



West Virginia Environmental Council's

Green Legislative Update

Published Weekly During West Virginia's Legislative Session

Volume 13 Number 1

Date: January 18, 2002

Under the Dome

By Donald S. Garvin, Jr.
WVEC Legislative Coordinator

Week Two – Things are moving as slow as molasses at the capitol, which is both typical of WV legislatures and perhaps apropos for this time of year. There is some movement on overweight coal trucks (see the article on page six); Senator Mike Ross has gone through his annual ritual of re-introducing his “Flood Thy Neighbor” stream dredging bill; and Senator Frank Deem has introduced a bill to exempt yard waste from the solid waste regulations so we can just fill our landfills with leaves and sticks and twigs, all things that should be composted, of course.

So it's a normal kind of year here in Charleston. The governor gave his annual “State of the State” address on January 9, the opening day of the 2002 legislative session. He mentioned the environment just two times. He mentioned economic development and related assorted tax breaks and tax schemes numerous times. No vision. Another normal year.

Some of the legislation to watch early on is all the various environmental regulation packages, water regs, air regs, coal regs, etc., and this year is no different. So we watched two weeks ago one arm of the Coal Association throw a hissy fit about proposed regulatory changes that another arm of the Coal Association had already agreed to; the next week we see DEP Secretary Mike Callaghan tell the Coal Association that it might be alright after all if they didn't restore mountaintop removal sites to approximate original contour, no matter that it's a violation of federal law. Same old same old. Another normal year.

This year there is no single overwhelming environmental issue facing the WVEC lobby team. So we hope to run a couple of pro-active educational campaigns of our own (which has not been either a normal practice or luxury for us).

continued on page 6

Adeus from Your President

By Mary Wildfire
WVEC Board President

Adeus, from your president, as I'm off to Brazil on the 24th. I'll be back February 8th. In between, along with being a tourist and struggling with Portuguese and sudden summer, I'll be working with activists from all over the world to forge a way to a sustainable future.

For more information about the World Social Forum, check out www.forumsocialmundial.org.br. On the list of participating organizations, you'll find WVEC right in between Werkgroep voor een Rechtvaardige en Verantwoorde Landoew, of Belgium, and the Permanent Arab Court to Resist Violence Against Women, of Lebanon. If you check out the list of workshops, you'll find the one I plan to lead on corporate control of the mass media, in Thematic Area 111, section 2.

I plan to do lots of writing and some speaking about my experiences when I get back. Meanwhile, if you have any thoughts, advice or suggestions, or you know a rock that wants to move Brazil (explanation on home page of WSF site), contact me at mwildfire@hotmail.com. And don't miss the Bill Moyers special, Trading Democracy, on PBS at ten p.m. on Tuesday February 5th. This will focus on NAFTA's Chapter 11, which gives corporations the right to directly sue governments for expropriation or anything "tantamount to appropriation"....like health, safety and environmental laws. It's already been successfully used many times, and is to be included in the FTAA expansion of NAFTA to the whole hemisphere. This special should make clear why I keep saying that environmentalists concerned about their own watersheds must also fight the global battle - or our wins can simply be tossed aside.

Don't Forget E-Day! ~ February 22

Sustainable Development

A Question of Balance

Part One

By John Taylor

Almost all of the numerous and difficult ecological problems plaguing us are caused by the prevailing ethic of the extractive industries, "Get in, get it and get out." We look at these problems and say, "It's enough to make a preacher cuss."

The public must change its attitudes toward economic development from development-at-any-cost to "sustainable development." There is a great deal of current worldwide discussion of the concepts of economic balance and sustainable development. The European Foundation For The Improvement of Living and Working Conditions (<http://www.sd-online.net/>) asserts that:

"Sustainable development is the achievement of continued economic and social development without detriment to the environment and natural resources. The quality of future human activity and development is increasingly seen as being dependent on maintaining this balance."

But the concept of sustainable development is a sticking point for many companies and individuals who produce goods and services for our market economy. Their task has never been easy, or free of risk, and never will be, but it is nonetheless essential for our well-being.

Their enterprises provide jobs and tax revenues with varying degrees of success.

But problems abound. For example, Boone and McDowell Counties have been designated "distressed counties" by the Appalachian Regional Commission as measured by the usual indices of social well-being. They are "distressed counties" even though oceans of coal—billions of dollars worth—lie beneath their beautiful terrain.

Extraction of this coal has enriched companies and individuals, but the fact remains the citizens of Boone and McDowell Counties, by and large, do not enjoy the educational or the medical and public health benefits of most USA citizens.

We should all hang our heads in shame that we couldn't do better for the generations to come in Boone and McDowell Counties with all the wealth to be found there. It's a collective shame on all of us, not just a few firms and individuals. "What were they thinking?" is a legitimate question future generations can ask about us.

It's a question of balance. Native American nations such as the Iroquois and the Cherokee balanced their present needs against the anticipated needs of their next seven generations to come. If we're going to find a way out of our current dangerous impasse we have to find points of unity that all of us can agree upon. For example: Do we want our great-grandchildren to curse us because we left them a legacy of unlivable ecological destruction? Can every one of us agree that our children, our grandchildren, our great grandchildren and all the generations to

come are entitled to enjoy clean air to breathe, clean water to drink, and unpoisoned earth for the cultivation of clean and healthy food?

The Environmental Council intends to open the discussion of sustainable development during this legislative session. We intend to apply the concept to current circumstances and legislative possibilities as we work at the statehouse. It's no use to talk about "clean energy, clean jobs, clean anything" unless we have a grasp on the underlying idea of sustainable development that makes any of them possible.

This is the first in a series of articles on Sustainable Development. The West Virginia Environmental Council will continually focus on sustainability in both our Legislative Update and G.R.E.E.N. Newsletter.

Legislative Update is published by the West Virginia Environmental Council (WVEC).

We are a statewide organization dedicated to facilitating communication and cooperation among citizens in promoting environmental protection in West Virginia. *Legislative Update* is published weekly during the Legislative Session.

Legislative Update welcomes letters, articles, and art work from readers and reserves the right to edit or reject submissions. Please send materials (preferably on disk) to:

Legislative Update
Denise Poole
deniseap@earthlink.net
1324 Virginia St. E.
Charleston, WV 25301
304-346-5905
Labor Donated

Public pressure pays off: Coal's biggest slap on the wrist yet (That is, if the ruling sticks...)

by Rick Eades and Vivian Stockman, OVEC

Public concerns have been validated by the WV Department of Environmental Protection (DEP) regarding the 5-billion gallon Brushy Fork slurry impoundment planned and operated by Marfork Coal Co., a Massey subsidiary, in Raleigh County.

In a ruling announced Monday (Jan. 14, 2001), DEP ordered the impoundment shut down for two weeks because of Massey/Marfork's repeated blackwater violations. Massey immediately appealed the ruling and a stay has been issued until an appeal before the Surface Mine Board. (See <http://wvgazette.com/news/Other+News/2002011514/> and www.dailymail.com/news/News/2002011542/).

Coal River Mountain Watch, whose members live downstream from this colossal waste dam, pressured DEP for nearly 3 years to address an array of concerns about this impoundment. The Ohio Valley Environmental Coalition and Marshall University Student Activists For the Environment took up the cause, too. Citizens demanded three public hearings and twice appealed conditions of the DEP permit. Those efforts, including endless hours of permit file review, agency interactions, testimony, outreach efforts and coalition building, seem to have finally prompted DEP to take its enforcement role to a new and more meaningful level.

There's not space to feature all the Coal River folks who deserve thanks, but Charleston attorney Mary Ann Maul deserves special commendation for her work on the June 2001 appeal effort. Her volunteer legal counsel ensured that concerns regarding the slurry chemistry, health risks, safety violations, and chronic history of blackwater releases were entered into the record before the Surface Mine Board.

Sure, DEP's shutdown order is a victory, one of the biggest slaps on the wrist to King Coal in recent memory. The potential fiscal impact on Massey/Marfork (if such a shutdown occurs) will dwarf the pathetically low-impact fines that are typically imposed in similar situations. As DEP officials noted, the intent of the order is to provide a serious deterrent to future violations.

Time to Celebrate?

Before we celebrate this enforcement action, the brutal truth is *this enforcement action will be little more than a blip on Massey/Marfork's books.* Despite company power-whining that the shutdown, if upheld, will cost the company about \$9.4 million, over the 27-year "life" of the Brushy Fork coal waste impoundment there will likely be NO NET MONETARY LOSS to Marfork/Massey. Where will the company offset their losses and foster suffering? A good guess would be onto Massey/Marfork's non-union employees, who will lose pay and then almost certainly be pressured to increase production post-shutdown.

Even if all production was lost from the 2-week shutdown, Massey/Marfork would incur only about three cents per ton in increased waste disposal costs over the impoundment's planned lifetime. Yes, you read correctly, that's a few copper pennies per ton of disposed material. Still, this is finally a more meaningful punishment for the repeated discharges from the Brushy Fork site and for Massey's apparent arrogant disregard of laws written to protect the public.

The Sky is Falling

Massey/Marfork will trumpet the coal industry's "Sky is falling" mantra that is sounded anytime anyone suggest mining laws be obeyed. But Massey (remember, the same engineers who worked on Brushy Fork worked on Massey's failed Kentucky impoundment that devastated streams, rivers and people's property with about 300 million gallons of coal waste sludge in October 2000) will continue to act as a BAD corporate neighbor.

Sadly, instead of learning a lesson and accepting their punishment like an upstanding neighbor, Massey/Marfork will probably end up producing the same annual tonnage as always, taking advantage of its workforce, and threatening folks who live downstream—be it on the Coal River, the Kanawha, or the Ohio. Oh yeah, they will also probably cry like a spoiled bully who's finally been spanked.

.....

"Go make friends in the Senate - if they won't be friends - throw the dirtbags out."

Lois Gibbs (E-Day 1, 1990)

Sausage Mill Politics to Speed up Assembly Line

By, Gary Zuckett

Disturbing changes are being contemplated by House leadership under the guise of “streamlining” their legislative process. Rules affecting public hearings, floor amendments, and bundling of bills would be changed by proposals now under consideration.

Any comments on House procedure must be prefaced by the fact that the House can pass a bill on a voice vote with no record of how your Delegates voted on certain controversial legislation. Past efforts to require the House to use a “roll call” vote on the passage of a bill (as required in the Senate) have failed. This in itself leads to accountability problems.

The proposed changes on public hearings would limit requests from citizens for a public hearing only to those bills actually on a committee’s active agenda. (Bills often sit in assigned committees for weeks without action and most of these die a quiet death at the end of the session) This proposal is severely restrictive because agendas are often not available until immediately before a meeting leaving no time to ask for a hearing. In addition, citizens can now ask for a hearing in an effort to get a committee off its duff and put a bill on its agenda. This would be impossible under the proposed changes.

Floor amendments by Delegates are allowed on the “second reading” of a bill with no prior notice to leadership. This can be a messy procedure. But who ever said representative democracy was neat. A new requirement is proposed to require Delegates to submit floor amendments a day early so they can be entered into the new laptop computers now on all Delegates desks. Computers are supposed to be our slaves, not visa versa. Last minute floor amendments can significantly alter a bill being pushed through by leadership. They hate to lose control...

In the past only “rules bills” were “bundled” or voted up or down all on one vote. Now other “non-controversial” (passed out of committee on a unanimous vote) bills are proposed for “bundling” instead of taken up one by one and deliberated upon by the full House. I’ve seen some really awful bills passed out of committees by a unanimous vote of all present. I would hate to see those bills on a “fast track” to passage.

Call your Delegates and tell them you oppose these procedural changes in the way they make your laws. Remember, they are working for you and you should have a say in their job description.

An “UN-WISE” Airport

By, Greg Carroll

The Gov has now come out in favor of the Lincoln County “Transpark.” Though this place has had many different names (Way Port, Hub, Freight Port!) the only name that fits is “TRANSPORK.”

This expensive boondoggle has once again risen out of the grave, like the zombie that it is, to threaten the folks in our state with higher taxes, more pollution, more traffic jams, more political corruption (is that possible??), and a very destructive environmental disaster.

And for what? Even the airlines do not want this turkey. Never once in this entire process (and I have been to 10-years of meetings on this) have the airlines promised cheaper flights. With a new port, the runway fees will be even more expensive. Then there is the acknowledged fact that smaller and cheaper airplanes are the coming thing in air travel. These new designs do NOT need longer runways. And the reality of a very small ridership has been staring these promoters in the face the whole time.

So it comes down to a MONEY GRAB! How do our local politicians get \$400 million out of the Federal bucket? This is the biggest thing they can come up with so they have held onto it despite all rational analysis. The overriding truth is that we already have a regional airport serving the needs of our state – Yeager Airport. Let the people of our state vote on this issue and you will see a vast majority against this ripoff. Not only that, but the FAA has much better things to do with the shrinking Federal budget.

The environmental community must stop being quiet on this looming disaster to help drive the final stake into the heart of this ugly beast. Start writing letters, pass the word to your friends, and confront your legislators with the simple truth – VOTE “NO” on this stupid transpark!

(Greg Carroll is a long-time WVEC Board member. So, Greg, what do you REALLY think about a new regional transpark?)

Thanks a Bunch!!

Heart felt thanks to Susan Hayden and Greg Carroll for hosting a dinner last Tuesday night for the Lobby Team! John McFerrin reminds us that an army moves on the stomachs of the troops!

Thanks a bunch!

This Session: DEP Litmus Test Awaits

By, Vivian Stockman and Rick Eades

As reported in the Sunday Charleston Gazette, DEP Secretary Mike Callaghan made remarks to the WV Coal Association that he admitted might sound “extreme” to “environmental interests.”

He apparently told his Coal compañeros that the state should make it easier to leave mountaintop removal sites flat, despite federal law that dictates otherwise. He doesn't want DEP to wait on the Office of Surface Mining if it's slowing up permits, nor does he want water anti-degradation cost-benefit studies to slow up the permitting process. See <http://sundaygazette.com/news/Valley+State/200201128/>.

Monday, a coalition of enviro groups was meeting in Charleston to discuss various concerns, and Callaghan's comments were added to the agenda. We were all disturbed that the head of the so-called Department of Environmental Protection would consider himself apart from people with environmental interests. His attitude as related in the article made us mad as hell.

So, nine of us paid an impromptu visit to his new offices on Hansford St. to ask him to explain his comments. To his credit, Callaghan dropped everything and brought us into a conference room. He noted that land companies historically control too much land and that he's trying to improve post-mining land use on the LESS THAN FIVE PERCENT of coal property that can be used in post-mining economic development.

We noted that we are concerned with the other 95 percent of scalped mountains and filled valleys, with the human and ecological toll of mountaintop removal, with DEP's continued abysmal enforcement record.

Callaghan told us DEP has improved under his watch. He asked us to have patience, he hasn't even been around a year yet and change takes time.

While we might agree that DEP has improved under his watch, it's akin to the difference between Marlboros and Marlboro lights. Mountaintop removal is still annihilating ecosystems and destroying mountain communities.

As a shining example of DEP's new tough attitude, Callaghan told us to consider a ruling on Marfork Coal's show cause hearing that would be announced at four o'clock (see related article) that day. The ruling, already appealed, is a nice baby step. DEP's denial of an expansion for a chronically polluting fiberglass plant near Kingwood is another nice baby step in the right direction.

Callaghan has offered to meet with us again, to help us get some of the information we want. We wonder if we'll get this info—when will mountain range removers be forced to obey federal law? When will the DEP live up to its name?

Are we going to see a “pattern and practice” of meaningful DEP enforcement actions, or are these two recent DEP actions merely public relations ploys to provide cover for backroom deals?

Backroom deals where DEP bends over to Coal's will on statewide issues have become a hallmark of the new DEP. So far, these deals have left the state with dime-on-the-dollar type of bonding assurances, and a meaningless water quality protection law (anti-deg).

This session, a possible avalanche of DEP backsliding looms on the MTR reclamation standards agreed to by DEP in Judge Charles Haden's federal courtroom. We'll see if the Coal Bullies get their way, and bend DEP over in the backrooms - or not. That might be a better litmus test of the “new DEP” than enforcement actions taken on individual permits where chronic offenders have skated for years.

WVEC Lobby Team at a Glance

The individuals who make up the WVEC lobby team for the 2002 legislative session are a diverse group of folks who come from different backgrounds and bring different talents to the task at hand. Most of the team members are already familiar to you, but there are some bright new faces as well. Each week we will have a more extensive feature article on one of the team members. But for now, here is a brief introduction of the full cast of players.

There are two full-time members of the team. Don Garvin is this year's legislative coordinator. He has been a member of the lobby team for the last two years, and just completed a two-year stint as WVEC president. Don lives in Buckhannon in Upshur County. Chuck Wyrostok is also a full-time member of this year's team (see the “feature” on Chuck on page 6). Chuck lives in Spencer in Roane County, has served on the lobby team in the past, and is a WVEC board member.

John Taylor is working part-time for the team this year. John lives in Huntington in Cabell County, and this is his first year on the lobby team. John is co-chair of the OVEC board of directors, and a WVEC board member. Gary Zuckett is working part-time for the WVEC team this year, and part-time for the WV CAG lobby team as well. Gary has been a member of the lobby team for many years, and was legislative coordinator last year. Gary lives in Pullman in Ritchie County.

Continued on page 7

"Under the Dome" continued from page 1

About half our team will focus on "Green Energy" issues, while about half the team will focus on reforming the WV Logging and Sediment Control Act to help put an end to the abusive timber practices that are currently plaguing us statewide. We'll need lots of help from any of you who can volunteer, if either of these campaigns is to be viable in the end.

Meanwhile, the team has gotten off to a slow start this session, mainly due to the move into our expanded office. And while we thought the new carpet would be down by now and we could have desks and phones and computers set up for lobby team members by this time – the carpet is still not here, and we are still operating out of makeshift facilities. Just another example of Murphy's Law in action. Another normal year.

So stay tuned to this dial, folks, to see just how normal or abnormal this session becomes.

Feature: Lobby Team Member Chuck Wyrostok

"When you're going to be living downwind from the largest pulp mill in North America, you do whatever it takes to stop it." And that's how Chuck "Wyro" came to be an environmental activist in West Virginia.

Chuck helped form CCC (Concerned Citizens Coalition of Roane, Calhoun & Gilmer Counties) to battle the construction of a highly polluting paper and pulp mill in Mason County, west of his home in Roane County. "They were going to use antiquated technology that would spew dioxin. CCC was born and joined many organizations around the state to help defeat the ill-conceived project." CCC has held public forums on mountain-top removal mining and sponsors a biennial forum for candidates at election time.

"Wyro" is also a fervent supporter of campaign finance reform, the "reform that makes all other positive reform possible." He is a Sierra Club member and presently serves as a board member of WVEC.

Born and raised on Long Island, NY, Chuck has lived on a forty-acre farm near Spencer for the last 25 years. He is a lifelong organic gardener and specialized in growing elephant garlic for many years. He is a professional photographer (so maybe we can induce him to take some photos — including a self-portrait — of lobby team members to include in future Updates).

Overweight Coal Trucks

By, Donna Halstead

In the past 18 months, at least 11 families have lost loved ones to accidents involving coal trucks. Industry response to these deaths is to raise the weight limit for the trucks on narrow, two-lane hilly roads from 80,000 pounds to 120,000 pounds.

In Kentucky, where this change has been in effect for approximately two years, the state is finding that roads carrying the oversized trucks must be repaved at 3 times the rate of other roads. Raising the weight limit has not been an effective deterrent to running overweight for the Kentucky coal truck industry. Many trucks are being stopped weighing 160,000 to 220,000 pounds.

Coal River Mountain Watch, the parent group of Citizens for Road Safety, the United Mine Workers, Citizens for Positive Change, Citizens Coal Council, the Ohio Valley Environmental Coalition (OVEC), AFL-CIO, Citizens Action Group (CAG) and others are readying a lobbying effort to begin the 1st week of February to meet with State Legislators to make it known that raising the weight limit on the coal trucks is not an acceptable solution to the problem.

If anyone is interested in joining our efforts, please contact the Coal River Mountain Watch office at 304-854-2182 or email at roadsafety@charter.net.

Flood Thy Neighbor

By, Nathan Fetty, West Virginia Rivers Coalition

Remember Senate Bill 10?. It's the infamous, perennial "Flood Thy Neighbor" bill that does nothing but encourage irresponsible recreational bulldozing. You can pin this gem of a bill on none other than Sen. Mike Ross, the lead sponsor.

This bill gives landowners the blanket ability to do whatever stream dredging they want, under the guise of preventing flood damage. The crazy part is, reckless bulldozing and stream dredging only make flooding worse, and downstream properties and homes pay the price. Hence the "Flood Thy Neighbor" title. In the wake of last summer's floods, it's especially important to make sure stream work is done responsibly, with knowledgeable guidance. Fortunately, such a process is in place, negating the need for SB 10.

There is an inter-agency agreement among DNR, DEP, Soil Conservation Agency and others called the W.Va. Landowner Stream Permit Program to give such landowner assistance. Hopefully, SB 10 will again die a quiet, unassuming death.

"The De-Reg Blues"

By Chuck Wyrstok

Pity the poor electric power industry. All those industry power brokers (and our own Public Service Commission consumer advocate) hawking the legislators last year to make electric de-regulation a reality to enhance our lives in West Virginia. Like the cavalry charging into unknown territory, they never saw the ambush coming. Previously confused Californians upstaged their efforts, enduring months of brownouts and fiscal nightmares. The local honchos, unplugged, retreated, out of ammunition.

Most figure the dereg boys are still off licking their wounds and will lay low this year, but one Barbour County citizen (who asked to remain anonymous) is not taking any chances. He wants citizens and small businesses to remain vigilant and sponsored an ad through WVEC that ran over several days in the state's larger dailies.

He's right, of course. These companies are in it for the money, not for the benefit of the consumers. Some Californians figured this out years ago.

On Nov. 6, voters in San Francisco overwhelmingly passed two measures that will make the city a model for clean, sustainable energy. "Measure B" allows for the issuance of \$100 million in revenue bonds for solar and wind energy projects on city property, and "Measure H" will authorize the city's Board of Directors to continue issuing revenue bonds for renewable energy projects on public or private property. A plan to install 50 megawatts of photovoltaics is the first project expected. Investing in solar energy on such large economies of scale will enable the city to greatly reduce the cost of this technology and create the proper incentives for the solar industry to invest in further research and development.

Two other measures on the November ballot (that lost by just a slim margin) would have replaced investor-owned Pacific Gas & Electric with a publicly owned, not-for-profit utility. (OK! I think we have the attention of those dereg boys now). PG&E spent \$2 million bombarding residents with doomsday predictions of what public power would bring to the city, outspending the proponents 20 to 1. They just barely held their ground.

Incentives for pursuing public ownership are many. A higher level of public control over the utility's policies is a good start. Consider this. Public power entities serving environmentally conscious ratepayers are more responsive to environmental needs. For example, the Sacramento Municipal Utility District (SMUD) was able to meet all the increased demand for electricity during the decade of the 90's through conservation and efficiency programs (what a concept!). In contrast, an investor-owned utility has no real

incentive to implement conservation and efficiency plans, because the less energy we consume, the less money they make.

So stay tuned. Be vigilant. Those dereg cavalry boys may mount another charge. Tell your elected officials that those boys are just shooting blanks.

WVEC Lobby Team at a Glance

continued from page 5

Allan Tweddle lives in Charleston in Kanawha County and is a new member of the team this year. Allan is a retired engineer with considerable expertise in energy and air quality issues.

The youngest member of our team this year is our intern, Amy Lynn Strege. Amy is a sophomore at the University of Charleston with a double major in political science and history and already has a resume that the rest of us can only dream of. When not at school Amy lives in Walton in Roane County.

Denise Poole and Chris Hogbin are the lobby team members whose job is to communicate with YOU. Denise is the editor of the *GREEN Newsletter* and the *Legislative Update*. She lives in Huntington in Cabell County, and has also served on the lobby team during many past sessions. Chris lives in Hedgesville in Berkeley County and for the last several years has run our email communications operation. She's the one team member we rarely get to see, because she does it all on-line!

"Un-official" official team members include Conni Gratap Lewis, who is lobbying the timber bill reform issue for the Coalition for Responsible Logging, and Nathan Fetty who will continue to assist with water issues but mainly from the relative safety of the WV Rivers Coalition office in Elkins. Other new team volunteers include Carol Warren and Beth Wheatley. And there's a ton of other volunteers this year. You'll hear more about all these folks in future Updates.

E-Day! Just Around the Corner

Mark your calendars early to attend E-Day! at the state capitol on February 22. Displays, speeches, lobbying and more are planned.

For more information on how your group, organization or green business can get a space reserved for a display, contact Denise Poole at the WVEC office: 304-346-5905 or e-mail her at: deniseap@earthlink.net

Bills Introduced to-Date

#	Sponsor	Committee	Topic
Senate Bills:			
145	Deem	Jud	Amend definition of “solid waste” to include yard waste
88	Mitchell, Hunter...	Nat. Res., Fin	“Logging Sediment Control Enforcement Act”
87	Mitchell, Hunter...	Nat. Res., Fin	Strengthen logging sediment control standards
59	Ross, Fanning...	Sm. Bus., Fin	“WV Small Business Tax Credit Act”
50	Mitchell	Nat. Res., Fin	Regulate use of waterways to prevent damage
6	Mitchell	Fin	Require disclosure of party affiliation of candidate authorizing campaign ads
10	Ross, Fanning...	Jud	"Flood Thy Neighbor"
Res. 2	Facemyer	Nat. Res., Fin	Fund DNR 1% of general revenue
20	Minear, Hunter	Nat. Res., Fin	Corrick’s Ford State Park creation
30	Hunter, Helmick...	Jud	“Community Choice” energy deregulation
32	Hunter, Rowe...Ed.,	Fin	“Air Quality in New Schools Act”
44	Bailey, Minard...	Nat. Res.	OT for conservation officers
51	Mitchell	Jud, Fin	“Real Property Owners Bill of Rights”
92	Love	Nat. Res., Fin	Big Ditch State Park creation
210	Snyder	Energy..., Fin	Emergency standards for water wells
193	Craigo, Sharpe...	Trans, Fn	WV waste tire program
JR 13	Carmichael	Constitutional Rev, Fin	Fund DNR 1% of general fund
House Bills			
2147	Thompson	Industry..., Fin	“WV Small Business Tax Credit Act”
2355	Fleischauer, Susman...	Industry..., Fin	“WV Small Business Tax Credit Act”
2427	Staton, Marshall...	Jud, Fin	Water Pollution Control Act max fines raised
2304	Staton, Amores...	Jud, Fin.	Enviro Leadership Program
4014	Caputo, Kuhn...	Roads..., Jud	Liability for overweight trucks
3118	Cann, Kuhn...	Fin	B&O tax credit to electric co.’s to use WV coal
3069	Kiss	Pol Subdiv, Jud	“Community Choice” energy deregulation
2983	Fleischauer, Mahan...	Jud, Fin	Dam Control Act
2327	Staton, Mahan	Jud	Haz Mat & lead notices
2050	Hatfeild	Fin	Timber by index valuation method
2887	Manuel	Ed., Fin	“Indoor Air Quality in Schools Act”
2570	White	Ag & Nat Res, Fin	Big Ditch State Park creation
2377	Caputo, Tucker...	Ag & Nat Res, Fin	10% discount at state parks for WV residents
2336	Caputo, Wright...	Industry..., Jud	Haz Mat & lead notices in mines
2265	Proudfoot, Kominar...	Jud	Criminalize hunting of moss, shrubs, bushes, etc
2089	Perdue	Roads..., Jud	Coal truck weighing
2030	Faircloth	Pol Subdiv, Jud	Prohibit additional laws for septic systems
2586	Kiss, Keener	Ag & Nat Res, Jud	Changes to DNR crime violations & penalties
3213	Canterbury, Evans...	Ag & Nat Res, Jud	Allow sale of crop damage hunting permit to another person to permit deer kills
4026	Caputo, Prunty...	Jud	Require the spaying or neutering of cats and dogs adopted from humane shelters or county pounds

Calendar of Events

January 19: WVEC Board of Directors meeting. Asbury Church - Elizabeth Street, Charleston. 11:00 a.m. Potluck, 12:00 p.m. meeting.

January 21: *March to pay tribute to Martin Luther King Jr.* Join OVEC at Huntington's traditional Martin Luther King Jr. Day March, this year led by former Sec. of State Ken Hechler. Begins at 5:00 p.m. at the First Baptist church, 801 6th Ave. Memorial Service at 6:30 at 16th St. Missionary Baptist Church, 1647 9th Ave. (where march ends). This year's speaker is Dr. Wallace Charles Smith. *For more information contact: OVEC 304-522-0246 or e-mail vivian@ohvec.org*

February 2: Deadline for comments to DEP about Waco Oil and Gas (Glennville, WV) seeking permit to strip mine on a parcel of land they have purchased on Browns Mountain. *For more information contact: Norman Wolcott: nwolcott@kreative.net or 304-799-6579 with Browns Mountain Area Preservation Society.*

February 5: Bill Moyers Special, "**Trading Democracy.**" on PBS at ten p.m. Reveals how an obscure provision hidden in NAFTA can cost taxpayers millions of dollars when multinational corporations sue the government over environmental and health laws that threaten their profits.

February 15: Deadline for Young Writers Green Space Coalition "River of Words" Competition. Open to all K-12 students, ages 5-19. *For more information contact: Chad Pierskalla, 304-293-2941 ext. 2410 or e-mail: cpierska@wvu.*

February 22: *Annual WVEC E-Day! at the state Capitol.* 10:00-3:00 p.m. Displays, speeches, awards, lobbying. *For more information contact: WVEC office: 304-346-5905 or e-mail: deniseap@earthlink.net*

February 22: Annual WVEC Fundraiser. After E-Day! festivities, join us for live music, dancing and spirits. *Details to be announced. Stay Tuned.*

February 26: 30th Anniversary of Buffalo Creek coal waste dam disaster: Join WVEC, Coal River Mountain Watch, OVEC, WV-CAG, Citizens Coal Council and others at the capitol this day. *Stay tuned for more details.*

March 9: Legislative Session 2002 ends at stroke of midnight! Stayed tuned to *Update* for WVEC issues "alive" or "dead" - and for end of session plans.

April 29-30: Sustainable Tourism Conference. Flatwoods Days Inn. *For more information contact: Dave Bassage or Candice Shrewsbury at 304-926-3647.*

Support the West Virginia Environmental Council

1324 Virginia Street East, Charleston WV 25301

Phone: 304-346-5905

Renewed Membership
 Change of Address

New Membership
 Donation

Membership Levels

Name: _____

_____ \$ 10 Student / Senior

Address: _____

_____ \$ 25 Regular

_____ \$ 50 Seedling

City, State, Zip: _____

_____ \$ 100 Sustaining

_____ \$ 250 Enviro Steward

_____ \$ 500 Canopy

Phone: _____ e-mail _____

_____ \$ 1,000 Old Growth

_____ \$ Other



*West Virginia Environmental Council
1324 Virginia St. East
Charleston, WV 25301*

**First Class
Time Sensitive
Please Rush
Thanks!**

www.wvecouncil.org