

Free

Appalachian Voice

Feb / March 2009

TVA Coal Ash Disaster

A billion gallon wave of toxic ash floods a Tennessee River tributary, destroying a community and sweeping away the myth of "clean" coal

Plus: Keeping the Appalachian Trail Green • Toeing the Line at Coal River • New Wind for North Carolina

APPALACHIAN VOICE



A publication of

APPALACHIAN VOICES

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Appalachian Voices brings people together to solve the environmental problems having the greatest impact on the central and southern Appalachian Mountains. Our mission is to empower people to defend our region's rich natural and cultural heritage by providing them with tools and strategies for successful grassroots campaigns. Appalachian Voices sponsors the Upper Watauga Riverkeeper® and is also a Member of the Waterkeeper® Alliance.

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Appalachia plays host to yet another environmental disaster

Photo by Sandra Diaz



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Cover photo:

A late afternoon sun near Swan Pond Circle Road sharply silhouettes the destruction caused by the coal ash disaster at the Kingston Fossil Plant in Tennessee almost two weeks after a catastrophic collapse of an earthen dam spilled a billion gallons of toxic sludge into the Emory River. Photo by Jamie Goodman



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The Appalachian Trail

Keeping a National Landmark from Being Loved to Death

Story by Bill Kovarik

This winter, as three million enthusiasts check their gear and prepare for spring on the Appalachian Trail, they'll be happy to know that more protection and an expanded trail network are on the way.

Also on the way is a better understanding of the trail's problems through the AT Mega-Transsect project.

These are only a few of the things that are needed, experts say, to keep the beloved trail from being loved to death.

New areas protected

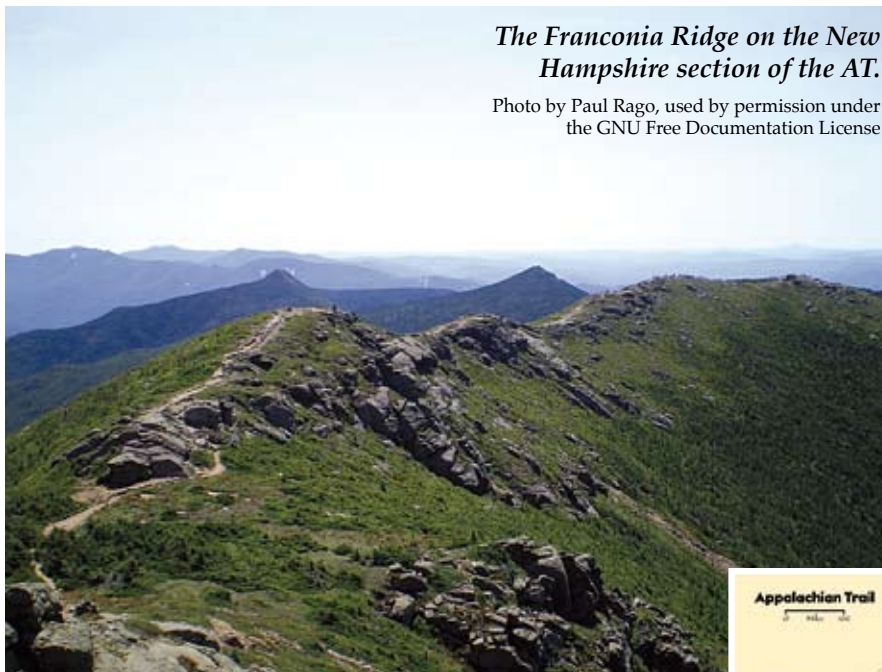
Legislation protecting 53,000 acres of land alongside the Appalachian Trail in southwestern Virginia passed the U.S. Senate in January 2009 and was expected to pass the House.

The land would be accessible for hiking, hunting, fishing and other recreational use, but is protected from development. The legislation was first introduced in 2004.

Trail expansions needed

Many walking trail expansions are shovel-ready, and would be a welcome part of the economic stimulus package, according to Greenways Incorporated founder Charles Flink. Writing recently in the Raleigh News & Observer, Flink said that many trail and greenway projects could be developed quickly.

Such projects "would provide jobs in construction and in the manufacturing of materials such as concrete, asphalt, bridges, boardwalks, signs, hand tools and heavy equipment." One major suggestion is the



The Franconia Ridge on the New Hampshire section of the AT.

Photo by Paul Rago, used by permission under the GNU Free Documentation License

Mountains-to-Sea Trail across North Carolina, a 1,000-mile walking trail stretching from the Great Smoky Mountains to Jockey's Ridge State Park on the Outer Banks.

More walking trails would also provide work along the Civilian Conservation Corps model introduced by President Franklin D. Roosevelt 75 years ago.

Citizen science to help monitoring

Because the Appalachian Trail is so close to 120 million Americans on the East Coast, it is an ideal indicator for environmental problems, according to managers of a collaborative project called the AT Mega-Transsect.

For example, AT thru-hikers are currently exposed to high levels of ozone for weeks at a time, and backcountry rangers in Great Smoky Mountains National Park are not allowed to go in the field on high ozone days, the Appalachian Trail Conservancy said, describing the need for the project.

Additional help is needed to monitor birds and other wildlife along the trail. The ATC notes that up to 2,000 endangered species are found along the trail from Maine to Georgia.

The term "mega-transsect" was coined by Michael Fay of National Geographic to describe a way to examine a suite of environmental variables on a continental scale. A consortium of groups, including the National Park Service, the U.S. Geological Survey, the ATC and others serve on the AT Mega-Transsect project.

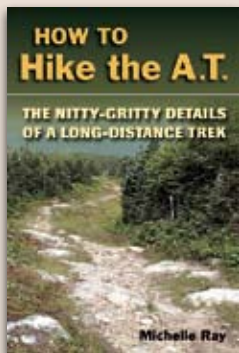
"Because of the magnitude of the project, volunteer engagement is vital to this effort," a recent Mega-Transsect report said. "Citizen scientists will play an active role, participating in monitoring activities and providing policy-makers, scientists and land managers with the data needed to further protect the Trail."

Interested individuals and groups can track progress and sign up for volunteer opportunities via the Appalachian Trail Conservancy's web site www.appalachiantrail.org, or by contacting mega-transsect@appalachiantrail.org.



New Books For Thru-Hikers

REVIEWS BY BILL KOVARIK



HOW TO HIKE THE APPALACHIAN TRAIL:
The nitty-gritty details of a long-distance trek
By Michelle Ray (Stackpole Books)

"In a world full of mediated spaces and experiences," writes Michelle Ray, "a trip to the back country allows an individual the sort of autonomy he or she craves." As Henry D. Thoreau said, a person may rationalize hiking as going to the woods "to live deliberately."

Out in time for hiking season, this deliberate and lively book explains the why, the how and the where of the Appalachian Trail, offering advice on subjects ranging from physical conditioning (three months of daily training) to packs for women (for narrower shoulders) to drying out wet shoes (take off the laces, and /or stuff with newspaper).

The book also describes some of the AT's traditions, such as trail names and the "Trail Days" festival in Damascus, VA, held the weekend after Mothers' Day, and also covers the "who" of hiking with stories about some thru-hiker legends.

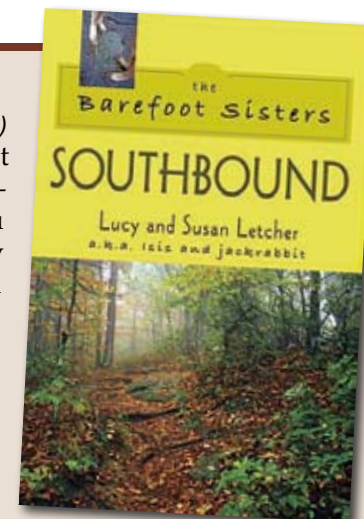
THE BAREFOOT SISTERS SOUTHBOUND

by Lucy and Susan Letcher (Stackpole Books, 2009)

To be on the trail with Isis and Jackrabbit (Lucy and Susan Letcher) is, first of all, to admire some down-home grit. After all, can you imagine these women setting out on a frosty morning, without hiking boots, or even so much as a set of flip-flops?

The sisters prove that good set of calluses on the feet can compensate for a lot of gravel, and – apparently – a little bit of frost.

Like every thru-hiker on the Appalachian Trail, the Barefoot sisters run into a cast of characters worthy of Jack Kerouac on the trail. There's Tuba Man, German Forest, Solid, and Playfoot – all described with insight and vivid writing.



Continued on next page



Hiking the Highlands

Walk to a Waterfall in Southwest Virginia

By Joe Tennis

Come spring, long before trees see leaves sprout again, the waters flow on Phillips Creek.

Blasting, gushing, pouring down a stone embankment like a shower, the waterfall of the Phillips Creek Recreation Area feeds the rocky Phillips Creek as it courses its way beyond the remnants of a moonshine still, the memories of logging operations and the seemingly eternal beauty of the rhododendron thicket.

Come summer, when the sandy beach at the Phillips Creek Recreation Area smells of suntan lotion and hot dogs, this waterfall may be gone. It may have reduced itself to no more than a trickle, barely seeping down that same rock wall and looking like the well-worn rock crevices are only leaking.

This is not a wet weather stream, but Phillips Creek can seem that way as the heavy rains of winter and spring give way to summer drought. Unfortunately, this also makes the pleasures of hitting the lakeside beach at the North Fork of the Pound Reservoir a joy separate from chasing this waterfall, which seems to nearly disappear when the lake water rises.

Getting there is a mild challenge.

The Phillips Creek Loop Trail begins about a mile from the entrance to the recreation area, which is actually one of several recreation areas maintained by the Clinch Ranger District of the Jefferson National Forest in southwest



Virginia. Then, it takes about another mile of walking through the woods, across attractive footbridges, up stone stairs to finally find the falls.

Turning back and slipping up an embankment, the trail makes a loop and chugs down a former railroad grade, used when this area was logged, near Pound, VA in the early 1900s.

Pound Reservoir is a winding, skinny lake with 13.5 miles of wooded shoreline. Built by the U.S. Army Corps of Engineers in 1966, the waterhole spans 154 acres on the North Fork of the

JOE TENNIS is the author of *Southwest Virginia Crossroads: An Almanac of Place Names and Places to See* (The Overmountain Press), which profiles attractions in the Jefferson National Forest.



PHILLIPS CREEK LOOP TRAIL

HIKING LENGTH: 1.3 miles

WHERE TO START: Pound, VA in Wise County

TO GET THERE: From US-23 at Pound, turn west on VA-671 and follow for 5.5 miles to Phillips Creek Recreation Area (on the right). The Phillips Creek Loop Trail starts beyond the swimming beach and a pair of picnic shelters. The trail crosses the log-clogged Phillips Creek on a footbridge and scales up a small portion of Pine Mountain. One short spur dead-ends at a tiny and narrow, 15-foot waterfall that streams down a moss-covered rock wall. It is a one-mile (one way) hike to reach the waterfall from the far end of the recreation area parking lot.

DURATION: About one hour if the recreation area is open; or two hours if it is closed and you must park at the gate

FEE: Required

INFO: (276) 328-293

Pound River.

Located at the base of Pine Mountain near the Virginia-Kentucky border, the lake is a no-wake zone for all boats, but gasoline motors are allowed. This lake supports a variety of fish - from bass and bluegill to crappie, gizzard shad and channel catfish. From late fall to spring, the lake is usually drawn down about 10 feet from its normal summer pool.

an old Indian hunting camp.

Most of the path is shaded and is very clearly marked.

Best of all, the hike is mostly easy, requiring few elevation climbs, making it a great family outing, especially if you're in the area visiting nearby institutions like the University of Virginia's College at Wise or the Southwest Virginia Museum Historical State Park in Big Stone Gap.

The Barefoot Sisters Southbound

Continued from previous page

The determination of the sisters is astonishing. Co-author Susan Letcher (Jackrabbit) recounts the doubt she felt after the first few bare footsteps on the trail; she turned to her sister, "half expecting to see the same doubt mirrored in her face," she writes. "But her eyes were shining, and she smiled with an almost feral intensity. It was a look I would come to know all too well over the next year and a half, and it meant 'I am going to do this and no one had better try to stop me.'"

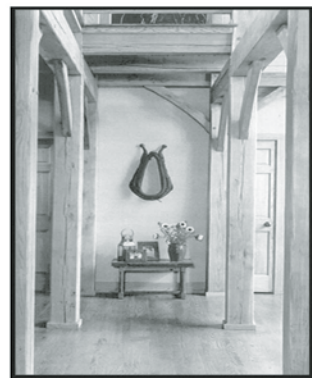
Eventually, hiking in the moonlight, they begin to feel a connection to a different culture, an older, nomadic way of life, as if they belong to the woods and stars.

It's a fun, refreshing read, just

right for packing in a daypack or leaving for friends along the trail.

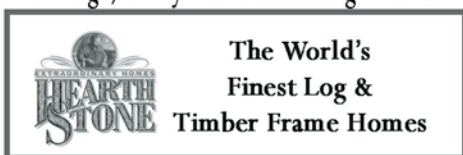
Other recent AT books include:

- *The Appalachian Trail Data Book*, by Daniel D. Chazin; *The Appalachian Trail Thru-Hike Planner* by David Lauterborn; and the *Appalachian Trail Thru-Hikers' Companion*, all published by the Appalachian Trail Conservancy
- *Awol on the Appalachian Trail* by David Miller, Wingspan Press
- *The Appalachian Trail: How to Prepare for & Hike It* by Jan D. Curran, Rainbow Books
- *A Walk in the Woods: Rediscovering America on the Appalachian Trail* by Bill Bryson, Anchor, Re-issued 2006



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TVA Coal Ash Disaster

Tennessee Crud

Appalachia plays host to yet another environmental disaster

Story by Bill Kovarik

At first, when a 55-foot wall of coal fly ash sludge broke loose from an earthen dam early Dec. 22 near Kingston, TN, the nation barely paid attention.

Initial reports from the Associated Press said there had been an isolated spill of "inert material not harmful to the environment," according to TVA.

Within two days, as observers with environmental and science organizations began to question reports about the size and toxic nature of the spill, at least five independent toxicological test efforts were launched. These included sampling by the U.S. EPA, Appalachian Voices in partnership with Appalachian State University, and United Mountain Defense working with the Environmental Integrity Project, Duke University, and others.

The disaster involved 5.4 million cubic yards of material, or an estimated one billion gallons of wet coal fly ash sludge. It was, officially, the largest toxic spill on record, and compares to a 300 million gallon coal slurry sludge spill on Oct. 11, 2000 at Inez, Martin County, Kentucky and to the 11 million gallon oil spill from the Exxon Valdez on March 24, 1989.

Using descriptions of toxic makeup of the sludge, it was possible to put together estimates of an enormous amount of carcinogens and neurotoxins released into the river. These included a witches' brew of 2.2 million pounds of arsenic, 5.6 million pounds of chromium VI, five million pounds of lead, nearly a million pounds of thallium and another



million of polycyclic aromatic hydrocarbons.

Experts expected to find evidence of contamination in the river, and they did.

"Of the 17 compounds we tested, eight of them popped out as significantly higher than they should have been," said Dr. Shea R. Tuberty of Appalachian State University, who conducted tests along with Dr. Carol Babyak.

"Arsenic was quite hot," Tuberty said, with levels at 3.06 parts per million, or 300 times higher than EPA's drinking water standard.

Testing by EPA, Duke University and other independent groups also showed a very high level of toxins in the river. (See sidebar)

In rather sharp contrast, results from TVA itself showed a far different picture, with arsenic 20 to 40 times lower



The December 22 coal fly ash disaster covered approximately 400 acres with a thick layer of toxic muck. Aerial photo by Dot Griffith Photography

On December 27, Watauga Riverkeeper Donna Lisenby paddled up the Emory River to the site of the spill to obtain water and soil samples, the results of which contradicted TVA's test results. Photo by Hurricane Creekkeeper John Wathen

than the drinking water standard or sometimes even below detection. TVA conceded that one sample from the river near the spill "slightly exceeds drinking water standards."

Senate hearing grills TVA chief Kilgore

As TVA's public relations efforts collapsed, the U.S. Senate Environment committee called a hearing with TVA head

Tom Kilgore as its star witness. Kilgore emphasized that TVA would "do cleanup right," but did not explain how.

Senators repeatedly asked Kilgore for a sign that he took TVA's leadership role in regards to environmental stewardship seriously.

With cleanup costs so high, one senator asked whether there aren't cheaper and

Continued on next page

A MONTH IN THE LIFE OF TVA

<p>Dec. 22 - 1 am A 55 foot wall of coal fly ash collapses into Emory River near Harri-man, TN, knocking one house off its foundation and damaging 11 others. No serious injuries are reported.</p>	<p>Dec. 23 First reports indicate that a 1.7 million cubic yard spill 15 homes and covered 300 acres.</p> <p>Dec. 24 New York Times describes the spill as a "vast amount of toxic coal sludge." TVA says it has not encountered any dead fish, contrary to eyewitness reports.</p>	<p>Dec. 25 TVA says fly ash "consists of inert material not harmful to the environment." -- Appalachian Voices flyover provides photos of the size of the disaster.</p>	<p>Dec. 26 TVA revises spill size to 5.4 million cubic yards, or about one billion gallons. This makes the spill the largest toxic waste event in US history.</p>	<p>Dec. 27 Southern Alliance for Clean Energy, said officials should more strongly encourage residents to avoid the sludge that surrounds their homes. Greenpeace asks for a criminal investigation. -- Appalachian Voices and Waterkeepers take citizen samples</p>	<p>Dec. 29 -- TVA says their samples "slightly exceed drinking water standards"</p>	<p>Dec. 30 New York Times reports that in just one year, the coal ash at Kingston included 45,000 pounds of arsenic, 49,000 pounds of lead, 1.4 million pounds of barium, 91,000 pounds of chromium and 140,000 pounds of manganese. -- A group of landowners sues for \$165 million</p>	<p>Jan. 1, 2009 Appalachian Voices releases results of Appalachian State University toxicity tests showing arsenic levels at 300 times drinking water standards. Results are reported in the New York Times.</p>	<p>Jan. 2 At a news conference, Kingston Mayor Troy Beets drinks a cup of water that he said came from his tap at home. -- EPA water samples from near the spill found arsenic levels in one sample 149 times the maximum allowable. Samples near the Kingston drinking water intake are within the federal limits, except for thallium.</p>	<p>Jan. 5 TN politicians agree that the spill is a "wake-up call" for greater environmental and regulatory oversight.</p>
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Water sampling shows variety of results

Wildly differing results from heavy metals sampling downstream from the ash spill have led to questions about the methods used by the TVA.

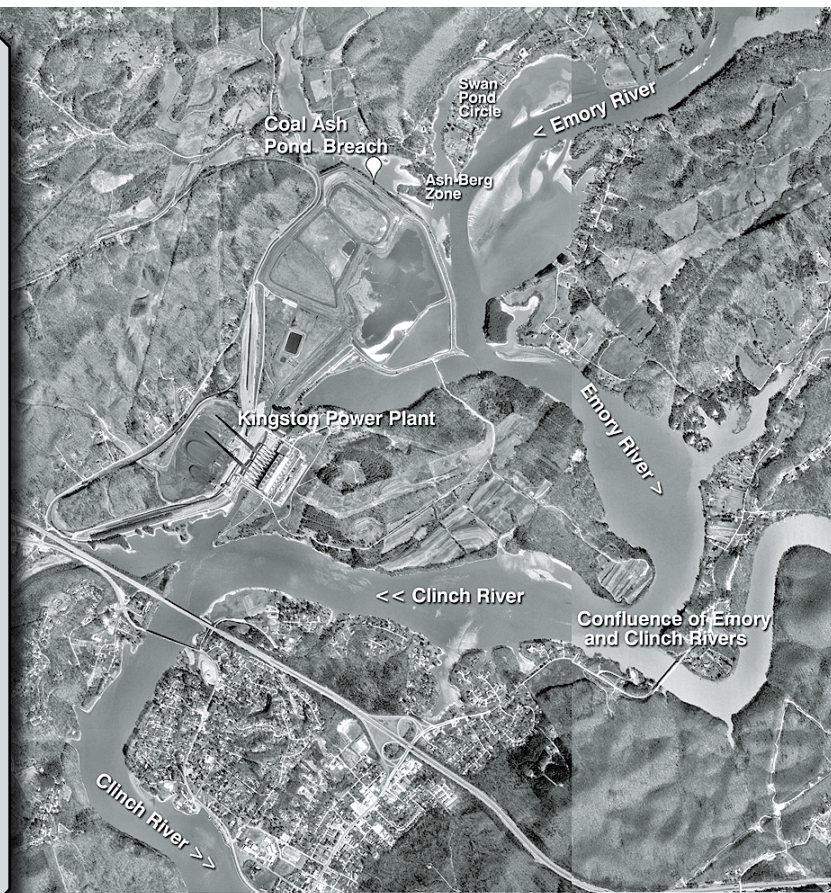
University and environmental groups, such as Appalachian State University – Appalachian Voices (ASU-AV), the Environmental Integrity Project/United Mountain Defense (EIP-UMD), and Duke University, all had

significantly higher results for arsenic. The Environmental Protection Agency (USEPA) also had a higher result for arsenic than TVA. Here are the sample results for arsenic (total metals) in river water near the spill.

Note: Results are given in parts per million (ppm), which is equivalent to milligrams per liter (mg/L). The EPA drinking water standard is no more than 0.010 ppm (mg/L). **

ORGANIZATION	DATE SAMPLED	ARSENIC RESULT	COMPARED TO DRINKING WATER STANDARD
USEPA	Dec.23	1.49	149 times higher
ASU - AV	Dec. 27	3.06	300 times higher
TVA	Dec 29	.0005	20 times lower
EIP - UMD	Dec 30	.084	8 times higher
Duke	Jan. 9	.095	9 times higher
TVA	Jan. 14	.00025	40 times lower

** Sometimes the results are reported as parts per billion (ug/L or micrograms per liter), in which case 3.06 ppm would be 3,060 ppb. For more information on drinking water standards for toxic chemicals, see <http://www.epa.gov/safewater/contaminants/index.html>



A composite map of the region surrounding the TVA coal ash spill, pictured in high resolution before the December 22 disaster.

<< marks indicate direction of river water flow

The Tennessee Crud

Continued from previous page

safer ways to generate electricity. No, Kilgore said: "Solar we don't have a lot of," and wind energy would cost "70 cents per kilowatt hour." In fact, TVA itself charges green power consumers only 2.6 cents more for wind power than for coal power.

Asked about conservation, Kilgore could only point to a feeble program that TVA started within the last few years.

Repeated questions about TVA's honesty met with stony resistance. New Jersey senator Frank Lautenberg asked why TVA told people that coal ash is not toxic, and not something to be alarmed about. Kilgore had no response.

By acknowledging TVA's ash disaster problems with an evasive phrase -- "this is not a proud moment" -- Kilgore could not have given the senators less. In frustration, Senator Barbara Boxer flatly commented on one Kilgore response: "That's not an answer."

A week later, two more TVA coal

sludge dams failed, a train full of TVA coal fell into a river, and a federal court ordered it to quit stalling on air pollution control equipment in a lawsuit brought by the state of North Carolina.

"Critics would say it looks like the wheels are starting to fall off at TVA," observed the *Chattanooga Times Free Press* in an editorial describing the agency's leaderless drift.

Fly ash had already been controversial

Every year, 120 million tons of fly ash make up the residue of 1.1 billion tons of coal burned for electricity. Coal waste is the second largest waste stream in America after municipal solid waste. A train with cars full of a year's fly ash production would stretch 9,600 miles.

Fly ash has often been used to make

grout, asphalt, Portland cement, roofing tiles and filler for other products, but only about 43 percent is stabilized that way, according to the American Coal Ash Association.

Fly ash disposal has become increas-

ingly controversial in recent years. Studies from the 1980s said that fly ash was harmless, but more recent scientific and EPA assessments have sounded alarms.

Continued on page 15

Jan. 6
Mine safety expert Jack Spadaro slams TVA: "State regulation has failed. I think there needs to be federal regulation of the fly ash and the construction of these reservoirs."

Jan. 8
US Senate EPW-committee hears Tom Kilgore of TVA and Steven Smith of the Southern Alliance for Clean Energy. Committee Democrats say they want federal regulation of all coal waste dumps.

Jan. 9
Two more TVA incidents take place. Repairs on a dam on the Ocoee River in East TN released foul black sediment into a former Olympic white-water run. A leaking pipe spilled coal combustion refuse into Widows Creek tributary of the Tennessee in Alabama. TVA initially says the material is harmless gypsum, but it turns out that it contains a high level of toxic metals and cannot be sold for wallboard.

-- TVA closes down incident response center in Harri-man, saying: "Air, water, soil and ash sampling results indicate that the air we breathe and the water we drink meet all government safety standards." Hope said. "We will continue to do the sampling and we will continue to provide those results as we receive them."

Jan 11
Press reports state distrust of TVA started with TVA's 20% rate increase and CEO Tom Kilgore pay raise of about \$500,000.

Jan 13
Second round of Appalachian Voices tests shows ailing fish with gills completely coated in ash and large amounts of ash in their bellies.

Jan. 14
TVA loses federal lawsuit over air pollution control equipment to state of North Carolina. The suit, filed in 2006, alleged that TVA was avoiding its responsibility under the clean air act and creating a nuisance for NC citizens. -- TVA reports spending \$1 million/day on cleanup.

Jan. 16
TVA's Sequoyah nuclear power plant hit with security violation by Nuclear Regulatory Commission.

Jan. 21
EPA tells TVA it will be a 'potentially responsible party' to toxic cleanup in the Ocoee Gorge area after the spill of Jan. 9.

Jan. 22
TVA settles fraud investigation with nuclear power contractor accused of failing to report injuries.

Jan. 28
Duke University releases report with findings of "Alarming high levels of arsenic ranging from 32 to 48 times primary drinking water standard in the river."

Altered Lives

THE HUMAN SIDE OF AN ENVIRONMENTAL DISASTER

Story by Sarah Vig

When looking at photographs of the TVA coal ash disaster in Roane County Tennessee, the enormity of the spill's environmental impact is immediately apparent.

According to some, the disaster could only be put into perspective from the air. But in other ways, the impacts are best seen on the ground. The human impact of this spill is part of this story, as people and their environments are intimately entangled. And, as with the environmental side of the story, we are not sure what the full extent of the impact will be.

Health is Primary Concern

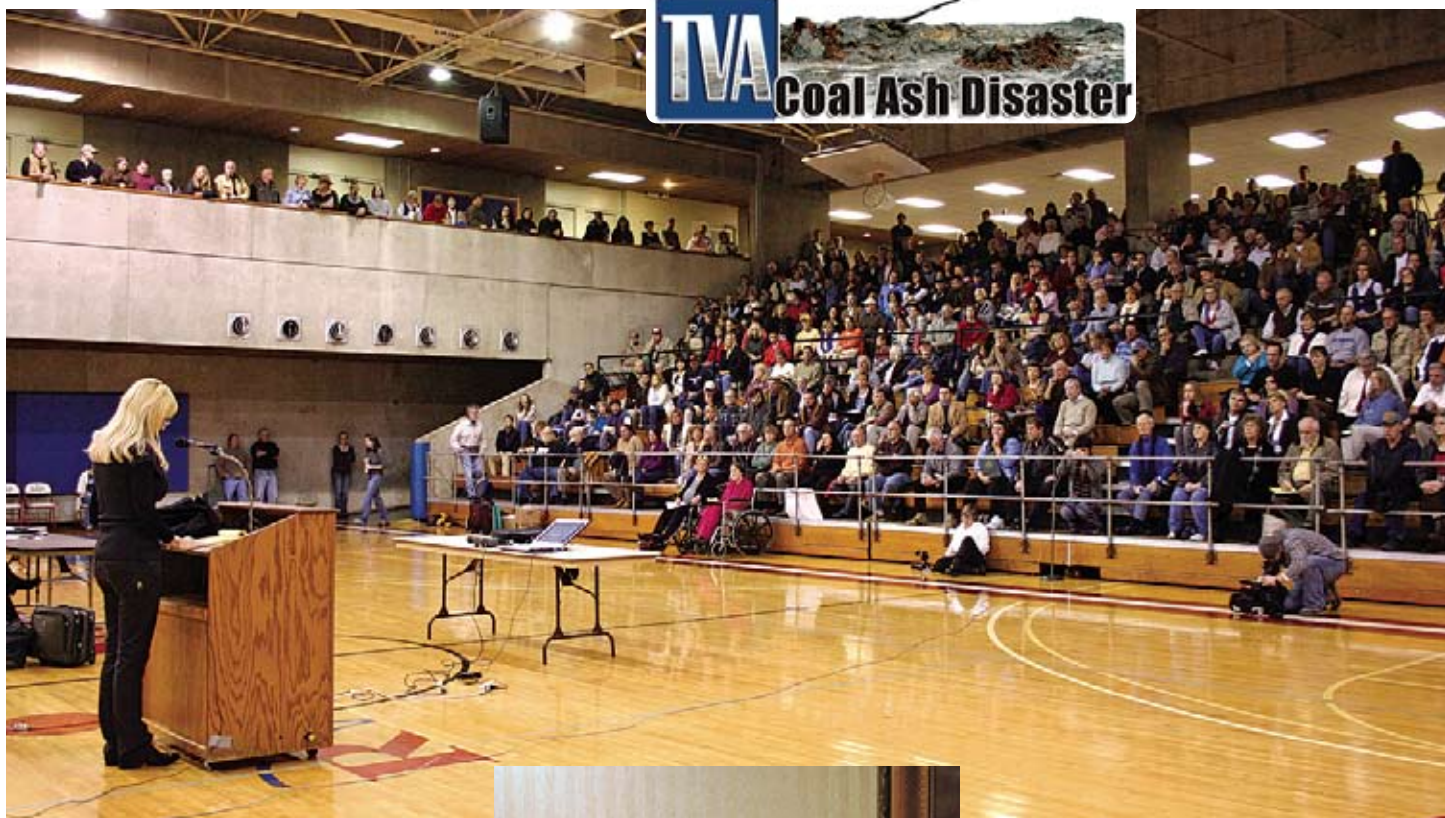
At a community meeting on January 8, several hundred people gathered to hold a forum on the impacts they were feeling in the aftermath. Some of them had come to see the 'real' Erin Brockovich, some to hear the legal advice offered by the NY-based firm Weitz & Luxemburg. Others came to air their concerns, their grievances, and their anger in a public forum. One man who came to the mic began by posing questions that were at the heart of many others asked that night. "What's going to happen?" he asked. "Am I going to die?"

Reports of acute health effects from residents living on the lake were many and varied from rashes to sudden and violent asthma attacks. Penny Dodson, a part-time nurse who also takes care of her 18-month-old grandson, Evyn, wasn't able to attend the meeting, but her concerns about the fly ash stem from Evyn's severe response.

Evyn was born premature at 33 weeks. His early days were not easy; he has several medical conditions, among them a seizure disorder, asthma, and a very sensitive digestive track. "He's a very high risk kid," Dodson admits.

After the spill, Evyn became ill and had to be rushed to the

Travis Cantrell has lived on the river for eight years, but, since the disaster is looking to relocate. In the photo (right) he stands in what was once his backyard.



Emergency Room. The doctor there informed Dodson that the problems Evyn had been experiencing were a result of irritation from the fly ash, specifically from breathing in airborne particulates. He advised them not to return home. "Avoid it, relocate, don't breathe it," Dodson cites.

Though TVA agreed to pay for hotel fees for Dodson and her grandson until they could be relocated, she feels TVA is "not being forthcoming" with information about the ash's potential risks to human health.

Dodson says she couldn't get the Material Safety Data Sheet (MSDS) on the coal ash from TVA when she requested it, a complaint brought up by a number of residents at the January 8 meeting. She says that when she raised concerns about breathing in the fly ash to TVA representatives both before and after Evyn began experiencing health effects, they told her not to worry. "The ash is wet, it won't be a problem," Dodson recounts.



But for Evyn it was; not only did they have to relocate immediately, they also could not bring any fabric or upholstered furniture with them to their new residence. This meant no rugs or carpets, no couches or upholstered chairs, and no beds.

Dodson knows Evyn is more sensitive than most others, but her grandson's illness feels like a warning, that the ash is harmful and it could make others sick. "Evyn was the first one that got sick. Why wasn't that shared?" Dodson asks.

Jobs and Homes Lost

Though only three homes were lost completely due to the spill, 42 pieces of property were damaged, and the economic impact from drops in property value,

Above: Legal consultant Erin Brockovich speaks to a crowd of Roane County residents in Harriman, TN. "It's your community--Take it back," she told the audience.

Right: Penny Dodson sits with her grandson Evyn. The two had to leave their home and relocate to a hotel after Evyn became ill from exposure to the fly ash.

Photos by Jamie Goodman

decreased tourism dollars will surely be felt in the coming year. Beyond these immediate and direct impacts, there are other, less obvious economic consequences. Speculations about potential rate hikes due to the cost of cleanup, for instance, are widespread in the community.

Richard Crass, Jr. and Teddy Argue, two men that work building docks on the now devastated lake area, drove down to Swan Pond Road to see how badly their business would be hurt. "They ruined it. The lake is ruined," Argue said, looking at the scene in utter disbelief. Even a full 2.5 weeks after the disaster occurred, the damage was still hard to comprehend. Especially considering the uncertainty of TVA's plans for the coves and the lack of a concrete timeline for cleanup, business for the two men didn't look very good.

Changed Perceptions

Since the disaster, many people's viewpoints on TVA and the Kingston plant have shifted dramatically. Both Dodson and affected resident Travis Cantrell say that they had some peripheral idea of the risks presented by the

Continued on next page



United Mountain Defense: On the Front Lines at TVA Spill Site

Story by Sarah Vig

Call them the environmental movement's equivalent of an emergency response team. Within only 14 hours of the dam failure at the Kingston Fossil Plant, United Mountain Defense mobilized. Having gained years of experience organizing and conducting water sampling in communities throughout Tennessee impacted by mountaintop removal mining, and with headquarters in nearby Knoxville, UMD was uniquely positioned to be on the ground at the disaster site and to get there fast.

The first thing UMD volunteers organized were door-to-door listening projects to determine the needs of the impacted community. There was an "overwhelming response that people liked to be listened to," according to Bonnie Swinford, one of UMD's lead organizers. Through these projects, the UMD volunteers found that people "knew very little about what was happening at the plant and what was in the fly ash," Swinford said.

Following the listening projects, UMD began a number of efforts to address residents' concerns. They printed and distributed copies of informational material, which helped elucidate what materials the fly ash contains, they also began distributing bottled water, collected water samples at a number of sites around the spill area, and organized the first community meeting on January 3, 2009. But that was just the beginning.

They are working now to train the residents them-



United Mountain Defense volunteers arrived at the disaster site within 14 hours to find almost unimaginable destruction (above). Matt Landon (right), a full-time volunteer for UMD is shown here taking ash samples to be tested, one of the many activities initiated by the TN-based grassroots group. (Photos courtesy of United Mountain Defense)



selves to take on the community organizing that UMD initiated following the spill. Matt Landon, a full-time volunteer staff person for UMD recounted giving a "documentation pep talk" to a resident who approached him with a concerning story following one of the meetings UMD helped organize. "If there's any way you can get out there with a camera and just document what you're seeing, that will be really important," Landon told the man, who said he had seen

a dump truck washing the coal ash off into the front yard of his relatives.

In late January, a neighborhood group, the Tennessee Coal Ash Survivors Network (TCASN) formed to continue organizing impacted residents, ensuring accurate and continued air and water quality testing, and keeping the issue in regional and national newspapers.

Currently, one of UMD's primary projects is ensuring accurate air quality monitoring is being conducted using the proper equipment. Landon and members of TCASN are training on how to construct and use low volume air monitors that are housed inside a five gallon plastic bucket (for more information go to www.bucketbrigade.net). Landon says the greatest challenge they have faced since coming to the area is "getting the regulators to take up their responsibility in holding TVA responsible to cleaning this disaster up in the best way."

In some ways the TVA coal ash disaster has turned some residents into activists virtually overnight. What was once a "sleepy little community" has become an epi-center of the environmental justice movement, and its residents are "ready to debunk the myth of clean coal," according to Swinford.

UMD says its plans are to continue working with the residents of Roane County as long as they can. "We've made lots of relationships and friendships," Swinford says. "This will just be one more coal impacted community that we will continue working in."

Altered Lives

Continued from previous page

nearby coal-burning plant, neither had any knowledge of the scale of possible damage. "We live here knowing that's it not a good place to live," Cantrell says looking out at the water. "The cancer rate around here has been high for years, you'll see signs around saying 'do not consume so much of this fish per year'

we thought that was what we had to live with from up there [the nearby Oak Ridge nuclear facility], and I guess people have learned to deal with that," he explains. But few knew that an ash spill was even possible, Cantrell says, "We didn't know this could happen at all, we didn't even really know what that [the coal ash pond] was."

A way of life taken away

Cantrell lived on Swan Pond for

eight years. "We used to party out here until two or three in the morning in the summer," he says, pointing to a crumble of aluminum siding partially submerged in coal ash, which used to be their boathouse. Cantrell says he came outside the morning after the spill to an unrecognizable sight. "I was like 'whoa, where'd it go?'"

With the river and coves inundated with ash and the environmental integrity of the area drawn into question,

many are questioning whether they will stay or go. Cantrell will leave as soon as he can, considering himself fortunate to have been leasing when the disaster occurred. "Long as I am took care of, I'm happy," Cantrell says with a shrug, "I just want out of here." Dodson feels differently. "Everything we have is there," she says, referring to her rented home on Swan Pond Road. "Right now, that's still my home irregardless [sic] if I own it or don't own it, that's my home."

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Coal Ash Cleanup Effort Comes in Phases

Story by Sarah Vig

"A clean-up can either be done right or it can be a ticking time bomb," California Senator Barbara Boxer cautioned TVA CEO Tom Kilgore during the Environment and Public Works committee's oversight hearing on the recent coal ash spill at the Kingston Fossil Plant near Harri- man, TN.

In response, Kilgore promised a "first-rate job" of cleaning up the af- fected area. "It is not a time when we hold our heads high, but it is a time when we will look our neighbors in the eye and say 'We will stay on the job until it's finished. We are going to do this and do it right,'" Kilgore told the committee members.

At the time of the hearing—held on January 8—TVA's plans for cleanup were still largely unformed. They were in the process of seeding the ash with hydro- seed and hay dropped from helicopters in an attempt to prevent the ash from becoming airborne. They knew that the next step would be dredging the river,



but due to the possibility of deep-lying radioactive sediment—historic pollution discharged from the Oak Ridge nuclear facility upstream—their dredging plans had to be approved by the Watts Bar Interagency Working Group. According to a Knoxville News report, the working group unanimously approved the plan, and it now awaits approval by the Ten- nessee Department of Environment and Conservation (TDEC) and the U.S. Army Corps of Engineers.

TVA's proposal involves dredging the ash from the river channel using hy- draulic dredges. The proposal includes pumping the material through a pipe to the onsite sluice channel, allowing it to dry, and then moving it to a temporary storage location onsite.

Gil Francis, a TVA spokesperson indicated that TVA would not be able to begin dredging until "four to six weeks after the permitting process is

complete." Their plan estimates March 2 as an "early start" date. Even after the plan is approved, both an ash recovery and a temporary ash storage area must be con- structed. There is no timeline for the completion of dredg- ing at this time.

Until the dredging begins, coal ash is being retained by a 615-foot underwater rock weir built on the Emory River, just north of the existing plant intake skimmer wall. The weir will allow water to continue flowing and retain the ash at the bottom of the river channel.

Feelings on the speed or effectiveness of TVA's cleanup plan are mixed among area residents. Travis Cantrell, who was living on one of the river's inlets before the spill, expressed some skepticism about the plans for the cove TVA had outlined in their correspondence with him. "They're go- ing to come in here [and] remove all the trees ... they're going to remove all the waste out of here and pretty much come through, level it off, bring rock and sand in and sod it," Cantrell informed us. With appeal of lakefront property gone, Cantrell says he will be relocating.

Cantrell's neighbor, Nancy Hall, however, is more optimistic, and will be staying put. "We feel like TVA is going to do it," she said. According to Hall, TVA has been "excellent" about keeping



A helicopter drops a load of hay and hydroseed onto the ash near Swan Pond Circle in an attempt to prevent the ash from becoming airborne. Both ash recovery and temporary storage areas will have to be constructed before the ash can be removed from the Watts Bar Lake area. Photo by Jamie Goodman

in touch with them since the spill and keeping them informed.

TVA Spokesman Francis could not officially verify Cantrell's statements regarding TVA's plans for the coves, as each step of the clean-up process must be reviewed according to National Envi- ronmental Policy Act (NEPA) standards. NEPA requires an Environmental Im- pact Assessment for all federal agency actions. According to Francis, anything beyond the Phase I dredging is a "plan that obviously hasn't been made yet."

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How TVA Could Lead Utilities Into the Future

Story by Bill Kovark

Old fashioned utilities used to make money by selling electric power. In a bygone era, making money by NOT selling electric power seemed unthinkable.

A few weeks ago, Virginia Gov. Tim Kaine stood the old logic on its ear by saying that "it just makes no sense" not to conserve.

"Under current law, we guarantee a rate of return for a utility building a new coal plant, but not for investments that promote conservation," Kaine said in a Jan. 14 State of the Commonwealth address.

As it turns out, Virginia is only catching up by recognizing this new reality for electric production. In most states, conservation services have already become a standard part of the utility business.

In contrast, conservation and renewable energy programs at TVA and most other utilities in the Appalachian region have been half-hearted at best. But doesn't have to be that way, many people are insisting.

"TVA was born out of crippling economic times," said Southern Alliance for Clean Energy chair Steven Smith. "As we find ourselves again in difficult times, this is an opportunity to remake TVA as an effective utility in the 21st century."

TVA's average electric rates are low. The agency's 6.96 cents per kilowatt compares favorably with California's average 11.8 cents per kilowatt. Yet, California consumers use 50 percent less electricity, in effect, paying less

than TVA consumers for the same service, and with less pollution.

The difference in approaches between TVA and more progressive utilities involves the idea of making money from saving energy as well as producing it.

Most utilities offer at least some token conservation incentives to consumers. TVA offers residents of Sevier County, for example, \$100 for buying an energy efficient water heater or loans for heat pumps. Still, it's a far cry from, say, the \$5,000 of rebates per residence available in Riverside CA, or the Burbank, CA green building incentive of up to \$30,000. These rebates avoid new power cost, and the value of this avoided cost can be high.

Conservation is valuable

The cost of new power plants has gone up by about 70 percent in three years, according to a May 27, 2008 Wall Street Journal article, making the value of energy conservation all the greater.

The value of avoiding a kilowatt hour of production can vary from 5.3 cents to 15.7 cents, considering the cost of emissions control as well as a portion of the national security benefit of reducing oil use, according to Charles Gicchetti of the University of Southern California.

For example, the Natural Resources Defense Council estimated that the benefit of saving energy from Duke Power Company's controversial new Cliffside power plant in North Carolina would be between 3 and 6.3 cents per kilowatt hour, considering the avoided cost minus



the actual expense of conservation efforts.

In Virginia recently, a governor's commission reported that energy conservation measures could reduce current electric consumption by at least 19 percent by 2025, even with adjustments for population growth.

"Our long-term planning should recognize that conservation is just as important an energy source as new construction," Kaine said. "We should treat conservation investments at least as favorably as new generation investments, and my bill will do that."

TVA has a small wind energy program, and voluntary purchases of green power are available at about 2.6 cents extra per kilowatt hour. But in 43 states, Renewable Portfolio Standards mandate that utilities will produce a portion of the state's energy with wind, solar, biomass or other renewable energy sources.

Virginia and North Carolina both passed legislation last year requiring 12 percent of energy production from renewable sources by 2022.

TVA doesn't need to wait for state legislation. As a federal agency, it has always been expected to lead. Or, at the very least, it doesn't need permission to follow.

"TVA must be a living laboratory, modeling a clean energy future heavily invested in energy efficiency, renewable energy and smart-grid technology," Smith said in his Senate hearing testimony.

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Dust to Dust THE CYCLE OF COAL

MINING

Mining is the extraction of coal from the earth; however, all forms of mining are not created equal. Mountaintop removal mining is the most environmentally destructive form.

ENVIRONMENTAL IMPACT

- Irreversibly changes the landscape, typically removing hundreds of feet of elevation
- The common practice of valley filling, where the "overburden" from the blasting is dumped in the adjacent valleys, buries mountain rivers and streams
- Further pollutes water with runoff of toxic heavy metals such as arsenic, lead and selenium, and increases the instance of catastrophic floods

WORST OFFENDER

The Hobet mining complex near Mud, West Virginia is one of the largest contiguous mountaintop removal mines, covering more than 10,000 acres (15 square miles).

CLEANING

Coal "beneficiation" is the process of cleaning and sizing coal so that it can be used in coal fired power plants. Sometimes it is described as environmentally positive, since it removes up to half the sulfur that can produce sulfur dioxide in air emissions. However, it also leads to enormous water pollution and public safety problems.

ENVIRONMENTAL IMPACT

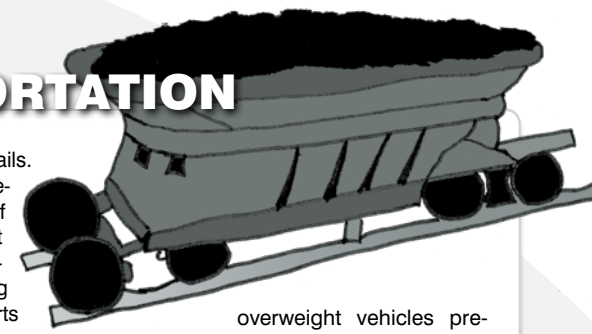
- Sludge dams – More than 600 in Appalachia, at least 45 considered at high risk of failure.
- Contamination -- High levels of arsenic, mercury, lead, copper, chromium and other contaminants in drinking water supplies
- Historical risk – The worst dam breach in history occurred at Buffalo Creek in West Virginia in 1972 that killed 125 people. Another was the sludge dam breach in Martin County, Kentucky in 2000, that resulted in the release of 300 million gallons of sludge without death or injury.

WORST OFFENDERS

Brushy Fork sludge dam – At 900 feet, holding over 8 billion gallons, Brushy Fork coal slurry impoundment in Raleigh County, WV, is one of the tallest and most dangerous dams in the World. The Shumate sludge dam, also in Raleigh County, has 2.8 billion gallons of sludge, and is 15th down the list in terms of dam sizes; but Shumate has the special distinction of its extraordinary proximity to Marsh Fork elementary school.

TRANSPORTATION

Coal dominates the rails. In 2006, coal represented 44 percent of all railroad freight, but only 20 percent of railroad income. Serving the coal industry diverts railroads from developing economic and socially higher value uses of rail transportation. Coal is also moved in the coal fields by truck and in some cases through coal slurry pipelines.



overweight vehicles presenting serious safety hazards.

- Coal slurry pipelines use scarce water to move coal from mines to generating stations.

WORST OFFENDER

Peabody Coal Co.'s Black Mesa project, a 273-mile pipeline that moved coal from an Arizona mine to a generating station in Nevada. The process used a billion gallons of scarce desert water a year until it was stopped by a lawsuit in 2005. The Bush administration approved a re-start of the pipeline in December 2008, but the Obama administration is unlikely to allow it to go forward.

ENVIRONMENTAL IMPACTS

- Trains derail fairly frequently, spilling coal and other cargo. A raw coal spill is not as hazardous as a fly ash spill or a sludge spill, but it is serious.
- Coal trucks are a safety hazard in West Virginia and Kentucky, and coal region residents are angry about poorly maintained and

CONSUMPTION

Electricity. It's one of the biggest reasons this cycle started, and America's demand for energy feeds its continuation. Over 90 percent of the coal used in the U.S. is used to generate electricity.

ENVIRONMENTAL IMPACT

Electricity's illusion of cleanliness means consumers are sometimes unaware of where their energy comes from or how energy efficient (or inefficient) their usage is.

WORST OFFENDER

According to 2005 data, Wyoming consumes the most electricity per person of any state in the nation, using 27,787 kilowatt hours (Kwh) per person per year. Appalachian states follow close behind; Kentucky (21,414 Kwh), Tennessee (17,446 Kwh), West Virginia (16,621 Kwh), North Carolina (14,798 Kwh), and Virginia (14,390 Kwh) rank second, sixth, 11th, 16th and 22nd respectively. To give some perspective, the most efficient state per capita, California, used only 7,032 Kwh per capita. Georgia (14,483 Kwh/capita) and North Carolina rank first and second in usage of mountaintop removal coal in the nation.

In America today, half our electricity is generated from coal. Each kilowatt hour of electricity we use requires about one pound of coal to be burned. One kilowatt hour, or one pound of coal can run:

- 10 light bulbs for an hour
- A refrigerator for half an hour
- An air conditioner or water heater for 15 minutes.

Information from the film documentary *Kilowatt Ours*

The average American home burns 30 kilowatt hours in a single day. That's more than 900 kilowatt hours per month. In a single year, the typical American home burns more than FIVE TONS of coal.

WASTE AND DISPOSAL

As regulators attempted to curb air pollution caused by coal-fired power plant emissions, more and more coal fly ash is captured and stored. Though 48 percent of the ash is recycled into building materials such as asphalt and dry wall, slightly more than half is put either in landfills or kept in wet storage ponds.

ENVIRONMENTAL IMPACT

Coal contains trace elements of several potentially toxic heavy metals, which, being uncombustible, increase in concentration by approximately 10 times in fly ash as compared to the original coal. Concerns arise from potential seepage of these metals into groundwater from dry or wet coal ash storage facilities (many are unlined). In the instance of spills, concerns of contamination and exposure to heavy metals, as well as respiratory dangers posed by the ashes crystalline silica content, obviously increase.

WORST OFFENDER

The release of approximately 5.4 million cubic yards of wet coal ash (more than double the 2.6 million cubic yards initially said to be in the pond) from TVA's Kingston Fossil Plant coal ash storage facility in late December 2008 is the worst industrial spill in U.S. history and the largest environmental disaster ever recorded in the Southeast. From 2002 to 2006, the Kingston Fossil Plant was the 7th highest consumer of mountaintop removal coal; between 53 and 57 percent of the plant's coal came from mountaintop removal mining operations.

POWER PLANTS

Coal-fired power plants produce enormous amounts of sulfur oxides and nitrogen oxides (which contribute to acid rain) as well as particulate matter, ozone, and greenhouse gasses.

Sulfur oxide emissions are down 33 percent since 1983 due to early air pollution regulations, but could have gone down much further if the utility industry had been willing to comply with the Clean Air Act of 1990. Sulfur dioxide in the air causes serious breathing problems for people and is a major cause of acid rain, which has impacted forests and wildlife in Appalachia.

Nitrogen oxide emissions have also been reduced due to air pollution regulations, but also could have been further reduced. Exposure causes lung dysfunctionality and high atmospheric concentrations contribute to acid rain.

ENVIRONMENTAL IMPACTS

- The "Cone of Death" -- Small particle pollution, along with sulfur and nitrogen compounds, have been shown to have detrimental health effects on those living in the area near coal-fired electric power plants. Those

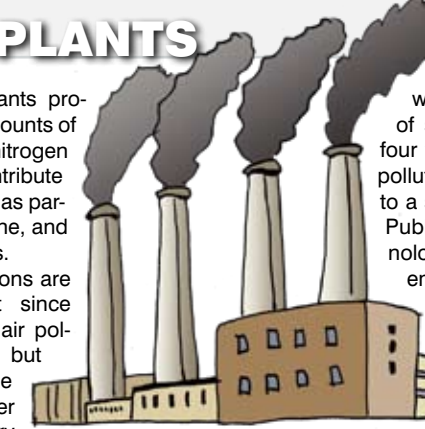
who live within a 30-mile radius of smokestacks are at a three to four times higher risk of death from pollution-related causes, according to a study by the Harvard School of Public Health and others. The technology to cut down on particulate emissions is expensive, and coal utilities have been reluctant to employ it.

- Acid rain – Sulfur and nitrogen compounds released by coal-fired electric power plants can create rainfall that is more acid than vinegar. Animals and plant life regularly exposed to acid rain do not survive.

Global Warming - Coal-fired power plants are America's single largest source of greenhouse gas emissions.

WORST OFFENDERS

TVA's 11 coal-fired power plants failed to take appropriate action to mitigate air pollution, according to a lawsuit filed by the state of North Carolina in 2006. The suit was decided in North Carolina's favor early in 2009, saying "TVA has engaged in conduct ... that unreasonably interferes with or obstructs [the] rights [of] citizens of North Carolina."



The Greenwashing of Coal

Coal-generated electricity may never be a green commodity, but that hasn't stopped the coal industry from trying to add a verdant spin to their product.

In an effort to combat the growing awareness among the general populous that burning coal to generate power is bad for our health, economy and

Increasingly, however, everyday individuals are shocked, appalled, and even amused at the coal industry's PR antics. Take, for instance, the now infamous "Clean Coal Carolers" of this past Christmas season. Lumps of coal sporting ear muffs and scarves with sang Christmas songs altered into coal promotion ditties, including "Frosty the Coal Man," "Clean Coal Night" (sung to the tune of "Silent Night"), and "Deck the Halls (With Clean Coal)." The publicity stunt was so poorly received that the "carolers" page was taken down from the America's Power website after only a week, with a note:



"We had fun this week with the Clean Coal Carolers and hope you enjoyed them. They did a nice job singing about how coal has become cleaner over the last few decades and about all the clean coal technology projects taking place across the country. Now it's time for them to head home for the holidays."

planet, public relations campaigns for the coal industry have spent millions of dollars of private—and taxpayer—monies to advertise what they call the "viability" of coal. From commercials on cable television to billboards in urban areas, the coal industry is trying hard to convince people that coal is in fact good for our world.

That's about as believable as clean coal.

THE DIRTY LIE.COM

Clean Coal? That's a dirty lie. At least, that's the message behind a new campaign organized by Waterkeepers Alliance meant to counter the clean coal hype coming from the coal industry.

The campaign's hub is a website (www.thedirtylie.com) that will house video and editorial content and provide visitors with interactive tools to become anti-coal activists. At the core of the campaign is a "list of lies" purportedly perpetuated in the interest and by the interests of the coal companies.

The site, which will be unveiled to the public Feb. 24, exposes the lies using scientific and legal facts, videos and graphics, revealing the shocking truths about the destructiveness of the entire coal cycle—from its role in propping up an antiquated fossil-fuel-based economy to its adverse effects on watersheds, health and communities.

According to a message from the

campaign's spokesperson, "The DirtyLie.com is a fact-based online campaign that strives to 'debunk the clean coal con.'"

"From the mining process to the disposal of ash after it is burned, there is no part of the coal industry that is good for the environment, good for waterways or good for people," said Upper Watauga Riverkeeper, Donna Lisenby. Lisenby is one of nine Waterkeepers across the nation working closely on the project.

The site, with a carnival sideshow feel and an impressive degree of interactivity, promises to be a provocative counter to coal-sponsored PR.



Coal River Mountain

The Line in the Sand for Mountaintop Removal?

Story and photos by Jamie Goodman

For those who support alternative energy and oppose mountaintop removal, a line has been drawn in the proverbial sand. That line is at Coal River Mountain, West Virginia.

Bulldozers have continued to clear trees and topsoil from Coal River Mountain, a peak that could potentially provide some of the best wind power in the entire state of West Virginia. In late November 2008, a permit was issued to Marfork Coal Company, a subsidiary of Massey Energy, to proceed with mountaintop removal coal mining on the top of Coal River Mountain.

Simultaneously, non-profit organization Coal River Mountain Watch (CRMW) hired scientific consultants Downstream Strategies to conduct wind and economic feasibility studies on the mountain, releasing their findings on December 9, 2008. The findings served to cement what CRMW and many local residents had been saying all along—Coal River Mountain is an almost perfect location for setting up a wind farm.

West Virginia residents and conservationists alike flooded the office of state Governor Manchin with phone calls, emails and letters begging him to intervene and rescind the permit and to allow further studies of the wind potential of the mountain. But the Governor ignored public opinion in support of a Coal River Mountain wind farm, and the West Virginia Department of Environment Protection pointedly excluded public comment on the mining permits.

Though pro-mining entities would say otherwise, Coal River Mountain Watch—created when a group of local residents teamed up with environmentalists opposing mountaintop removal—is not opposed

to coal mining in general. The overarching message of this organization is to encourage the mining company to mine coal responsibly while pursuing alternative energy possibilities. For CRMW, this means underground mining, which creates more job opportunities for local residents than mountaintop removal mining while leaving the mountains relatively unspoiled. Combined with a wind farm, their proposal would create even more jobs for local residents as well as provide another revenue source for Massey Energy.

"This is one of the most progressive environmental movements I've ever seen," said Jeff Deal, IT specialist with Appalachian Voices. "It is a movement that is under-recognized nationally, and it is poised, it is ready."

But blasting for the first part of the operation could begin at any time, very close to a nine-billion-gallon toxic coal waste sludge dam called the Brushy Fork impoundment. Local residents have expressed concerns about the possibility of blasting causing a catastrophic dam failure at the sludge impoundment. In 1972, a sludge dam operated by Pittston Coal Company failed and killed 125 people in Buffalo Creek, WV. And in 2000, a sludge dam operated by Massey Energy in Martin County, KY released approximately 300 million gallons of coal waste that broke through into underground mines.

The Brushy Fork impoundment on Coal River Mountain also rests above old underground mine chambers. "I fear for my friends and all the people living below this coal sludge dam," said Gary Anderson, who lives on the mountain near the site. "Blasting beside the dam, over underground



Coal River resident Lorelei Scarbro (above, center) reads a letter intended for Massey Energy CEO Don Blankenship to a representative from Marfork Coal Company. The letter insists that Massey Energy cease preparations to blast Coal River Mountain and consider the wind potential of the mountain as an alternative to mountaintop removal mining.

mines, could decimate the valley for miles. The 'experts' said that the Buffalo Creek sludge dam was safe, but it failed. They said that the TVA sludge dam [near Harriman, TN] was safe, but it failed. Massey is setting up an even greater catastrophe here."

"If they're going to keep coal here," Anderson continued, "they're going to have to mine responsibly. Who gives anyone the right to blow up the mountains to mine the coal?"

On February 3, 2009, members of the local community, regional citizens, and concerned environmentalists crossed the invisible line in two separate displays of non-violent protest. In the first, five people chained themselves to a bulldozer and an excavator near the mountaintop removal site on

Coal River Mountain in the early morning hours. Beside them in the snow lay a large banner that said "Save Coal River Mountain," and another one saying "Windmills, Not Toxic Spills" hung across the excavator beside a windmill prop. All five individuals, plus a videographer, were arrested, cited for misdemeanor trespassing, and released.

During the second event that same day, several dozen people from the region converged at the mine's main gate, bearing signs and a letter intended for Massey Energy CEO Don Blankenship which insisted that Massey cease the mountaintop removal operation on Coal River Mountain. A representative of Marfork Coal Company, accompanied by state police, met the protesters at the line—in actual-

Continued on next page

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The Tennessee Crud

Continued from page 7

Environmental groups have been alarmed at the groundwater contamination by heavy metals from coal fly ash. Incidents have taken place all over the country where old fly ash deposits have broken loose, contaminating neighborhoods, threatening health and reducing property values. Fish and other species die quickly when directly exposed to fly ash, and those exposed indirectly accumulate heavy metals in their bodies, harming the ecosystem and posing a serious health risk to anglers.

Undeterred, the coal and utility industries kept insisting that fly ash was harmless. Yet in 2003, EPA identified over 70 sites nationwide where fly ash and similar coal power plant waste has contaminated

surface and groundwater. The next year, 130 environmental groups petitioned the federal government to stop allowing fly ash to be dumped where it could come into contact with drinking water supplies.

At the time, EPA put off a decision on new regulations for 18 months. Five years later, regulations have yet to be written, although two years ago, a National Science Foundation report urged EPA to begin regulation.

In the summer of 2007, the EPA released a national risk assessment on coal fly ash disposal. One of the most important factors involved in risk was whether runoff could carry contaminants away from the site and into groundwater.

Cancer risk from arsenic is one of the biggest issues with fly ash. People drinking groundwater contaminated by a coal waste landfill that did not use a plastic liner had

a 10,000 times greater than allowable risk of cancer, the EPA said. Other risks include high levels of mercury, lead and other heavy metal contaminants.

Communities in Indiana, Pennsylvania and Maryland have already experienced severe fly ash problems. Water supplies had to be shut down in 2004 in the town of Pines, Indiana, and families were provided with bottled water after molybdenum showed up in the town's drinking water.

In September of 2007, the Boston-based Clean Air Task Force and EarthJustice released a report on the use of coal fly ash to fill in Pennsylvania mines. In 10 of 15 mines examined across the state, groundwater and streams near areas where coal ash (or coal combustion waste) had been used as fill material contained high levels of arsenic, lead, cadmium, selenium and other pollut-

ants above safe standards.

Also in 2007, residents of Giles County, VA filed a lawsuit over coal fly ash landfills being placed by American Electric Power adjacent to the New River. They said that landfills posed a danger to people and to the recreational uses of the river.

In November 2008, residents of Gambrills, Maryland, settled a class action lawsuit against a power company for \$45 million after water supplies were contaminated by a fly ash landfill.

Though a National Academy of Sciences report in 2007 said it would be safe to fill abandoned mines with coal fly ash, the Clean Air Task Force and EarthJustice, which have been pushing for more regulations, disagreed: "The public has been told for decades that these coal wastes are not hazardous—it's time to end that fraud."

Coal River Mountain

Continued from previous page

ity a set of railroad tracks—and listened to Coal River resident Lorelei Scarbro read the letter intended for Blankenship. Scarbro and seven other protesters then stepped over the line and were arrested for misdemeanor trespassing. The violation carries a fine of up to \$100.

Massey Energy company had no official reaction to the protests or to the blast-

ing safety issue, but told the *West Virginia Gazette* that "if environmental groups think wind projects are such a good idea, they should buy land, obtain permits and build such projects themselves."

According to Sergeant Michael Smith of the West Virginia State Police, "[The protesters] just wanted to voice their opinion. Some of them indicated to me that with the new president they felt like they could get a bigger voice in the public, and so that's

what they were doing. As long as they're not violating any laws, they have the right to a peaceful protest. The trespassing issue, we have to stop that immediately, it's just breaking the law."

"We hope this action will reach national media to bring attention to what's happening in Appalachia," said local resident Judy Bonds. "It's going to take action from the federal government. It's going to take national regulations and the Obama

administration stepping in."

"If Massey Energy wanted to do the right thing," Bonds continued, "they would withdraw those permits and help us put the wind farm up."

"We need to go with the better energy option, and that's a wind farm, which is perfect for Coal River Mountain," said Gary Anderson. "We could have a green energy future for the country, starting right here."



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Across Appalachia

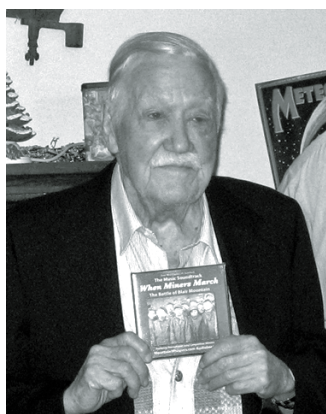
To keep up with the latest, see www.AppalachianVoices.org

William Blizzard, Writer and Son of Blair Mountain Leader, Dies

Mourners wearing red neckerchiefs laid William Blizzard to rest amid refrains of the old Union hymn, "Solidarity Forever" and the sound of rifle volleys from the Veterans of Foreign Wars echoing over a Charleston, WV cemetery.

Blizzard died in December 2008 and was buried in January.

A writer and photographer, William Blizzard was the son of Bill Blizzard, the man who led the "Red Neck Army" in the 1921 Battle of Blair Mountain. Although William was a child at the time, he heard stories of the battle while growing up and remembered events sur-



William Blizzard on his 90th birthday in 2006. Photo courtesy of *The Charleston Gazette*

rounding his father's trial for treason in 1922. The trial ended in acquittal.

Blizzard's memories and research were published in a series of columns in 1952 and republished by Wess Harris in 2004 as the book *When Miners March*. Blizzard's work was the only first-hand account of the Union side of the battle and subsequent treason trials. Blizzard was a living link to one of Appalachia's most important and least known chapters of history, Harris said.

"Bill Blizzard wrote the definitive story about the struggles of coal miners in Southern West Virginia to win justice for themselves and their families through the United Mine Workers Association," Cecil Roberts, president of the UMWA, told the *Charleston Gazette*. "He wasn't just a bystander, he was there."



Wess Harris, publisher of Blizzard's book "When Miners March," Ross Ballard, Appalachian storyteller who teaches at John Hopkins University, and Molly Louise Thompson during the memorial service for Blizzard in January 2009. (Photo by Bill Kovarik)

Make Green By Thinking Green

Green Business Seminar February 24 at Appalachian State University

Story by Sarah Vig

People don't always associate doing good things for the environment or "being green" with business savvy. According to Ged Moody, Appalachian State University's Entrepreneur-in-Residence, however, today's economy means that "going green" is an important way for businesspeople to add value to their products and potentially conserve resources while they're at it. "You can think green and make green," Moody says.

This mindset is what prompted the university's Center for Entrepreneurship to organize a "Realizing Green Business Opportunities" seminar and networking event, set to be held on Tuesday, February 24 at 5:30p.m. on the ASU campus, located in Boone, N.C.

Moody will speak at the event, as will Scott Suddreth, the technical program director with Building Performance Engineering. There will also be presentations by renewable energy and business consulting experts. Following this, nearly 30 existing green businesses, business incubators and related community organizations from the Boone area will be answering questions as part of a casual, networking event.

The intent of the event is to provide interested community members with two important areas of information: a solid understanding of the technologies involved in this emerging area, and how a new or existing business could take part in this "green economy."

There is no cost to attend, but registration is required. The event will take place in the Blue Ridge Ballroom in the ASU Student Union, and food and beverage

ages will be provided for all attending.

To register, or for questions, contact Julia Rowland at rowlandja@appstate.edu or at (828) 262-8325.



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Across Appalachia

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Tennessee Grandfather Cleans Up Creek, Wins Volunteer Award

Sierra Club members Carl and Iva Lee Wolfe moved from Florida to Mountain City, Tennessee, three years ago, after Carl retired. That's Carl at left, pictured, with granddaughter Mariah.

"We were impressed with the beauty of the area," says Iva Lee. "But the condition of the road and the nearby Falls at Fall Branch was a disgrace." For years people had been tossing trash onto Fall Branch Road and dumping garbage, tires, old appliances, gas tanks, and assorted junk into the branch, which flows into Lake Watauga, a source of drinking water for the area.

After finishing work on the couple's mobile home, Carl, then 68, began venturing out to bag trash along the road. But he soon deepened his commitment—literally—rappelling

50 feet down into the creek to clean up trash at the base of the falls. "Some folks said it couldn't be done," he says, "but when someone tells me I can't do something, I want to prove I can."

The pace picked up in 2007 when Mariah moved to town and began helping out, pulling up the trash by rope that her grandfather had bagged. Over the last six months they have hauled more than 60 large garbage bags out of the creek, emblazoned with Carl's handwritten message.

Carl and Iva Lee speak at Kiwanis and Sierra Club meetings, encourag-



ing others to get involved. Carl also volunteers at the local recycling center and transfer station. This fall he was

nominated by the mayor for a Governor's Volunteer Award, presented by Volunteer Tennessee to one person from each county in the state. Carl received his award on October 27 in Nashville.

"Carl is a humble man," says Iva Lee, "but he hopes this will motivate more people to volunteer and get involved in the community. This isn't our land; it's provided for us. We're the caretakers, and we could all be better stewards."

Reproduced with permission from the Sierra Club Grassroots Scrapbook website © 2008 Sierra Club.

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Largest Wind Turbine In NC to be Installed by ASU's Renewable Energy Initiative

Story by Jamie Goodman

Harkening back to 1978, when the little town of Boone, NC was chosen as one of only 17 test sites for a NASA-sponsored wind experiment—and the location of the largest of the wind generators in that project—the small mountain metropolis will once again be on the forefront of wind energy development when the largest community-scale wind turbine in the state is erected on the campus of Appalachian State University.

This time, however, research is a little more advanced, and the turbine will point the right direction into the wind.

Standing 37 meters (121 ft) tall with a 21 meter (68.9 ft) blade span, the Northwind 100 turbine, slated for installation in April, will be erected into a class two to

three wind zone and is projected to produce 147,000 kilowatt hours of electricity per year. The purchase and installation will cost an estimated \$529,000, and the turbine will be erected adjacent to the Broyhill Inn and Conference Center, ASU's on-campus dining and public lodging facility.

The project is overseen and funded by the Renewable Energy Initiative, a student-run, student-funded program at Appalachian State University. According to Crystal Simmons, Chair of REI and current project manager for the Broyhill Wind Project, since REI's inception four years ago a community-scale wind turbine was always on the wish list.

A public educational forum and Q&A session is scheduled for March 4,

from 6:00-7:30 p.m. at the Broyhill Inn and Conference Center in Boone. Simmons stressed that anyone interested in the project is welcome to attend, not just the university or local communities.

The organization also plans to install a 36-panel solar thermal system on the roof of the university's Student Union, which will use the sun's energy to heat

water for two dining facilities located within the building. The system, which will provide up to 60 percent of the water needs for the dining facilities, will cost an estimated \$153,000 and is slated for installation by the end of April.

For more information on the ASU Renewable Energy Initiative or their projects, visit rei.appstate.edu.

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Editorial

TVA must clean house

Recent events clearly show the need for a clean sweep of TVA's leadership.

It's not just Tom Kilgore, the CEO of TVA, who needs to be held accountable. The nine-member board of directors, entirely appointed by the Bush Administration as part of an old-school, old boy network, is directly responsible for the tragic and disturbing atmosphere in the federal agency.

Until 2004, the TVA board consisted of three bipartisan presidential appointees. That governing structure was swept away in the conservative euphoria over the 2004 election, when conservatives packed the TVA board and had the word "bipartisan" dropped from its enabling legislation.

Today, two seats are open on the board and two more expire on May 18. Four new board members will not be enough to turn the agency around until 2010 when a fifth member term expires.

It is high time for Mr. Kilgore and the entire TVA board to take responsibility for the awful mess that has been created in the heart of the Tennessee Valley.

They should all immediately offer President Obama their resignations. It would be the only graceful note in this whole disgraceful mess.

Opinion

Citizens and Advocates: The New Newsmakers

By Bill Kovarik and Sarah Vig

From the standpoint of public information, the TVA Fly Ash Disaster was unlike any other environmental disaster in recent history.

Immediately following the spill, TVA's public relations department attempted to spin the catastrophic failure of an earthen dam holding back a billion gallons of wet coal fly ash as a "sudden, accidental release" of "inert material not harmful to the environment." At the same time, they refused to release material safety data sheets to the public (including affected residents), and underestimated the amount of ash that had been "released" by a factor of three.

But soon after the spill, pictures from residents on the ground showing the immensity of the damage up close, and aerial shots from Southwings (a conservation aviation non-profit) flights showing the extent of the damage in hundreds of acres, kept the issue alive. Quick responses from environmental non-profits like United Mountain Defense and Appalachian Voices among others led to independent testing and analysis that showed elevated levels of toxic heavy metals long before the EPA released their results from the immediate spill area, weeks after the spill.

Continued on next page

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Letters to the editor

Appalachian Voice welcomes letters to the editor and comments on our website. We run as many letters as possible, space permitting. The views expressed in these letters, and in personal editor responses, are the opinions of the authors and are not necessarily the views of the organization Appalachian Voices. Write to editor@appvoices.org.

Mountaintop Removal - Flyover Is Worth 1000 Words

Dear sir,

I am writing to voice my say regarding banning mountaintop removal. I hope efforts are under way to get President-elect Obama to totally ban mountaintop removal. If it has not been done I suggest former V.P. Al Gore be contacted to get it done before the affected area becomes a total waste land - get Obama to fly over the area to see for himself the destruction that is being done - a picture is worth a 1000 words, especially a personal eye ball picture.

Thank you for your efforts to keep our mountains like God intended for them to be.

Sincerely,
John Ferrill
Lenoir, NC

An Inclusive and Diverse Future Appalachia

Dear Appalachian Voices,

I salute Dr. Jeff Boyer who wrote on the future of Appalachia in the last issue. Acknowledging that Appalachia is growing to be a very ethnically and racially diverse region, Dr. Boyer called for a broadening of the "Appalachia we" and

for building a new, more inclusive "we."

How fitting it would have been if the visionaries chosen to share their thoughts had reflected this growing diversity, this changing "we." According to the Appalachian Regional Council (ARC), well over 3 million Appalachians are people of color and I would very much like to hear these voices share their vision of Appalachia's future. I agree that we in Appalachia are at a tipping point. This is all the more reason to expand the circle of sharing, visioning and planning.

Thanks for all you do!
andrea van gunst

The Third Raping of Appalachia

Dear Editor:

This is in response to a letter to the editor by Gerry Grantham, Range Resources/Pine Mountain Gas and Oil out of Texas. While it is true that Southwest Virginia holds some of the purest gas reserves in the nation, Mr. Grantham is way off-target when writing of the benefits of natural gas to the residents of Appalachia.

Range Resources/Pine Mountain Gas and Oil are one of several companies that raced to Southwest Virginia to explore and produce natural gas be-

cause in this area the gas industry only has to pay \$5 per acre to the land owner for a gas lease for five years (Dickenson County) and only \$1 per acre for a lease for five years in Buchanan County. Also, the gas companies only have to give the land/gas owner a small royalty payment for their gas. Compared with \$20,000 plus, per leased acre and up to 30% in royalties in other states, doing business in Southwestern Virginia is a very sweet deal.

The gas industry is not held to regular environmental protection standards as many other industries are. While clearing land to accommodate the well, holding tanks, pipelines, etc., the land is stripped bare and acres of hardwood trees are dozed down the mountainside to lie and rot. Supposedly the land owner would get a payment for his trees called a "destruction" payment; however, dozer operators place the trees in inaccessible areas so the land owner cannot get to them.

There exists no regard for ecosystems, roadways and waterways. At one gas well in Dickenson County, fifty thousand gallons of a solution called "BRINE" was spilled. Other gas wells had numerous spills. Again there was no fine or reprimand levied onto the offending gas company.

When a land/surface owner also owns the minerals (gas, oil, and coal) under his surface and does not wish to have the gas company trespass upon his land, the gas company that wants the gas under the land then goes to the Virginia Gas

Continued on next page

Letters to the editor

Continued from previous page

and Oil Board and asks the Board to issue a "forced pooling order." The Board never disallows the request!

The owner is notified that he will be "force pooled" and there is nothing he can do about it. His right to negotiate a fair market price has been stripped from him. He gets pennies or nothing for his minerals.

When Mr. Grantham referred to environmental organizations such as Sierra Club endorsing the cleanest burning fossil fuel available, he was correct when speaking only about coal bed methane or conventional gas. What Mr. Grantham failed to mention was the despicable ways in which the people are treated by the gas companies.

Sierra Club representatives were here and witnessed the total destruction of mountaintops, ecosystems, waterways, roadways, and the demoralization of humanity by gas companies attempting to get at the vast rich reserves underground.

The people are poorer because of the rich gas finds in the area. They are exploited, lied to, cheated, deceived, and simply run over by gas companies.

There is a feeling of hopelessness and helplessness among the people. Eleven percent of the population of Dickenson and Buchanan counties have fled. Suicide rates have risen. When all you have left is a plot of land and that, too, is taken, what is left?

This is the largest "taking" in the history of the nation, endorsed and sanctioned by the Virginia legislature.

Juanita Sneeuwjagt
Clintwood, Va

Cumberland Park Fly Ash, Giles Virginia

Dear Editor,

The Cumberland Park Fly Ash Project, located on the 100-year flood plain of the New River in the town of Narrows, Giles County, Virginia is an environmental abomination. Here's what this means.

Over 250,000 cubic yards of coal ash is being dumped right next to the New River. The heavy metals and toxins will leach out when rain, highway runoff, and other water comes in contact with the dump. At best, flooding will leach toxic heavy metals into the river and groundwater at some point in the future. At worst, the contamination will start to occur immediately.

American Electric Power (Appalachian Power Co.) and a not for profit school foundation created the project. Under state environmental regulations, this dump can avoid stricter permitting requirements otherwise required for hazardous waste sites (which require more protections and oversight) because a "beneficial end use" is proposed. The project presumes that the fly ash can be used safely as a construction material, and that, one day, some commercial enterprises would want to purchase the real estate on top of the dump. Proposed profits from this project are designated to go to the Giles County School Board to benefit the local schools. This begs the question of how future generations of children in Giles County will actually benefit when the project promises to pollute their community and endanger their wellbeing.

One might ask the Giles County School Board, since it is supposed to have signifi-

cant oversight of the Foundation's activities. When such questions were presented at numerous public meetings, the board apparently had no answers, since they'd never heard of the project, and claimed not to have any authority to do anything about it.

Though many may argue that if no laws are being violated, and the majority of elected local officials appear to have granted their tacit approval, and there is at least some payment for the hazards to which the community will be subjected, that there is no foul. This avoids some of the serious questions that surround the inception of this project. The first is that Howard Spencer, Executive Director of the Partnership for Excellence when the project was proposed and begun, was also the Chairman of the Giles County Board of Supervisors. He's also the town manager and town clerk of Glen Lyn where the AEP-owned coal-fired plant is located, and which is the major employer of his constituency. This apparent conflict of interest was never addressed as the Board of Supervisors approved the project. No public input was ever sought. Indeed, by saying that the project has a beneficial end use, state regulations did not require any public discussion of the plan.

Because the community-at-large was completely by-passed in any discussion of the potentially disastrous effects of this project on Giles County, including the impact on future recreational tourism, the welfare of the citizens, contamination of the ground water table and the health of the New River in Virginia and West Virginia, a grass-roots resistance formed the Concerned Citizens of Giles County. www.concernedgilescitizens.org

Last year, the Concerned Citizens re-

quested a court hearing to determine if the Cumberland Park Fly Ash project could legally be considered a public nuisance. A Special Grand Jury convened in Giles County and rendered a decision in favor of the project, claiming all regulations had been met. The grand jury, however, made its decision without hearing the testimony of the five citizens who filed the public nuisance law suit.

This did not stop the Concerned Citizens which has started the second phase of a three phase assault against the project.

The first phase began December 4, 2008 when we drilled our own water testing wells. We believe that when the results are in, we will be able to get regulatory bodies to protect us at last.

Phase Two involves an examination of county zoning ordinances which mandate public hearings for rezoning. If the project had been presented to the public for review as required by county ordinance it is doubtful that it would exist. As a guardian of the public trust, Howard Spencer had the ethical and moral duty to open this project to public review.

Phase Three concerns further legal action to stop fly ash dumping from the flood plain on the banks of the New River. The winds of change are blowing to Giles County from Washington, D.C., and the promise of a new and meaningful environmental policy will bring justice back to Giles County.

This is our home, and the New River is our heritage. It's only a matter of time before the we stop the disastrous Cumberland Park Fly Ash Project.

James A. McGrath
Chair, Concerned Citizens of Giles County VA

Citizens and Advocates are New Newsmakers

Continued from previous page

TVA was playing by the old rule-book, hoping that by stonewalling inquiries from the public and the media, watering down information, and waiting to release sensitive data, it might ease the sense of outrage. Unfortunately for them, new media such as blogs, e-mail listservs, Twitter and YouTube have blown open the older, narrower channels of information, allowing citizens and advocates the ability to quickly and effectively disperse personal narratives, photo and video documentation, and independent scientific data.

With this shift in how information is distributed comes a change in the way credibility is determined. An increasingly skeptical and discerning audience demands more than just the company line. Nevertheless, traditional media are still important. On the internet, there is no filter except search engines

and no barriers to access except having use of a computer; however, though the amount of information available has no limit, the amount of information actually paid attention to is still finite. While the traditional media are no longer the only gatekeepers, it remains an important way to gain in credibility and readership, such as when *The New York Times* picked up the data from samples gathered by Appalachian Voices and Appalachian State University.

Arizona State University communications professor Don Gilmor noted recently that advocacy groups "are doing something infinitely closer to journalism than they ever have before." Speaking at a Society of Environmental Journalists seminar, Gilmor said he was "OK with advocates being a part of this ecosystem of the media... I think advocates have a huge role to play in the future of journalism." In some ways though it seems that advocates and citizens have had to step

into the void left by slashed investigative budgets at journalism institutions across the country, and as laudatory as it is that they have gained the skills required to do so credibly, it still raises

the question of why though the media retain the title of gatekeeper, they have relinquished that of watchdog, and what stories have gone uncovered because of it.



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Naturalists Notebook

Emory River System: Beauty and Biodiversity in Peril?

By Dr. Anna George, Tennessee Aquarium

"There is nothing more eloquent in Nature than a mountain stream."

On September 12, 1867, John Muir crossed the Emory River on his 1,000-mile walk to the Gulf of Mexico. He had set out 12 days earlier from Louisville, Kentucky on his expedition south to the Gulf. The Emory River, a tributary of the Clinch River in northeast Tennessee, is a small watershed of 872 square miles drained by 1,283 miles of streams. Like Muir's journey, the waters of the Emory eventually end up in the Gulf, but after meandering westward through the Clinch, Tennessee, Ohio, and Mississippi rivers, passing by Chattanooga, Huntsville, Paducah, Memphis and New Orleans on their journey.

"Its banks are luxuriantly peopled with rare and lovely flowers, and overarching trees, making one of Nature's coolest and most hospitable places."

The cool, forested canyons surrounding the Emory River are not only welcoming for travelers, but extend their benefits into the waters below. The clear, fast-flowing streams are home to over 65 species of fish, including three imperiled species, the Ashy Darter, Sickie Darter, and Spotfin Chub. All three require cool, clear water, sand or gravel river bottoms and a healthy assemblage of aquatic insects for food. Spotfin Chubs, a species protected under the Endangered Species Act, lay their eggs in crevices between rocks. The surrounding forests, known as riparian zones, are necessary to shade the water and prevent excessive siltation from clouding the water and filling in these crevices with sediments. These rare fishes have been lost from much of their historic range because of the loss of these riparian forests from mining, logging, and urban development. The Emory River system is one of the few refuges they have left.

"The long narrow valleys of the mountainside, all well watered and nobly adorned with oaks, magnolias, laurels, azaleas, asters, ferns, Hypnum mosses, Madotheca, etc. Also towering clumps of beautiful hemlocks."

The sandstone cliffs alongside the Obed River, the main tributary of the Emory River, form gorges that rise up to 400 feet above the river valley. This area remained undeveloped in part because these steep valleys with poor soils are not suitable for farming. The Emory River system drains the Cumberland Plateau, a narrow upland province sandwiched between the higher elevation Ridge and Valley province to the east and the lower Highland Rim to the

west. The deep gorges in the Emory and Obed rivers follow a major fault zone in their eastward flow towards the Clinch River. In 1976, much of the system was designated a Wild and Scenic River, managed by the U.S. National Park Service.

"Near this stream I spent some joyous time in a grand rock-dwelling full of mosses, birds, and flowers. Most heavenly place I ever entered."

Over 700 species of vascular plants – ferns, conifers, and flowering plants – have been documented from the Obed Wild and Scenic River watershed, including 16 imperiled species. One of these, the Cumberland Rosemary, grows in sandy pockets on riverbanks or gravel bars only in Cumberland Plateau streams. The flora is dominated by similar types of shrubs that grow in these riparian zones, unique to this region. Above the land and water, Bald Eagles can be seen soaring and hunting prey. A large Great Blue Heron rookery is located on an island four miles upstream from the Clinch River. The quiet splendor of the region comes from this special combination of geology and biology.

"Forded the Clinch, a beautiful clear stream that knows many of the dearest mountain retreats that ever heard the music of running water."

Unfortunately, these beautiful tributaries of the Ten-

nessee River, which have provided refuge for wildlife and humans alike, are now threatened by the impacts of development, largely for energy production. The hydroelectric dams, which are now so common across the Tennessee Valley, impound the shallow, running water leaving deep reservoirs that are not suitable habitat for many native aquatic species. Contaminants such as PCBs and mercury have been released into the Clinch River from nearby industrial sites. Mining activities, predominantly for coal in the Cumberland Plateau, have led to siltation, coal fines, and acid mine drainage, which leave streams bright orange and unable to support aquatic life. The December 2008 fly ash spill into the Emory River is not the first environmental insult to the region, nor the only coal ash spill into the Clinch River system. Though much of the Emory River watershed is protected by various federal and state agencies, we all bear a burden for its protection from further development and degradation. The best way to ensure that the music of the Emory River streams will continue for future generations is to reduce our energy consumption and use our resources carefully.



Above, Daddy's Creek, one of the tributaries to the Obed River, part of the Emory River system. Top inset, the Tennessee Dace, a fish known from the Emory River system.

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Inside Appalachian Voices

4th Annual Week In Washington To Promote Clean Water Protection Act

Help Lobby Members of Congress to Pass an Anti-Mountaintop Removal Bill

In mid-March, the Alliance for Appalachia will be sponsoring the fourth annual End Mountaintop Removal Week in Washington, a week of direct lobbying by Appalachian residents and others from across the United States. Participants get to join with other activists and impacted citizens, and receive the training to sit down with their lobbyists and tell them why passing the Clean Water Protection Act and ending mountaintop removal is of the utmost importance.

Steph Pistello, who travelled to last year's Week in Washington, insists that it changed her life, explaining that "not only did I realize that it truly is 'the people's house' and our voice and presence on the Hill CAN make a difference, but I gained incredible, meaningful friendships that will last a lifetime."

Rep. Frank J. Pallone (D-NJ-06) and Rep. Dave Reichert (R-WA-08) have announced plans to introduce the CWPA



into the House of Representatives in the 111th Congress. The CWPA would reverse a dangerous Bush administration ruling that allows toxic waste from mountaintop removal mining to be classified as "fill material" and thereby dumped directly into adjacent river valleys and headwater streams in Appalachia. The Environmental Protection Agency (EPA) has estimated that the dumping of waste from mountaintop removal has destroyed more than 1,200 miles of Appalachian streams.

In a letter to members of Congress urging other representatives to co-sponsor the bill, Reps. Pallone and Reichert said:

Our bill would amend the Water Pollution Control Act to clarify that "fill material" regulated under federal law cannot be waste material. It is simply inappropriate to allow the excess spoil from [mountaintop removal] mining to be dumped in mountain streams where it can pollute waterways, fill valleys, and in some cases, potentially endanger the lives of area residents. Please join us in supporting the Clean Water Protection Act to protect our waterways by prohibiting the dumping of mining fill into rivers and streams.

The grassroots movement to end mountaintop removal helped propel the CWPA to a record 153 bipartisan co-sponsors in the last congressional session. That number includes eight bipartisan representatives from states where mountaintop removal is currently taking place. The goal is to pass the bill during the 111th session.

This year – bolstered by a new administration and Congress - hundreds of citizens concerned about our mountains, waters, and Appalachian heritage are walking the halls of Congress in Washington, D.C. asking the House of Representatives to pass the CWPA. We hope you will join us by asking your congressional representative to cosponsor the bill.

To register for the fourth annual Week in Washington event March 14-18, 2009 or for more information, visit www.ilovemountains.org/action/wiw2009. Registration for Week in Washington is open now and continues through February 25, 2009. Scholarships are available on a limited basis; participants seeking scholarships must register no later than February 20.

For more information about the CWPA, email JW Randolph, Appalachian Voices' Legislative Associate at jw@appvoices.org. For information about how to contact your representatives, visit www.house.gov or call the Congressional Switchboard at 202-224-3121.

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Appalachian Mountains Preservation Act Gains Momentum

On February 2, Georgia State House Rep. Mary Margaret Oliver (District 83) introduced The Appalachian Mountains Preservation Act (HB-276). The bill will phase out contracts from mountaintop removal mines to Georgia utilities over a five-year period. The bill will also place a moratorium on the construction of new coal-fired power plants in the state of Georgia. Appalachian Voices partnered with Georgians For Smart Energy to promote the bill in the Georgia legislature. Rep. Oliver hopes that the bill will create a much needed dialogue about energy consumption and generation on the state level, and believes that Georgia has the opportunity to lead the country in pursuing responsible, clean, and renewable sources of energy.

Georgia is the number one consumer of mountaintop removal-mined coal in the nation.

If you are a Georgia resident, please contact your state representative and ask them to co-sponsor The Appalachian Mountains Preservation Act. You can find your state representative by visiting www.legis.state.ga.us.

North Carolina, which is second in

consumption of mountaintop removal-mined coal behind Georgia, plans to introduce its own version of The Appalachian Mountains Preservation Act during the 2009 legislative session. The North Carolina version of the bill will phase out contracts with mountaintop removal mined coal in the state. Rep. Pricey Harrison (District 57) will be the lead sponsor of the bill.

North Carolina was the first state to introduce a bill of this nature during the 2007 legislative session. With the introduction this year of a similar bill in Georgia, organizations opposing mountaintop removal coal mining hope similar bills will be continue to be introduced in other states that consume mountaintop removal-mined coal.

If you are a North Carolina resident, please contact your state representative and ask them to co-sponsor The Appalachian Mountains Preservation Act. You can find your state representative by visiting www.ncleg.net.

For more information about The Appalachian Mountains Preservation Act, contact Austin Hall at 828-262-1500, or austin@appvoices.org

Inside Appalachian Voices

Field Coordinator and Riverkeeper Canoe Into Tennessee Coal Sludge

Narrative by Sandra Diaz

December 26th, 4:30pm - 4 days after the 1 billion gallon toxic coal ash spill in Harriman, TN.

I'm on the phone with Donna Lisenby, the Upper Watauga Riverkeeper in North Carolina, who was planning to travel to the TVA coal ash spill and collect water samples along the Emory River. I wanted to make sure she had connected with United Mountain Defense, an organization who was in the Harriman area taking water samples and talking with and providing drinking water to local residents.

She assured me she was and then offered me an opportunity I hadn't known I was looking for. She asked me if I wanted to go with her on the river. I paused and thought hard for a moment. It seemed like something tangible that I could do. And it seemed important to go.

So at 11 a.m. the next morning, I found myself paddling up the Emory River. We quickly discovered a sheer film on the water 2 miles from the spill site. As we made our way to ground zero, the damage became more apparent. We encountered numerous dead fish, and worried about the many blue herons we saw, hoping they weren't eating the fish, but knowing otherwise.

The film became thicker as we grew closer to the spill zone, and we discovered the turbidity curtain TVA had raised across a side cove (we later discovered that the cove led to the Kingston Fossil Plant's intake canal, in order to protect the plant from its own coal ash waste).

The turbidity curtain made the sludge collect so thickly we could not canoe into it. We saw more dead fish. We continued past the cranes, barges

and other large equipment, not one of them removing the toxic coal ash that was slowly contaminating the river. No one said anything to us as we floated by on our way to the site of the ash spill.

What we saw was unreal. What had been a beautiful free-flowing river just a few days ago was now a barren wasteland of sludge. Huge piles of coal ash, which we termed "ash-bergs," sat in the water.

As we canoed through this sick soup of coal waste, the phrase "Coal can do that" kept running through my head. The saying, from a coal advocacy website, is supposed to be talking about how technology can make coal cleaner. But looking out at the devastation, I thought of the irony of that phrase. This is what coal had done--destroyed homes, killed fish, and altered the ecology of the Emory River for the foreseeable future. Coal can also destroy mountaintops and pollute our air from the smokestacks. Yes, coal can do that.

We were only in the "ashberg" zone a few minutes when we were flagged down by a TVA officer, who gave us warning citations for criminal trespass even though we were in waters of the United States, which are open to the public. He claimed that the US Coast Guard had put buoys indicating the river closure, but we saw no evidence of them on our portion of the river.

The irony of the TVA cop giving us a citation while islands of toxic coal ash were sitting behind him did not escape me. The real criminal act is of TVA's doing -- not implementing "global solutions" to the earlier "blowouts" on the



Donna Lisenby and Sandra Diaz in the "ash-berg" zone. Photo by Hurricane Creekkeeper John Wathen

this coal ash to trespass on waters that belong to all of us. That really is the biggest crime of all.

Another crime is letting this incident escape notice without our society taking a good hard look at what we are willing to sacrifice for "cheap" and "clean" electricity. What this disaster should

show us is that coal ain't cheap or clean, anyway you slice it (especially through that sludge). This article first appeared on the Huffington Post blog, January 5, 2009. To view videos and photos of the sample collection trip, visit ilovemountains.org/tvaspill

ash containment area, not beginning the process of removing the coal ash from the spill site five days after the incident and, on a bigger scale, not moving away from coal as a electricity source when we know how harmful it is -- from its burning to its waste disposal. The officer should have been writing a ticket to TVA for allowing

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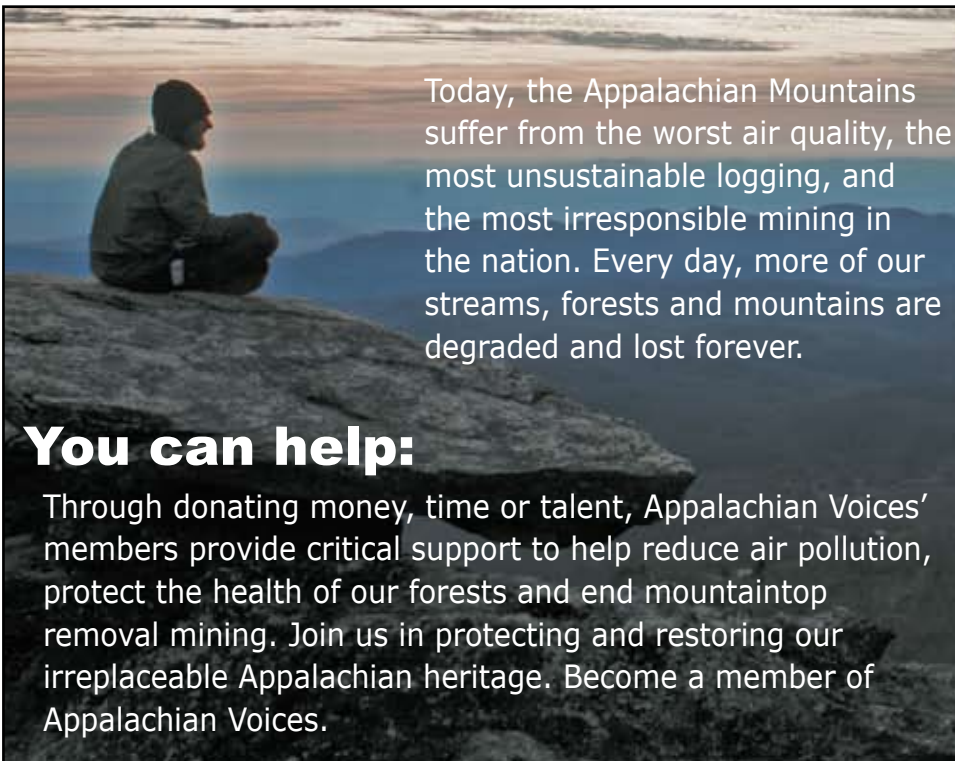
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The Appalachian forest sleeps under a blanket of fresh snow in this timeless photo by Fred First, author and photographer of Floyd, Va.

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The Appalachian Mountains are among the most beautiful places on earth. They are our home, our heritage, and our way of life. They are our children's inheritance. But their future cannot be taken for granted.



Today, the Appalachian Mountains suffer from the worst air quality, the most unsustainable logging, and the most irresponsible mining in the nation. Every day, more of our streams, forests and mountains are degraded and lost forever.

You can help:

Through donating money, time or talent, Appalachian Voices' members provide critical support to help reduce air pollution, protect the health of our forests and end mountaintop removal mining. Join us in protecting and restoring our irreplaceable Appalachian heritage. Become a member of Appalachian Voices.

Clip & mail to: Appalachian Voices, 191 Howard Street, Boone, NC 28607
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