A Note from Our Executive Director

I couldn’t believe what our Appalachian Water Watch team had discovered earlier this year: almost 38,000 violations of the Clean Water Act by a single company in eastern Kentucky. It appeared to be the most extensive incident of noncompliance in the land for a 40-year history.

The previous wave of enforcement activity had been centered on southeastern West Virginia, with relatively few inspections in eastern Kentucky. While the state’s Office of Surface Mining (OSM) has been inspecting many of the same sites over the last several years, the number of violations was still much higher than we expected.

OSM inspectors reported that the violations involved more than 50 different sites in nine counties. In addition, the high number of violations appeared to be linked to the use of uncontrolled surface mining practices, which can lead to increased sedimentation and water pollution.

In light of these findings, we at Appalachian Voices have continued to monitor the situation closely. While we have not yet released a comprehensive report, we will be following up with the state’s environmental agencies to ensure that these violations are addressed.

We are always looking for ways to improve our understanding of the environmental impacts of surface mining in the Appalachian region. If you have any information or insights that you believe could help us better understand this issue, please do not hesitate to contact us.

Thank you for your continued support of our mission to protect the natural heritage of Appalachia.

Sincerely,
[Your Name]
**Environmental News From Around the Region**

**Scant Action One Year After Elk River Chemical Spill**

By Kimber Ray

Roughly one year after a coal-processing chemical spill by Freedom Industries contaminated the drinking water of more than 300,000 West Virginia residents, cleanup of the site remains incomplete and disciplinary and preventative action by state and federal officials has been minimal. Even in November, a poll by local news station WSAZ found that only 30 percent of affected residents were drinking their tap water, compared to 81 percent of affected residents were drinking water of more than 300,000 West Virginia residents.

Eight days after the spill, Freedom Industries filed for bankruptcy and, by April, company executives registered an identical company, Lexycon LLC, which in May was granted approval to purchase former Freedom properties. Federal fines against Freedom total $11,000, and a $3 million settlement between Freedom Industries and residents affected by the spill was finalized in September using money from the company’s insurance policy. With the added expense of almost $2 million in legal fees, Freedom claims to now lack capacity to fund a full cleanup of the spill site.

A proposed agreement with the West Virginia Department of Environmental Protection this November would lessen Freedom’s cleanup responsibility. Under existing orders from the agency, the company must remove all detectable contamination from the spill site but, if allowed to enter the agency’s voluntary toxic cleanup program, cleanup levels can be based on potential risks of human exposure. This risk is disputed due to a lack of scientific studies on health effects of the spill chemicals. Public comments on the proposal will be accepted until Dec. 17.

**Kentucky Town Earns Hiking Distinction**

By Kimber Ray

State tourism maps will feature a new destination now that Oliver Hill, located in Carter County, is Kentucky’s fourth official Trail Town. The honorary ceremony held this November marked more than two years of collaboration between citizen volunteers and city and state park officials to enhance the town’s outdoor and downtown assets, including new 8.3-mile trail that joins Olive Hill to Carter Caves State Resort Park. The Kentucky Trail Town Program, created in 2012, supports more diverse economies by encouraging towns to connect to state park trail systems. Designated towns qualify for grant assistance and are also promoted in highway signage, visitor guides and online.

**Brook Trout Brought Home**

By Barbara Musumarra

The U.S. Forest Service and the Tennessee Wildlife Resources Agency partnered to select the site and prepare the stream for the brook trout release. Although historically abundant in southern Appalachia, brook trout populations drastically declined during the twentieth century when habitats were damaged by problems such as poor logging practices, acid rain and the introduction of non-native trout.

Researchers will track the trout’s growth and survival rate through data collected by a coded wire tag that was injected into each fish prior to release. Researchers also promoted in highway signage, visitor guides and online.

**Counting Birds, A Holiday Tradition**

By Kimber Ray

Kentucky’s fourth Trail Town in Carter County, is Kentucky’s fourth official Trail Town. The honorary ceremony held this November marked more than two years of collaboration between citizen volunteers and city and state park officials to enhance the town’s outdoor and downtown assets, including new 8.3-mile trail that joins Olive Hill to Carter Caves State Resort Park. The Kentucky Trail Town Program, created in 2012, supports more diverse economies by encouraging towns to connect to state park trail systems. Designated towns qualify for grant assistance and are also promoted in highway signage, visitor guides and online.

**WV Wetlands Welcome Extra Funding**

By Barbara Musumarra

West Virginia wetlands received a flood of good fortune, thanks to a $700,000 grant awarded to the state Department of Natural Resources this October. Researchers will track the trout’s growth and survival rate through data collected by a coded wire tag that was injected into each fish prior to release.

The Wetland Program Development Grant, given by the U.S. Environmental Protection Agency, funds projects to evaluate and improve wetland health. Of the six grant recipients in the Mid-Atlantic, the West Virginia environmental agency received the largest sum, and aims to use the money to develop a protocol for assessing wetland health, and to support protection and restoration efforts.

counting birds, a holiday tradition

Kentucky’s fourth Trail Town in Carter County, is Kentucky’s fourth official Trail Town. The honorary ceremony held this November marked more than two years of collaboration between citizen volunteers and city and state park officials to enhance the town’s outdoor and downtown assets, including new 8.3-mile trail that joins Olive Hill to Carter Caves State Resort Park. The Kentucky Trail Town Program, created in 2012, supports more diverse economies by encouraging towns to connect to state park trail systems. Designated towns qualify for grant assistance and are also promoted in highway signage, visitor guides and online.
Remembering an Environmental Warrior

Lenny Kohm was an activist who inspired countless people, from the Arctic to Appalachia. He stood up and exercised his right to protect the land and communities they love. Below are just a fraction of the tributes already made to this hero known by many as “The Chief.” As renowned writer Terry Tempest Williams so eloquently stated:

“He was singular in his wit and wisdom for the wild. Passionate, smart, and humble, he touched all of us... His legacy is love.”

The Book of Lenny

By Matt Wasson

In September, Appalachian Voices lost a dear member of our family. Lenny Kohm worked at Appalachian Voices for nearly 15 years, during which time his wisdom and deep understanding of what moves people to take action became woven into the fabric of the organization. Lenny had nothing against conferences or meetings, but he was quick to point out that these efforts are the building blocks of the movement, for they are how we communicate, strategize, and deliberate. His ongoing presence in the environmental movement was surely warranted pride.

Lenny Kohm was an extraordinary organizer and advocate for the wild places of the earth. In mid-life, he tran-

sformed from a career in jazz drumming to photography, wandered to Alaska, and spent two seasons taking hundreds of images of the Arctic National Wildlife Refuge and the Gwich’in people who subsist there. Recognizing that the Arctic had to come to love and that the caribou which fed the Gwich’in in their subsistence by oil development, he spent the next decade driving from hamlet to hamlet in the lower-48, showing his slideshows to anyone who would listen, at public libraries, colleges, and churches. He was always accompanied by these images, by a member of the Gwich’in Tribe. At a time when Congress was widely floating proposal after proposal to drill the refuge, his efforts were strategic: he always knew which were the swing districts, and which local congressionals were in need of additional backbone from home. He covered most of the United States in what can only be described as a birds-eye-journey, because, until his friends chipped in to help, he didn’t have the money to buy a better car. Lenny’s leadership was legendary among their many friends and the thousands of people he touched with his words, his photographs, and his humor. He made up for his small stature by being indelibly large in spirit. There were no cars too large, no organization too daunting, to frighten Lenny. He took, in turn, the oil industry’s ire to drill the Arctic National Wildlife Refuge, the core industry’s lust to deflower the Appala-

chian highlands, and the professional environ-

mental movement’s inertia toward complacency and bureaucratese. Lenny loved life. His humor and laughter hit his way. He was an ex-

cellent musician, and a mimic. His Eastern European heritage and Russian roots were both powerful, and often riotously funny, because they drew on his own Jewish roots. He was a man who could comfort hypochondriacs, nor to accept laziness or mediocrity. But he was never arrogant, even though his accomplish-

ments were surely legendary. Most of all, he loved the way ordi-

nary Americans respond when they see what is at stake in a conservation struggle. He believed in the American people, in their judgment, in their fair- ness, and in their willingness to act. That belief made him a superlative organizer. In an era in which all some environmental community leaders appear to think that campaigns are best conducted by one organization or another, social media, Lenny knew that you had to touch people in person, and reach their hearts, to move them to effective action. And he did.

Lenny Kohm served nearly 30 years of his life helping people find and use their voice for change. Above, talking to an attendee at a citizen lobby training in Washington, D.C.; at left, on a river in the Arctic Refuge, Yukon Territory.

An Advocate for the Wild Places

By Brooks Young, Former Deputy As-

sistant Secretary for Environment and Development at U.S. Department of State

Lenny Kohm was an extraordinary environmental campaign consultant, Purpose organizer and advocate for the wild places of the earth. In mid-life, he tran- 

sformed from a career in jazz drumming to photography, wandered to Alaska, and spent two seasons taking hundreds of images of the Arctic National Wildlife Refuge and the Gwich’in people who subsist there. Recognizing that the Arctic had to come to love and that the caribou which fed the Gwich’in in their subsistence by oil development, he spent the next decade driving from hamlet to hamlet in the lower-48, showing his slideshows to anyone who would listen, at public libraries, colleges, and churches. He was always accompanied by these images, by a member of the Gwich’in Tribe. At a time when Congress was widely floating proposal after proposal to drill the refuge, his efforts were strategic: he always knew which were the swing districts, and which local congressionals were in need of additional backbone from home. He covered most of the United States in what can only be described as a birds-eye-journey, because, until his friends chipped in to help, he didn’t have the money to buy a better car. Lenny’s leadership was legendary among their many friends and the thousands of people he touched with his words, his photographs, and his humor. He made up for his small stature by being indelibly large in spirit. There were no cars too large, no organization too daunting, to frighten Lenny. He took, in turn, the oil industry’s ire to drill the Arctic National Wildlife Refuge, the core industry’s lust to deflower the Appalachian highlands, and the professional environmental movement’s inertia toward complacency and bureaucratese. Lenny loved life. His humor and laughter hit his way. He was an excellent musician, and a mimic. His Eastern European heritage and Russian roots were both powerful, and often riotously funny, because they drew on his own Jewish roots. He was a man who could comfort hypochondriacs, nor to accept laziness or mediocrity. But he was never arrogant, even though his accomplishments were surely legendary. Most of all, he loved the way ordinary Americans respond when they see what is at stake in a conservation struggle. He believed in the American people, in their judgment, in their fairness, and in their willingness to act. That belief made him a superlative organizer. In an era in which all some environmental community leaders appear to think that campaigns are best conducted by one organization or another, social media, Lenny knew that you had to touch people in person, and reach their hearts, to move them to effective action. And he did.

Lenny Kohm served nearly 30 years of his life helping people find and use their voice for change. Above, talking to an attendee at a citizen lobby training in Washington, D.C.; at left, on a river in the Arctic Refuge, Yukon Territory.

My favorite thing about Lenny was that he just wasn’t about the land, he was equally about the people. When asked what he did for a living, he would always respond, “I’m in the people-empowerment business.” — Brooks Young, Former Deputy Assistant Secretary for Environment and Development, Purpose organizer

As the Chief would say, “If you’re going to do something, do it in a good way.” — Lenny Kohm, 1939-2014

“The Book of Lenny” (continued from previous page)

To make friends and build relationships, Lenny, being an activist, wasn’t just about what you do, but about who you are — on or off the clock.

In the last years of his life, Lenny cut back to part-time in order to spend more time in his beloved Jamaica. He was with friends and spent countless hours sitting on the beach with his trusty computer on his lap. Whether he ever started writing chapters for that book is something we may never know, but I told Lenny many times, “you don’t need to write a book — WE ARE your book.” I was always amazed at the way he taught the many of us who learned most of what we know about activism from him.

Like everyone at Appalachian Voices, and thousands of others whose lives he touched, I’m proud to be a page in Lenny’s book. And now that no more chapters will ever be written, it’s the responsibility of the next generation of activists to carry his legacy.
Breaking Boundaries
Appalachian artists craft a contemporary twist on regional art

By Megan Northcote

An Acarat-blue, 42-inch doll with spiked, glitter-plastered hair stands erect amidst a colorful pile of trinkets. Complete with an arm’s-length bow tied with a miniature sword as a snake coils tightly around the doll’s torso, its open mouth poised to attack.

So stands the “Pagan Girl,” a found-art sculpture commemorating the childhood passion of collecting found objects and trash piles. Some pull from the narratives and imagery embedded in the region’s landscape and culture, while others reject tradition and embrace globalized, improvised approaches to their work. Yet what unites all of these artists is the stories they tell within the realm of landscape art.

“A Greener” Approach
Recycled art using found objects in an emerging trend in Appalachian art has taken hold.

Mary Saylor, a 3-D mixed media artist and East Tennessee native, moved to Knoxville three years ago. Working in an animal clinic inspired her to create paper-mache animal sculptures using primarily recycled materials, such as brown paper bags and toilet paper tubes, as well as found vintage objects.

“I’m big into recycling and wanted to reduce my carbon footprint through the work that I do,” says Saylor.

Making greener art can also happen in the literal sense — using found natural materials gathered from his wooded backyard.

Lovell Hayes, a native Tennesseean now residing in Valle Crucis, N.C., has honed his craft of building large works of contemporary landscape art, specifically 3-D “rust reliquary” memorial installations, using only natural materials gathered from his woodsy background.

“People love to see that it feels like you can walk right into my work and that’s exactly what I work to achieve,” says Saylor, noting his artwork is a reflection of the historic Lexington cholera epidemic.

Some artists push the boundaries of their genre, while others reject tradition and confront Appalachian stereotypes.

Robert Morgan creates evocative mixed media sculptures from found materials, “Parque Doch,” completed in 2011, stands 42 inches tall.

“Eerie Bullock” was selected for the 2013 show, explores digital media art. Through her installations, she juxtaposes traditional craft, particularly weaving and textile arts, with computer technologies, including video projection and photography.

As an Australian native, Paterson’s most recent exhibition, “The Nest,” commences her emerging American citizenship.

“Every artist has his or her own unique view of the region and the work that I do,” says Saylor.

Robert Morgan is one of these self-taught artists. A native of Rome, Ky., Hayes has turned to his work as a tattoo artist to reconnect with and commemorate his Appalachian roots, which he once shunned.

All year long, Hayes allowed his friend’s untrained older brother to give him his first tattoo — a skull-skull from the popular American punk rock band. From that point forward, he was hooked.

By the summer of 2013, he worked in Radcliff, Ky., tattooing soldiers on leave from Fort Knox. After five years of filling non-stop tattoo requests, Hayes returned to Whitesburg and opened his own shop. The Parker Room, in 2011, Hayes designed tattooing as a fine art, incorporating the paintbrush he learned earning his master’s degree at the University of Louisville. Yet, he says he is most proud of these tattoos he creates that reflect a regional identity and confront Appalachian stereotypes. “Here in [Appalachia] you get to do tattoos that come from the minds of people who have a similar background as me. I don’t want my art to go over people’s heads.”

The Nest, Addison Gallery of American Art, 84 Main St., Andover, Mass.

Growing up in an impoverished family, a self-taught artist.

of his mom, a self-taught artist.

thing out of nothing” with the guidance from trash piles and creating “some-
4,167 separate patients and provided passion and determination. Sister Bernie Kenny first traveled the mountain roads in a Volkswagen Beetle bringing healthcare to those in need, her ministry work 15 years ago. In his experience, region are falling out of the healthcare system now when he began charity work 15 years ago. In his experience, they are seeing patients because there are patients that are dying here without care.”

Making the health care system more efficient and accessible will also mean improving education. Students are more likely to have the time and energy for physical activity and support tobacco-free areas. Improvements in physical activity and nutrition are most achievable when there is a solid foundation of education and economic security, says Cantrell. Someone juggling multiple jobs is less likely to have time and energy for physical activity, she says, and people who succeed in school are more likely to have health insurance — and are better positioned to navigate the healthcare system.

Steps Toward Transformation

Gardner is frank about the Health Wagon’s financial limitations. The organization has shown a deficit of $400,000 in recent years. The goal is “to transform Central Appalachia into a leading model for rural community health throughout the world.” They also need support to navigate the healthcare system.

The Healthy Appalachia Institute hosted an active routine can also help people move towards a like-minded view. After noticing similar patterns of poor health indicators in counties in East Tennessee and southwest Virginia, the Healthy Appalachian Institute hosted an event to build cross-state, regional awareness of the issue. Attendees included leaders in health, public health, education and recreation, with a focus on local and state level, says Dr. Sue Cantrell, Healthy Appalachia Institute’s stated goal is “to transform Central Appalachia into a leading model for rural community health throughout the world.”

The transformation can take place on a local level, says Dr. Sue Cantrell, director and acting director of Virginia’s LENSovo and Cumberland Plateau Health Districts. Social and environmental factors such as neighborhood crime and the ability to commute on safe roads are inextricably linked to health outcomes. For example, obesity leads to a host of health problems, but more kids will walk to school if sidewalks are available and the community is safe. By examining barriers to positive health choices, these circumstances can be addressed, piece by piece. To encourage morning and early-evening walkers, a greenway trail system in Big Stone Gap now sports solar-powered lights, and Pennington Gap in Lee County, Va., recently received funding to install exercise stations along their walking trails. In addition to countering obesity and heart disease, establishing an active routine can also help people break the cycle of substance abuse.

This holistic approach is being employed across the region. In eight western North Carolina counties, an initiative called MountainWise is surveying the health impacts of a vastly extensive area, as transportation and park plans — in an effort to integrate health goals into community planning.

The ambitious undertaking is the first step in the United States, according to MountainWise, a project of the North Carolina Community Transformation Center funded by the Centers for Disease Control and Prevention. The results of the assessments will be used to facilitate access to healthy food, provide opportunities for physical activity and support tobacco-free areas.

Improvements in physical activity and nutrition are most achievable when there is a solid foundation of education and economic security, says Cantrell. Someone juggling multiple jobs is less likely to have time and energy for physical activity, she says, and people who succeed in school are more likely to have health insurance — and are better positioned to navigate the healthcare system.

At the Healthy Appalachian Institute, Tomman adopts a like-minded view. After noticing similar patterns of poor health indicators in counties in East Tennessee and southwest Virginia, the Healthy Appalachian Institute hosted an event to build cross-state, regional awareness of the issue. Attendees included leaders in health, public health, education and recreation, with a focus on local and state level, says Dr. Sue Cantrell, Healthy Appalachia Institute’s stated goal is “to transform Central Appalachia into a leading model for rural community health throughout the world.”

One of the chief barriers to healthcare access in Appa- lachia is the region’s shortage of medical specialists. Read about efforts to combat this shortage at Appalachian.org.

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FRACKING

The last decade has seen a rapid expansion of the drilling method known as hydraulic fracturing, or fracking. Sand and chemicals—known as fracking cocktails—are mixed with water and injected deep underground to extract natural gas from shale rock formations. Yet many chemicals remain unknown because companies may claim them as trade secrets. Hydraulic fracturing in Appalachia currently occurs in Ohio and West Virginia, while the more-shallow rock formations in Tennessee, southeast Virginia and Kentucky require an alternative process called nitrogen fracking, which replaces much of the water in fracking fluid with nitrogen gas. As much as 90 percent of fracking fluids remain underground, and whatever does return with it is contaminated with radioactive, heavy metals and other hazardous materials. This waste is stored in open-air pits before shipment to treatment plants, but dangerous levels of contaminants remain at lower depths and in and around, and in some cases, reaction with disinfectants may form additional toxic byproducts.

Exposure from hazardous waste regulations allows the solid, treated waste to be dumped into the same type of landfill as hazardous waste, and the liquid treated waste is discharged into streams and lakes, and the remainder is injected into disposal wells, where it can seep into groundwater and has triggered earthquakes. Both wells and waste-containment ponds can release chemicals into air and water through evaporation and leaks. In Pennsylvania, state officials this summer confirmed 243 known cases of private drinking water well contamination by the natural gas industry since drilling expanded in 2005. Groundwater and air contaminants found by government and university-led studies include hydrogen sulfide, which can affect brain and respiratory health, and methane, an explosion hazard and contributor to climate change. Carcinogens in the mix include arsenic, benzene and formaldehyde. As benzene and formaldehyde evaporate and join exhaust fumes created by fracking vehicles, they form ground-level ozone, which causes respiratory diseases.

Pesticides

Whether in food or water, air or current research suggests that no corner of the global environment is spared from pesticide contamination — even the bacteria and fungi needed to regenerate soil. Pesticides include popular products such as insecticides, herbicides, fungicides and rodenticides. Many properties and impacts of these chemicals remain untested, but researchers are continuing to uncover links to cancer, respiratory diseases and neurological impacts such as altered brain development and Parkinson’s disease. Some pesticides break down into less harmful substances over time, but others, such as DDE, can persist for decades.

Agricultural field crop workers face the most pronounced and long-term risk of harm, but chemicals in products for lawn care, household pest control, flax and tick collars and lice treatment shampoos are also significant threats. Some research has divided on whether residues on foods are significant enough to affect health. Up to 30 percent of pesticide-sprayed outdoors are carried as far as hundreds of miles away. In 2007, the U.S. Geological Survey found that pesticides have contributed to pervasive air pollution, and the agency has discovered these chemicals in underground aquifers that supply drinking water. Pesticides also drain into surface waterbodies — in 2014, the USGS estimated that nearly all national waterways contain at least one pesticide, often at levels exceeding federal standards for aquatic life, but rarely considered dangerous to human health. Yet there is scant research on the combined effect of multiple pesticides, so the agency notes “the potential for adverse effects is likely greater than these results indicate.”

COAL COMBUSTION

Coal is currently the largest source of greenhouse gases, when coal is burned, its carbon, hydrogen, oxygen, sulfur, nitrogen and trace metals become airborne pollutants such as carbon dioxide, methane and nitrogen oxides. Other emissions include sulfur dioxide gas, which can contribute to acid rain and respiratory diseases, particulate matter, which can cause lung and heart disease and mercury gas, which can also create adverse environmental impacts on water and other ecosystems. Clean Air Act regulations have pressured power plants to reduce certain emissions such as sulfur gas, but ultimately, once-known as “scrubbers” now remove these pollutants from the air, the resulting toxic sludge instead pollutes their water. This sludge is often mixed with coal ash — another byproduct of burning fossil fuels — to make cement that is highly controversial. According to a 2007 study by the nonprofit Clean Air Task Force, coal ash is the largest single source of toxic waste in the United States, yet there are few state rules and — at press time — no federal rules regulating its disposal. Due to this, no matter whether the waste is mixed with water and stored in open-air, unlined ponds, injected into abandoned mines, or dried out and shipped to municipal landfills, contamination of water and air can — and does — occur daily.

Mountaintop Removal Coal Mining

Nearly 650 mountaintop-removal coal mining sites scar the landscape of central Appalachia. Neighboring communities experience greater levels of water and air pollution and suffer from higher rates of illness than similar communities located further away, says Dr. Michael Hendrys, a professor of applied health science at Indiana University who has contributed to more than 30 studies on the subject. Toxic heavy metals present in coal, such as arsenic, mercury and lead, are found in every stage of mining waste. As heavy machinery and explosives remove forests — gouging deep into the earth in order to access underlying coal — a mixture of rock, dust and chemical residue left behind the explosives fills the air. A recent air quality study near mountaintop removal mining sites, co-authored by Hendrys, found that even in a controlled lab environment, this dust “can cause cancerous changes to human lung tissue,” a finding that had previously been suggested by health data in nearby impacted communities.

Once removed, rock and soil “overburden” is dumped into nearby valleys, and has buried more than 2,000 miles of Appalachian streams. The water that trickles through the base of these “valley fills” is laden with heavy metals, dissolved salts and other toxic substances, con- taminating ground and surface water. Streams polluted by mining waste correspond to increased rates of cancer mortality nearby, even after accounting for factors such as smoking and poverty. According to a 2010 study co-authored by Hendrys and Than Hitt, a biologist for the U.S. Geological Survey, damage persists even after mining ends.

The unsaudied coal is transported to nearby processing facilities, separated from soil and rock, then crushed into smaller chunks. This creates tons of additional dust, which includes particulate matter, sulfur dioxide and nitrogen oxides that contribute to acid rain and respiratory illnesses as well as cancer. Afterwards, the coal is washed using chemicals known to cause cancer and heart and lung damage. After washing the coal, the leftover waste — called slurry — is disposed of either in open-air, unlined ponds, or injected underground. A multitude of studies has found that the same contaminants present in mining runoff and slurry turn up in drinking water.

To discuss these issues, join our upcoming webinar discussion with a panel of experts this February. Visit Appalachia.org/webinars

Climate Change

Much of Appalachia is predicted to experience increased temperatures and precipitation over the coming decades, with temperatures rising by one to two degrees Fahrenheit and lower — but more intense heat waves interspersed with short droughts.

Heating

Rising temperatures can heighten the risk of heat stroke during the summer and increase production of ground-level ozone, a pollutant that induces lungs and causes respiratory diseases. When the coal is burned, its carbon, hydrogen, oxygen, sulfur, nitrogen and trace metals become airborne pollutants such as carbon dioxide, methane and nitrogen oxides. Other emissions include sulfur dioxide gas, which can contribute to acid rain and respiratory diseases, particulate matter, which can cause lung and heart disease and mercury gas, which can also create adverse environmental impacts on water and other ecosystems. Clean Air Act regulations have pressured power plants to reduce certain emissions such as sulfur gas, but ultimately, once-known as “scrubbers” now remove these pollutants from the air, the resulting toxic sludge instead pollutes their water. This sludge is often mixed with coal ash — another byproduct of burning fossil fuels — to make cement that is highly controversial. According to a 2007 study by the nonprofit Clean Air Task Force, coal ash is the largest single source of toxic waste in the United States, yet there are few state rules and — at press time — no federal rules regulating its disposal. Due to this, no matter whether the waste is mixed with water and stored in open-air, unlined ponds, injected into abandoned mines, or dried out and shipped to municipal landfills, contamination of water and air can — and does — occur daily.

Though exact numbers remain unknown, a 2010 investigation of more than the 3,000 coal ash ponds across the nation revealed that “when adequate monitoring systems are established (even then), it is possible that airborne dusts and particulate contamination is invariably found at virtually every coal ash pond and landfill currently operating.”

Baner photo: The dam holding more than 70 billion gallons of coal ash waste at Tennessee Valley Authority’s Kingston Fossil coal-ash pond collapsed on Dec. 22, 2008. Photo courtesy of Appalachian Voices.

As an assortment of pollutants leach into our lives, the harmful effects continue to surface in public health. Yet many questions about environmental contaminants remain difficult to study, such as emerging contaminants and low-level exposure, and how these different chemicals interact in the environment. At every stage in the life-cycle of fossil fuels — mining or drilling, transportation, processing and use — toxic waste contaminates land, air and water. And at the same time that pesticides have allowed food production to expand, these same poisonous chemicals may affect every life form on Earth, from bacteria to humans.

By KIMBER RAY

Agricultural workers are particularly at risk of the dangers posed by pesticides used in field sprays, lawn care and rodenticides. Many properties and impacts of these chemicals remain untested, but researchers are continuing to uncover links to cancer, respiratory diseases and neurological impacts such as altered brain development and Parkinson’s disease. Some pesticides break down into less harmful substances over time, but others, such as DDE, can persist for decades.
Entrepreneur Banks on the Sun

By Eliza Lambusch

The contraption looks like a house of a towering bed with a thick base. A Docka on a rooftop, leaning toward the sun. But what makes a Docka so powerful? UV rays, these tubes capture the heat and water vapor in a process called solar thermal, harnessing the sun’s energy at a rate that is more than five times as effective as photovoltaic solar panels. Jims Richards, one im-
Sandhill Cranes: A Winter Spectacle in Southeast Tennessee

By Joni Frankenfeld Vial

Each winter, thousands of red-headed, long-legged sandhill cranes descend upon the mud flats and grain heads along the banks of the Tennessee River at the Hiwassee Wildlife Refuge in Southeast Tennessee. The short grass and wetland habitats of the Tennessee River bottomlands provide a suitable stopover for sandhill cranes on their annual migration north. Today, about 15,000 sandhill cranes spend each winter month here on their migration from their breeding grounds in the far north to their wintering grounds in the Southeast. As early as mid-December, sandhill cranes arrive, and by January the majority of the cranes are present on the refuge. The peak of the migration is during the month of February, when sandhill cranes arrive in record numbers. Sandhill cranes are among the tallest of the world’s birds. Males average around 4.6 feet in length, and females are slightly shorter, measuring around 4.2 feet. Sandhill cranes have large, spread-winged flight feathers, and when flying, their wings can extend almost seven feet. With wings that are over 10 feet in length, sandhill cranes are known as “flying monuments.” Their long, slender legs and necks can extend over 4 feet, and they have a distinctive ‘knee snap’ that is unique to the species. Their small bodies are covered with red head, neck, and back feathers. These feathers are used to attract mates and display their breeding status. The wings of sandhill cranes are black and white, with a white ring around the outer edge. The bill is long, black, and curved, and the tail is short and black. The sandhill crane's call is a loud, clear, and piercing “kraa-krak,” which can be heard over long distances. The nest is a simple platform of dead leaves, grasses, and mud, and it is typically located near water. Sandhill cranes are known for their long lifespan, which can reach up to 42 years. They are known for their dedication to their mates and family, and a pair can mate for life. Sandhill cranes are a protected species under the Migratory Bird Treaty Act, and their populations are closely monitored to ensure their continued survival. Sandhill cranes are an integral part of the ecosystem in Southeast Tennessee, and their presence is a reminder of the importance of preserving natural habitats for our feathered friends. The Tennessee Sandhill Crane Festival offers education, viewing opportunities, and activities for both birdwatchers and the general public to enjoy the spectacle of these magnificent birds. The festival includes guided tours, educational programs, and opportunities to observe the cranes up close. For more information, visit the Tennessee Wildlife Resources Agency’s website or contact the festival organizers at SandhillCranes@ti.tn.gov.

**Sandhill Crane Festival Schedule**

- **January 17-18, 2015**
  - **Birdchord, Tenn.** (30 miles from Chattanooga)
- **March 15-16, 2015**
  - **Hiwassee Wildlife Refuge** (6 miles from Stevenson, Ala.)

Sandhill cranes have been identified in the fields along the banks of the Tennessee River at the Hiwassee Wildlife Refuge in Southeast Tennessee. This winter spectacle is inaugurated by the sandhill crane’s distinctive, soul-stirring flight over the Tennessee Valley, emerging from the Tennessee Valley in late October and early November to grace the Tennessee Valley with the greatest bird migration in the world. Descending upon the mud flats and grain heads, the greater and Canadian sandhill cranes (Grus canadensis and Grus canadensis canadensis) make their way through the region in February. The 6,000-acre Hiwassee Wildlife Refuge is the natural roosting ground for the greater and Canadian sandhill cranes. The refuge covers 6,000 acres of wetland, forest, and upland habitats, providing a suitable environment for sandhill cranes to rest and forage. The refuge is located in the Tennessee Valley, near the city of Chattanooga, and is managed by the Tennessee Wildlife Resources Agency. The refuge is open to the public for observation and education, providing a unique opportunity to see these magnificent birds up close. The refuge is open daily from sunrise to sunset, and guided tours are available on request. For more information, visit the Tennessee Wildlife Resources Agency’s website or contact the refuge at 423-884-4000.

**Tallulah Gorge State Park**

A two-mile loop, 1,200-foot deep gorge offering 20 miles of hiking and mountain biking trails is easy to difficult difficulty, Located immediately off U.S. Hwy 411 between Clayton, NC, and Hiwassee Drive at the town limits of Tallulah Falls, Ga. Contact: (706) 754-1981 or GaState-Parks.org/TallahahGorge (please mention on weather conditions)

**Hiking the Highlands, Tallulah Gorge State Park**

By Joni Tresner and staff

We marched up and down the shaded trails of Tallulah Gorge. That’s what you do at Tallulah Gorge State Park: You walk. You stroll, rest and maybe march some more. Depending on the route you choose, seeing the gorge at the bottom of the cliffs is a communal experience of endurance. During winter migration, visitors at Hiwassee Wildlife Refuge can see thousands of sandhill cranes. The bob’s molded mewing are on display at least 0.5 miles in flight. Photo courtesy Tennessee Wildlife Resources Agency

*That’s why tak- ing the Hurricane Loop proves more popular and accessible, especially in winter months. But, even then, you be- ready for lots of hiking and palling. Going straight up all these earths is exhausting, though satisfying.*

*“I think it still feels like a wild and scenic place here in the Northeast Geor- gia mountains, even in the winter months in Tennessee, Kentucky, Indiana and even in southern Ontario— and remain with their mates year- round. Cranes nest on the ground and often have twins, which the pairs together.*

*During winter migration, visitors at Hiwassee Wildlife Refuge can see thousands of sandhill cranes. The bob’s molded mewing are on display at least 0.5 miles in fight. Photo courtesy Tennessee Wildlife Resources Agency*

**View of L’Eau d’Or Falls from Overlook #10 at Tallulah Gorge State Park**

Hiking the Highlands of Tallulah Gorge State Park

By Joni Tresner

*“A wonderful read for all!”* — The Appalachian Voice

**Tallulah Gorge State Park**

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*During winter migration, visitors at Hiwassee Wildlife Refuge can see thousands of sandhill cranes. The bob’s molded mewing are on display at least 0.5 miles in fight. Photo courtesy Tennessee Wildlife Resources Agency*
By Bruce Starr

Recently uncovered conspiracies to violate the Clean Water Act have heightened concerns about corruption in central Appalachia and the effectiveness of state agencies responsible for enforcing the law.

In September, charges were filed against John W. Shultz, a former employee of West Virginia-based Appalachia Laboratories, Inc., for tampering with water quality samples collected at surface coal mines in West Virginia between 2003 and 2013 to conceal permit violations and keep customers satisfied. He faces up to five years imprisonment and a $250,000 fine.

A federal investigation into Appalachian Laboratories is ongoing. But environmental groups in Appalachia charge monitoring reports by Appalachia Laboratories, the publisher of this newspaper, found that Appalachian Labs was involved in what appears to be a massive conspiracy. New emails and documents submitted to the state between 2009 and 2014, more than any other company certified in West Virginia.

Appalachia Labs responded by saying the DEQ, which they said stagnated their business, had nothing to do with the fact that they were not willing to risk using it for their water monitoring reports. The DEQ did not have the funds and the PPM memo required additional data for sites using Appalachian Labs and told them that they must test the company’s WQMG database before they could test the company’s “any other laboratory.”

Wrong Wors Grows Widespread

The story of Appalachian Laboratories is just one of the many examples of violations and keep customers satisfied.

In 2010 and 2011, Appalachian Voices, Kentuckians For The Commonwealth, Waterkeeper Alliance and Kentucky Riverkeeper took legal action against three of the largest coal companies in Kentucky for routinely turning in false and inaccurate pollution reports.

During the period they were submitting inaccurate monitoring reports, Kentucky’s citizens were not aware of the coal companies’ pollution violations. But the Kentucky En
gagement and Accountability Commission and Governor Matt Bevin’s office had identified accurate reports that federal regulation must first prove the pipeline serves a public need. “It’s improper for a company just to assert that its project is for public use when it is not,” said0 a lawyer for the state’s Surface Mining Commission.

A week after the notice to sue Frasure Creek was issued, a Kentucky judge issued orders refusing to dismiss the suit against the mining company.

Two of the three companies entered into settlement agreements with the Kentucky Energy and Environment Cabinet, but Frasure Creek Mine, a company certified in West Virginia, has not risked using it for their water monitoring reports.

Evidence suggests the company quickly afford to pay the penalties, prolonging the outcome of these cases.

A federal judge acknowledged that Appalachian Laboratories, Inc., had entered into a consent agreement to resolve violations, “disturbing,” and questioned whether state officials actually had the authority to determine if reports were factually correct. In a separate study of salamanders, current reclamation practices in Appalachia are described as beneficial for salamanders, current reclamation practices in Appalachia are described as beneficial for salamanders, but the research also notes that a “serious gap in understanding the interaction between reclamation and the actual function of the false data had obscured.”

Three of the two companies entered into settlement agreements in 2011 and 2012 with the Kentucky Energy and Environment Cabinet, but Frasure Creek Mine, said it could not afford to pay the penalties, prolonging the case over the past few years.

Frasure Creek Mine has since entered and received permits to operate 21 permitted reclamation sites using Appalachian Labs and told the state that they had stopped turning in false data.

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By Kimber Ray

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It’s Still Happening

Fighting Mountaintop Removal Coal Mining During the Obama Years

Editorial by Thom Kay
Appalachian Voices Legislative Associate

In 2009, after President Obama took office, there was a great deal of optimism among Appalachian Voices and our allies. New agency heads and White House spokespersons promised that one of the talking points that the Obama administration would do was to end mountaintop removal coal mining. It’s been nearly six years since the Obama administration took office. In that time, together with those who have been directly impacted by mountaintop removal, Appalachian Voices staff has met with the U.S. Environmental Protection Agency; the Department of Interior; the Army Corps of Engineers, the White House Council on Environmental Quality; and the Office of Surface Mining. Regulation and Enforcement more times than we can count. On top of that, our supporters have sent tens of thousands of letters to these agencies.

So what has all of that gotten us? The administration has fallen woefully short of what we had hoped. Of all the ways to gauge success, one simple question-simon-says also the list is mountaintop removal coal mining still happening in Appalachia? Sadly, the answer is “yes.”

I don’t want to beat up the people in those agencies who have worked tirelessly to limit the pollution from mountaintop removal. Indeed, they have done more than any to curtail the destructive mining practice than either the Clinton or Bush administrations. But, while that’s a lot, they have made significant changes, and there is less mountaintop removal mining today than there was between 2002 and 2008. Part of that is due to market forces, and part of that is due to the actions of the Obama administration. These actions, however, have not been enough.

There is only one sensible solution to the problem of mountaintop removal, and it is total dismantlement. Nothing short of that will do. After all, this is our home. And even without that, there is no reason to accept any stopgap measures.

The Obama administration should already know the safety around mountaintop removal is not of great value to their policy making. Regrettably, they have chosen politics, and public perception as their top priority. They have chosen paths that are moderate and reasonable, and they have failed to satisfy good policy in order to maintain that appearance.

When I meet with administration officials, they seem to believe they have done enough work on mountaintop removal. They have taken steps to limit the amount of mines, valley fills and overall pollution. But modest steps are not good enough for us, and they are not good enough for communities in Appalachia who continue to live with the nightmare of mountaintop removal.

Since the beginning of the administration’s first term in 2009, Appalachian Voices has advocated for them to stop issuing any permits for mountaintop removal mines. Instead of refusing all permits associated with mountaintop removal mining, they have chosen to issue permits for mines and valley fills.

The Obama administration has issued fewer permits than its predecessors, but permits have been issued nevertheless.

Our next goal was for the EPA and the Army Corps to work together to change the definition of the term “fill material” in the Clean Water Act to exclude mining waste, which would eliminate the use of valley fills, and, thus, eliminate the biggest mines in Appalachia. From the first meeting we had with them, the White House has refused to change the definition of “fill material.” While we pushed at the beginning of the president’s first term, it soon became clear that they would never even consider taking action.

Right from the start, we met with disappointment, but then there still are alternative paths forward.

There are several things the administration can do now and the end of Obama’s term in January of 2017. In order to make long-lasting changes that benefit Appalachia, the EPA, OSTRE, Army Corps and DOE all will need to be involved, and it will take White House leadership to make that happen.

Since 2009, OSMS has been developing a much-needed Stream Protection Rule. A draft is not expected to be released until the middle of 2015, so the precise contents of the rule are unknown. We do know that is the rule will regulate surface coal mining in or near streams, and would replace an outdated 1983 rule. It has the potential to be the most important action the administration takes to curtail mountaintop removal, if they choose to include mountaintop removal mines. There is a right and wrong way to do it, however, half measures, however, it will be an enormous opportunity lost.

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There is only one sensible solution to the problem of mountaintop removal, and it is total dismantlement. Anything short of that is a failure. At first glance, this might seem extreme and, even unreasonable. But then is a matter of time when it is okay to blow up a mountain, dump the waste into valleys, and put the health of local communities at risk by filling their air and water with dangerous chemicals, heavy metals and particulate matter. There is a right and wrong way to do it, but there is no right way to do mountaintop removal coal mining.

The Obama administration should already know the safety around mountaintop removal is not of great value to their policy making. Regrettably, they have chosen politics, and public perception as their top priority. They have chosen paths that are moderate and reasonable, and they have failed to satisfy good policy in order to maintain that appearance.

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Appalachian Voices Uncovers Clean Water Violations in Kentuckiana
Judge Rejects Deals Between State and Coal Company

On Nov. 17, Appalachian Voices and our partners in Kentucky launched an investigation of coal mining with a sixty-day notice of our intent to sue for perpetuating almost 20,000 violations of federal law at its coal mines in eastern Kentucky. This is possibly the biggest conspiracy to violate the federal Clean Water Act in the history of the law.

Since 2013, the company has been turning in false water pollution reports. Our reports for several of its coal mines in eastern Kentucky that feed into the Big Sandy, Licking and Kentucky rivers. We initially took legal action four years ago against Frasure Creek and two other companies for duplicating data with water pollution reports. Unbelievably, Frasure Creek has begun doing the same thing again, only this time the problems appear more severe and extensive.

False reporting like this undermines the regulations that were supposed to protect American citizens and their waters from industrial pollution. Without valid reporting, there is no way to know if and when a coal mine is contaminating water to what extent or for how long. Regulations then become meaningless and are thrown out the window.

A week after we and our partners served the companies with the latest notice to sue, a Kentucky judge overturned two slap-on-the-wrist fines that Kansas regulators had imposed on the mining company a few years ago. The judge issued two rulings, one on each of the two cases against Frasure Creek that were before him. The first case was based on the false water monitoring reports that we uncovered in 2010. The cabinet entered a settlement with Frasure Creek with minuscule fines compared to what is allowed under the Clean Water Act. We then challenged that weak settlement in court. In last week’s ruling, the judge threw out the settlement because it is not “fair, reasonable or in the public interest.”

The second case was based on pollution problems that had become evident once Frasure Creek’s false reports were disclosed. Even though we were full parties to the case, state regulators and Frasure Creek reached another sweetheart settlement without our involvement. Again, the judge found this had violated our due process rights and threw out the settlement, sending the case back to administrative court.

Both of these decisions could be appealed, and since previous settlements were simply thrown out, the actual violations are still unresolved. Nonetheless, this is a great step forward, and a great vindication of citizen groups who protect our environment.

In the meantime, we will continue to work hard at bringing justice to these polluters and rendering regulators accountable for not doing their jobs. Appalachian Voices is joined in the latest suit to upset by Kentuckians For the Commonswealth, Kentucky Riverkeeper and the WaterKeeper Alliance. The groups are represented by New York-based Appalachian Citize

So Long, But Not Goodbye

It is with equal parts sadness and celebration that we bid adieu to our long-time friend and the coordinator of our Tennessee program for the past year, Ann League. While we are losing a formidable teammate, we are excited that Ann is leaving to head up one of our partner organizations, Statewide Organizing for Community Effectiveness in Tennessee. As S.O.C.E.M’s new executive director, Ann will continue to fight alongside Appalachian Voices to stop the destruction of Appalachian communities from mountaintop removal while tackling other pressing environmental and social justice issues in Tennessee. She will be instrumental in helping us launch our Energy Savings for Appalachian program later this year. See and encouraging officials of electric cooperatives and state agencies to develop financing programs for residential energy efficiency. She also coordinated a grassroots effort that ultimately blocked a state bill to implement a surface mining bill that would have hindered the bill for mine regulation on Tennessee taxpayers. We wish Ann much success in her new position, and will definitely keep in touch!

Mary Cotter of Appalachian Voices Citize

Appalachian Voices Unveils Traditions of Craft Coffee in Bath County
Member Spotlight: Kevin Price
A Small Businessman, with Soul

Kevin Price says his company’s slogan is “coffee is culture.” He could not be a better fit — most of all for the soul-empowering into his small coffee business.

“Blue Smoke has always been about a true, authentic experience,” he says. “It has given me a platform to promote and make people aware of different things I’m passionate about.”

Based in southern Appalachia, Blue Smoke Coffee Roasters has seen steady growth from humble beginnings. About a decade ago, Kevin began roasting coffee beans in his home and mountain cabin. As he fine-tuned his process, he started sharing his roast with friends and discovered a passion for hand-roasted coffee along the way. Soon, that passion became a business philosophy. After creating a community around quality coffee and important causes.

In addition to being a committed member, supporter and friend of Appalachian Voices, Kevin has entered into the Appalachian Voices and distributes 2,000 copies of the paper to Ada- ville, Chatanooga, Calif. and wherever else Blue Smoke Coffee grows. “Besides your work,” he says, “you might find yourself penning The Voice while you brew your first cup of Blue Smoke.”

Many people recall the first time they knew about Appalachian Voices or flipped through a copy of The Voice — an experience that frequently occurred in local businesses, coffeeshops or even when stories of environmental destruction and injustice are covered prominently in local newspapers. Kevin’s story, he says, employs a similar strategy.

“I look for the heart of the coffee shop itself. The place that is full of kind words praising Kevin and his coffee. One happy customer from Florida describes Kevin as “a person who quietly and humbly is holding one pound-of-the-best-coffee-you-have-ever-had-at-a-good-price.”

Kevin’s coffee is something they cannot live without. But Kevin knows that for some Appalachian communities even truly vital resources like breathable air and drinkable water are at risk. And he believes businesses have a responsibility to encourage more conscious consumers.

“We know we have the ability to destroy this planet,” he says. “But to a lot of people it’s invisible. They don’t think about environmental problems impacting their lives.”

When distributing The Voice to coffee shops around Appal-

Kevin donates 10 percent of Blue Smoke’s sales — that’s sales, not just profits — to Appalachians and other environmental and humanitar

Kevin’s story of success is full of lessons on what it means to be a small business owner and a proud citizen of the Appalachian region. And as we celebrate the success of Kevin, I wish him continued growth.

Kevin’s story is a testament to the soul of Appalachian Voices. Kevin is an ardent defender of our region’s natural and social justice.

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Kevin’s coffee is something they cannot live without. But Kevin knows that for some Appalachian communities even truly vital resources like breathable air and drinkable water are at risk. And he believes businesses have a responsibility to encourage more conscious consumers.

“We know we have the ability to destroy this planet,” he says. “But to a lot of people it’s invisible. They don’t think about environmental problems impacting their lives.”

When distributing The Voice to coffee shops around Appal-

Kevin donates 10 percent of Blue Smoke’s sales — that’s sales, not just profits — to Appalachians and other environmental and humanitar-

Kevin’s story of success is full of lessons on what it means to be a small business owner and a proud citizen of the Appalachian region. And as we celebrate the success of Kevin, I wish him continued growth.

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As winter’s snow cloaks the Appalachian mountains, a dazzling display of water and ice reflects the light of the rising sun. Freelance photographer Scott Hotaling captured this image along the Blue Ridge Parkway, near Pounding Mill Overlook in western North Carolina.

Support OUR Appalachian Voices

So many people across Appalachia — folks just like you — have stepped up to fight for our mountains and waterways.

People like Denise, a North Carolinian fighting to keep fracking from her state, or Carter, who monitors the water quality below coal mine sites near his Kentucky home. Or Rees and Kathy, who are standing up for Virginia homeowners’ right to use renewable energy, and Danielle, a cancer survivor determined to protect her North Carolina community’s water from toxic coal ash.

But we need your support to continue working with and advocating for these local heroes and others who are fighting to protect our region. Join us in working toward a clean, healthy future for ALL mountain lovers. Please Donate Today -->

To read these stories and more, visit: AppalachianVoices.org/Our-Voices

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