



West Virginia Environmental Council

G. R. E. E. N.

Grass Roots Environmental Effort Newsletter

Volume 13 Issue 2

August 2002

What to Bring to the Fall Convention

*by Mary Wildfire, WVEC President
mwildfire@hotmail.com*

There's no need to bring a potluck dish to the Fall Convention, since we're meeting at Bluestone this year and won't be doing our own cooking. Also, please don't bring your dog. But there are a few things you should plan to take.

First of all, the one crucially important thing you must bring is yourself. What makes for a good, successful fall meeting is having a full complement of the state's enviros all in one place, comparing notes, exchanging stories and ideas, and laying out plans. So please do come! Should you bring your kids? Yes!- and your spouse or significant other, friends and mother-in-law as well. Anyone with an interest in West Virginia's environment is welcome.

If you play a musical instrument, please bring it. We'll be making our own music around the campfire in the evenings.

Please bring your ideas, concerns and priorities, for the traditional Sunday morning session in which we set the legislative agenda (for 2003 this time).

Last but not least, please bring a couple of items for the silent auction. Our appeal for funds to hire an interim lobbyist was successful, as you know if you are a regular reader of G.R.E.E.N., and for the first time WVEC has a presence during the interims - the able Conni Lewis. But we need a little more money to maintain our office for the rest of the year. The great thing about the silent auction is that there are different ways to contribute. If yours is the final bid on an item, you contribute directly; but even if money is tight you can help us with your donation of items for others to bid on. And the possibilities are unlimited. You might choose an item you produce, or that someone you know produces. Or you might fill out a card specifying a service you will perform for the high bidder. But there is probably another item you should bring as well. Perhaps it is lurking in your closet right now, because you're tired of looking at it. Maybe you thought it was ugly the first time you laid eyes on it. Even so, someone else might think it's, like, totally awesome, you know? As Mom always said, there's no accounting for taste. So bring it!

G.R.E.E.N. News

Dear Friends of WVEC Please come to the Fall Meeting

by Mary Ellen O'Farrell, WVEC Vice President

Please come to the Fall meeting! It will be a unique opportunity to spend time in a beautiful setting in southern West Virginia while you catch up with old friends, enjoy valuable net-working with other Green activists, hear interesting speakers, and of course, participate in setting our legislative agenda.

The Bluestone Conference Center near Hinton, the county seat of Summers County, will provide a beautiful and peaceful setting overlooking the New River valley. Meals will be cooked and served by center staff - no meal prep or clean-up! Vegetarian and non-vegetarian menu items will be available. Accommodations include bunks in small cabins and tent camping, with just a few RV hook-ups available.

The program will feature snacks and registration Friday evening, with our traditional getting-to-know-you Dot Session after breakfast on Saturday morning. Throughout the day there will be presentations, workshops and videos, with a late afternoon Coal Sludge Impoundment Panel, featuring: OVEC's Dave Cooper, Monroe Cassidy, from Big Sandy Environmental Coalition of Martin County Kentucky, and Father Al Fritsch (please see related article on page 5). After supper, Delegate Mike Caputo (D), from Marion County, will speak on the Overweight Coal Truck struggle. Later, there will be music, dancing, and our late night campfire gathering.

Your E-Council needs your attendance at this conference to hear your views, enjoy your support and energy, and to reflect your needs, desires and beliefs.

Your fellow Green Activists need you! Please plan to be there, and make it work!

All my best, *Mary Ellen*

(304) 346-5905 office - (304) 346-3303 home

Want to Raffle?

A mere one dollar per ticket gives you the chance to win this sculpture by Mark Blumenstein - and help raise funds for the West Virginia Environmental Council! You may enter as often as you like!

Mark Blumenstein's work has been the exploration of the physical properties of recycled metals. He uses parts created in the past and applies intense heat to sculpt new creations. Since 1973 the process, the shapes and interaction of materials with the elements has intrigued him. His sculptures are the product of this search and the direction that it takes is dictated by the discoveries divulged in their creation.



Mark has donated this piece, *untitled*, to the West Virginia Environmental Council as a means to support our organization in a creative way.

To enter: Open to all WVEC members. The sculpture will be on display at the Fall Convention, November fundraiser, and in the office at all times. Attend these events, come by the office, or send in your raffle ticket donations to: **West Virginia Environmental Council, 1324 Virginia Street East, Charleston WV 25301** to the attention of *Denise Poole*, and we will enter your name and send your ticket receipts back.

The drawing will be held at a Fall Fundraiser (exact date and location to be announced) in November, 2002. The winner will be notified at that time.

Thank you Mark, for this generous donation to WVEC!

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G.R.E.E.N. is the quarterly newsletter of the West Virginia Environmental Council (WVEC), a statewide organization dedicated to facilitating communication and cooperation among citizens in promoting environmental protection in West Virginia. Subscriptions are consistent with membership donations. Subscribers will also receive the *Legislative Update*, published weekly during the Legislative Session.

G.R.E.E.N. welcomes letters, articles, and art work from readers and reserves the right to edit or reject submissions. Submit materials (preferably e-mail or on disk) to:

G.R.E.E.N., Denise Poole, *editor*
deniseap@earthlink.net
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Charleston, WV 25301
304-346-5905
www.wvecouncil.org

Air Pollution Issues Building in West Virginia

by James Kotcon

Air quality has often been a problem in West Virginia, but this year's ozone season may be the last straw. Ozone levels in many areas routinely exceed EPA health standards, and are far in excess of the levels that produce injury to crop plants and forest trees.

However, new rules proposed by the Bush Administration may actually make it harder to clean up pollution emissions from the oldest, dirtiest power plants.

For 30 years, the Clean Air Act set standards for new power plants and other pollution sources, but allowed existing older plants to meet less stringent requirements. Power companies argued that these old power plants were nearing the end of their useful life, and that it was cost-prohibitive to meet the same standards as a brand new power plant. So as part of a compromise, Congress established rules, called the "New Source Review" program, which require that power plants that make modifications that increase pollution emissions should be treated as a new source and meet the same requirements as other new sources. Old power plants would be grand-fathered from "New Source" emission requirements only so long as they did only routine maintenance and did not increase their emissions capacity.

The New Source Review program was not enforced until the Clinton Administration, when it was found that many of the changes that power plants had been calling "routine maintenance" had actually increased the capacity, and the corresponding emissions, of the power plants.

Lawsuits were filed by several states, environmental groups including the Sierra Club and the West Virginia Environmental Council, and ultimately by EPA itself. The lawsuits claimed that power plants such as John Amos, Kammer, and Philip Sporn operated by American Electric Power, and the Mount Storm plant operated by Virginia Electric Power Company had each made modifications that violated the New Source Review rules.

A tentative settlement was reached for the Mount Storm facility, but AEP dogmatically refused to negotiate. Then, with the inauguration of the Bush Presidency in 2001, all progress was brought to a halt. Tentative settlements were never finalized, court delays were obtained, and Vice-President Cheney's Energy Task Force recommended changes to the NSR rules to provide more "certainty" to the industry.

In January of 2002, the Justice Department concluded that EPA's lawsuit was well-founded and should be pursued. Later, EPA announced that it would propose

revisions to the NSR rules, but was still pursuing its lawsuits.

Industries complain that the enforcement of NSR rules is "inconsistent", that EPA has "changed the rules in mid-stream", that the NSR program inhibits innovation and improvements in efficiency, and that even "routine" maintenance might now bring enforcement. What all of these arguments neglect to mention is that NSR rules only apply to changes in power plants that would INCREASE emissions. Routine maintenance or improvements that actually improve efficiency do NOT trigger an NSR review.

The current status is one of great uncertainty. EPA attorneys and environmental groups are continuing their legal challenges of the pollution emissions, but no court action is likely any time soon. Utilities attorneys offer numerous motions for delay or dismissal, losing virtually every round but continuing to delay the process.

Meanwhile, here in West Virginia, emissions continue to increase. Sulfur dioxide emissions increased by over 15,200 (15.6 %) tons at Mount Storm (Grant County) between 1995 and 2000 and by 18,900 tons (26 %) at the John Amos plant (Putnam County) in the same period. Allegheny Energy's Fort Martin power plant (Monongalia County) increased emissions by a whopping 20,000 tons (28 %). The report *Darkening Skies*, is available at: http://cta.policy.net/fact/darkening_skies/

These emissions, along with particulate and nitrogen oxide emissions, cause serious health effects. A report by Abt Associates identifies 52 deaths per year in West Virginia from AEP emissions (available at: www.rffund.org). Ozone-related health advisories have been issued numerous times this summer (see www.ea.gov/airnow).

To make matters worse, new power plants are being proposed throughout the state. The most recent, a proposal by GenPower, would build a 600 MW plant in Monongalia County.

What you can do!

Contact Governor Bob Wise and ask him to support clean, renewable sources of energy and to enforce air quality rules. Gov. Wise appointed a West Virginia energy task force last year that, like Vice-President Cheney's Energy Task Force, is heavily slanted toward fossil fuel industries. Insist that new fossil-fuel power plants be required to offset their pollution emissions and that total emissions in West Virginia must be reduced. Ask that new energy policies be adopted that encourage renewable energy sources and energy conservation in West Virginia.

For more information: (304) 594-3322

Overweight Coal Truck Victory

by Gary Zuckett, WV Citizen Action

I'm sure most everyone has heard of the stunning defeat Big Coal suffered in July's special session on overweight coal trucks. In my 10 years of lobbying I have never seen the coal industry take it on the legislative chin like they did last month. After all, this is West Virginia, where coal is king. Add the fact that the Speaker of the House, the Senate President, and Governor Wise all actively supported coal's position and the magnitude of this populist victory can be better appreciated.

Last September WV-CAG and WVEC decided to make overweight coal trucks a major legislative priority. We never could have imagined the outcome of this campaign. During the regular legislative session it dominated the media with citizen rallies and monster coal trucks circling the capital bellowing their horns. Wow! Unless you've been traveling out of state all summer, you already know that the ad hoc coalition against raising truck weights scored a major victory during the July special legislative session.

What won it? As in every victory there's a slew of factors. Certainly the able leadership of Delegate Mike Caputo (D-Marion) and the generosity and energy of Ken Hechler were among the most important elements. Hechler's "We the People" TV and radio ads inspired thousands of people to literally get off their couches and express their opinions to elected officials. Groups like the Coal River Mountain Watch, Citizens Coal Council and the United Mine Workers worked along with WV-CAG and E-Council lobbyists to convince delegates of the folly of raising legal truck weights. And we must remember that there were 48 courageous House members that withstood tremendous pressure from Coal, Speaker Kiss and the governor and voted their conscience.

Those of you planning to attend the E-Council Fall Gathering in September will be in for a treat on Saturday night. Delegate Mike Caputo (a UMWA officer) will be our Keynote speaker. You'll get an earful from Mike, whose hard-hitting speeches on the floor of the House of Delegates swayed enough votes to pass his amendment and effectively kill the weight increase.

Delegates who voted against House Speaker Kiss and governor Wise will be getting tremendous pressure to "get back in line" with leadership when the issue returns to the legislature. Log on to www.wvcag.org to find out how your delegate voted. Thank the ones who voted "for the

people" and ask them to hold firm against increasing truck weight limits next time. If they didn't vote right in July, ask them to reconsider and keep existing weight limits while voting to increase enforcement and make shippers and receivers of illegal loads share liability. When coal producers and receiving docks are penalized for loading and accepting overweight trucks, the practice will end. Corny as it may seem, this victory was like a lesson we learned in 8th grade Civics class: Democracy is about the power of average citizens getting involved in their government. All political victories are temporal and the coal truck issue will resurface next session if not before. In the months ahead, WV-CAG will be managing the "We The People" campaign in conjunction with former Sec of State Ken Hechler. The challenge is to sustain citizen outrage and continue organizing the opposition to increased truck weights. This issue has shown that the days when King Coal gets whatever it wants is over. The resurgence of involvement in state politics certainly makes the truck issue a very important catalyst for future citizen action. Stay tuned for round three of the Coal Truck fight!

Call For Mountaintop Removal CD Submissions

Aurora Lights, a 501(c)-3 non-profit, in conjunction with FEC III Publishing Studios, will be producing a DC of songs about Mountaintop Removal and its impacts on the people and land of Appalachia.

Proceeds will benefit local activist organizations and flood victims.

Contributions of art and photography will also be considered for the CD cover.

If you aren't artistic but want to help, letters of support and donations will be helpful as they seek additional grants to cover expenses.

Submissions should be received by October 1, 2002 through e-mail or snail mail.

Send self addressed envelope if you would like your submission returned:

Jennifer Osha, Aurora Lights
RR 1, 230-G
Aurora, West Virginia 26705

jen_osha@yahoo.com

Father Al Fritsch to attend WVEC's Annual Fall Convention

"I don't know how much more of this these mountains can take" said Fritsch, a 68 year-old Jesuit priest and scientist who is retiring after 25 years working to preserve the appalachians.

Fritsch, a native of Maysville, Kentucky, has watched as mountaintops have been stripped away in search of coal. He has seen hillsides sawed bare of trees by loggers. He bemoans reports of streams so polluted that fish are dying.

"Father Al", as he is known, until recently headed the group Appalachia Science in the Public Interest, and used this position to preach the need to be sensitive to the environment. He began his "public interest ministry" in Washington, but returned to Appalachia in 1977 to teach residents how to better care for the mountains.

"I came back because the mountains were sick and dying....they're still ailing. With mountaintop removal and logging, we are probably in as bad a shape if not worse now than we were in the 1970's."

Father Fritsch will participate in our Coal Sludge Impoundment Forum, during The WVEC's annual Fall Convention.

(portions of this article are reprinted here from The Associated Press, Roger Alford, reporter).

Stanley Heirs Labor Day Picnic

The Stanley Heir Foundation invites you to their 13th annual Labor Day event August 31-September 1 on Kayford Mountain (near Daves, WV).

Saturday there will be a covered dish dinner, with open mike entertainment throughout the day. Tours of the nearby Kayford Mountaintop removal mining site will be available. Sunday a church service led by the Riddle family will begin at 1 p.m., followed by a buffet covered dish dinner. Gospel singing will be provided by the Riddle family, as well as traditional songs by Rachel Verginia, folksinger from Hinton, West Virginia.

All are welcome! Come and enjoy (what is left of) God's Creation!

For more information call Larry Gibson at (304) 542-1134.

Sustainable Fair 2002 was HOT HOT HOT!!!

by Denise Poole



Even the lushness of La Paix Herb Farm, site of the third WV Sustainable Fair, could not cool the dedicated participants completely from the heat.

On what seemed like the worst "dawg day of August" I've ever experienced, over 130 folks traveled the winding road to

La Paix to participate in something else that is **HOT - Sustainability in West Virginia!**

Did I say dedicated? Everyone persevered - including Willow Creek Glass, Inc., bringing their glass-blowing oven which remained fired-up throughout the entire day. Melissa Dennison's Soapmaking demonstration went on as scheduled, using boiling water during the process.

Spirits remained high, and everyone enjoyed attending workshops & demonstrations on Essential Oil Distillation, Environmentally Friendly Building, Solar Energy (needless to say the solar fountain and solar panels were operating at peak capacity!), Whole Foods, Hydrogen Fuel Cell's and medicinal & culinary herbs.

Booths were packed with beautiful hand crafted items and eco-products for sale. Information on environmental, consumer, and humanitarian issues were plentiful.

We took cooling, educational walks in the woods, learned about Reiki, drank tree water (water naturally filtered from maple trees, consumed fixins from Spring Creek Natural Foods, splashed in the water from the Solar Fountains, listened to music, visited in the shade - and vowed to have future outdoor events in early Summer or Fall!

For more coverage of the WV Sustainable Fair 2002 visit our web-site:

www.sustainabledevelopmentforwv.com

or go to: www.hurherald.com, an on-line news site.

WVEC Annual Convention September 6-8, 2002

Bluestone Conference Center - Hinton, WV

Directions: I-64 east. Take Sandstone Hinton exit #139. Proceed 10 miles on Rt. 20 into Hinton. Continue until you reach traffic light. Turn right and cross the bridge. Turn left after crossing the bridge. Proceed 2 miles. Look for the state Police building and signs for Rt. 3. Turn left onto Rt. 3 (will take you across another bridge). Bear to your right after crossing bridge. Proceed 3 blocks - look for BCC sign on left & historical marker on right. Turn right on this road (Cedar Ave.). Bluestone Conference Center is 10 miles away. Follow signs.

Check in/arrival time: Friday 4 p.m. till late - Complimentary snacks will be available. We will get settled in to our accommodations, socialize and begin the Silent Auction this evening.

Saturday Highlights: Breakfast Dot Session Regional Meetings
 Lunch Open time for nature walks, workshops, relaxing
 Coal Sludge Impoundment Forum Dinner
 Keynote Speaker: Delegate Mike Caputo - Overweight Coal Trucks
 Silent Auction Evening Music & Dancing Camp Fire

Sunday Highlights: Breakfast Set Legislative Agenda
 WVEC Board Meeting (11:00) Check out time: 1:00

Lodging Rates:	per Adult (12-over)	per Youth (7-11)	per Child (6-under)
Cabin beds (per night) (must bring own linens)	\$21	\$10.50	Free
Tents (per night)	\$ 5	\$ 2.50	Free
Breakfast	\$ 3	\$ 1.50	Free
Lunch	\$ 5	\$ 2.50	Free
Dinner	\$ 7	\$ 3.50	Free
WVEC Registration fee:	\$10 adults	\$ 5 students	Children 12 and under: Free

 Name: _____ Number of adults: _____ Youth: _____ Children : _____

Address: _____

Phone: _____ E-mail: _____

Cabin _____ Number of Adult beds: _____ Youth: _____ How many nights? _____
 Tenting _____ Number of Adult campers: _____ Youth: _____ How many nights? _____
 Meals (please list how many of each) Breakfasts: _____ @ \$3 each = _____ @ \$1.50 each = _____
 Lunches: _____ @ \$5 each = _____ @ \$2.50 each = _____
 Dinners: _____ @ \$7 each = _____ @ \$3.50 each = _____

Total Registration Fee(s): _____ **Total Due WVEC:** _____ *Thank You!*

WVEC Convention, 1324 Virginia Street E., Charleston, WV 25301 (by 9/03/02 or call office (304) 346-5905)

Calendar Of Events

August 23-25: 35th Annual Mountain Music Festival, Appalachian Folklife Center, Pipestem, WV. Featuring Music by ECHO 7, The Kind, Atomic Jo, Ghost Town Swing, Midnight Ramblers, Clinton Collins Band, Common Ground, Connie Townsend & The Ginsangers and others. Cost: \$12 in advance. \$15 at the Gate. Includes camping.

For more information: (304) 487-0404

August 31 - September 2: North Fork Mountain Backpack. Prior backpacking experience required.

For more information: Bruce Sundquist, leader, at (724) 327-8737 or: bsundquist1@juno.com.

September 6-8: 14th Annual WVEC Fall Convention. Bluestone Conference Center, Hinton WV. Registration \$10 adults, \$5 students. To pre-register send reg. form to the WVEC office by September 3rd, or call the office in advance. **For more information:** Mary Ellen O'Farrell or Denise Poole, (304) 346-5905 or deniseap@earthlink.net.

September 13-15: Caring For Creation Interfaith, Intergenerational Retreat. Bluestone Conference Center. Cost: Adults \$68, Youth \$34, Children 6 and younger free. Family Maximum \$225. Registration Deadline: August 31st. **For more information:** Marcia Leitch, (304) 466-0982 or e-mail: jmleitch@mountain.net.

September 20-21: 2nd Annual Elkhenge Music Festival. Old Timer's Camp, East Dailey, WV. Gates open Friday evening. Camping included. Benefit concert for the Shaver's Fork Coalition and the Highland Trail Foundation. Featuring music by Vassar Clements & the New England bluegrass band, Northern Lights. Other acts include: Tuscarawas River Band, Montaneros, Nexus, and The Seth Maynard Jazz Project. Food concessions provided by Smokin' Joe's Smokehouse Grill.

For more information: (304) 637-3911 or e-mail gene-o@meer.net.

October 4: Agricultural Tourism Development Workshop. Creekside Resort (near Greenville in Monroe County). From 8:30 a.m. - 5:00 p.m. Sponsored by The West Virginia Eco-Tourism Association and the WV Small Business Development Center. Cost: \$40. Includes educational materials, continental breakfast, lunch and a tour of Wolf Creek Winery and Morgan Orchard. Workshop is limited to 20 participants and registration deadline is September 20.

For more information: John Williams, at 304-269-7902 or via e-mail to natseas@citynet.net.

October 10: WV-DEP Conference on the Environment. University of Charleston. Topic for this year is "From the Outhouse to the State House - Dealing with Sewage in West Virginia".

Support the West Virginia Environmental Council

1324 Virginia Street East, Charleston WV 25301 (304) 346-5905 www.wvecouncil.org

Renewed Membership: _____ **New Membership:** _____ **Donation:** _____

Membership Levels:

Student/Senior ~ \$10.	_____	Canopy ~ \$500.	_____
Regular ~ \$25.	_____	Old Growth ~ \$1,000	_____
Seedling ~ \$50.	_____	Other	_____
Enviro Steward ~ \$250.	_____		

Name: _____ **Phone:** _____

Address: _____ **e-mail:** _____

City, State, Zip: _____

Don't forget to make plans to attend our:
WVEC Annual Fall Convention!
September 6~8, 2002
Bluestone Conference Center

The West Virginia Environmental Council
1324 Virginia St. E.
Charleston WV 25301