



# What Can Congress Do?

## The Appalachia Restoration Act, S 696

For 25 years, the Clean Water Act allowed for the granting of permits to place “fill material” into waters of the United States, provided that the primary purpose of the “filling” was not for waste disposal.

The intention was to prevent industries such as coal mining from using the nation’s waterways as waste disposal sites. That changed in 2002, when the Army Corps of Engineers, under the direction of the Bush Administration— and without congressional approval—altered its longstanding definition of “fill material” to include mining waste.

This change accelerated the devastating practice of mountaintop removal coal mining and the destruction of more than 2,000 miles of Appalachian streams.

On March 26th, 2009, in response to the Army Corps’ rule change, The Appalachia Restoration Act was introduced into the Senate by Senator Ben Cardin of Maryland and Senator Lamar Alexander of Tennessee. This simple piece of legislation restores the original intent of the Clean Water Act to clarify that fill material cannot be comprised of mining waste.

Passing this legislation would protect Appalachia’s rivers, streams, and lakes from being used as garbage dumps for mining waste. It would also help end the destruction of the Appalachian Mountains.

### Please become a cosponsor of the Appalachian Restoration Act (S 696).

To cosponsor, please contact the office of Senator Ben Cardin at (202) 224-4524 or Senator Lamar Alexander at (202) 224-4944. For more information, please contact Appalachian Voices’ Legislative Associate J.W. Randolph, [jw@appvoices.org](mailto:jw@appvoices.org).

**THIS DOCUMENT WAS PRODUCED BY THE ALLIANCE FOR APPALACHIA, WHICH INCLUDES THE FOLLOWING ORGANIZATIONS:** Appalachian Citizens Law Center, Appalachian Voices, Appalshop, Coal River Mountain Watch, Heartwood, Kentuckians For The Commonwealth, MACED, Ohio Valley Environmental Coalition, Sierra Club Central Appalachia Environmental Justice Program, Southern Appalachian Mountain Stewards, Southwings, Statewide Organizing for Community eMpowerment, West Virginia Highlands Conservancy

## Learn More about Mountaintop Removal

### [www.ilovemountains.org](http://www.ilovemountains.org)

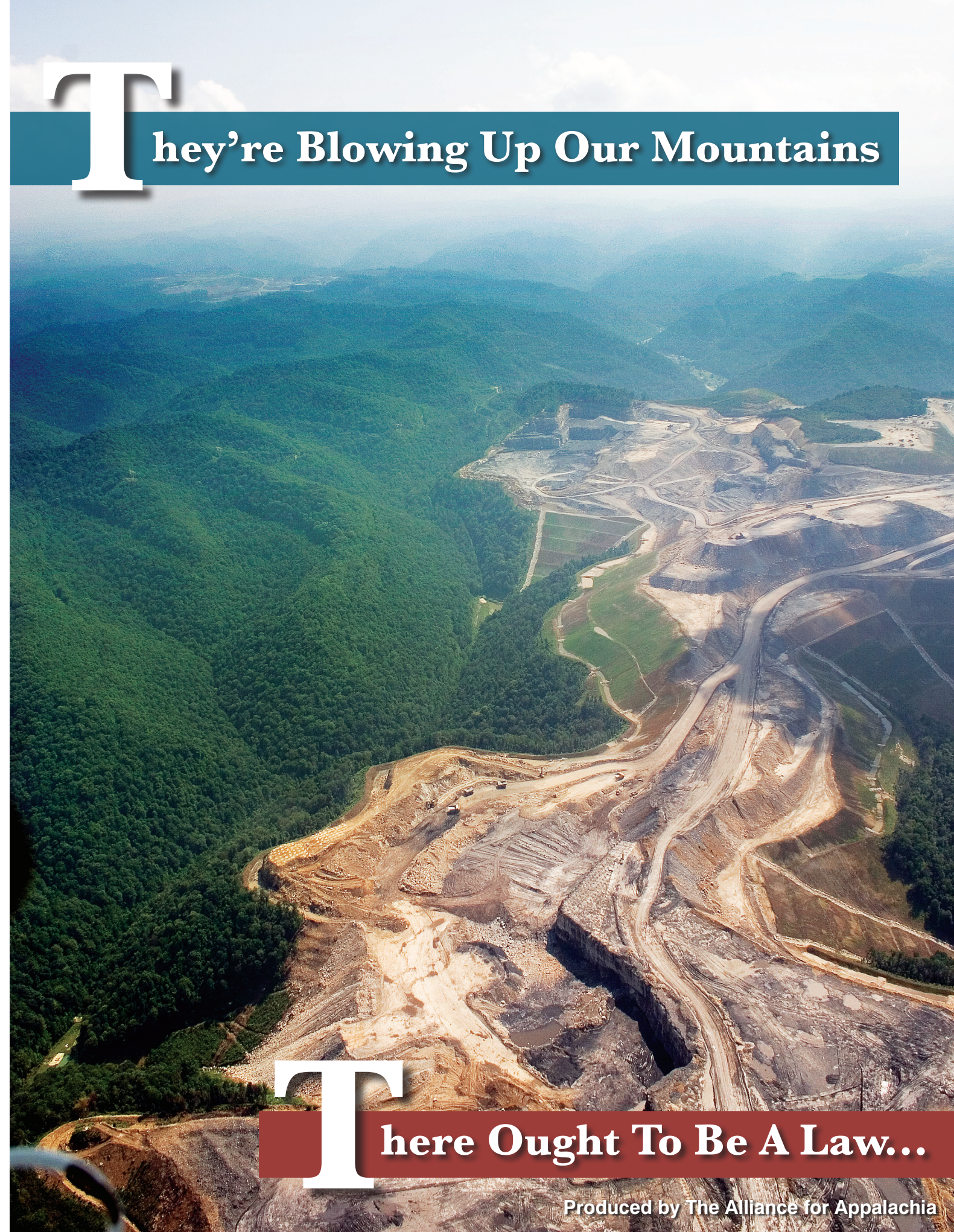
A website of local, state, and regional organizations from 5 Appalachian states working together to end mountaintop removal and create a prosperous future for the region.

### “Mountaintop Removal” in Google Earth

The iLoveMountains.org sponsors have teamed up with Google to feature an “Appalachian Mountaintop Removal” layer in Google Earth. This feature connects users to photos, maps, videos, and first-hand accounts from impacted people and communities. To view, activate the “Global Awareness” layer in the latest version of Google Earth from [earth.google.com](http://earth.google.com)

### What is YOUR Connection?

iLoveMountains.org offers a tool that will trace the connection between anyone living in the United States and mountaintop removal coal used by their local power utilities. Visit [iLoveMountains.org/myconnection](http://iLoveMountains.org/myconnection) and enter your zip code to find out YOUR connection.



# They're Blowing Up Our Mountains

# There Ought To Be A Law...

Produced by The Alliance for Appalachia



## Destruction of the Landscape

The Appalachian Mountains have stood strong for 300 million years, making these weathered peaks among the oldest mountains on earth. Having evolved over hundreds of thousands of years, Appalachia's ecosystems boast some of the richest biodiversity in the United States. Appalachia's famed creeks and waterways serve as the fountainhead of most of the major river systems in the eastern United States, feeding fresh water to the Mississippi River, the Chesapeake Bay, the Great Lakes, and millions of American homes. The woods and waters of the mountains are a source of recreation for hunters, fishers, and boaters critical to the region's economy, while the dense forest cover plays an important role in recycling greenhouse gases that contribute to climate change.

Today, this beautiful and ecologically indispensable region is in immediate danger. More than 1 million acres of Appalachia have already been destroyed by mountaintop removal coal mining. Coal companies have buried and polluted local waterways with toxic waste containing dozens of heavy metals including arsenic, lead, mercury, and selenium. Families who were once surrounded by some of the most beautiful land on earth now live in homes poisoned by toxic coal dust, suffer through daily explosive blasts, and drink and bathe in water from tainted wells and springs.

### MOUNTAINTOP REMOVAL MINING

**CLEARING** — Before mining can begin, all topsoil and vegetation must be removed.



**BLASTING** — Every day in WV alone, 3 million pounds of toxic explosives are used to blast up to 1000 feet off of a mountain's elevation.

**DIGGING** — Coal and debris is removed by using a huge piece of machinery called a dragline, which stands 22 stories high and displaces the need for hundreds of workers.



**DUMPING WASTE** — The waste from the mining operation is dumped directly into nearby valleys, burying and polluting streams.

**PROCESSING** — The coal is washed before it is loaded on trains. The excess water left over from this process is stored in ponds called sludge or slurry impoundments.



**RECLAMATION** — Though companies are required to stabilize or revegetate mountaintop removal sites, most sites receive little more than a spraying of ecologically worthless exotic grass seed which cannot begin to replace the ancient ecosystem it destroyed.



## The Future of Appalachia

Appalachian coal communities worked hard to fuel the industrial revolution, which made America rich—yet these same communities continue to be among the poorest in the United States.

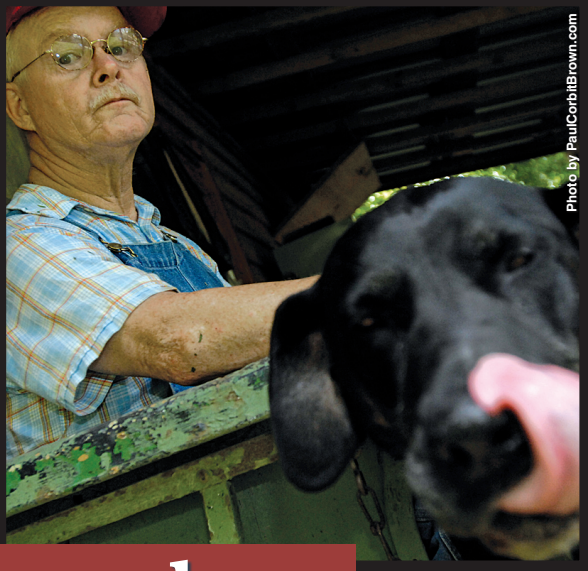
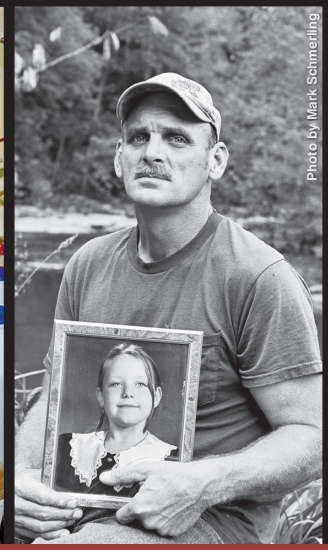
Many new projects seek to create a just and sustainable transition away from the unstable boom and bust economy of coal.

However, new economic options depend on Appalachia's beautiful mountains, clean water, and healthy communities; mountaintop removal puts these opportunities at risk.

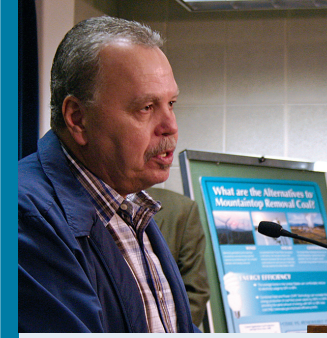


### RENEWABLE FUTURE

- **Sustainable Forestry** provides a long-term source of income while increasing the viability and quality of the forest and valuable native plants.
- **Renewable Energy Projects**, including wind energy, can provide permanent jobs, permanent energy, and increased tax revenue.
- **Energy Efficiency and Conservation** saves low income residents money and reduces coal use.
- **Tourism** is among the fastest growing industries in Appalachia and encourages small business growth.



## Faces of Mountaintop Removal



“These mountains are our home. We homesteaded this area in the 1820s. This is where I was born. This is where I will die. My family and I, like many American citizens in Appalachia, are living in a state of terror. Like

sitting ducks waiting to be buried in an avalanche of mountain waste, or crushed by a falling boulder, we are trapped in a war zone within our own country.”

- Bo Webb, Rock Creek, WV



“[My mother] no longer spends her morning on the front porch with her Bible and her coffee. The smell in the air is not pleasant. The sound of the trucks, bulldozers, and drills preparing for the next blast, the sirens, the blasts themselves cover up the sound of the birds chirping.

But the most pain comes when she looks across the way now, and sees the destruction of God’s creation.” - Kathy Selvage, Wise, VA

“**Clean water**, whether its for drinking, bathing, or just splashing around in, **should be a basic human right**. Appalachia deserves better treatment and the hundreds of citizen lobbyists from the region are here to help make that change.”

- Ann League, Knoxville, TN



“Many terms have been used to describe the manipulation of communities from outside forces. Imperialism, genocide, hegemony, all of these are words that tend to evoke a sense of fear, and disgust, in those who recognize them for what they are. Although the people of Appalachia, from the Cherokee to the people of Buffalo Creek, have suffered varying degrees of humiliation and destitution, the collective public does not view our plight [as a problem]. For when [the struggles of] the people of Appalachia are considered, it’s all merely a matter of progress.” - Cody Simpkins, Morehead, KY



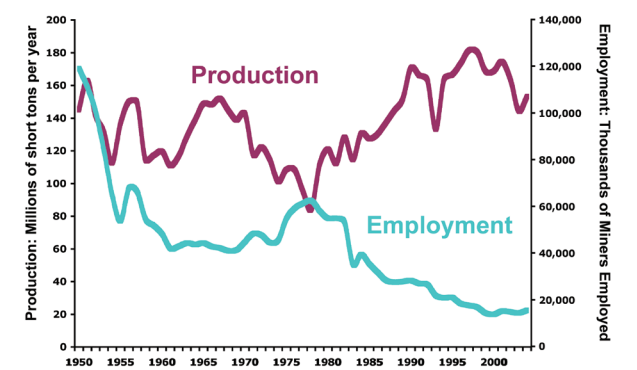
“The Appalachian region of Kentucky has 40-50 inches of rain annually. We are living in a deciduous rainforest but you can’t get a clean drink of water.” - Teri Blanton, Berea, KY



## Destruction of the Economy

Mountaintop removal coal mining is as destructive to our economy as it is to our mountains. Appalachia has put blood, sweat, and tears into providing America with billions of dollars worth of coal, and yet, after 150 years of mining, the promise of prosperity remains empty. There were once over 150,000 miners in West Virginia. That number is now below 20,000 and falling, and the Appalachian coalfields remain one of the most impoverished areas in the country. There was a time when coal was the economic backbone of the Appalachian region, but declining production and a new reliance on heavy machinery means a loss of traditional deep mining jobs once so important in the coal-bearing communities (Fig 1). Over 1 million acres of productive land have been destroyed by mountaintop removal, but less than 2% of that land is reused for economic development. A destroyed land, littered with mining machinery, surrounded by unstable earth and contaminated water resources gives little reason for industry to invest in Appalachia.

Coal Production and Employment in West Virginia, 1950-2005



## Destruction of the Water



Imagine turning on your tap one day and finding your drinking water looks like tomato soup and smells like rotten eggs; this water is all you have to bathe in, to clean with, and to drink, and perhaps you are one of the families that cannot afford bottled water because jobs are scarce in your region.

This is reality for many residents throughout the Appalachian coalfields. Countless numbers of wells and springs have been poisoned in the region; the EPA estimates that over 1,200 miles of Appalachian headwater streams have been buried and polluted by the toxic waste from mountaintop removal.

# Where is Mountaintop Removal Happening?

## Mountaintop Removal Facts

The explosive equivalent of 58 Hiroshima-sized atomic bombs is detonated every year by coal companies in Appalachia.

- Based on the USGS Explosives Yearbook, 2005

According to the US Geologic Survey in 2000, there was only enough high quality, recoverable coal left in Appalachia to last for 10-20 years at current production.

- USGS, 2002

Over 500 mountains have been destroyed and more than 1 million acres leveled by mountaintop removal and related forms of surface mining in Central Appalachia in just the last few decades.

- Satellite-based maps produced by Appalachian Voices (2006) and Skytruth (2007)

Between 1950 and 2004, the number of mining jobs in West Virginia declined from 125,000 to 16,000. During this period, coal production in the state increased.

- Based on West Virginia Coal Association figures

More than 100 million pounds of heavy metals could be leached into the drinking water supply of many eastern and midwestern U.S. cities from the waste already created by surface mining in central Appalachia.

- Wilson Orr, USGS Science Impact Center, 2006

Mountaintop Removal provides less than 5% of America's electricity.

- Based on Energy Information Administration and National Mining Association figures

## Mountaintop Removal and Poverty in Central Appalachia

