the *voice of the voiceless*. He felt compelled, no matter what the consequences, to be a spokesman for those whose oppression denied them the capacity to speak and be heard. In my twenty years of ministry in my native Appalachia, I have encountered a somewhat different situation.

The people with whom I walk are not voiceless. They speak with eloquence, grace, and an unusual clarity. Their words, their stories have a power all their own, reflecting the wisdom gained through years of struggle. They do not need my voice. If anything, they need only a vehicle by which to send their stories to a larger audience of those who have not heard them. This booklet hopes to serve as such a vehicle.

The stories were collected through a series of interviews with individuals from the southern coalfields of West Virginia. They have been transcribed as faithfully as possible. I have made changes only to clarify references or to keep my own questions and responses out of the mix.

These are their stories. This is the truth as they see it.

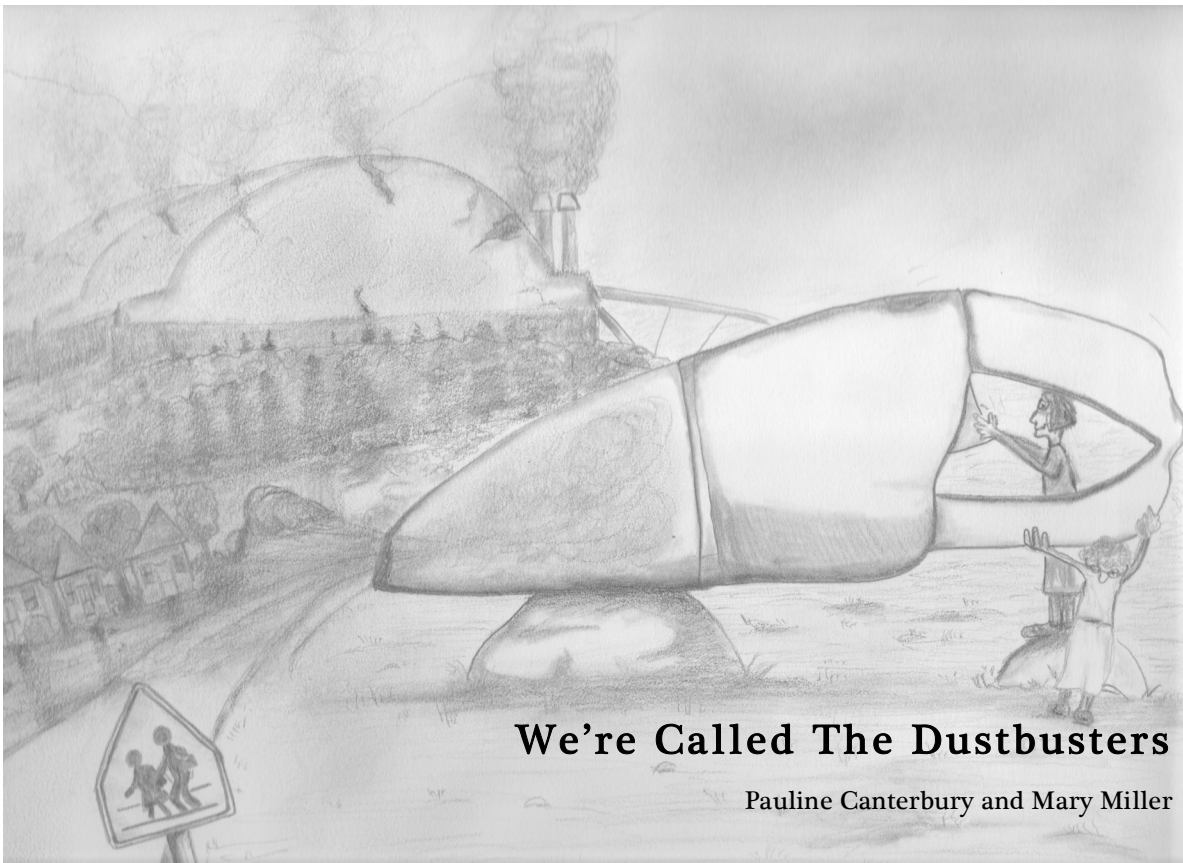
About the Illustrator

Joel Futrell of *Ergonomically Incorrect Designs* did the illustrations in this booklet. Joel lives in Davis, California with his wife and daughter. “I grew up on a farm in western Kentucky, very attached to the land where I played, explored and worked every day,” says Joel. “It’s where I learned to love and respect nature. My family and I traveled all over the region together, camping and hiking. I remember the first time I saw the Appalachian Mountains I was so amazed. They are beautiful; it was like going to another country in my own backyard. What is happening to these mountains and their people is a shame. I can’t believe there are people in this world willing to destroy truly wonderful parts of our country for a little more coal.

Joel can be reached by email at: ergonomicallyincorrect@yahoo.com

About the design

The main text of this book is set in Baskerville Old Face, which was created in 1757 by John Baskerville, a noted type designer of the 18th century.



We're Called The Dustbusters

Pauline Canterbury and Mary Miller

My name is Pauline Canterbury and I live in the town of Sylvester, West Virginia. It is a small town. It consists of approximately 400 to 450 people who live there in the community. I'd like first to tell you about our community. Our community—from my way of looking at it—was as close to Camelot as any community could be. It was a crime-free community. It was a loving community. Our children were allowed to just run and play through the community in each others' yards. Everybody watched your children. This is the type of community that the people built in the town of Sylvester.

I'd like also to point out that it was never a coal camp. Sylvester was never ever a coal camp, until (one of the coal companies) put a subsidiary, a mining complex, within 400 feet of our town on the west side of it. When this happened it changed our lives completely. The DEP (WV Department of Environmental Protection) issued them a permit in 1996, and they started operating in 1997. The permit was to cut a bluff off that protected the town of Sylvester from the facility that was there at the coal mining area next door to the town. Then the company built a processing plant on that bluff, where they had cut the bluff off and it was flat. They built this processing plant to process the coal. Not only the coal that was there, but also coal they were belting in from as far away as Twilight, as far away as Blue Pennant. It was belted into this processing plant to be processed and be sent out on the railroad.

At the time it took place, we knew what would happen, because we knew that the wind blowing through that area blew from west to east most of the time. So we went to the DEP and we asked them please not to issue the permit because we knew what it would do to us. Well, our pleas were ignored after having at least fifty-four letters sent to the DEP from the people that lived in the community, and a petition that had over seventy-five percent of the names of the people in the town on it. The DEP still ignored it and went ahead and give them the permit.

They went into operation in April of 1997, and within one month from the time they started the stoker plant, we began to get coal dust in abundance. I'm not talking about a little bit of coal dust. I'm talking about coal dust you could stand and watch it come down through the air and light on a white car. Or you could be walking in it, and when they were in the process of running coal and running the belt lines over there, you could watch it fall. Like if you had blonde hair or grey hair you could watch it fall in people's hair. That's how heavy it was coming.

So we began to protest, send letters, make calls to the DEP. And for two years our calls were ignored. Our complaints were ignored as if we didn't exist. So finally in 2000 we went to the DEP office and we demanded to be heard. We were given a hearing before the DEP in April. And with the evidence we brought to the hearing, they agreed we had a problem, that too much coal dust was leaving the complex at Elk Run mining and coming into the town of Sylvester.

And so the company agreed then to put a few things in, like a screen. Well to begin with, the screen wasn't even as tall as the preparation plant was. They did that, and then they put some foaming stuff inside where they were working with the coal and this foam was supposed to stop it. This didn't work. Then they were supposed to use a watering system that was put in by a Dr. Emmett from Virginia, who is one of their coal dust experts. This would have worked better—and would still yet today if they would use it. But the only time they use it is when they know DEP is coming into the area. Or that somebody's going to be around that is going to report them. It's knowledgeable if you read your encyclopedias and all, the more you wet coal the less value it has. And in order to use the system they had to keep the coal wetted down all the time. So the dust continued on and on with no let up.

Finally in 2001, we filed a lawsuit in the courts of Boone County against them because of emissions dust that was damaging the town so much. You couldn't go outside—you couldn't do anything outside. You couldn't have a social barbeque or anything. Everything was covered with black dust. Black coal dust, and it's *black* black. So we took them to court.

We filed the lawsuit in the court in Madison, and we were asking for punitive and comprehensive damages to our property. It was through the lawsuit that we had our homes appraised because there was a hundred and sixty-four people signed on the lawsuit. Mainly the thing we were asking for, and that I desperately wanted, was an injunction against them to make them bring the dust quality at least down to where we could halfway live with it.

We did—we got the injunction, but the court didn't permit us the punitive damages because the judge would not let the lawyers use the thirty-six violations that had been written against the company. He quoted the violations as being like using a parking ticket against them. But to me, a violation is a violation, where you've done something that is against the law and you wasn't supposed to do it. And in doing it you hurt other people. We did receive a little bit of comprehensive damages, which didn't amount to anything once the lawyer received his money out of it. But we did get the injunction against them. And we can constantly, if they don't do what we feel like is right, bring them back to court because of it.

Right now we have been working with them on an underground mine that's going in on the other end of the town. They have promised that everything will be covered. And so far, we've watched it take place, and they have come up to par on everything they said they would do.

On October 29 of 2000 in a process of a roundabout way, we got a film took of the coal dust as it was leaving the preparation plant and going over the school, overtop of the children playing on the school ground . . . going up the center street of Sylvester. And the cook that worked at the school was one of the team that worked with us. She always called herself the "dustbuster number three". If she ever saw any dust coming up—because the school set right down under the dome—she would call us and we would be able to go and get video tapes of it.

So this particular day that she had tried to call me, my phone was busy. And she stuck her head out the door and hollered at Mary. She says, "Go get Pauline and her camera right now! They're peppering coal dust on us here." Mary came to the house real fast and got me—we aren't far from each other. We took the camera down and we filmed it. The dust leaving the complex, I mean it was just in big black balls. It came over the schoolhouse, over the children playing on the school ground. We filmed it falling on the cars of the teachers that had parked in the school lot, on up the middle street of Sylvester. It just kept coming! We went on to the hillside then, and we filmed it on the hillside leaving the complex and going up and over the town of Sylvester.

Then when we left the hillside, we told the girl whose property we were on taking the pictures, "We're gonna go down below on their side of the stoker plant and see what it looks like down there and film it. You give us about five or ten minutes and then you call over there and tell the Superintendent to turn those sprinklers on because he's peppering us with coal dust again." We went down below on the lower part of the complex and filmed. It was clear down there because the wind was blowing west to east. It was picking it up and blowing it straight over the town.

Just as we got back up to where the preparation plant was at, the sprinklers came on. It showed on that tape how the dust calmed down once they turned those sprinklers on. We caught it right on the tape, which was very good. The dust calmed down with them running the sprinklers, but they still, when there's no one around, they still don't run them even to

today—unless they're made to do it. With that tape we went to the DEP and that was what got the dome put up. It was perfect evidence, while it was happening, while it was taking place. So that's when they made them put the dome up.

We have our third dome up there—it has split and busted twice. These are their quotes, that it cost \$1.4 million to put it up. It covers the three parts of the stoker plant that's on the ridge. Also it covers three stockpiles. Most people when you mention a stockpile, they think of a stockpile as being high above the ground. Now, that's not so around a stoker plant. The stoker plant has a pit stockpile . . . a big hole that is dug down and the coal is dropped into it from the trucks. Then there's a dozer works in there and he's constantly moving it around and shoveling it onto the belt laps that runs it up and into the stoker plant or into the crusher. That crushes it into the size of coal they have got orders for. So the cause of a great amount of the dust we have was these three stockpiles. We also have over-ground stockpiles that are farther away from us, and when the wind blows heavy they produce a lot of dust, too. They have got water drums on them that they rotate and keep the outer circle of it wet down all the time.

The first dome they put up, within a year, the guy running the bulldozer inside of it—they were sending the coal in on him so fast, he was trying to move the coal out of the way and it was just coming in and covering him up. He got excited and jumped off his dozer and it went through the side of the dome and split it. It's of a heavy metal. It's—I don't know what to say—it's heavy, yet it's flexible. Then there's a mesh coating over the top of it that holds it in place while it's inflated. So they had to replace that.

The next one, they say that the compressor that puts the air into it malfunctioned. Somebody had forgot to turn the emergency one on so that when the first one would malfunction the second one would kick in. And it deflated. But there was two little boys right at it on the river bank there fishin.' They told me, "Mrs. Canterbury, that dome blowded up!"

So we think that it blowded up from coal dust that had accumulated in it. Because if they don't get all that coal dust out of it and the stockpiles underneath it, dust accumulates on the sides of it. After they put the dome up, you can watch it begin to change color. And you know that the coal dust is imbedding on the side of it. The coal nowadays is so fine, it's like baby powders. It has an oily base to it because there's a lot of crude oil used in the processing of it. It's entirely different out in the atmosphere than what the coal used to be when it come out of the coal mines in lump form and traveled in lump form. It's altogether different. It is so fine and that fineness is the part that is so dangerous to your health. It's what gives you black lung.

And if a lot of changes aren't made with what goes out into the communities there are gonna be a lot of sick people. Lots and lots of sick people that are going to have illnesses that are death illnesses. Because my father died with silicosis, which is from rock dust like they blast the mountains up with, that covers acres and acres when they put off a blast in

the mountains. And they don't care if it floods over a home or not. And also, the dust that's coming from the stoker plants that's being put into the air is what causes black lung—and my husband died of that. So I know what's going to face us. You're going to have a lot of illnesses in this state in about ten or fifteen years and they're going to wonder what caused it. And it's gonna be the coal mines that caused it. That's my way of lookin' at it.

My name is Mary Miller. I also live at Sylvester, West Virginia. We're called the dustbusters. One little story I'd like to tell you is that when we started this fight we found out that they had no dust law in West Virginia to control what is in our air. So we went before the Legislature and we was trying to get a bill passed. For two years, we tried to get a bill passed on the amount of coal dust. It did get to the floor, and at that time Stephanie Timmermeyer was over the division of air quality and got it turned down.

We were so mad that we called a meeting at my home, and we met with Stephanie Timmermeyer and about four other members of the DEP. We asked them, "Hey, why did you turn this down?" Well, she told us that West Virginia had a law. This law was WV Code 22-313-B21. Well, we didn't know what that was. So we said, "OK what is this law?" And this law says there is nothing to leave your facility that would damage somebody else.

Now that's ten years ago—will be ten years in March. And we are still getting as much coal dust. So they asked us if would take and do some dust samples, and also video it. Pick out about six or seven homes, which we did. They said to do this every six or seven days. We did—rain, sleet, snow, hail, we done our little dust samples. We got our little bags and we wet the cloths, and we dated and we wrote down the home. We told the people not to clean where we sampled. We cleaned the same spot every time we went. We done that for almost two years. Well, guess what? The DEP never come back to get any of the samples. I had garbage bags full of samples.

We really had to laugh at this or we would probably have gone crazy. One day we were at the mayor's house. He had a screened-in patio, porch. So we saw all the coal dust in the back of it. We thought how funny it would be, that we would take our glasses off and roll our faces in it. The mayor come out and he said, "I need a picture of that."

We went next door to our next little stop. We knocked on the door, and this boy come to the door. He looked at us and he didn't know who we were. His mother said, "Aw, you know who they are. That's Mary and Pauline." We did our little sample and went struttin' on down the street to the next house. About everyone come out to greet us when we did our wipes and everything.

When we got down to the other house, this man come out and he spoke to us. He looked at us, but he didn't say anything. We didn't say anything! In a few minutes his wife and son come out. His wife looked at us, and she said, "Do you know. . . you've got a dirty face?" Well, we just cracked up then! And the son said, "Oh, Mom, you know who they are. Those are the dustbusters!" So this is how we got our name as the dustbusters.

We're not against coal mining. There's a right way and a wrong way. And there's modern technology. What happened in Sylvester should never have happened. It should not have happened to our town. It was a wonderful town. And I've lived there over 50 years and raised my children. We had the school directly behind my house. The school, as of now, is closed on account of coal dust. Right almost in my back yard, maybe four or five hundred feet sets this stoker plant. And then directly behind my house is a sludge impoundment. So we are in danger any way we turn.

I think it's time that everybody wakes up. Our Governor, we've talked with him. We've gone to Washington. We have talked to the people in Washington. We can't get any help. If anybody's got any solution, we would love to know what kind of solution could solve our problem. We've got a long story but we want people to know that our homes was valued. And right now, what I've worked fifty years for, my home's worth \$12,000. I've worked all my life and I've got nothing now. It's not enough to bury me. If I'd have to go borrow money, it wouldn't even be collateral at my age. What is really sad is the fact that my husband was in World War II. And he was wounded to save our country. I never thought that now I would be out trying to save my home.

What's Your Grandson Gonna Do?

Charlie Branham

Hello, my name's is Charlie, Charles Branham—Butch, as everybody seems to call me. I live in the right fork of Laurel Creek in Mingo County. I've got a little farm up there—it's been there since the 1800's. It was in my distant family and I finally got it back around 1995, maybe. I've been there about twelve years. It's a beautiful place. We've worked really hard to get it looking the way it is. I've got waterfalls and ponds. I'm a nature nut. I love nature. And I love the peace and quiet, but that's gonna end if they get their way with their permits.

(The coal company) doesn't seem to care one way or another, you know, what's left in West Virginia. Hopefully, I'll have a lot more like me that love the mountains and the trees and the peace and quiet. I'd like to live out my remaining years in peace and quiet.

I'm an underground coal miner by trade. I had opportunities to do things elsewhere, but I chose to come back here and marry that little blue-eyed girl that I've still got after 37 years. I've got four daughters and ten beautiful grandkids. I'd like to leave them something that's worth looking at other than a bare mountaintop and a rock pile. You have to build your house two mile up on the mountain to get away from the floods.

There's a better way to mine. To me, strip miners aren't coal miners at all, they're heavy equipment operators—with air-conditioned rock trucks and bulldozers. They got no idea what a coal miner really is. It takes a special man to go underground, but I'd rather do that any day than tear the top of a mountain off. I think God put it here for a reason, and that's for us to enjoy.

Altogether I worked in the mines about twenty-five years—off and on. I was mostly union, but non-union, too. I have no preference, you know. Back in the time, the union mines were a lot safer and they paid more. But there's times when you get laid off and you take a job where you can get it 'cause you've got kids and you gotta work. So I have no bad feelings at anybody who works non-union. You got kids, you've gotta work. You couldn't call yourself a man if you didn't.

Anyway, this situation here, this is for everybody. I don't care if you're union, non-union, Democrat, Republican, Roman Catholic, Old Regular Baptist, fruit-jar Baptist, like myself used to be—just whatever, this is for everybody. I'm sure that anybody that's got kids wants to leave them a clean breath of air to have, you know.

Global warming's a reality. People need to recognize that—I do. I'm not educated; I barely made it through high school. But I came from the School of Hard Knocks and I can see the change in the last twenty years just in the temperament of the atmosphere now. This is one of the hottest Octobers that we've ever had. That little stream in front of my house dried up, and that's the first time that I've ever saw it without any water in it.

I've learned a lot just fooling around with OVEC (Ohio Valley Environmental Coalition) and the people—they're real nice people. The Appalachian mountain chain is the second largest mountains in the world, as far as greenery and different kinds of trees and plants. Second only to the Amazon, the rainforest. They're cutting that down, I heard, at about three hundred acres a day. The Appalachians can supply the oxygen for one-third of the world—I think that's right. That just blew me away. I never really thought about that. Out in Arizona, there's nothing. There's no trees, no oxygen plants. A cactus won't give off any oxygen.

Then these strippers call themselves reclaiming. There's not a native plant nowhere on the hillside—it's scrub and thorn bush. There's not a oak, hickory, beech, none of it. It's just amazing what they get by with. But the way it is now, they've got most of the politicians in their pocket.

Hopefully, we can get enough truly concerned people together and get some people in there that can change things. We need people who love nature in there, not just whoever can fill their pockets the quickest. We've got a local Senator—he might have originally started out as a good guy—but now all the time you see him, he's got his picture in the paper with these big ol' shiny teeth and he's giving away taxpayer dollars to some group for this and some group for that. They're not doing their job. They're supposed to work for

the people, the real people, the working people, but they're not. They're more coal mine oriented, I guess, because that's where the money is—the kickbacks.

I've never actually seen any money change hands or whatever, but you can just read between the lines and see it. Permits are approved that should never been approved. You got people living a hundred foot downstream from a four hundred foot sludge pond. I know they can't get them out asleep when it's raining. No way. You take elderly people like that—stress and aggravation'll kill you. I can understand that when you try to talk to 'em about it, "Well, my grandson works there and I don't wanna say anything. I don't want him to lose his job."

Well, they can still mine that high seam coal on top of the hill. They can longwall mine it and it wouldn't do near as much damage. As far as the valley-fill sludge ponds are concerned, I had a little talk with an environmental engineer. They can process that sludge now and condense it so much, you have maybe a fifty-five gallon barrel per railroad car. They can condense that sludge so much. But it'd raise the price of coal about a dollar a ton. Now if they'd go ahead and do that, there wouldn't be any more sludge ponds and all that stuff. But it adds a little more on the ton.

We've got coal trucks running up and down through here, probably two or three hundred a day. Hundred ton coal trucks on a two-lane road. When I was growing up, the speed limit was 55 for cars and trucks 45. Here you've got hundred ton coals trucks with big diesel engines and most of them running off-road fuel. They've got their injectors set up for power. They could put a trainload out. There's a train track along every little highway. Used to be a train right through here at Dingess Tunnel. They could put a load out down here at Lenore. One two hundred-car coal train would put four hundred coal trucks off the road every day. Each driver, I know, tries to get two to three trips a day, cause he don't make any money if he don't. That's how much diesel smoke and pollution would be off the road, if they'd only do that. It's what I tell you: money buys the politicians and the politicians make the rules—that's just the way it is. And actually it would save a whole lot of lives to get these coal trucks off the road. I drove a coal truck myself. These are just guys that's trying to make a living. I've done it myself. Thank God I didn't hurt anybody. But if you've got kids, you work—that's what you do.

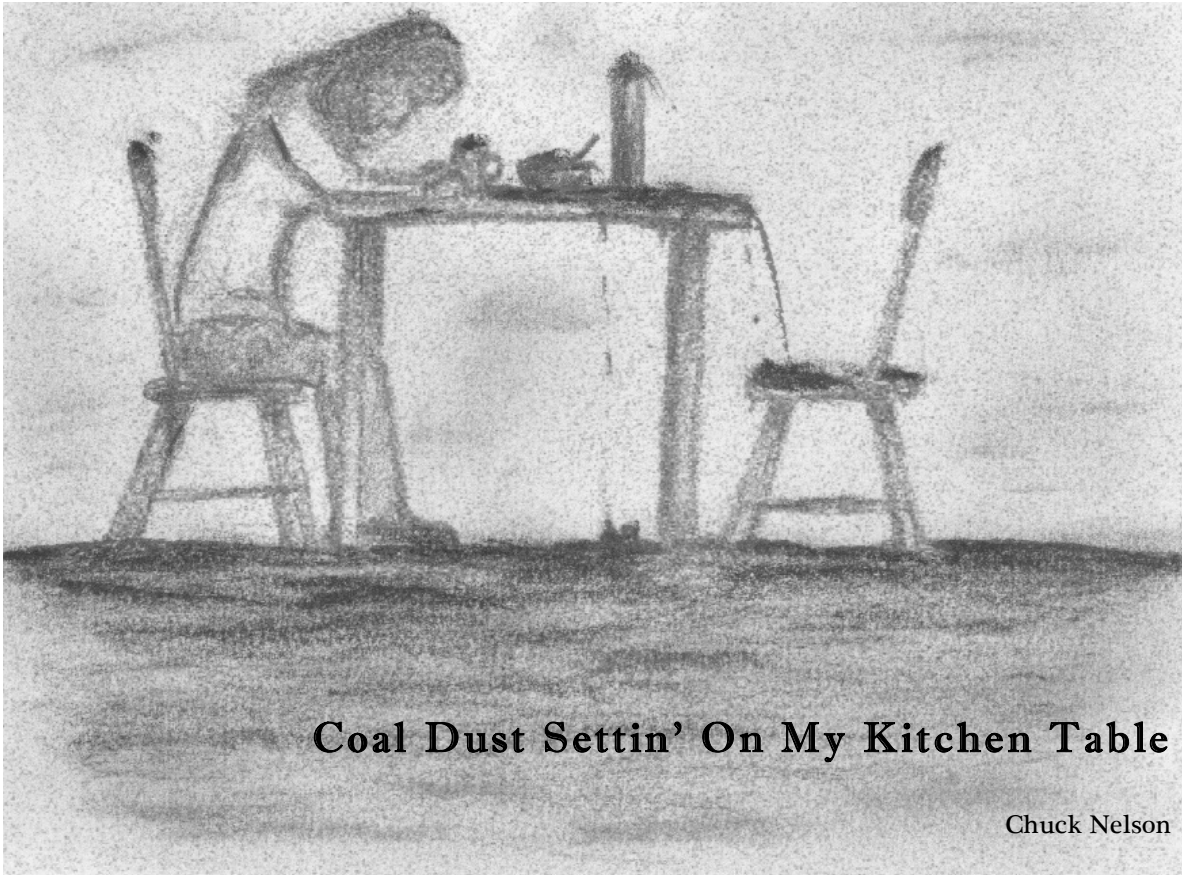
I think the real people, the working people, and especially the younger people need to take notice of what's going on, because this is their future here. I grew up in the 50's and 60's, but I knew how to make a living the hard way if I had to. Kids today don't have any idea. Somebody needs to teach them the right and wrong way to do things, and not just let big money be the influence. They say, "Well, I'm making eighteen bucks an hour." Yeah? What's your grandson gonna do when he don't have a place to live and air to breathe, and on and on.

I went to Kayford Mountain and looked at Mr. Gibson's plight. I watched them set a drill right in the middle of a family cemetery that had been there for a hundred years. I watched

them drill a borehole right in the middle of it. Now me, I don't have that much hold-back. I've got kind of a short fuse. I don't think I could have done that. They'd probably have me in jail if I'd been him. I feel really sorry for the man.

The little property that I own was settled in the early 1800's by a man named Elijah Akers. I think he's who homesteaded the property as far as I can tell. He's my distant relative. Some of his family still come and see us through the summer. The family cemetery's right down the road at Gap Holler. They drop by maybe once, twice a year. I've just got long roots to the place.

Now, I was raised a little different. My dad was an outlaw more or less. He liked to drink and he died a young man. But I kind of took after my mother. I see things in a different way. She was a nature lover, too. I just hate to see it get tore apart. And if they do come in there, they'll probably know who I am. I have a short, short temper. And I will stand my ground. I might have twenty more years if I'm lucky, you know. I know the reality of it. I've already got stents and this and that. But as long as I'm there, they'd better stay on their side. I'm not a violent man—I'll give you the shirt off my back. But I won't let 'em step on me, either. Because nobody gave me nothing—what I got I worked for. And hopefully, my neighbors will see it that way, and not be afraid to speak what they really think, regardless of who works where.



Coal Dust Settin' On My Kitchen Table

Chuck Nelson

My name is Chuck Nelson and I live at Glen Daniels, West Virginia. But prior to that, for forty-five years, I was born and raised in Sylvester. (The coal company) started their operation in '81 and they were running coal through their prep plant in the year of 1985. I just hate to see what our community has turned out to be like. When I was growing up, you couldn't ask for a better community to be raised in. But now, I drive through that community and it literally makes me sick how it looks, and what (coal company) has done to the Coal River area . . . what dangers they've put the residents in with no regards to property damage or anything else like that.

They're into mountaintop removal big time around our area. We've got many sludge ponds in our area and they hold billions of gallons of sludge. All the people in these coalfield communities live in the lower lying hollows. And when they do mountaintop removal they fill the hollows with valley-fills, which covers up natural streams.

The slurry ponds—they're talking about injecting them into the ground. They're going to do a study on people's wells and see if it's contaminated them. A slurry pond holds thousands of different chemicals. And it's gettin' into our drinking water. Sometimes these dams will

leak and break or the slurry line will rupture and it will spill into the rivers. That's where we're gettin' contamination of toxins in our drinking water.

I've worked for coal mines and they always put up this big P.R. front about Safety First and Production Second. Well, it should be like Production First and Safety about Twentieth. It's just a big PR front. When I worked for 'em the first thing we did when we got to a working section was to destroy our ventilation system, to take down all our curtains in all our entries. And that's because if the curtain gets tore down or somethin' they have to stop and that slows production to rehang the curtain to establish ventilation. So the first thing we'd do, we'd remove all those curtains, which means that we were mining all day long without any ventilation.

I just thank God we didn't hit a pocket of methane built up in the face area. All it needs is an ignition source. Now the coalmine I worked at wasn't highly liberated with methane, but still yet, methane was detected in the mines. And all mines in West Virginia is considered gassy. And who's to say that, you know, because you've been mining with little or no detection of methane that you're not going to cut into a pocket of methane? We'd have sweep air, and it was blatantly against the law to run two miners on sweep air. We did that for the full six years I was over there.

I've seen so many unsafe practices. At one of our mines, which sits right behind Marsh Fork Elementary School, I had a good friend of mine workin' there. He was hanging flies and he was on the back side of 'em with a scoop behind him. A buggy came through those flies catchin' him between the two pieces of machinery and it cut both his legs off. He didn't pass out, but he told me that if he'd passed out, he'd have died because he had to take rags and tie around his own legs for tourniquets. He said the section was in chaos—people didn't know what to do. They didn't have the right medical first aid equipment on the section. I think they drug him out on a piece of mine curtain. Usually, you know, a section is required to have a stretcher and first aid equipment on the section if something like this does happen. He cut both his legs off, and he said if he'd passed out he would've died because nobody knew what to do. He was 33 years old and now he's stuck with two prosthetic legs for the rest of his life.

And then it came down to when I was workin' for a company in '99. My house was the closest house to one of their stockpiles. What the DEP let 'em do was to give 'em a permit to shoot the top of the mountain off, to level it off for the stockpile. Well, this flat that they shot off is directly over the town of Sylvester. Anytime the wind would blow it would carry the dust - you could see black clouds of dust just going over top of the communities. At our house, we had to keep all the doors and all the windows shut and that still didn't keep it from getting into the house. I remember coming home from the evening shift sometimes at 4:30 in the morning and looking and seeing a quarter inch of dust settin' on my kitchen table. And all over the floors, and all over everything in the house.

I took a stance against that. I had to make a decision. It was a mine that I was workin' for and it was their plant which was causing all the problems. So I had to decide whether I was going to speak out and try to save everything I ever worked for, or just keep my mouth shut and keep working for them. Because anything you say against the company, they're going to come back on you with it. So I was off with an injury and I was going down to the DEP office and arguing with the coal company lawyers about the dust problem they had. Then the Surface Board ordered them to put a dome up over top this coal stockpile in order to try to contain the dust that was landing all over the communities.

When I took that stance, I almost knew what was going to happen. Because you don't set and argue with their lawyers and work for a coal company! It eventually came to where they were going to get rid of me when I went back to work. My doctor didn't really want me to go back but I wanted to go back to work—I liked workin'. I didn't really like working for that coal company, but it was a way that I fed my family and had health care for 'em.

I was laid off from the UMW (United Mine Workers of America) mines and I couldn't get back in the UMW mines anywhere because the panels were so large that it would take years for me to get back in with the UMW mines. So I was contracting for a long time before I went to work with this non-union company. They ended up needing new people at this new mine they were opening and I was working there for about two to three months as a contractor when they offered me a job.

When I started complaining about this dust, I invited them over. I offered them food and drinks and talked to them and told them the only thing we were interested in is that they buy us out. They kinda played hardball about it, you know, just more or less overlookin' what I said. But I told 'em they had a problem—they knew they had a problem, we knew they had a problem, and somethin' was gonna have to be done about it. They refused to give me an answer on whether they was gonna buy me out or what they was gonna do. They was just gonna let it go.

In the meantime I went back to work and they was gonna get rid of me. The first day I went back after my injury I was going back on a trial basis from my doctor to see if I could handle the work. The first day there, they knew that when I was comin' back they was gonna fire me. And I told them no, I'd worked in the mines nearly thirty years and I'd never had no disciplinary action, absentee problems of any kind. And I'm not gonna start now with nearly thirty years, havin' my record ruind because I was speakin' up tryin' to protect what was mine. I felt that was my right. But they didn't look at it like that.

So I said, "Well you're not gonna ruin my work record." I told the Mine Foreman to go get me a quit slip.

He said, "You can't quit."

I said, "Do you have a quit slip?"

He said, “No.”

I said, “I’m going to the office right now and sign the quit slip. I can go out and get other jobs at other non-union mines. I don’t have to work like this and go home and have to put up with all the dust and hassle the same company is puttin’ on me.”

So when I did quit ‘em and go out and try to find another job, I noticed that everybody I went and took a résumé to, and was interviewed by—despite my twenty-seven years experience and havin’ my bossin’ papers—I never got the first call back from any company I turned résumés in to. It took me a while to finally see why I wasn’t getting any calls. I mean, I can’t prove it, but they more or less put me on a black list from getting a job in a coal mines.

Now I’m tryin’ to take a stand with the community, which is tryin’ to survive. The towns I grewed up in is like ghost towns now. They continue doin’ mountaintop removal and destroyin’ the land and pollutin’ the waters, and not a whole lot’s being done about it. That’s why I joined OVEC and the communities which I live around. And even back down in Sylvester I’m still tied in with them and their stand against this dust problem that this coal company has forced upon ‘em.

I know that burning coal at these coal-fired power plants—we have to start looking at other alternatives of energy because of global warming. One of the biggest contributors to the effect of global warming is the burning of coal in these coal-fired power plants. Their emissions of CO₂ is way too high. They don’t act like they’re taking coal out fast enough, they’re just wanting to produce more coal for energy. But if the situation is not taken seriously within the next ten years, it’s gonna be too late to do anything about global warming.

It’s so hot. I mean, even this year you can see we haven’t had no winter at all compared to what we usually have. And when it goes from winter, we used to have a spring. Well, we don’t have a spring any more. It goes from winter right into summer time. And it’s going to continue to keep getting hotter and hotter unless we take this global warming seriously and try to look at other alternatives in wind and solar power. It’s just there—it’s environmentally safe. What I can’t understand is why don’t they turn to these alternatives before it’s too late?

Everything you read in the paper, everything you hear your legislator say, it’s about economy. But nothin’s mentioned about the environment and the people who live in the coalfields and how they live, and what they’ve gotta go through. It is scary because these slurry ponds are hangin’ over top of our heads. If one of them should break loose, you’re lookin’ at total devastation on the Coal River. Anybody livin’ downstream from these slurry ponds—it’s gonna be bad. It’s not a matter of if it’s gonna happen it’s just a matter of when it’s gonna happen. The same engineers that built the dam and built the sludge pond at

Martin County, Kentucky are the same ones that engineered and did the slurry dams in our area. They said *that* one was safe. *That* was one of the biggest environmental disasters east of the Mississippi in history. It was twenty to thirty times larger than the Exxon Valdez spill.

These ponds that we have up and down the Coal River are a lot bigger than the one that spilled in Martin County. They say that they had eight-foot cover from the bottom of the slurry pond to the abandoned workings. I can't understand when they go to build these ponds—the maps and stuff have to show where the abandoned workings are at. Why did they not know there was only eight-foot cover? It confuses me how they can forget about something like that! I know this (coal mine), which is located at Marfork, it holds 8.2 billion gallons of sludge. And it's mined out underneath it, but they claim they have 100-foot coverage. But a fall of anything like that, who's to say how far the strata of the rock is gonna be fractured? We could have the same thing happen on Coal River that happened in Martin County, Kentucky. It's just matter of time when it's gonna happen.

As far as mountaintop removal, it's destroyin' people's land with flooding, and contaminating the streams, and aqualife, and all that nature needs. When they take the mountaintop off, they're removing all the trees, which could absorb the carbon dioxide from the coal-fired plants, making the problem even worse. It would take two to three hundred years to develop something on these reclaimed, abandoned mountaintop removal sites. So I think we should turn our directions toward a different energy source that is a lot healthier for our kids and our kids' kids to live in, or this is not gonna be a safe place for people to be raised up.

A lot of my miner friends understand what I'm talkin' about. But there again, that's the way they feed their families. A lot of them works for non-union places—a lot of 'em works for (coal company) mines. And they know if you speak out against the company in any way, shape, or form, your job's in jeopardy—if you're not a part of the company family that they want you to be.

I was maybe forty years old when I started workin' for them. I was the oldest guy at that mines. All of them was twenty-one to twenty-two year-old guys who really wasn't experienced miners. You could see the coal company brainwashin' these guys into doin' illegal activities, unsafe work practices. But the guys just believed that one side of it—they hadn't seen both sides of it. They're not educated on what could happen and what will happen. Even a lot of our legislators are uneducated on the dangers that mountaintop removal and these slurry ponds can have on the residents which live in these small towns in the coalfields.

Union mines wasn't nothin' close to workin' for these non-union companies as far as doin' illegal practices and takin' safety for granted. You always had union representation and union safety examiners that traveled with inspectors. They had a job to do there to work with the inspectors ensuring the safety of the mines. Just like that line curtain I was talkin'

about. At a union mines we'd never run without a line curtain or any ventilation. It had to be up, and you had people there to represent you on your safety agenda. I've heard (a well-known Kentucky coal industry proponent) say, "Well, why didn't you go to MSHA and complain about it? There's a federal law statin' that you can't be fired for bringin' up safety issues or safety reasons."

But he's never worked a day in his life in a mines. He don't know what it's like. Now they might not directly fire you for sayin' something to them, but indirectly, they'll find a reason to get rid of you. A lot of 'em's afraid to speak out over that.

I just want people to know what's really goin' on in the coalfields and what dangerous work it is. You see a lot of these deaths and injuries happening at these non-union coal company mines. It seems to be a company-wide policy of theirs to get as much coal they can, any way they can, by what means it takes to get it—whether it costs people's lives or whatever. Coal is the main thing they're in business for, and as far as safety, they don't really provide the safety aspects a miner needs. They really don't give a young miner the teachings he needs to know about what to watch for. That only comes through experience, but when you start off on the wrong foot, learning it the wrong way, that's what you're taught and that's how you're gonna operate. Sooner or later, it's just a matter of time before somebody gets killed or a lot of people get injured.

Intimidation Is A Strong Tool

Edward Thomas

My name's Edward Thomas, and I live in Fayette County, West Virginia. I got involved with trying to stop mountaintop removal basically because the coal company promised me they would not come down past my home with a strip job. Soon as I let my guard down, they applied for a permit to come down past the home. When they did, I went over and talked to them, and they told me I could not stop it because the time was up. So I asked them to see a map. And come to find out, they had been given permits out on a map that was ten years old. A deep mines had done run all along the ridge behind our house, which means the coal seams they was mining towards was full of water. So not only did we get the amendment to the permit stopped, they stopped the other permit that was coming down the same ridge.

Since then, they had applied for a permit that named two streams that had never been named in a permit before. Since OVEC had won a lawsuit on one permit, the company didn't get it, so therefore they had to withdraw from a 443-acre permit back to a 287-acre permit. As of right now they have the permits, but there's an appeal on the mountaintop removal permit behind my house that hasn't been done yet.

I spent eighteen years underground as an electrician, with bossing papers. This mountaintop removal is not a form of mining. You can look in the Miners' Health and Safety Directory book. It does not create any more jobs. It's just a way of destruction and

there's no way it is actually a form of mining. Everything you see in the Miners' Health and Safety Directory indicates that underground mining is better for the economy. The only person that it doesn't help out is the coal company. It cuts into their profit because they have to pay for more men, which creates more jobs and better economy everywhere they're at.

I asked the question why they had so many men numbered in my county. As a result of that, they have changed their figures from 46,000 jobs in the state to 26,000 jobs. So it's just a bunch of propaganda that the state agencies, DEP, and the Miners Health and Safety has put out, to help make the coal industry look like it's much more than what it is. So all the stuff you see on the TVs today and hear on the radio is nothing more than propaganda because coal does not make West Virginia run no more. It's not like it used to be.

Used to be you had thousands and thousands of union miners working. Today I doubt if there's 25,000 union miners in the whole country. The union just keeps disappearing. Underground jobs keep disappearing. And no matter what they do with the valley-fills, they create pollutants that we will have to deal with for fifty to a hundred years before it will go away.

Everything I read says that one inch of topsoil takes five hundred years to create without a foliage overtop of it. Seventy percent of the world is covered with water. Out of the seventy percent, ninety-seven percent of that is salt water. Out of the other three percent left, only one percent of the water left in this world is drinkable, ready for human consumption. And we're letting them destroy the state of West Virginia and the watersheds with the mining. There's different issues such as selenium, and the hydrocarbons is another issue. So no matter who you are or what you are, mountaintop removal affects you because it is polluting the water streams. What most people don't realize is New River runs north. You got New River and Gauley River forming the Kanawha, which runs into the Ohio, so the companies are actually polluting the whole eastern half of the United States' waterways.

We buy bottled distilled water. Don't use the water in our community for anything other than bathing and bathtub. Most people are on a city water system. But the trouble with the city water system is if the hydrocarbon theory is true, they're putting hydrocarbons into the chlorinated filter systems and creating cancer-causing agents. So they're basically pumping the cancer causing agents into every home in our area. People have heard it, people have talked about it. Do we have scientists that have proved it? We're working on it. But as of right now we don't have that proof we need to put it out widely. We have one retired scientist that says it's right. But then we've got nobody else who has come in and done the work to see whether he is right or not. So they're calling him just a crazy old man up on the hill. Until we get help from people that knows how to check to see whether his theory is proper and is done right, he's nothing more than a crazy old man up on the hill.

I grew up in this area from a kid. Life is nothing like it was, because of the mountaintop removal. The first thing they do is they come in and cut down the trees; take away all the acorns and things so you have no wildlife. They destroy the ginseng that people makes quite a bit of money off of in our area. There's nothing the same. Once they move in, nothing will ever be the same in a hollow where mountaintop removal is occurring.

When I was growing up, we could have a rainstorm—the creek would raise probably two feet. It was just milky, because we had the foliage, no loose dirt, no silt runoff. Now, when it rains, if the creek raises two inches it's dark brown at times and gray color at times. So there's no longer trout in the stream that we had. We cleaned it up and got the trout stocked in it, and the coal company has virtually killed all the trout in the stream. The DEP mine inspectors all said, "Well, we didn't see it happen."

What the public needs to understand is this. DEP inspects a job once a month, so that's twelve times a year. The state inspectors inspects a minimum of two times a year, so we're up to fourteen days a year. The federals, I think they're required to check five times a year maybe. So we've got approximately twenty days out of the year, and the rest of the time the companies are doing whatever they want. They time it—they know when the water's going to be sampled so they clear the creek up to do the water samples. If the creek isn't clear—if he gets a bad sample—they wait a day or two and come back and do it again. The whole system is set up to give the public the numbers and figures they need to think the company's doing a safe job. In reality, they're only safe one or two days a month.

People has moved out of the community. The community is split. If you're a environmentalist, someone that may be a problem to the coal company, they'll either hire you, your son, your brother, or somebody in your family to keep you quiet. That's the only people in that town that's ever been hired, is whoever they thought was gonna give them trouble. Then it's not enough people to make it worthwhile. But what they've done is split the community to where they argue, hard feelings back and forth, about the dust, the coal trucks, the water. You got half the community wanting it for the jobs, and half the community just trying to survive and live a healthy life which does not exist any more.

Intimidation is something that is built into everybody that lives in the state of West Virginia. If you was taught in the school systems in the state of West Virginia, you was taught to fear the coal industry. Because we were taught coal *is* this state. I don't understand how 26,000 jobs controls this state. But that's what we've been taught. Intimidation is something that a lot of people don't understand, so they stay totally away from the company. Me, I'm not smart enough to be intimidated. They won't threaten me directly. What they do is they'll have somebody in the community to say something. They'll tell them a lie or something that's not a true statement to get them to try to get me to back off from what I'm doing. It's to the point that half the people in town's not allowed to talk to me, or are afraid to talk to me—if they're seen associating with me, they're afraid of the repercussions to their family.

It's interesting as far as that goes. Intimidation is a strong tool the coal company has imbedded for one hundred years into our generations. Until we learn what intimidation is and how to recognize it for what it is, and learn what propaganda is and how to defeat it, I don't think we'll really have a chance of stopping mountaintop removal or helping the state get back on its feet.

Now one of the things I do believe, to have a sustained government that is not run by the industry, we're going to have to have a better basic education program. I'm talking about kindergarten through twelve. Right now out of twenty-seven industrial nations tested, the United States ranks seventeenth. And out of the United States, West Virginia ranks forty-

seventh. Now to me, what this says is that these kids being educated in other countries are getting a better education than our kids are in this state here, even though we spend fifty-two percent of our budget on education.

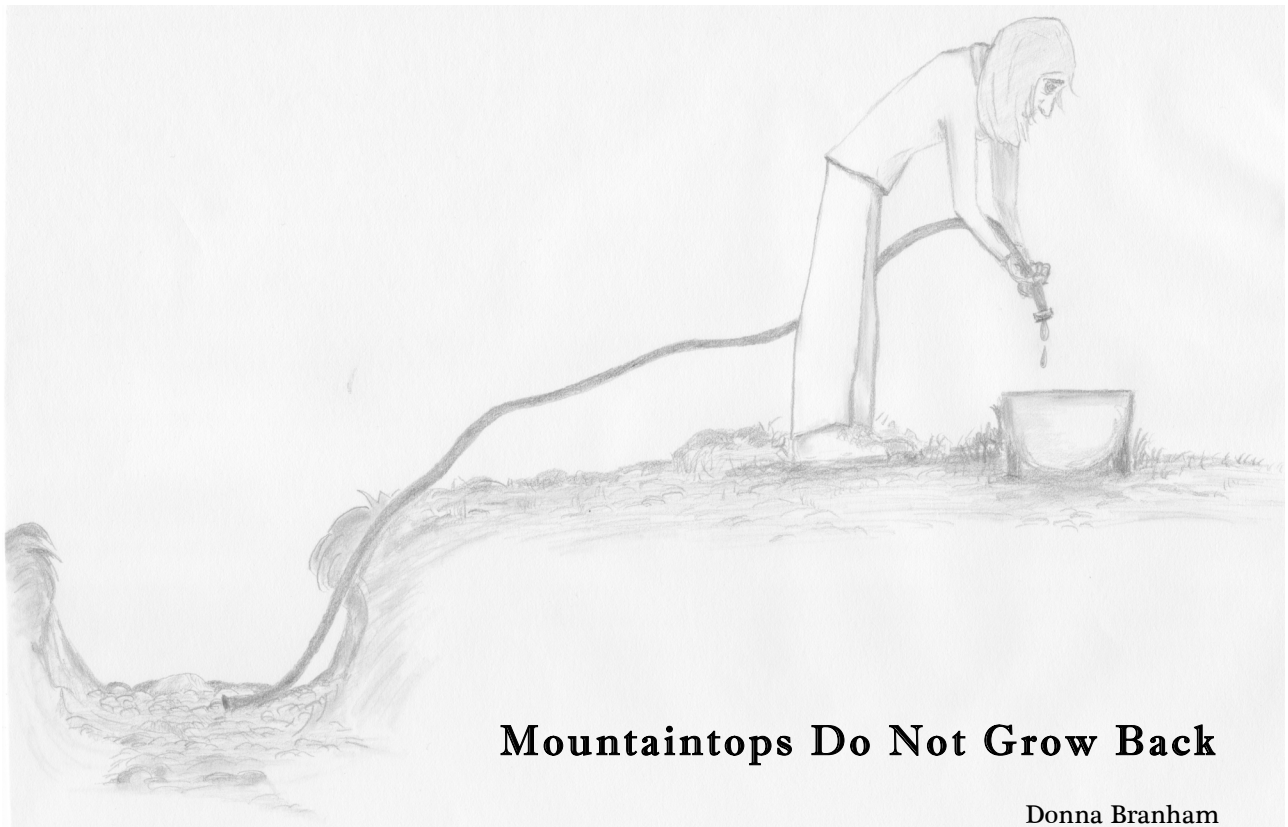
People in my community has died from cancer, because there's always been coal mining of some sort or another that's drained into the waterways. Even before we had the city water, everybody's wells was affected one way or another by the old mine sites in the area. Cancer is a common way of dying in my community. My grandfather died of cancer, my mother died of cancer. The lady that lives right across the street from me just had surgery for cancer. I could probably name ten, twelve people in the community that has cancer right now. Cancer is just like everything else around the coal industry—it has become a way of life, a way of dying.

I moved back into the community because my mother had cancer. That's the only reason I'm there. In the middle of building a home, and as soon as we're done with it, we're out. We're gone. The dust starts rolling and my lungs fills up with it 'til I can't breathe. I was sick for almost five years before I figured out it was the dust off the coal trucks because of the silicon dust that is heavily concentrated in our area.

So we don't know what to do except protect our waterways. And I believe that the mountaintop removal is the number one reason of pollution of our waterways. The valley-fills that they have are not a sufficient filtering system. The courts have said they are not allowed to use our waterways as a filtering system—finally. Until the federal government comes in and actually stands up for what the Clean Water Act calls for, all we can do is provide jobs for people to have an opportunity to do something other than mining.

The biggest problem with trying to stop this thing, the mountaintop removal, is the fact we need to educate the people what the facts truly are, instead of what the propaganda is. And the sad thing is, we can't trust our state or federal government to give us the true facts. You have to call their hand, and look over everything they give you to make sure it's right.

I was a coal miner for eighteen years before I was involved in an accident and stopped the mining. This that's going on right now is not mining--it's not the long history and the rich heritage that we have associated with mining. People do need to understand the difference and learn what the difference is. The most important thing that people could do is just donate, join, get involved, because it makes a big difference. The number of propaganda commercials on TV proves the industry is afraid of something. The only time they spend money is to cover up something. So the question is, do you believe the propaganda that the 26,000 jobs they create is such a great thing for the state? Or do you believe that tourism, which they're directly affecting now with the pollution of the waterways, is more important to the state?



Mountaintops Do Not Grow Back

Donna Branham

My name is Donna Branham. I live up the right fork of Laurel Creek in a little town called Lenore, Mingo County, West Virginia. I am presently at this moment waiting for the coalmines to get started behind my house. They plan to do an underground operation for two years and then do some mountaintop removal. And that's the worry I have, is the mountaintop removal. I petitioned the DEP to try to get the permit revoked. We went to Charleston and had a hearing, but in the end, they went ahead and let the permit stand. That was back in July, and as of now they still have not started the mines and I just hope that they don't.

The reason why I'm fighting this so bad—it adjoins my property, but I've also been concerned about mountaintop removal for a number of years. They just ravage and tear up our mountains without any thoughts to people's properties and place and their lives. Around here, most people do make a living coal mining. My husband and I are not against coal mining—he worked underground for years in the coalmines. But there's a responsible way you can do it.

After doing the research for this most recent appeal that I done to the DEP, I found out that in order for them to issue this permit that I fought, they had to let five variances into the permit. If you look up the word variance it means going against something that's legal,

changing the law. So to me, if the state, DEP, and the courts had upheld the law then the mining permit would have been illegal. One of the variances was that they can put refuse within 100 feet of the stream. And also that they can do underground mining where old underground mining has been. Even according to the mine engineer's report there's an underground mine up there that has refuse in it and they don't know if it's toxic or not. And that could come out. Like I say, there was five variances that they granted. And to me, if they would just obey what rules we have, it would be a little bit more responsible to the communities and the people.

They didn't take in consideration that I use the water that runs out of Ash Camp Branch. And what they plan on doing is valley-filling that creek. And when they do that, then I'm not gonna have the water I need for my livestock, to run my farm. I have a small fishpond on my property, I raise a garden and water my crops from that. Even my neighbors depend on me for water when the electricity is off because I've got the only place that has clean water. And everyone's welcome to it.

Me and my husband has worked really hard up there. And I just think it is a shame that the coal companies can move in and tear up what you have worked for all your life. I think something that some of the younger people don't understand is they look at us and think, "You're older, you've done had your life, let us make our living." But you know, we're in retirement now and we'd sort of like to enjoy life instead of always feeling threatened that our water's just gonna be ruint, that we're gonna have dust, that we're gonna have subsidence. Our foundation of our home will probably crack.

If people just stop and think, around here the cancer rate is going up and to me that has to be from the pollutants that the coal mines and the coal industry puts into the air. There are whole communities that's affected by that. And I know personally for one strip job, out of 165 men, 85 of them are dying with cancer—are already dead or in the process of dying from cancer, from that one work site.

I was fortunate enough to have Ben Stout—he's a hydrogeologist—he came and tested the water at my place: our drinking water, the spring water, and the water that runs up Ash Camp. And the report came back that this is one of the cleanest waters in West Virginia. Ben said he wouldn't care a bit to drink out of any part of it. Even at the hearing for the DEP one of the hydrologists said that right now she would drink the water but after the mines she wouldn't—so that just goes to show you that it will be polluted.

We need to protect what environment we have. The trees give us oxygen. The mountains are ours—they do not belong to the coal companies. I understand that they do own the mineral rights and the things beneath the ground. But they can do it responsibly. They need to do more underground mining. Union and non-union miners need to unite to form a safer place. They need to unite to protect the environment and the culture. Because what we have here today we need to insure for future generations, for our children.

West Virginia is one of the most diverse places in the world second only to the rainforest. And when you get to thinking about that, that is just great. That is just great! Because everyone knows what the rainforest has and how it needs to be protected. It is up to us to protect this place, not just for the mountain people but for the whole world. We need to protect what we have.

A little bit of history on this place: whenever it was first deeded, this was still Virginia. It was in my husband's family the first time it was deeded. Well down through the years someone lost it in a poker game, and we were fortunate enough to get it back. One reason why we did buy this property was because we wanted to be able to be self-sustaining. We wanted to be able to produce what we needed—we didn't like the idea of having to rely on people, and we wanted to teach our children and our grandchildren that you can do that also. I raise a lot of vegetables, I can and freeze my own vegetables. I make my own jelly. I have my own fruit, my own fruit juice drinks. I have chickens that I get the eggs from—we do eat the chickens occasionally. We have a freshwater trout pond where we do eat the fresh fish—that way I don't have to worry about mercury content and stuff. That was also tested by Ben and it's excellent.

Without this water that runs through Ash Camp, I won't be able to water my livestock. There's no way that I can just carry that much water up to the barn. I have a hose that runs out of that creek that goes to the barn. Then it goes to all the fishponds, then it goes to my garden. There's just no way practical that me and my husband could do it. We would have to carry bucket after bucket after bucket twenty-four hours daily, just to keep going what we have now. I just don't feel it's right to be threatened, or to have the threat that it's going to be taken away from me.

The DEP is a joke. It does not help the citizens. I always thought that the DEP was for the people. They're not—they're for the coal companies. I have been over to the DEP's office numerous times. I was shocked the first couple of times when I would see the officials from certain mining companies—they would be sitting there with their feet propped up on desks. That is the department I thought was supposed to protect our environment. I thought it was supposed to protect our people, our water, our streams, our soil. But boy, was I wrong. I was wrong. At the hearing, the DEP didn't even question anything that the mines has done. And as I say, they was the ones who granted the variances for these permits to be issued.

We have a chance here in West Virginia, well, more than a chance—we can prosper. We can all have a good way of life. We just need to look a little bit farther than coal. We have a lot more to offer. Our people here are good workers, they want to work. I think we need to make sure we get more factories in here, more industries. Just try to be a good steward to the land and to the animals. Once they take the mountaintops off, those mountaintops do not grow back. They say they do reclamation. All they do is plant grass on there that the deer or nothing will eat. It will take two, three hundred years even if trees will grow. And I don't know how many number of years it'd take before you could even get any hardwood

from something like that. I don't even know if it's possible or not because the ground's so poor.

And as for water, I think everybody needs to sort of look around. Right now I think the war is for oil. Probably our next war will be for fresh water. Because there's just not enough to go around and we need to make sure we keep what we have. And without fresh air and water the human race is doomed.

They run city water up right fork about four or five years ago, and that's how we knew that the mines was coming in. Because down here in southern West Virginia any time that you do get a city water line run, then the mines come in. That was one of the things I mentioned when I went to my hearing, was my fear that they would sink my deep well—the water that I drink from and use for my household now. And their response was, “Well, you've got city water there.” But no one took in consideration when they laid the pipe, it is so small that there's no way people in the last two miles of the holler could hook up and have any pressure at all. Plus, why should I have to pay for water when it's something that I've had? Something that I feel that God has granted for the people in the Appalachians to have. To me it's just as right as the air you breathe. And I just don't think city water could be that clean, anyway. I don't see how you can filter all the stuff out of the waters that they use.

And something else about the holler that runs by my house. I've been able to teach my grandchildren just a lot about aquatic life and how to take care of the land and be a good steward. Without the stream, I wouldn't be able to show them things. It's just nice to see them play up and down through there. We don't have to worry about them. And if you get thirsty you can drink from the creek just like you could in my mother's day and my grandmother's day. And that's the kind of things we need to preserve. Two of my daughters live on our properties and all summer long, up until it gets really cold, the grandchildren are up the creek and up in the hollers playing.

I think it's time for the people of the Appalachians, southern West Virginia, and the nation as a whole to unite and tell the industries that this is pollution. There's the mistreatment to the people and the animals of the region, and we've had enough. The time has come for them to put their research to work to better the communities instead of harming them. I have never seen a community, where the mines has pulled out, I've never seen a rich community left. It's always broken. The roads are gone, the homes are gone. The people that live there have no water. There's no trees. There's always a threat of flooding. Places flood now that never flooded in history, and it's because of the strip mining and the clear cut they have to do before the strip mining.

I Will Fight This To The Bitter End

Walter Young

I'm Walter Young, and I'm from Delbarton, West Virginia. I'll just tell you the story about my life history briefly. I'm 62 year old, almost 63, and I was born and raised here in Mingo County. All the time when I was small growing up, we always had problems with the coal industry. They would pollute the streams. Nothing you could do about it—just complain to your mom. Then as I grew up older, supposedly there was laws passed—I don't remember exactly what years—but to protect our water streams. I said, "Heck, we got it made now. We've passed laws and they can't do that."

So one company kinda left out, and here come the other companies in. And the stream of water where I lived just kept running black real often, probably once a week. No law wanted to touch that. No enforcement. I wrote my Congressman and Senators a letter long before the West Virginia DEP even existed, or was even heard of. They would put me in contact with people like the Water Quality people in Charleston. I was to call when I had a problem with water. I would call them and talk to a young person. I was thinking their kind of voice and the approach they had, that everything was all right and they was gonna take care of it. But nothing ever happened.

Then, I think it was 1999, the little coal company moved in up above me. Mind you, the coal company come into my neighborhood, I didn't move in around them. I live in the same identical spot right where I was born and raised today. And here come the coal mining industry and just took away my home, about 1500 feet of the stream. They got this big, huge permit to build a coal waste impoundment—56-point-something acres. And anybody that knows the geography of land whatsoever will know 56 acres is huge.

Then I said, “This just ain't right. I will fight this to the bitter end.” The only way I knowed how and the only way I could afford how, would be to make a complaint to the West Virginia DEP. The next step was to go to the Surface Mining Board and bring my issue. Because I live in a little place where I don't stand a chance if this dam ever breaks. There's no way for my family or my neighbors, or nobody in my community, living so close to such huge coal waste, to get away. There's no escape.

Anyway, I took this to the Surface Mining Board. I had good legal counselors helping me. I had a consulting engineer, John Morgan. We hired him to come in and explain all this to the people at the Surface Mining Board. And his qualifications, as far as I'm concerned, was more superior than the mining company engineers'. But when the case was said and done, the mining company engineers won. How can somebody of lower authority tell somebody of higher authority what's right and what's wrong? And that's the case that happened.

While I was working on that problem, I didn't know how to react to a surface mine. I'm just an ordinary person. I'm not a legal scholar. So I seen on TV about the Citizens Coal Council and what they were doing. And Ken Hechler, I think, was involved in this. And I just took that number off the bottom of the screen and called. It so happened I got hold of a boy that said, “I know what you're talking about. You need to talk to some of the people at OVEC. I'll have some of them to call you because I see them pretty often.” And sure enough the next day, somebody gave me a call. I didn't know anything about OVEC, but they sort of educated me what they do. And for me, that was a great thing. I've set back all my life and seen on TV about things going on away from West Virginia, out of my county. And here was a opportunity right in Southern West Virginia to see environmentalists at work. This is new to me, and I felt like it was new to the political powers and also the mining company itself. But that's how I got started in it.

I never was in a coal mines. My daddy died from a coal mines related accident. I was programmed never to work in a coal mines. Take less money and stay alive—that's more or less what I was programmed to do. I don't have any animosity as far as people that work for the coal industry. They're just ordinary people trying to work and make a living. But the whole concept, or the system itself, allowing the coal industry to come in and show total disregard for people living in these communities—I am very much opposed to that concept.

When I was growing up, it was different, because there wasn't as many people here. Wasn't as much traffic. The little road that goes by my house didn't have big coal trucks on it.

'Course I don't guess there was big coal trucks manufactured back in the early fifties and sixties. And now they are. Instead of the state upgrading their little roads to big roads that could handle coal trucks, they just didn't do it. Just run what you've got. Maybe when coal trucks get bigger they'll expand the road and make it better for them. I don't know.

So the impoundment up above me is being constructed each and every day now, ever since 2001, I guess. It's being built in little stages, but upon completion, and when full it will be 56 acres big, and could be allowed to expand. My ancestors was buried right at the toe of that impoundment, in a little cemetery that I thought was safe from now on. But it wasn't. When they built the coal waste impoundment, they ran an ad in the paper and removed the cemetery. I called up one Memorial Day—my great-grandmother was buried there. And I asked the coal industry, it being surrounded by mining, "What's your rules or policy on me coming up to visit that cemetery?" Unbeknowing to me, they had moved it.

And they said, "That cemetery is no longer there."

I said, "Where is it at? My ancestors were buried there."

The boy on the phone at the mining company says, " Well, I'll find out for you and let you know."

So he calls back a couple days later and says, "I'm returning your call about the cemetery."

"Yeah? Right. Where's my family at?"

"I'm sorry, that's the reason I called. We don't know."

They didn't know where they moved the cemetery to! Or the people that's in the cemetery. Little things like that, along with the dust, the sludge they turn loose, and just the whole disregard—coal trucks running within 30 foot of my house . . . I just don't have any use for the coal industry if that's the way they want to operate in my neighborhood.

Sludge coming down the creek don't happen as often as it used to. But not a year ago, this mining company, they had a big slurry spill and it got in the creek. And it came down the stream by my home. I own about 1000 foot of creek bank. And of course, those ponds break down, or come loose and they lose slurry in wet weather where it rains a lot. And that sludge got all over my creek bank. Now most people might say, "Well what the heck's an old creek bank? It's no good for nothing, what's the creek bank?" I don't want that on my creek bank, it's as simple as that. I don't have a good excuse for it. I just don't want it on my creek bank. So I requested to the company for them to clean it off my creek bank.

And of course, the inspector of the DEP went back and got his supervisor and brought him over. He says, "Well, the creek water will raise and wash it off."

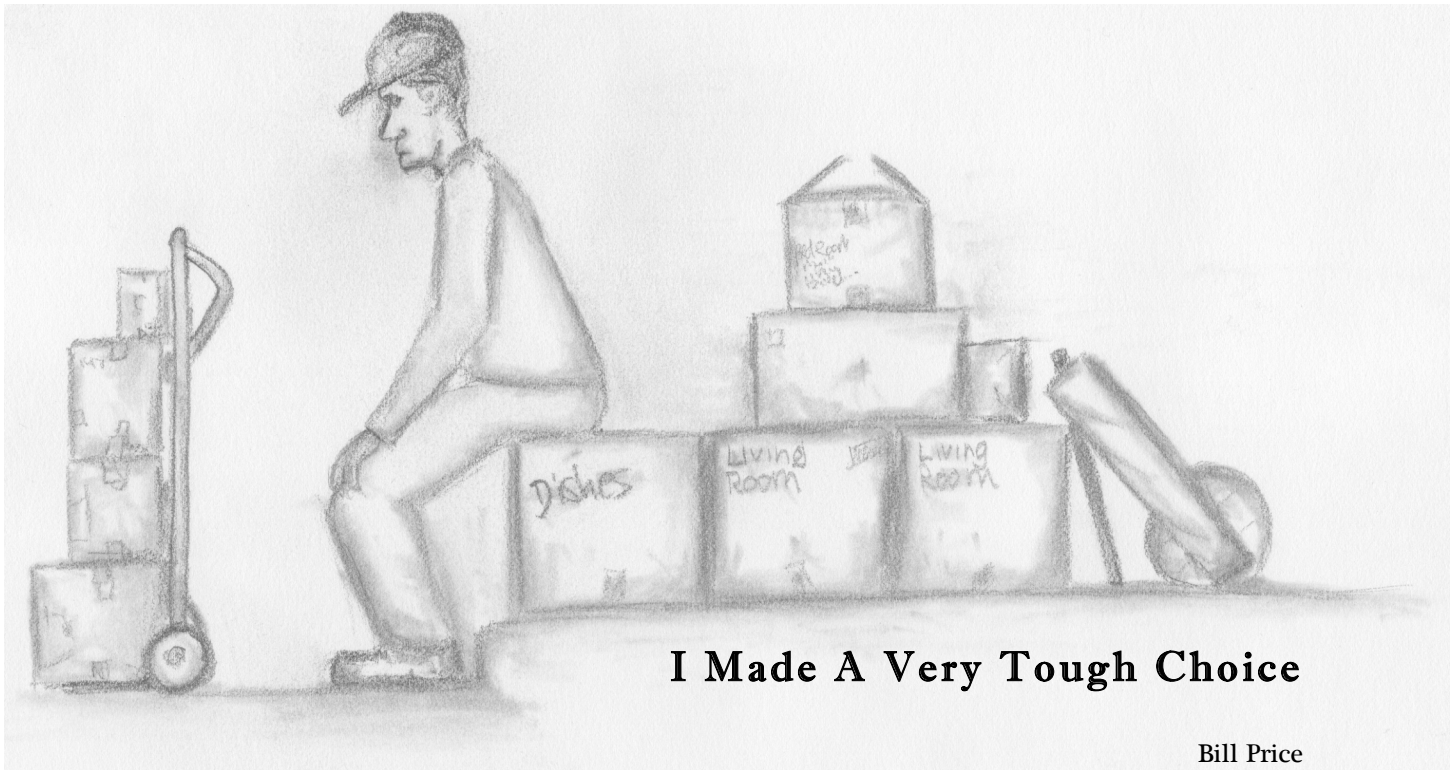
I said, “That’s not acceptable. Not acceptable. I want the mining company to wash it off, since they’re the one that did it. It’s unnatural debris, you know. They can wash it off.” Anyway, I never did get that done. Always felt like I should. So any clear cut point you have towards anything, you’ll not succeed fighting the mining company, so it appears to me.

More people organizing together gives me hope, and education of people. Just exactly what’s going on. You’ve heard the old saying that if you don’t know about it, it don’t hurt you. Well, sometimes if you know about it, it does hurt you. I want people to know what the mining industry does to the place in which they live. And from that point on, I have to accept what’s dealt to me if that’s the way the people want it. But if they don’t agree with me that it’s wrong for the industry to do what they’re doing, we don’t have much hope. It’s pretty simple.

I’ve been active in OVEC since 2001, I believe—as active as I can with my physical condition and age. I can’t attend everything that goes on in Charleston and Huntington, but I have made many trips. I really don’t know what will solve the problem, unless it’s organizing more people . . . in a way that will control our politicians. When the politicians begin to listen, then we begin to get things better for us, you know? The clean election bill, as I know of it—and I don’t know all the little details of it—that one thing will sure solve a lot of problems. You can get a pencil and piece of paper and start writing these problems down, and they’re not little problems. With the clean elections bill, if passed, I believe it will wipe this slate clean. Then you’ve done something worthwhile, you know?

There are a whole host of things that need to be took to the legislature and cured, but as far as I’m concerned, that is the most important issue facing us. If we don’t do something different . . . well, let me state it like this: keep doing what you’re doing, and you get what you’ve got. So if we don’t approach in a different manner like the clean elections, and think different than what we have been thinking, we’ll never get nowhere. I don’t mean to discourage nobody, but if we just keep doing what we’re doing, we’ll get what we’ve got now. If everybody’s happy and satisfied with everything, they can sit home and watch TV. But I won’t!

I just hope people will hang in from now on! Put yourself in a state of mind that you enjoy it. Don’t take it as a thing you get tired of. Because the first thing you know, you’re not gonna do it. But if you have the right outlook on it like everything is fun, and you accept it like that, it will be fun. Just say, “Heck, I’m doing this because I like to do it,” and go at it!



I Made A Very Tough Choice

Bill Price

My name is Bill Price and I currently live in Huntington West Virginia. But I'm a refugee of Dorothy, West Virginia which is a small community in Raleigh County in the southern coalfields. I lived in Dorothy since I was twelve years old, up until a few years ago. I had homes other places, too, but that place at Dorothy—Clear Fork was what we called it—it was home. It was the homeplace. Wherever else we lived at, that was the homeplace. And for the last several years I came back to the homeplace to live.

In 2001, there was a flood in Dorothy, which devastated the community. My experience with the flood was that I woke up on a Sunday morning and it was raining, and it was raining hard. The river was getting up. There was a little stream called Clear Fork that runs by the front part of the property. The stream was getting out of its banks, which wasn't unusual for it to get out of its banks if we had a lot of rain. What we would usually do was move the cars across the road on high ground so we could get out. So we did that. And we came back, and it was still raining and the water just kept rising. When it got over into the driveway area, that's the highest it had even been. We had never seen it do that before.

Then within 45 minutes to an hour of doing all that, there was water all the way around the house. The way it was, there was the creek, the road, and then this little incline—hill—and once it got to the top of that hill it was level. So once water got to the top of the hill it just spread everywhere. So the water surrounded the house. Before it started going down, I was standing about waist deep in my front yard, in water. Needless to say we were a bit surprised by that. The funny thing was how fast the water came up. But then also how quickly after it quit raining, it went back down.

Of course, when it went back down we started looking around. Our neighbor's basement had been completely flooded. It had gotten into one of my neighbor's homes, it had gotten into one of their garages. It got into one of our wells—the back well that we had used many years ago for agriculture, for gardens and things like that. But it had gotten into that well. We cleaned things up, and of course, the driveway was completely washed away. There was nothing but sandstone rocks there. But we had gotten the cars out so we were able to get out.

We got to wondering about what had happened, because this was something that in the thirty-four years I had lived there at that point, we hadn't seen before. So we got in the car and decided to go down and see what else had happened, whether or not anybody else was hurt. So we drove down and went around the curve into the actual town of Dorothy—I lived a couple of miles above Dorothy. When we rounded that curve the road was just gone. It was washed away. The houses—you could see where houses had been washed off their foundation and twisted around. There was one house that looked like a mudslide had went through it at that time. We found out later that was, in fact, what happened. Somehow we maneuvered our way past all that and got on down where the flooding wasn't quite as bad, and got on down to Whitesville.

The Red Cross had already started setting up. People started coming in to the Red Cross Center where they were fixing spaghetti and stuff like that for people. So we started hearing stories from people in Sycamore, where all the bridges in Sycamore had been washed out. White Oak, where they had flooding two years before, had flooding again. I still remember the look on faces of people who had lost everything. I felt pretty lucky because actually it did not get into my house. It had gotten into these people's houses.

But we started talking about what had happened. People started telling me about the fact that it wasn't the water coming up from the river in Dorothy, it was the water that was coming down from the mountain. What had happened was a valley-fill above the town of Dorothy had given way. The face of it, the front of it had given way. And it just created this massive mudslide that went down and inundated the sediment ponds—the system the coal industry thinks will control the sediment coming from these things. It just completely broke those dams and all of that material just basically landed on the town of Dorothy. There were hundreds of homes destroyed, and many homes damaged that eventually had to be rebuilt. You go to Dorothy today, and there's lots of places where the houses were that there's nothing there. They had to tear them down, and people wouldn't come back.

I guess I knew about mountaintop removal mining before then, but I was working for a company at that time that did service work for the mining companies. (The coal company) was one of our big clients. It was a difficult decision to start speaking out about it. But we did. And one thing led to another, and eventually we severed our relationship with that company. Then the next step was to get involved in Coal River Mountain Watch and work with them to stop mountaintop removal coal mining. That's how I first got involved with it.

It's difficult to go back to Dorothy. I stayed in Dorothy for many years after that, and then eventually ended up having to leave because the mining was going to come closer and closer and closer. Eventually I just thought, "I'm gonna have to leave and go somewhere else to continue the fight." But I made a very tough choice to leave my family homeplace. I was just back there a few weeks ago in that community and it's just heartbreaking to see what's going on there. There's three mining permits that will impact that watershed again, that are being thought of.

When I was growing up there, it was a very close-knit community. We had a high school that was probably 200 students. It was "high school" in the sense that the high school students were on the second floor. The kindergarten and elementary school was on the first floor. In one building, though, so it was the school. Eventually they built an elementary school and the elementary kids left. I think that may have happened after I graduated. It's been a long time since I graduated.

The school was the center of the community. You know, traditional small school, football team, basketball team. The school gym was used for community activities. Everybody knew each other. Most everybody was a coal miner. My father was a coal miner. I remember in high school your choices were you were going to go into the coal mines or you were gonna leave. My intention all along was to graduate high school and leave. But something kept pulling me back. Part of it was my parents—my mother particularly didn't want to leave again. So that kept me close. And Clear Fork was a lovely place. It wasn't that big. It wasn't a ranch of any kind. But you could go out on the front porch and you could hear the stream. And you could see the birds—these yellow sparrows. There was a hay field right above us and in the evenings you could see them all come flying in together. It was this wave of yellow that would just land in the field. After that flood, the sparrows never came back.

But it was close-knit. When I moved I couldn't find my house key, because I hadn't locked the house in thirty years! I never locked the door, never did anything like that. Never thought about having problems. Really, for many years, even after mountaintop removal started, you kind of lived in this bubble, where it wasn't directly at you. And I heard, "There's this thing called mountaintop removal," and people saying it's a bad thing. But when it hit my house, when it hit my home, I guess I got radicalized or something. I could not continue in that industry, working in any way, participating in that industry after that happened.

Some of my favorite memories of Clear Fork are that I could go out and in five minutes I could be in the mountains. I could walk up the streams. And yeah, there was some old strip mining up in there, which wasn't great, but it was still quiet. It was beautiful. What I miss is not being able to in five minutes take a hike. Now I have to drive to a state park to take a hike.

One of the things I talked about at the permit hearing when I went back to the community a few weeks ago—and I saw many people I went to high school with—was I reminded them of what it used to be like and how many people have had to leave. I guess my question is if mountaintop removal mining is so good for a community economically, then why are we having to leave? In fact, mountaintop removal provides less jobs than any other type of mining process.

People like to think we are against coal, or coal mining. But everybody that I know recognizes that eventually we have to get off of the enslavement of the coal industry economically. It will take a transition period to do that. Coal will continue to be mined. It needs to be mined in a responsible way. Mountaintop removal coal mining is in no way responsible and cannot be made to be a responsible method of mining. It needs to be stopped. Then we need to be having a transition of how to work toward an economic future that is sustainable and actually brings prosperity. We've never seen prosperous times.

My father was a coal miner, and yeah, that put food on the table. And we're grateful for that. And it put clothes on our backs and we're grateful for that. And it sent me for a couple of years to college, anyway, and we're grateful for that. But it was also backbreaking work. He died before he retired. He never got to enjoy life. It was work, and garden, in order to supplement to food the coal company was putting on the table. We all gardened. He would worry about layoffs. It was never something he could relax and say, "I know I'll be doing this for ten years." Because the coal market is just volatile. And everybody knows that. The way we need to change it is we need to have things that are sustainable and long-lasting and good-paying—and union organized would be good too—jobs in those communities.

Since the flood, I'd say there's been a forty percent decrease, particularly in the town of Dorothy. You go back and you talk to people who are in Dorothy now who are still dealing with this. I have a friend who when he rebuilt his house built it ten feet high. He put blocks ten feet high so water could go underneath his house, but it was never going to take his house again. Never gonna get inside the house again. But he's still dealing with it. Now he's dealing with a cracked foundation because of the blasting.

As part of Dorothy, we had this little community that I lived in which was five houses. Here's what happened in regard to the sale of the houses. We had all of us been flooded. The coal company then comes and says, "Well, we got this permit to do this other mining that's gonna put seven more valley-fills in." I looked at the mine maps and every valley-fill

was going into Fulton Creek, which was the creek that went into Clear Fork that created this flooding. And I was thinking, “There’s no way we’re gonna survive the next flood! It’s even gonna be worse!”

The mining company knew it was gonna be worse, so that’s why they wanted to buy us out. What the mining company kept saying was, “We don’t have to have your property. We don’t have to. You’re lucky we’re gonna buy you.” Like disrespectful kind of stuff. None of us wanted to sell. But all of us recognized that we had to sell.

My next door neighbor had never lived anywhere else in her married life. That’s where her and her husband came when they got married. She was eighty-some years old, and she had never lived anywhere else. I remember when we were going through this months of process, “Well, we hear the coal company’s gonna buy us. But do we really want to sell? Do we not want to sell? Everybody’s got to make their own choice.” And she was like, “I just can’t handle any more. I’ve got to go.”

I remember walking over to her home during that process a dozen times, and her just being in tears. And toward the end, you’d go in her home and she had everything boxed up, ready to go. But still was, I guess, hoping that she wouldn’t have to. I remember sitting in her kitchen with all these boxes stacked around us, and her just in tears going, “We don’t have any choice. We don’t have any choice but to go.” And that’s what we did.

I remember what I told the coal company when I settled with them, to leave Clear Fork and to sell to them. We were at the closing in Charleston and I was walking down the hallway after we’d signed all the papers. The real estate agent from the coal industry—I don’t know what they call those people—he said, “Well, thanks for cooperating with us.” And I turned around and I said, “It’ll be the last damn time I cooperate with you.”

The coal company looks at this as being dollars and cents. “If we can decrease their property values enough, we can get by scot free by everybody just selling out. And they should be happy we’re doing that to them.” And then they frame it in a way of, “ Well, you know, he wanted to leave.”

But if I had my choice I’d still be there. I didn’t have a choice. And that’s what’s happening in community after community after community. I will never ever attack someone for leaving, for selling to the coal company. But what I will tell people is, “Don’t listen to the coal company garbage. Get every dime you can out of them. And keep fighting against it so the next person doesn’t have to leave.

G LOSSARY

Inez, Kentucky

Site in Martin County Kentucky where a slurry impoundment collapsed in October 2000, releasing 307 million gallons of sludge into the Big Sandy River, which flows into the Ohio River. The size of the spill was far greater than the Exxon Valdez oil spill, yet got very little national media attention.

Impoundment

An earth (sometimes reinforced) dam at the top of a valley-fill, behind which millions or even billions of water are collected. The water is the product after coal is washed, and contains small pieces of sediment, coal, and toxic chemicals that are released from the coal or are used to wash it.

Mines

Numerous Appalachian people refer to a coal operation as “mines” whether they are speaking of one site or many. So it is not unusual to hear someone speak of “a coal mines.”

Mountaintop removal

A drastic form of strip mining in which the entire top of the mountain is systematically removed to enable the large equipment to reach coal seams below. The rock is removed through blasting, with immense charges of dynamite. The rock, vegetation, and soil removed are then shoved into an adjacent valley, stopping up streams, removing habitat, and creating loose materials. The damage to the mountain is irreparable. In West Virginia alone, several hundred thousand acres are already affected.

Slurry/sludge

The products left over after coal is washed. It contains various toxic chemicals. Because of the spaces created by deep mining and natural variations, slurry often seeps downward into the water table, poisoning the groundwater and people’s well water.

Valley-fill

During strip mining on mountainous sites, loose material (tree limbs, topsoil, rock, etc) is pushed from the top of the mountain being mined into an adjacent valley.