

# The Clean Water Protection Act

Protect Our Mountains, Drinking Water, and Communities



Produced by The Alliance for Appalachia



# Mountaintop Removal Coal Mining And



Photo by Vivian Stockman / [www.ohvec.org](http://www.ohvec.org)

“The streams that are buried by the valley fills are called headwater streams – they are those regions where rivers are born. Without headwaters, larger streams and rivers below lose the nourishment and source of clean water that fuels them.”

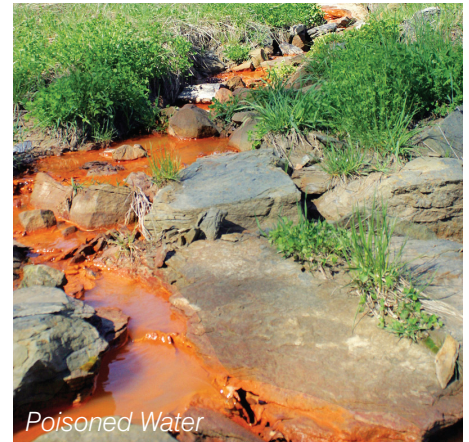
-Dr. Margaret Palmer, Laboratory Director • Chesapeake Biological Laboratory, University of Maryland Center for Environmental Science



Blasting



Buried Valley



Poisoned Water



# Valley Fills

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 poverty is high in the region.



The waste from mountaintop removal coal mining operations is dumped directly into nearby valleys, burying streams and impairing water quality. The waste from these sites contains high concentrations of heavy metals such as arsenic, lead, mercury, and selenium.

Valley fills from mountaintop removal mines have buried or seriously impaired more than 2,000 miles of streams in Appalachia. - *EPA Guidance For Mountaintop Removal Permits.*

More than 100 million pounds of heavy metals could be leached into the drinking water supply of many Eastern and Mid-western U.S. cities from the waste already created by surface mining in Central Appalachia. - *Wilson Orr, United States Geological Survey Science Impact Center.*

Many Appalachian coal seams lie deep below the surface of the mountains. Accessing these seams through surface mining can require the removal of 500-800 feet or more of elevation. Blowing up this much mountain is accomplished by using millions of pounds of explosives in Appalachian communities.



## THE FACES OF MOUNTAINTOP REMOVAL

# Impacts to Mountain Communities



In 1999, Ann League and her spouse purchased 25 acres in the beautiful Cumberland Mountains of Tennessee, and began building their dream house on the property. Not long after, Ann learned that the area nearby, Zeb Mountain, would soon become the second largest mountaintop removal coal mine in the state. Three months after the mining began, her well water turned orange. She fought hard to try and protect the land and water but could not afford the costs of bad water and lowered property values.

**“ We moved from our beautiful mountain home, but my heart is still there and I will continue to fight to stop the destruction from mountaintop removal and bring a bright future to Appalachia. ”**



**“ Mountaintop removal coal mining has to stop and it has to stop now. It's poisoning our water, destroying our health, changing the landscape, destroying homes and making communities unlivable. Our ability to live here depends on stopping mountaintop removal. It's immoral to steal the future of a people, and that's what mountaintop removal is doing. ”**

– Bev May

Poisoned water is a reality for many residents throughout the Appalachian coalfields. Mountaintop removal waste exacerbates the contamination of already compromised water tables; the EPA estimates that 2,000 miles of Appalachian headwater streams have been buried and polluted by the toxic waste from mountaintop removal.





Carl Shoupe is a third generation underground coal miner, former United States Marine, and United Mine Workers Organizer. Upon returning from the Vietnam War, Carl worked as an underground coal miner, where he suffered tremendous injuries when an unstable roof collapsed on top of him. He is currently fighting a proposed mining operation near his home that would completely destroy the drinking water source of his community. American citizens, who have contributed so much to their country, should not be forced to live with this type of destructive mining in their back yard.

“Thank God people from across the country are learning about mountaintop removal and care enough to help us here in the mountains. Where I live at the foot of Black Mountain, we still have some of the best water in the country, but we’re having to fight to protect it from being destroyed by coal mining. If we can’t protect our water, we’ll all have to leave our homes.”



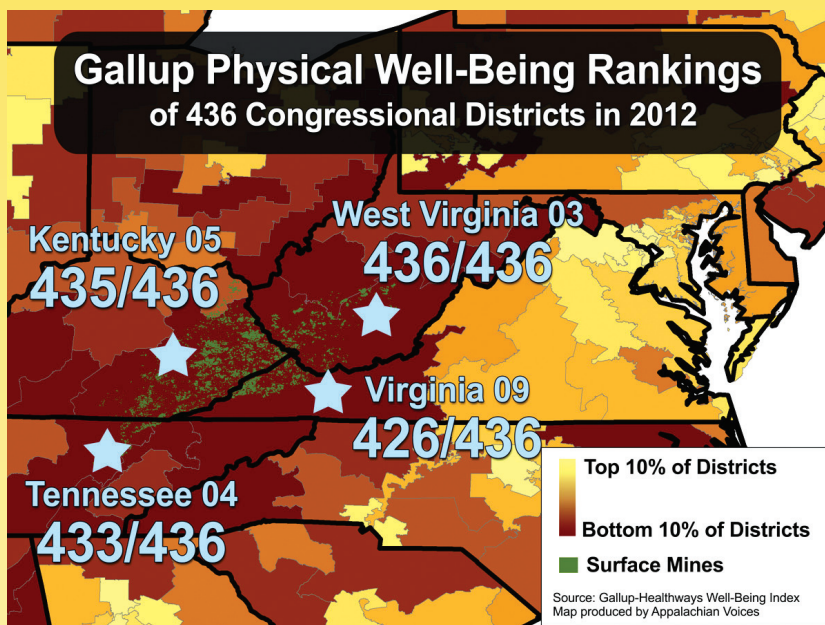
## Increased Flooding



Communities near mountaintop removal coal mining sites are often subject to powerful flash floods. Without trees on steep mountains and valley fill slopes, rainfall quickly becomes dangerous. The coal industry maintains that such floods are “Acts of God.” A recent study conducted by Dr. Johnathon Phillips of the University of Kentucky found that, “There is a clear risk of increased flooding (greater runoff production and less surface flow detention) following [mountaintop removal and valley fill] operations.”



# Impacts to Public Health and Well-Being

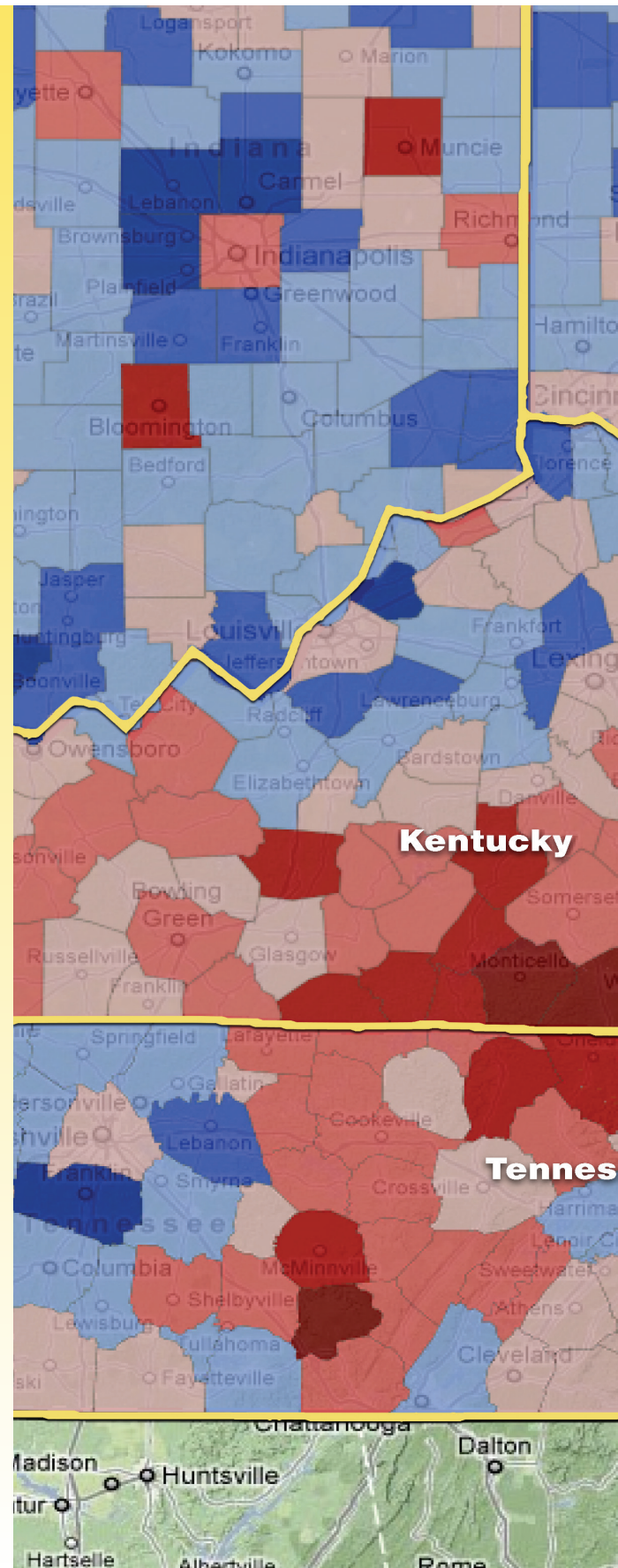


**Heavily strip-mined communities in Appalachia are among the unhealthiest in the United States.** In 2012, the Gallup-Healthways Well-Being Index ranked the two congressional districts where mountaintop removal is most prevalent — KY-05 and WV-03 — second to last and dead last in the nation in overall health. VA-09 and TN-04 — two other districts with mountaintop removal — ranked 433 and 426 nationwide out of 435 congressional districts plus the District of Columbia.

Recent epidemiological research has demonstrated that people who live near Appalachian streams that drain surface coal mining operations (*Hitt and Hendryx 2010*) and who live near mountaintop removal coal mining sites (*Hendryx, Fedorko & Anesetti-Rothermel 2010*) are **more likely to contract and die from cancer** than people living farther away.

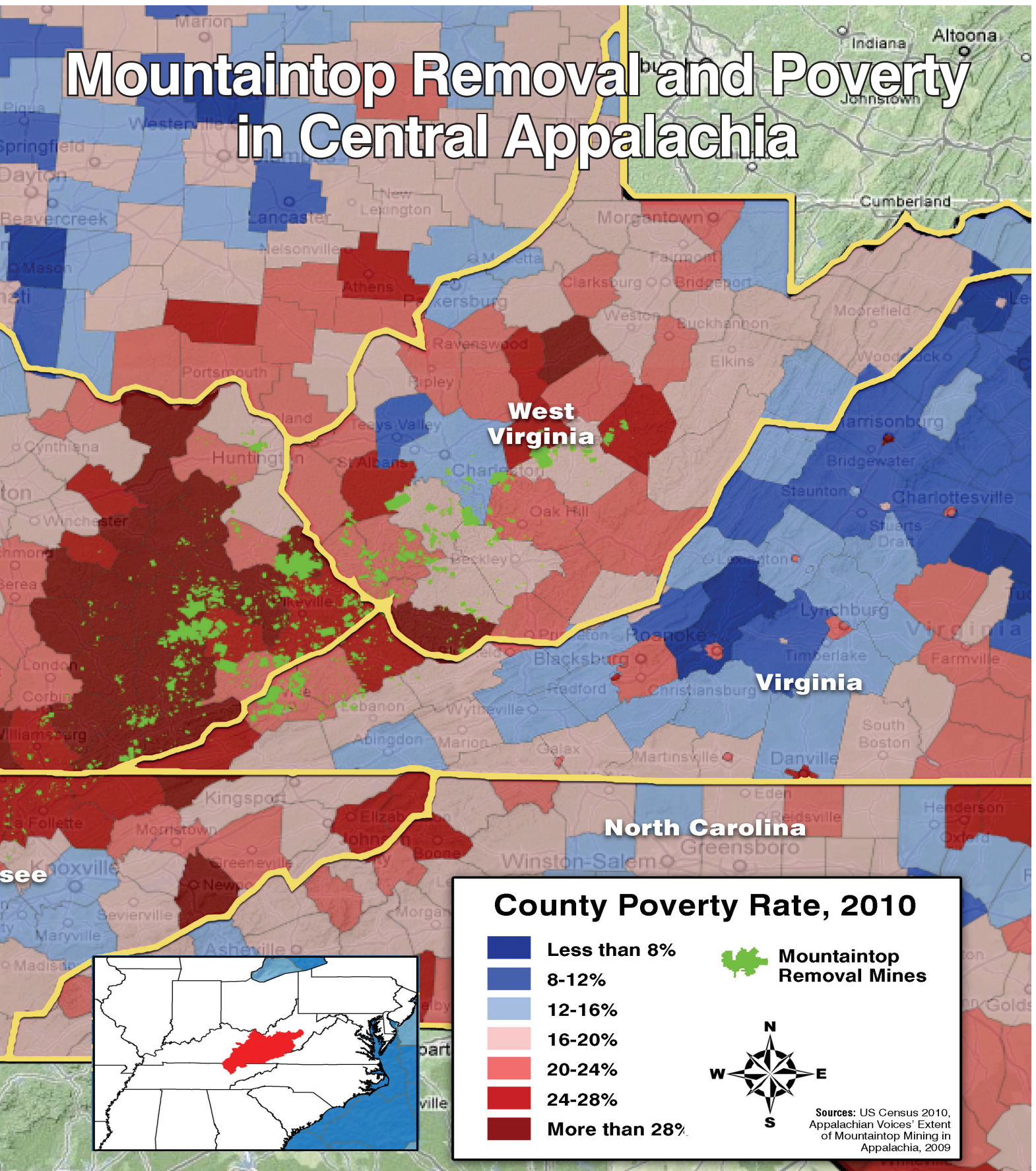
Recent research also found that women who live in areas with high levels of coal mining are **more likely to have low-birth-weight infants** and that poor birth outcomes are especially elevated in areas near mountaintop removal mining sites. (*Hendryx and Ahern 2010*).

These studies show that chronic exposure to mountaintop removal coal mining means you are more likely to experience serious health problems. They raise a significant concern that **living downstream and downwind from a mountaintop removal site is hazardous to human health.**





# Mountaintop Removal and Poverty in Central Appalachia





# What Can Congress Do?



## The Clean Water Protection Act

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 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 500 mountains and over 2,000 miles of Appalachian streams.

The Clean Water Protection Act is a simple piece of legislation that restores the original intent of the Clean Water Act that fill material cannot be comprised of mining waste. Supporters include Republicans and Democrats from states where mountaintop removal is currently taking place.

Passing this legislation would protect the nation’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 Clean Water Protection Act

To cosponsor, please contact the office of Rep. Frank Pallone at 202-225-4671

For more information, please contact Appalachian Voices Legislative Associate Thom Kay ([thom.kay@appvoices.org](mailto:thom.kay@appvoices.org))

#### **THIS DOCUMENT WAS PRODUCED BY THE ALLIANCE FOR APPALACHIA, WHICH INCLUDES THE FOLLOWING ORGANIZATIONS:**

**Appalachian Voices, Coal River Mountain Watch, Heartwood, Kentuckians For The Commonwealth, Keeper of the Mountains, Ohio Valley Environmental Coalition, Sierra Club Central Appalachia Environmental Justice Program, Southern Appalachian Mountain Stewards, Southwings, Statewide Organizing for Community eMpowerment, The Stay Project, 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 five Appalachian states working together to end mountaintop removal coal mining to 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 mined 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.

