



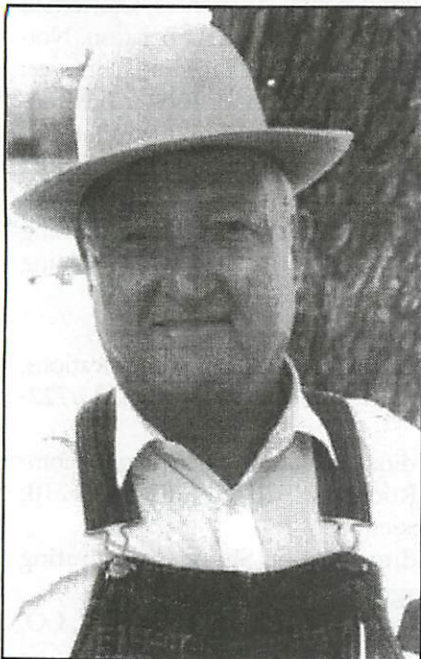
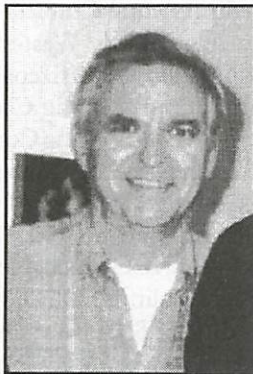
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Citizens Coal Council

August 3, 1997

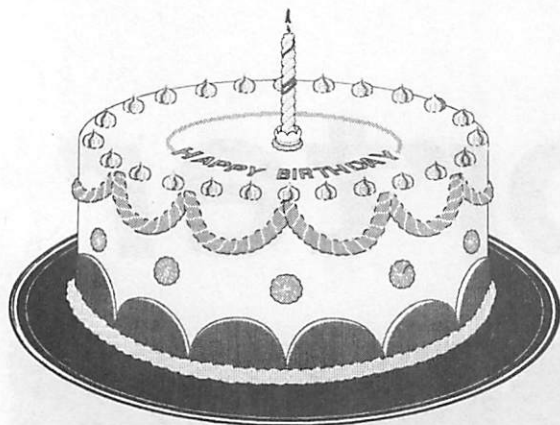
Working for Justice, Law and Order in the Coal Fields

***Special Issue on the 20th Anniversary
of the Federal Coal Law***



Voices from the coal fields

***Come laugh, cry, plan, scold, and rejoice
with some of the many remarkable
people who built the coal field justice
movement over the past 30 years and
are creating its future today...***



Happy Birthday!

To celebrate the 20th anniversary of the Surface Mining Control and Reclamation Act, the Citizens Coal Council invited members and allies to share their experiences with the Act and their thoughts on how to fulfill its promise of environmental protection and restoration for coal field citizens. The response was overwhelming and not all material could be included but will appear in future editions of the Reporter.

Thank you and a piece of cake to all the folks who contributed to this issue

Mary Jane Adams, Patrick Angel, all the wonderful folks at Appalshop, Richard Austin, Jeff Barber, Joe Begley, Jeannie Benally, Lila Bird, Bruce Boyens, J.W. Bradley, Joe Browder, Linda Brock, Ann Charter, Joe Childers, Wyona Coleman, Louise Dunlap, Mimi Filippelli, Scott Fisher, Kathy Fletcher, Tom Galloway, Ed Grandis, Carolyn Guthrie, David Hardeman, Jerry Hardt, Nan Hardin, Ken Hechler, Wanda Hodge, Jane Johnson, Hazel King, Brian Lipsett, Wally McRae, Landon Medley, Daymon Morgan, Ellen Pfister, Cindy Rank, Barney Reilly, Ed Swartz, Jack Scott, Hendrik Snow, Jason Tockman, John Wathen, Norman Williams, Shirley Willie, Gene Wirtz, and our Special OSM Friends - you know who you are!

Citizens Coal Council

CCC is a grass roots federation of 38 citizen groups and individuals who work for social and environmental justice. CCC and its members strive to:

- Protect people and our homes, water and communities from coal mining damage.
- Restore law and order by enforcing the federal Surface Mining Control and Reclamation Act.
- Help each other win our issues.

Coordinating Committee (Board)

CCC is run by a committee of delegates representing members in their states and Native American Nations.

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CCC Member Groups

Alabama: Alabama Environmental Council. Colorado: Crystal Valley Environmental Protection Association, Western Colorado Congress. Idaho: People's Action Coalition. Illinois: Citizens Organizing Project. Indiana: Bridge Alliance, Indiana Citizens Mining Council, Hoosier Environmental Council. Kentucky: Kentuckians For The Commonwealth. Louisiana: Louisiana Environmental Action Network. Mississippi: Concerned Citizens for the Future of Choctaw County. Montana: Northern Plains Resource Council. Navajo: Dineh Alliance, Nenahnezad Chapter Technical Committee. North Dakota: Dakota Resource Council. New Mexico: Water Information Network, Zuni Mountain Coalition. Ohio: Buckeye Forest Council. Oklahoma: Pittsburgh Co. Mineral & Surface Owners Association. Pennsylvania: Alice Water Protection Association, Concerned About Water Loss due to Mining, Concerned Citizens for Environmental Awareness, Concerned Citizens of New Castle Township, Mountain Watershed Association, Nottingham Network of Neighbors, People United to Save Homes. Tennessee: Save Our Cumberland Mountains. Virginia: Coalition for Jobs & Environment, Dickenson County Citizens Committee. West Virginia: West Virginia Highlands Conservancy, West Virginia Organizing Project. Wyoming: Powder River Basin Resource Council, Wyoming Outdoor Council. Multi-State: Commission on Religion in Appalachia, Diné Mining Action Center, Environmental Health Network, Tri-State Citizens Mining Network.

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Making the Promise

By Carolyn R. Johnson, Colorado

On August 3, 1977, President Jimmy Carter signed a bill during a ceremony in the White House Rose Garden. Presidents often sign bills at ceremonies attended by Senators and Representatives before television cameras and photographers.

But the ceremony on this hot and humid August morning was special. President Carter had invited 200 grass roots activists to witness the first step toward bringing law and order to the coal fields.

And come we did, from the hollows of Appalachia, the prairies of the Midwest, and the plains and mountains of the West. They came scrubbed and wearing their Sunday best, and many brought hand-made gifts for the President to honor the nation's promise — a pieced quilt, peach preserves, a wood carving.

As President Carter signed the bill, a hush fell over the crowd. Tears welled up in the eyes of many — they had traveled a hard road to reach this day. A collective sigh went out as he finished, and they clapped and laughed, hugged and cried with joy. It seemed that the nation had heard the people's lament during their long struggle and responded.

As the President entered the crowd, people came forward to thank him for signing The Promise into law, the Surface Mining Control and Reclamation Act of 1977 (SMCRA).

The people's campaign to pass the federal law began in 1971 when the abuses and destruction drove grass roots groups to come out of our hollows, ranches, towns, and farms and join together across the country.

We had seen our water polluted, land raped, homes and cemeteries destroyed, and people killed. In 1972 a poorly built coal waste dam collapsed and killed 125 people along Buffalo Creek, West Virginia. The Department of Interior's own figures showed over 526,000 acres of cropland, pasture, and forest lost and more than 11,000 miles of streams polluted by sediment or acid.

The political and economic power of the coal industry in 1971 was immense — it still is — and the industry used its power to divide communities, bully its opponents, and control state governments. Many states were unable or unwilling to crack down on mining abuses and competed for the weakest laws and loosest

(Please turn to page 4)

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The Rose Garden

By Jane Johnson, Illinois

We stood on the street at 1600 Pennsylvania Avenue, a large throng of activists from all over the nation gathered at the East Gate of the White House grounds. A guard unlocked the latch and the gate swung wide.

I walked up the drive with Bob Masterson, my friend from Knox County, Illinois. Roger Seiboldt, a fellow county board member trailed behind shaking hands and chatting with Congressmen who came down the drive to greet us. Roger was thrilled to be meeting so many famous people.

The crowd stirred with anticipation as the door of the Oval Office opened and President Carter stepped onto the veranda. The crowd parted for him and he walked toward a small

table and chair placed near the hedge that bordered the garden. He took my hand smiling and saying, "How do you do?" in his soft southern voice. He shook hands with other guests lining his pathway.

Roger pushed me ahead of himself so I would be in front of the crowd to get a good view of the ceremony we had come so far to witness. The President seated himself and began the simple ceremony, a prelude to the historic signing of the Surface Mining Control and Reclamation Act of 1977.

I was overwhelmed with my feelings. I stood quietly and rigid as if I were alone in a dream. To think that our years of hard work and struggle and bitter strife had brought us to this place was overpowering.

The President spoke sincerely and with pride about his privilege of signing the Bill into law. After he signed, he rose and shook hands with Louise Dunlap, our constant leader for many years. He congratulated her and kissed her on the cheek.

Now on this 20th anniversary day in 1997, activists are still waging war over enforcement of the Act and working like fiends, just the way we did from the 1970's through the 1980's. ♣

My job was to organize the ceremony and invite the folks who had worked so hard for the bill. What a special gathering! It was so much more fun than the usual stuffy event, and President Carter really enjoyed meeting all the citizens from the coal fields.

Kathy Fletcher, Washington



Making The Promise (continued from p. 3)

enforcement to appease the industry, who claimed we must choose between "jobs and energy or the environment."

The Environmental Policy Center in Washington D.C. helped organize the "COALition Against Strip Mining" to push for a national law banning strip mining. The Center's Louise Dunlap headed the lobbying campaign.

We started with no power or money, but we had courage, smarts, and a dream.

We learned to write legislation in meetings around our kitchen tables. We held bake sales and spaghetti suppers to raise money, one dollar at a time. We took time from our families and jobs, passed the hat for gas money, then drove all night to testify at Congressional hearings.

Some members endured physical threats, job loss, and harassment of their kids. Two Tennessee families saw their homes blown up and burned.

In the end, we won enough power to pass a law strictly regulating all types of coal mining but we didn't have enough power to ban stripping.

We also won in other important ways. We hung together against enormous pressures and never allowed our coalition to be divided so one group gained at the expense of another. We gained life-long friends, had fun, learned a lot, and made our world a better place. ♣

Before the Promise

I grew up here and hunted and fished. The streams became filled up and polluted. The strip mines pushed trees into the streams and there were floods so I started organizing in my community in 1969. The coal companies threatened me. I wasn't too smart but I wasn't afraid of anything that wiggled or walked.

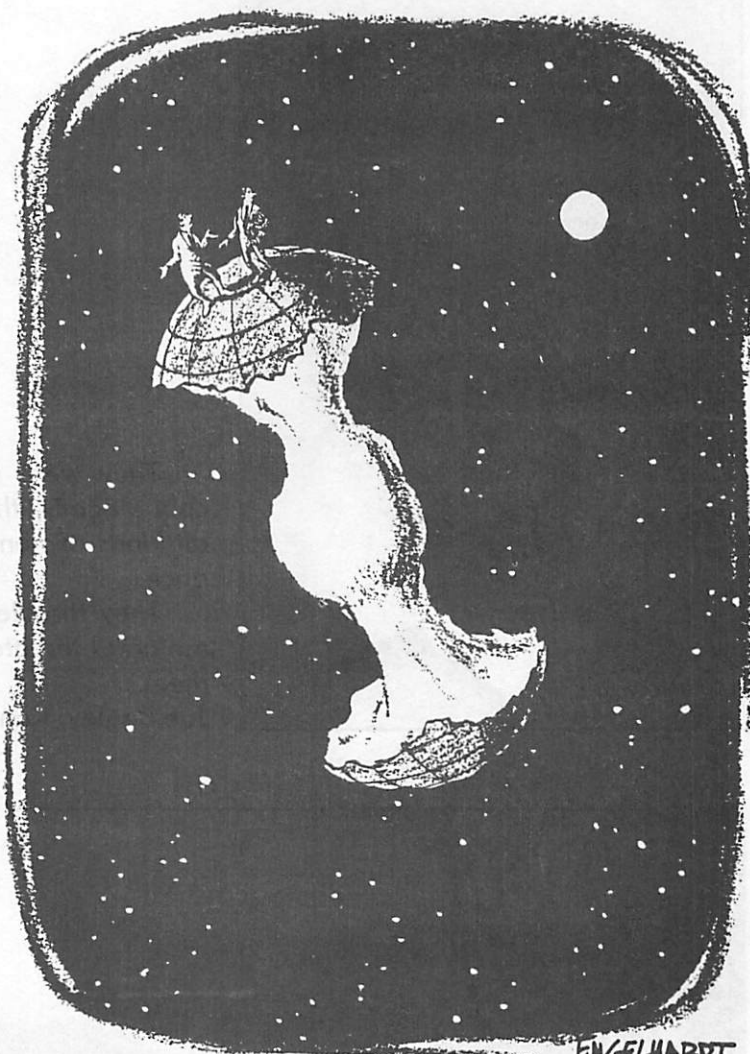
J.W. Bradley, Tennessee

I went to southwest Virginia and saw a strip mine for the first time. I thought, we have waged war on these people. I couldn't believe our government could sanction such abuse of people. I was devastated.

Ed Grandis, Washington D.C.

I got involved in 1971. The coal speculators were coming around saying strip mining is inevitable and trying to lease our ranches. They talked about condemning landowners if they wouldn't sign. I was indignant. To force people off their land kills them. People belong to the land, not the other way around.

Carolyn Guthrie, Montana



ENGELHARDT

'...And All the Time They Kept Insisting Strip Mining Wouldn't Take Too Big A Bite'

In the early days

By Nan Hardin, Indiana

In 1964 my family journeyed from Chicago to my parents' home in Knox County of eastern Kentucky. My purpose was to interview Harry Caudill, whose book *Night Comes to the Cumberlands* was published in 1963. He described how the land and people were dying from strip mining.

I saw strip mining for the first time on that trip. The coal corporations invoked the heinous broad form deed to strip mine in eastern Kentucky where they had leased vast acreages from unsuspecting land owners, including my parents.

During this time, my family moved to southwestern Indiana's most strip mined county. Evidence was close at hand in spoil piles, high walls and acid ponds which were sometimes used as garbage dumps. However the early scars were dwarfed by the stripping needs of coal burning power plants.

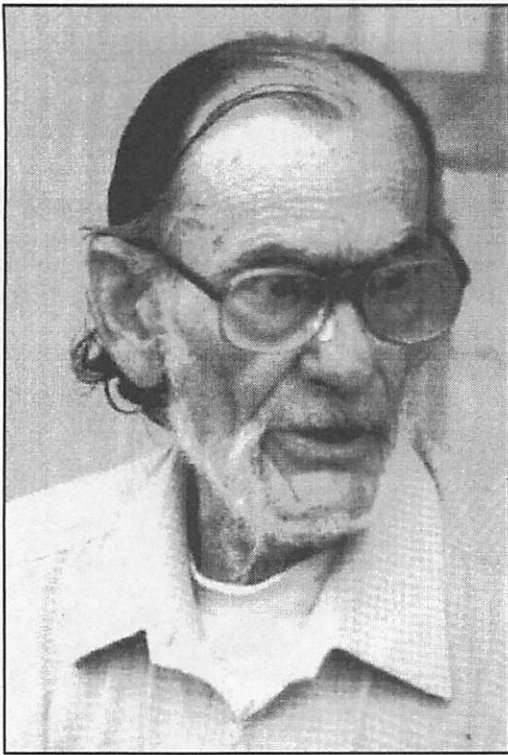
In Indiana, citizens were up against formidable obstacles. The legislature prohibited counties from regulating strip mining and the coal corporations got the legislature to pass the weakest law of all the coal producing states. This law was to frustrate citizens before and after federal legislation.

With national attention focused on Appalachia, money poured into groups trying to alleviate the social problems publicized by Caudill. One result was large mass meetings sponsored by the Council of Southern Mountains every summer. I attended gatherings in Kentucky and Virginia. Ordinary people stood to tell of the oppression coal mining brought them: the broad form deed, black lung, highwalls, rocks rolling down on their houses and mud slides.

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In the early days

(Continued from p.5)



They were stripping coal illegally, there was all kinds of non-compliance.

They threaten to kill me and I threaten to kill them.

Joe Begley, Kentucky

At my hometown of Barbourville, a young man from Washington wanted to see a strip mine. I took him to the mining camps of my childhood. The camps were gone but the mine owners in their infinite greed sold many of the shacks to former miners.

Mud from a spoil bank covered a resident's front porch. His front door would not close. His furnace was ruined. I asked him what action he had taken. He replied that he had "done everything but shoot the SOB's."

Violence and threats of violence were common in the mountains before the federal law. When asked if he was afraid, the legendary Joe Begley said, "They threaten to kill me and I threaten to kill them."

Another activist, Jon Branscome said plainly, "I've had the hell beat out of me."

Such was not the case in the Midwestern coal fields. They didn't need to threaten us in Indiana, the state legislature gave them the control they wanted. We still live with this legacy. ♣



Coal has always cursed the land in which it lies. When men begin to wrest it from the earth it leaves a legacy of foul streams, hideous slag heaps and polluted air. It is an extractive industry which takes all away and restores nothing. It mars but never beautifies. It corrupts but never purifies.

Harry Caudill, *Night Comes to the Cumberlandlands*

It was Hell come to earth and the companies wanted more. We had to fight like wildcats to keep them from stripping the outskirts of Denver, where farm fields were already subsiding into underground mines and the coal seams were burning.

Carolyn Johnson, Colorado

Strip mining in eastern Kentucky.

The abolition movement

Protecting the land and people

By Ken Hechler, West Virginia

When I was elected to Congress in 1959, West Virginia was the largest coal-producing state and my Congressional district contained more coal miners than any other. But I was lucky to get elected with \$5,000 and no political obligations. I could seek the truth, vote my conscience, and speak without fear or favor.

Many events and experiences shaped my position as an abolitionist and I traveled throughout the country rousing audiences with graphic accounts of the human horrors of strip mining. I had a persuasive slide show with lots of music: Lynn Anderson singing "I beg your pardon, I never promised you a rose garden" for the slides of reclamation attempts.

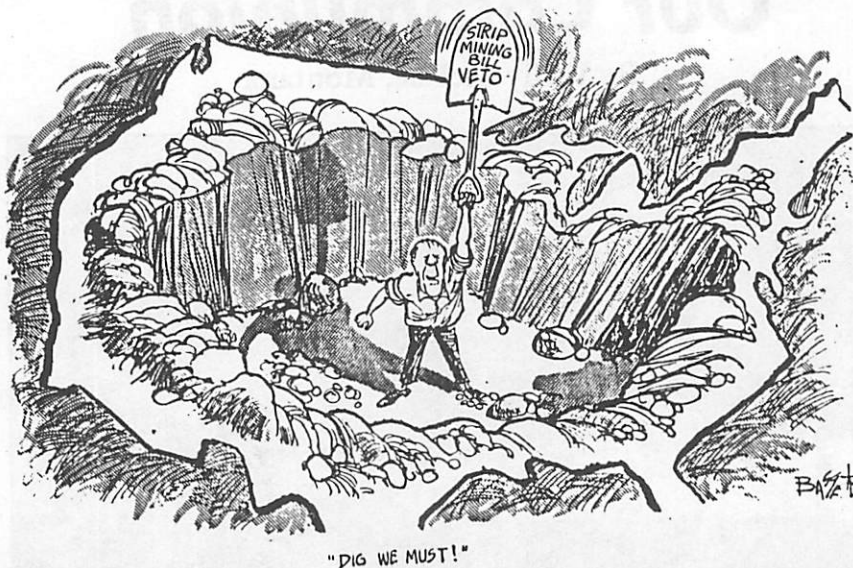
These efforts stirred up such a storm of criticism of strip mining that by 1970, it forced the hand of the Nixon Administration and Congress to schedule hearings. With the help of experts like Norman Williams, Richard Austin and Ned Helme, we assembled a comprehensive collection of statistics, human stories and rebuttals to every criticism of abolition.

My abolition bill, calling for phasing out strip mining in 6 months in the mountains and 18 months in more level areas, attracted 60 cosponsors in 1971 and over 100 by 1974.

Congress finally passed a regulatory bill in 1974, which President Ford vetoed in December 1974. In 1975, the House subcommittee, chaired by Rep. Patsy Mink of Hawaii, passed another bill and President Ford vetoed that one also.

I was still concerned it did not go far enough and its administration would fall into unfriendly hands. Before the vote to override the President's veto, I told my abolition supporters they should vote to override the veto, even though I would cast a personal vote to sustain the veto; I would change it if my vote was the deciding one.

All the abolition supporters voted to override, and my vote to sustain did not swing the balance.



In 1971, WV Secretary of State Jay Rockefeller publicly supported the abolition of strip mining. When he was defeated in the 1972 election, Rockefeller unfairly attributed it to his position on strip mining. When he decided to spend millions of his own fortune to run for Governor in 1976, I left a safe seat in Congress to challenge him on strip mining and his spending splurge. But running against a Rockefeller is like lying down in front of a tank, and I was soundly defeated.



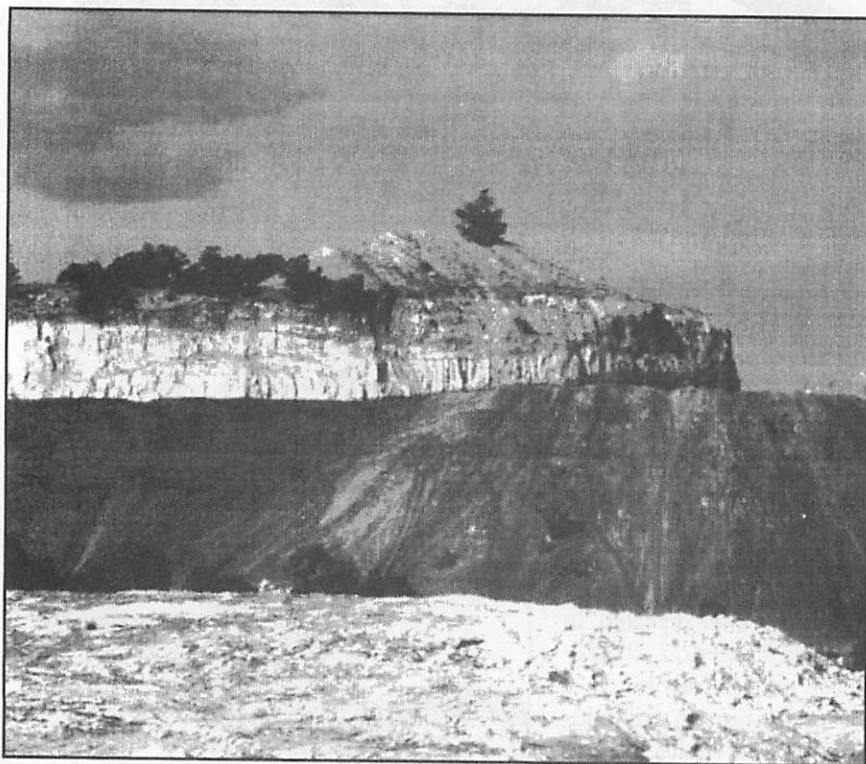
President Carter invited me to the ceremony celebrating the signing of the 1977 Act. I warned him there was serious danger that those administering it would weaken it. His answer was: "I have a very good Secretary of the Interior, Cecil Andrus of Idaho, and I'll remind him of that point."

Since 1977, enforcement of the Act has been progressively poor. Even following the departure of Secretary James Watt, the experience under Secretary Bruce Babbitt has been a disaster. Funds collected for cleaning up abandoned mine lands aren't spent, violations often go unpunished, and Mr. Babbitt tends to let coal operators lead him by the nose when he inspects strip mines.

My conclusion is that abolition is the only answer. ♣

Our Communion

By Wally McRae, Montana



Unreclaimed strip mine in Colorado, 1976.

He said, "This bread's my body."
He said, "My blood's the wine."
*Remember when you take it,
The blood and body's mine.*

Our bodies are this fertile land.
This water is our blood.
Our plains form our communion.
Our god's organic mud.

Your blasting rends our very flesh.
Your mining cuts out our veins.
Our fly-blown, bloating bodies
Lie piled upon the plains.

You'd load our bones on somber
Black, unit funeral trains.
Or burn them in cremation
Pyres. Dachaus of the plains.

By callous men, and greedy,
Our deaths unsanctified.
A region, and its people,
Both being crucified.

Proffer up the other cheek?
Our cries should we subdue?
Say, "Forgive them, Father, for
They know not what they do?"

Should we ignore the spectre
Of this base incubus?
As they debauch our country
Do they ever think of us?

The water is our life-blood.
Our bodies the land.
Why can't they comprehend
this?
Why don't they understand?

Heroes of the abolition struggle

By Norman Williams, Virginia

When I think of my years in West Virginia, I realize there were men and women whose efforts in the cause of strip mining control or abolition were far beyond anything I'd done. So many people, whose lives had been distorted by the ravages of coal mining, banded together to fight for their homes and their communities.

I recall four men who eloquently and consistently voiced a protest against the remorseless depredations of the coal operators. They struggled within the system to bring about meaningful legal control of King Coal. And they traveled the state stirring the hopes and determination of citizens to shut down this rampaging industry.

Who were these men? Foremost is Ken Hechler, now Secretary of State, a man who has never deviated from his belief that strip mining is an abomination that must be done away with.

Ken may have appeared to many as just another Don Quixote tilting at windmills, but he garnered respect among his colleagues. Perversely, the collapse of federal enforcement of SMCRA under President Clinton lends enormous credence to his sincerely-held conviction.

As state senator Paul Kaufman was the motive force behind the legislative efforts to put teeth into anti-strip mining laws. When he ran for governor, abolitionism was a prominent aspect of his appeal. Paul was articulate and tenacious. His death in a highway accident was a terrible blow to ensuring a better environment.

My third hero was Grover C. Little, Jr., "Zip" for short. A man of boundless energy, Zip was a sort of itinerant preacher like the old circuit riders of Kentucky, where his roots were. Zip traveled the length and breadth of the Appalachian coal fields rousing people for the fight against strip mining, and testifying before state legislatures. Zip loved to hunt and roaming the unspoiled hardwood forests of the highlands was his idea of heaven. The destruction of those magnificent stands of timber fueled his sense of outrage.

Finally, there is Si Galperin, a long-time state senator who sponsored every anti-strip mining bill introduced in the state senate, hard-working, pertinacious, dependable.

It was a tremendous privilege to have been associated with these four admirable individuals. They inspired all who knew them. ♣

When my home shook

By Richard Cartwright Austin, Virginia

In the autumn of 1970, I took leave from my pastoral duties to churches along the Big Coal River in southern West Virginia to write a doctoral dissertation. At the same time, State Senator Tracy Hilton opened a strip mine across the river not 200 yards from my home. While I tried to write, he blasted the mountain apart, shaking my house with dynamite concussions every morning and afternoon.

For years, I'd ministered to parishioners who suffered landslides in their yards from contour strippings and who grieved the destruction of the hills they loved. Now it was my turn to experience the threats to my home and the anger that rose within me.

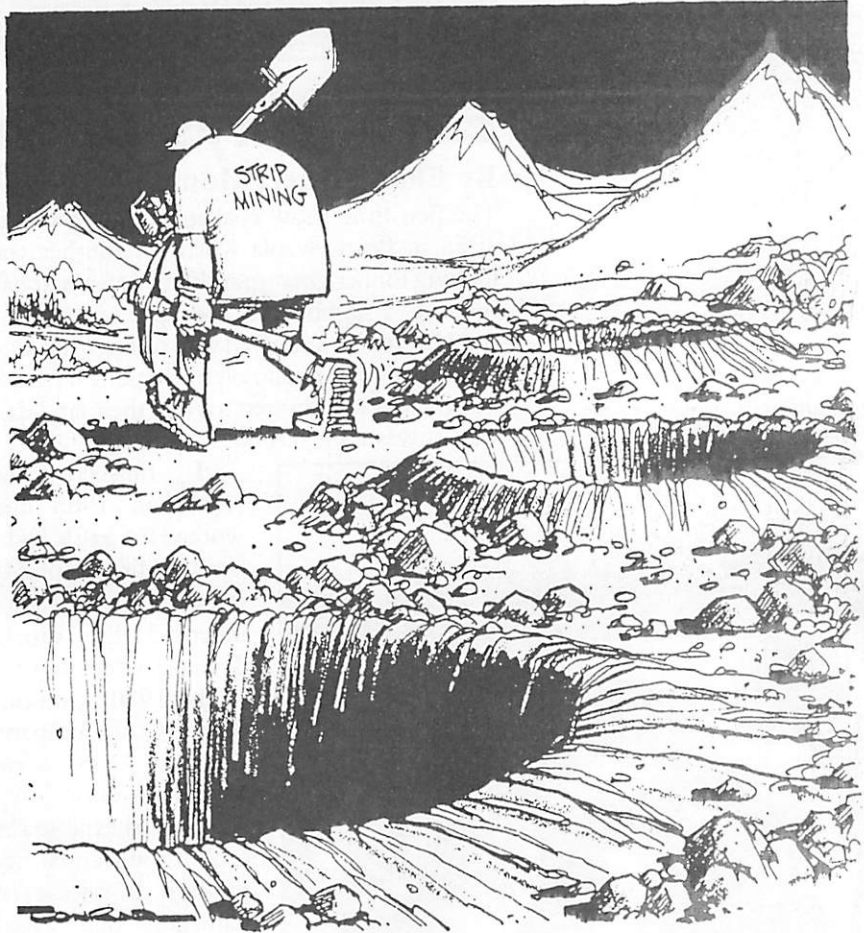
When I was convinced I couldn't study and Hilton wouldn't stop stripping outside my window, I volunteered to work for abolition.

That November, State Senator Si Galperin won re-election promising to introduce legislation to ban strip mining altogether in West Virginia. When I was convinced I couldn't study and Hilton wouldn't stop stripping outside my window, I visited Galperin and volunteered to work for him pushing for abolition. Si accepted.

Two weeks later Jay Rockefeller, preparing his first campaign for Governor, spoke out for the abolition of strip mining. Si, Jay and I huddled for an evening and I left with a generous check to organize "Citizens to Abolish Strip Mining" in West Virginia to pressure the state legislature.

I didn't so much organize as step into the center of a whirlwind of outrage as citizens all across the state, their hopes aroused at last, wrote, phoned, and poured into Charleston in overwhelming numbers.

While abolition was debated in Charleston, Congressman Ken Hechler introduced legislation to abolish strip mining nationwide. When the state legislature adjourned, Hechler hired me to help prepare for the first Congressional hearings on strip mining. All across the country



'One small step for energy . . . one giant leap backward for the environment'

people abused by strip mining were taking hope, phoning and writing Hechler's office, and I was able to speak with many of them and help arrange testimony.

I returned home and, while Louise Dunlap coordinated legislative strategy in Washington, I co-chaired the National Coalition Against Strip Mining that mobilized citizen support.

It was a happy moment to stand in the Rose Garden with so many colleagues when President Carter signed the strip mining bill. But it has been sad to watch industry and politicians evade and erode that law during the last two decades. There is still only one clean solution: abolish strip mining for coal nationwide! ♣

Citizens come together

Unlike other environmental laws, citizens from across the nation wrote the federal coal law and created the power necessary to pass it despite fierce opposition from the coal industry.

Early days in the fight

By Ellen Pfister, Montana

The first time I saw coal strip mining was in 1955 in Pennsylvania when my mother was looking for her great-grandfather's farm. It had become a nightmarish spoil pile. As a girl, I thought it was a terrible way to treat the land and I tried to rationalize it by thinking if people in Pennsylvania wanted to treat their land that way, it was their business.



I finished law school in 1965 and worked for a title company in Mississippi. My father died and Mother inherited the ranch. Things rocked along.

In 1970, Consolidation Coal Company showed up on Mother's door step wanting to explore for coal. They wanted her to sign a release of damages. She asked who else had signed. They told her six neighbors. She kept the release, didn't sign, and called the six. The Consol boys had lied and it was our first clue to their character.

Right In Coal's Path

Their appearance was like a bomb in our lives, which haven't been the same since. We discovered coal reservations in our deeds. We found coal was a many-headed hydra coming alive again and we were right in its path.

We learned of hearings scheduled for the House of Representatives on reclamation and we decided to testify. Three of us went: Vera-Beth Johnson, the school teacher; Ellen Pfister, the lawyer; and me, the grandmother.

We were naive about how things worked in D.C. but unintimidated. We watched as congressmen gave Navajo folks from Black Mesa, Arizona, a hard time. This angered us and when our time came to testify, we spoke our minds.
Ann Charter, Montana

Neither Mother or I wanted the ranch strip mined. About this time, the Department of Interior's North Central Power Study burst on the scene with plans to turn Montana and Wyoming into the boiler room of the nation complete with 'national sacrifice areas' for coal mining.

These threats resulted in the formation of the Bull Mountain Landowners Association to try to protect us surface owners and give us some say. Ultimately it led to the formation of the Northern Plains Resource Council.

In August 1971, I read that Rep. Ken Hechler, WV, had introduced a bill to ban strip mining. My neighbors Ann Charter, Vera-Beth Johnson and I got ourselves together and got on the list for the hearings. We had to submit umpteen copies of our testimony. Vera-Beth brought the House Committee on Interior and Insular Affairs to attention by asking an inattentive Congressman Stieger from Arizona (who was reading a newspaper) if he knew where the Bull Mountains were!

We found out that one can't question a congressman! As the hearings let out, we were pounced upon by Louise Dunlap of the Environmental Policy Center. That was our first contact with anything like a national movement on the issue of coal mining and its effects.

We finally won passage of the federal law in 1977 and some of us relaxed for a while. We thought the law would be carried out, but we found out we have to be here for the long haul if we want enforcement. I never realized how long the haul would be in 1970. ♣

Building our national coalition

By Wyona Coleman, Pennsylvania

I became a coal activist through an unlikely channel. As public relations director for the Illinois State Geological Survey, I kept the coal industry happy by promoting their activities.

One of my duties was to plan public field trips across the state at working mines to amaze citizens about the wonders of coal production. The moonscapes left by the industry, however, appalled me. How could people lay waste to fertile farmland that could have been productive forever?

Upon moving to Pennsylvania, I found a legacy of past mining atrocities as well as cur-

rent ones. As a Sierra Club representative, I attended meetings in DC organized by the Environmental Policy Center to pull together a national coalition. Camping out in church basements, crowding into the cramped quarters of EPC, activists from Appalachia and the West began the effort to enact legislation to regulate mining and reclamation.

The dedicated people I met on those trips made it all worthwhile. The boundless energy, savvy, and determination of Louise Dunlap were awe inspiring. I admired Carolyn Johnson who attacked issues calmly and head on and who could bring people together. Jane Johnson inspired Illinois farm women to become warriors for the soil. The soft-spoken, gentle Tennesseans confessed they sometimes thought guerrilla tactics might be the only solution to their frustrations.

Elation is not too strong a term to describe how we felt at the Rose Garden signing of SMCRA. It speaks to our endurance that most of us are still here — still fighting — to make the goals of SMCRA a reality. ♣



When I lived in Indiana, where I grew up, I took several trips to Washington, D.C. with my students and children to testify in support of SMCRA. We slept in church basements, just as folks trying to stop the Vietnam War had done.

During one trip, my youngest daughter Karen, who was in the fourth grade at the time, spoke to lawmakers. She gave the same testimony as I and my students would have presented; she had been to so many meetings that she had absorbed everything.

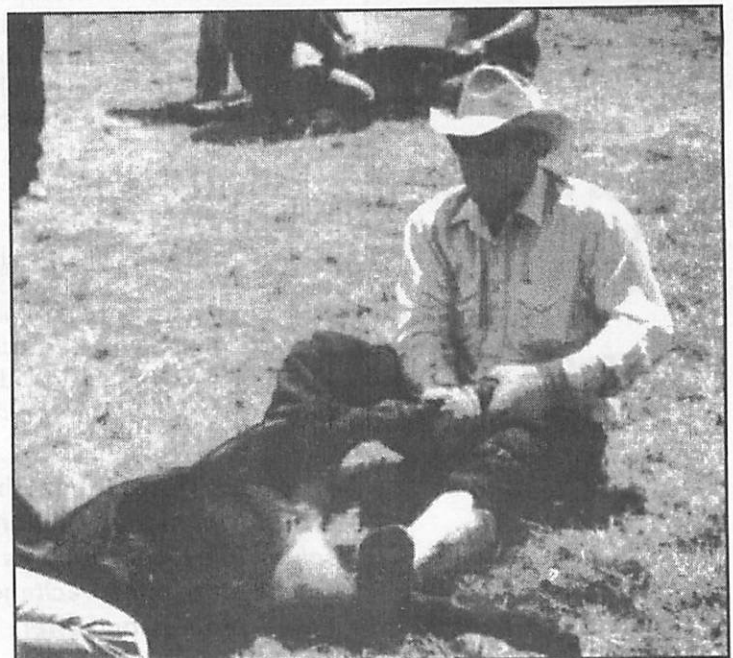
Scott Fisher, Wyoming

Consolidation Coal came in and drilled test holes on the ranch. They didn't plug them and our water was ruined. Consol told me I had to sue them to get the holes plugged. Turns out they had drilled after their permit had expired.

I made it public. Consol's a real nasty outfit — I had to carry a gun for years until they finally stopped trying to drill more holes.

Those suckers screwed me so I worked to keep that from happening to others.

It was such a chaotic time. I was trying to run a ranch and get the bill passed. We walked so much in D.C., it wore me out. We ride a horse or a pickup.
Ed Swartz, Wyoming



Louise Dunlap, lobbyist for the Act



Louise Dunlap headed the lobby campaign to pass the Act in Washington, DC. During a recent interview with CCC, she reflected on how citizens passed the Act and what we can do today to get it enforced.

Q How did this campaign begin and why did you get involved?

A In 1971, I worked at Friends of the Earth for the last 3 months of a 9-year effort to ban the supersonic transport plane (SST).

Rep. Hechler introduced a bill to ban all strip mining in six months. I

was very influenced by Harry Caudill's book *Night Comes to the Cumberlands* and went to the coal fields. Dick Austin was working with Hechler and the Sierra Club was putting out material on strip mining, but no one was working in D.C. In early 1972, we started the Environmental Policy Center with strip mining as a major issue.

Q Did you expect to spend seven years?

A No, that's how naive I was! I thought we could do it in six months, because in my mind the SST battle took three months, the time I worked on it. Later, I learned the late Senator Dirksen (R-IL) introduced the first strip mining bill in 1940. The Act really took 37 years!

Q You were the head lobbyist. Many people see lobbying as sleazy work.

A I was very proud to be a registered lobbyist and still am.

Q What brought the campaign together?

A Several major events in 1971 and 1972. Sen. Fred Harris of Oklahoma called a big national meeting in Kentucky for citizens. Over 900 people came, including people from Montana such as Carolyn (Alderson) Guthrie.

John McCormick came from New Mexico and promptly moved to D.C. and joined EPC and we worked together from then on. He was an invaluable contributor to the Act.

But a defining moment was when three Montana women came to testify in Congress. About 200 people packed the room. Rep. Steiger, one of our opponents, started reading his newspaper while Ann Charter was speaking. She stopped and didn't start again until he put his paper down. Then one of them asked him a question. He and most everyone else was shocked. The memory is etched in my brain forever because they set the tone: this campaign was as much about holding government officials accountable as about coal mining.

Q Why did the campaign goal change from banning strip mining to regulating all coal mining?

A It's a long story. The Hechler bill called for a ban in six months. We kept getting questioned on how "the lights would stay on in America." Mr. Hechler said "import more foreign oil." We didn't think that was wise, we thought new underground mines could pick up the slack, but we didn't know.

We sent John to talk to the manufacturers of underground mining equipment in Pittsburgh. He learned it would take seven years to build the equipment to get enough new mines developed. It's really sad, but we couldn't put together the support to pass a 7-year phase out. It was a great missed opportunity. With a regulatory bill, we could ethically argue that the lights won't go off.

Q In many campaigns, environmental as well as other issues, citizens are just window-dressing for big organizations and don't make the decisions. How did you keep this a citizens campaign?

A We stayed in constant touch, and it was lot harder to do in those days before fax machines, e-mail and overnight mail! We put together teams of citizen experts. Citizens had

(Please continue on p. 13)

A defining moment was when three Montana women came to testify. The memory is etched in my brain forever because they set the tone: this campaign was as much about holding government officials accountable as about coal mining.

Louise focused on the national goal and would not allow anyone from industry, national environmental groups, or even the frustrated citizens themselves, play one region's interests against an others.' Nor would she let them forget strip mine reclamation is as much about people and communities as about prairies and rivers and forests.

Joe Browder, Maryland

When I read the bill there was only one sentence about blasting in it that required companies to comply with weak Bureau of Mines Standards. I told Louise the bill doesn't help my people because it would allow blasting to continue as it had for the last 20 years. Louise said, "Well, then you handle that." I was working in a hallway where people had to walk around me and I typed 12 pages of amendments on blasting.

Ed Grandis, Washington,

It was all pretty memorable. It was like Civil war, a hard row to hoe.

We wanted the rules and regulations to do a better job and we got the 1977 bill.

Joe Begley, Kentucky



To those of you who would exploit us, don't underestimate the people of this area. Don't make the mistake of lumping us and the land together as "overburden" and dispense with us as nuisances. Land is historically the central issue in any war. We are the descendants, spiritually if not actually, of those who fought for this land once and we are prepared to do it again. We intend to win.
Carolyn Guthrie, Montana (1972 speech to an energy symposium)

Louise Dunlap, lobbyist (continued from p. 12)

direct testimony. They lived near the mines, had pictures, and knew better than anyone what happened, what had been tried, and what worked and didn't. Citizens wrote a lot of the bill at their kitchen tables.

When John and I were pressured to give away issues, we stressed we worked for the citizens in the coal fields and it wasn't ours to give away. This depersonalized our work with Congress.

Q What were the toughest times?

A Every nasty trick in the book was thrown at us in the seven years plus over 800 amendments were offered. We had to fight on every one and prepare our supporters for debate with facts and arguments.

In 1974, we had to walk away from the bill for over a year because it didn't include the right for surface owners to give consent for mining. The western folks wanted it because the federal government and railroads own the mineral rights. People hung together and didn't split on regional lines despite pressure to trade issues.

President Ford vetoed the bill twice in 1975. We had to wait for Carter yet keep interest alive.

Q But we won anyway.

A The political establishment didn't appreciate what citizens could do. The coal industry underestimated citizens big time and didn't figure it out till too late. I don't think it has figured out citizens even today. Hello, anyone home?

We had many great allies in Congress: Melcher, Mink, Udall, Regula. Rep. Seiberling (OH) was a war horse in debates, always prepared. Rep. Phil Burton (CA) delivered the political force.

Q Your opinion on how well the Act is enforced today?

A Even in the worst-case scenario, I expected the Act to be enforced better than it's been. I never thought it would be this bad, but it's not hopeless and need not be permanent. The Act has proven to be sound; the flaws are the White House and the Interior Department.

Enforcement depends on citizens organized locally and getting outside help from the media. Citizens need a more effective and sophisticated presence in Washington to put the oxygen back

I expected the Act to be enforced better than it's been. The Act has proven to be sound; the flaws are the White House and the Interior Department.

From the Promise to reality

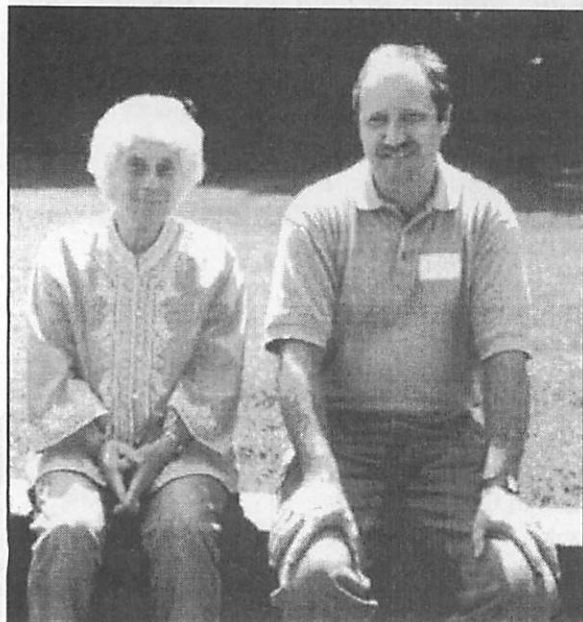
Will the Promise be kept? Does the Department of the Interior, long an advocate of coal mining, have the will to enforce a law enacted over relentless industry opposition? These questions disturbed citizens during their campaign to pass the Act.

The Office of Surface Mining (OSM), the agency created in the Department to carry out the Act, had a rocky start: it lacked money to hire staff and faced the first of many legal challenges from the industry and some states who asked the courts to block much of the Act.

In the coal fields, citizens eagerly looked for proof their long struggle would bring about positive change. They began using their newly won rights to take part in inspections.

The inspectors from hell

By Patrick Angel, Kentucky



In the Spring of 1978, fellow Office of Surface Mining (OSM) inspector Bill Hayes and I had been on the road in eastern Kentucky working as a two-man inspection team, crisscrossing the coal fields, trying to be everywhere at once. Our strategy was to make it appear there were more OSM inspectors than there really were. We were known as "The Inspectors from Hell!!"

By 8:00 a.m., we were on our way to Harlan county. We had to make our daily call to the newly

formed headquarters in Washington D.C. to check in with Dick Hall.

Act Like You Can

Dick was calling the shots for the field operations. His first decision was to ask all field people to refrain from issuing cessation orders because of legal challenges. But we were to *act* in front of the operators during our inspections as if we *could* issue a cessation order.

Shutting down our first operator had to be delayed, though this was becoming difficult as we got deeper into the coal fields. We knew

that sooner or later, one of us would have to do the dirty deed.

When Bill finished the call he said, "Dick wants us to investigate a citizen's complaint while we're up in Harlan. We're to find a woman named Hazel King." That was a name I would hear ten thousand times over the years. I didn't know Hazel was then beginning an illustrious career as OSM's most famous and frequent citizen complainant. So off we went to meet Hazel.

I Meet Hazel King

Hazel was waiting for us at the opposite end of her swinging bridge. She was the quintessential environmentalist dressed in camouflage fatigues, hiking boots, pith helmet, and a walking stick. She was concerned with a conventional contour operation on an extremely steep slope about 5 miles upstream from her lovely mountain home.

As she was talking to Bill, my gaze fixed on the Clover Fork flowing beneath the bridge. It was the color of light coffee and full of sediment. Then Hazel said, "I'd like to accompany you on your inspection." I thought to myself, "Can she do that?" Heck, she knew the regs better than I did.

A Disaster Area

The access road to the Eastern Deaton mine was the worse I'd ever seen; no culverts,
(Please continue on page 13)

The inspectors from hell

(continued from p. 12)

no drainage control and deep ruts. I turned to Bill. His teeth were clenched, eyes reading the road as if he was ticking off one violation after another. Then Bill spoke, "You can tell how good or bad a job is going to be by the way the access road is maintained."

When we reached the mine, it looked like the aftermath of Hiroshima: spoil was piled helter-skelter, massive broken highwalls loomed above, and deep pits of acid water were everywhere.

David Grooms, the operator, came to meet us. Bill and I hadn't been issued our badges yet, instead we had a funky "letter of introduction" saying who we were and what our authority was. We flipped our letters and luckily Grooms didn't challenge them, though he didn't seem happy to see Hazel.

We Find The Big Landslide

Bill began probing Grooms to locate the more problematic violations. To this day, I believe that was how Bill found the landslide so quickly. It was one of those rare slides active enough to see it flow downhill. It was at least two hundred feet across and eight hundred feet down slope directly into Clover Fork.

What really bothered me was the amount of spoil and rocks yet to come down. Like the Sword of Damocles, a disaster was about to occur.

Bill looked at me and I looked at Bill. We both knew what had to be done.

Baptizing OSM

As we walked back to our vehicle, I said, "But, Bill, they haven't turned us loose with cessation orders yet." Bill paused and said, "Angel, we're going to baptize this agency out there on that slide whether it's ready or not, and you're going to be the preacher!"

With trembling hands, I flipped through all the forms in my brief case. After 15 minutes I walked up to Grooms and handed him a document titled "Order of Cessation."

Grooms became motionless, his stare fixed on the paper. All of his equipment and trucks seemed to simultaneously shut down, leaving only silence. Somewhere a white-throated sparrow whistled its pensive song. OSM had issued its first Cessation Order, and the coal fields would never be the same.♣

"Angel, we're going to baptize this agency out there on that slide whether it's ready or not, and you're going to be the preacher!"

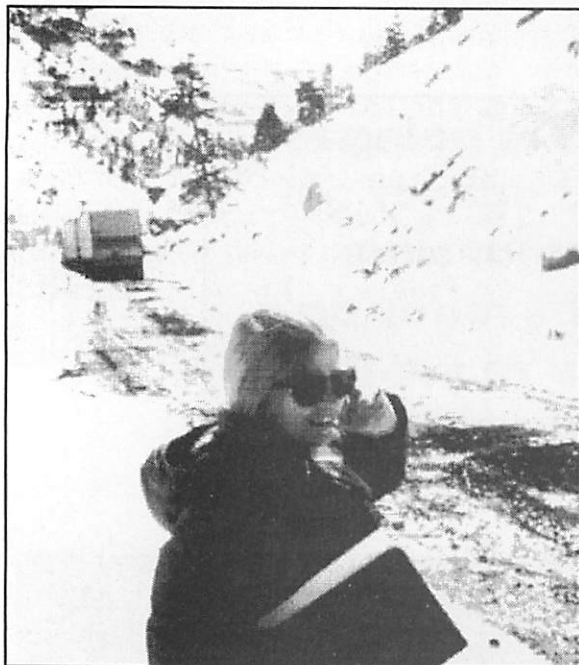


When I heard there was such a thing as the U.S. Office of Surface Mining, I asked for an inspection and I was accompanied by an inspector. Lo and behold, it was one of the most meaningful experiences to have them accompanying you.

When OSM came we felt like we had support and the laws were written so they were meaningful.
Hazel King, Kentucky

Lighting the fuse in the West

By Carolyn R. Johnson, Colorado



By the fall of 1978, OSM mine inspectors had hit the ground running in Appalachia and the Midwest. They were stopping illegal activities and shutting mines without permits or reclamation plans. Change had come to the coal fields; operators were in an uproar and citizens were ecstatic.

But all was quiet out West. OSM's Denver staff hadn't written one violation. Why?

I met with Tom Ehmett, the chief inspector, and Murray Smith, his supervisor, to find out.

Yes, Tom had seen violations. No, he hadn't written the tickets. Why not? Don Crane, the Regional Director, had ordered him not to because OSM 'didn't need to be confrontational in the West.' Murray winked at me and said, "Light a stick of dynamite under him."

It's 'Different' In The West

I met with Don. He had three main excuses as to why OSM shouldn't write tickets in the West: Unlike those in Appalachia, western operators were good guys. Congress wrote the standards for the eastern mines. OSM shouldn't write violations until all possible efforts to persuade the operator had failed. He even claimed western operators supported the Democratic party.

I refuted each excuse, but he didn't budge. That night, I cried with anger and disappointment. We had worked so hard for mandatory enforcement and nation-wide standards, but OSM hadn't left the starting gate out here. Then I realized Don was like many regulators: he wasn't an enforcer; he was afraid to confront a coal company and would rather cut deals.

Lighting The Fuse

The next morning, I decided to make citizen complaints. I spent a week visiting mines in northwest Colorado. I picked the most glaring violations and wrote complaints on six —

from big strip jobs to underground mines — while Charlie Callison, head of the Public Lands Institute where I worked, wrote a press release. Don was unlikely to honor the complaints and my right to go on the inspections unless he was goosed by publicity.

KABOOM!

Early one morning, we lit the fuse. I rode my bike to OSM and gave a package of complaints and photos to Don. Then I delivered the release to the media.

Calls from the press rolled in, and Don called, too. No, he didn't want to talk to me, he wanted to have lunch with Charlie, alone, "executive-to-executive."

Charlie returned hours later. His eyes twinkled as he said, "I'll end your suspense. Don's angry, but you're going on the inspections."

Attacked By A Dragline

One of the mines was owned by Empire Energy. Tom and I arrived to find a dragline operator dumping spoil down the slope above the Williams Fork River.

We climbed the inactive part of the spoil pile. As we stood on the crest, the operator spotted us and started swinging the full bucket toward us. Tom yelled, "Run!" I ran and then he pushed me down as the bucket passed over, dumping tons of rock. He missed us but swung the bucket back to pick up another load. "Stay here!" Tom ordered and sprinted to the cab, climbed the stairs and disappeared inside.

The bucket stopped in mid-swing. I waited for what seemed an eternity. The wind howled and the snow came in horizontal.

Finally, after a whole five minutes, Tom reappeared. He described how he had to pull the operator, who was drunk, off the controls and shut down the machine.

We drove back to the mine office and Tom wrote out the first cessation order in the West. The manager offered me a soda. He said he hoped this was the last time I visited his mine and he wanted to obey the law.

Most OSM inspectors have tried to enforce the Act in the West, but they and the citizens still contend with excuses: western mining methods and the companies are so different from eastern ones that OSM and the states don't need to strictly enforce the Act. ♣

The operator spotted us and started swinging the full bucket toward us. Tom yelled, "Run!" I ran and then he pushed me down as the bucket passed over, dumping tons of rock.

Today and the future

Many citizens who fought for the Act remain committed to the movement, and a new generation has joined the fight to protect our homes, land and water.

The Citizens Coal Council formed after the 10th anniversary in 1987. In 1988, Kentuckians defeated the broad form deed law. In 1992, we won a new federal law to protect water from underground mining.

Today we continue to use our rights and face many challenges: gaining environmental justice for Native Americans, preventing new pollution sources, getting better protection from underground mining, and finding new officials to enforce the Act.

Citizens look forward to the next 20 years and have lots of ideas on how to get the job done. It's time to get moving.

How I became a SMCRAist

By Jason Tockman, Ohio

One of the first things I noticed when I arrived in southeast Ohio was many streams were an awful shade of rusted orange. At the time, I'd never heard of acid drainage and I didn't know what a high wall was.

What I did know was coal mining left a scarred region with a depressed economy and dead streams. I assumed there was nothing to do about these problems, buried myself in my school work, and went for an occasional hike in the Wayne National Forest.

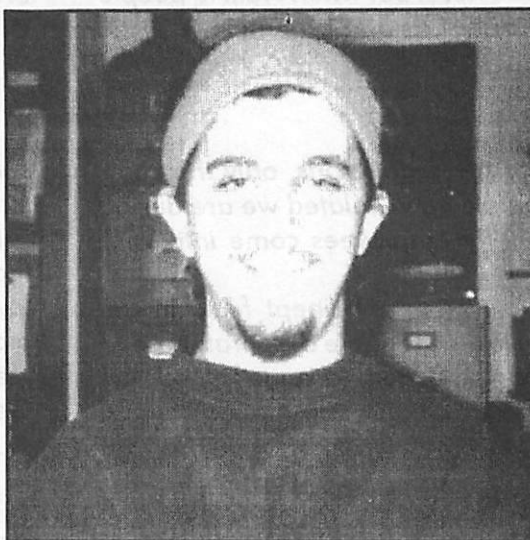
Then mining came to the Wayne, shocking everyone. Surely, strip mining was not allowed in our national forests. But it was.

A group of us toured the mine operated by Avis Coal, wondering how in the world this came to be. Eventually, I was put in touch with CCC, learned about SMCRA and Valid Existing Rights, and began meeting with others working on coal-related issues.

I've been told I am one of the youngest leaders in the coal field movement. At 24 years, I'm a part time student, while the bulk of my time is spent monitoring activities like strip mining throughout Ohio.

I'm a member of the Buckeye Forest Council, a statewide conservation organization. We are now expanding our work with citizens in the coal fields to assist with protection from blasting, subsidence, and water loss.

Working for the full implementation of SMCRA was the last thing I thought I'd be doing when I first saw a stream flowing orange. Now I know that this work is the only way to restore the vitality of the region I call home. ♣



The 10th anniversary conference was the first time in 10 years that coal field citizens from all over got together. We realized everyone was being treated the same, it was like the coal companies met and decided how to screw citizens.

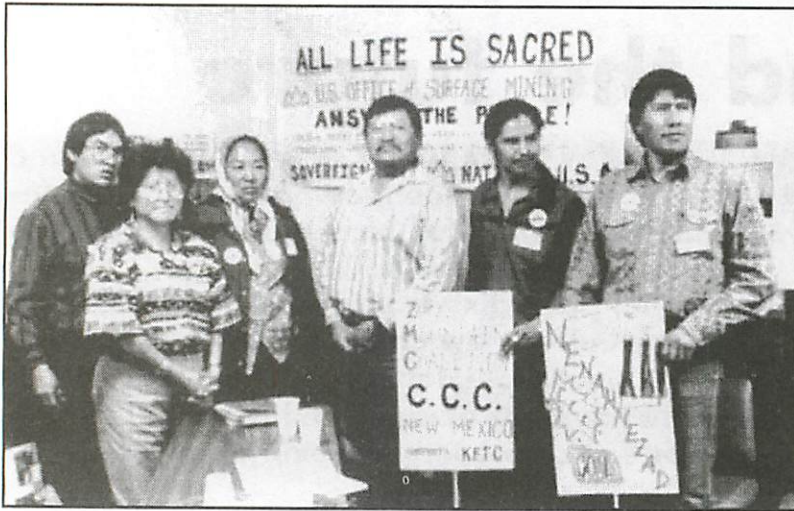
Jack Scott, Colorado

The passage of SMCRA stopped most of the coal companies from mining in the area. Only a handful of permits have been issued since 1977. SMCRA has played a major role in stopping the coal companies from mining into the watersheds in Van Buren county.

Landon Medley, Tennessee

In 1984, our Save Our Cumberland Mountains chapter filed a Lands Unsuitable for Mining Petition (LUMP) to have the Rock Creek watershed designated off limits to mining. This was the first attempt by citizens in Tennessee to use their rights in SMCRA to file a petition. The area was designated as unsuitable for surface mining on March 24, 1987, after years of hearings, gathering technical and environmental information, lots of mental duress, and hard work.

Wanda Hodge and David Hardeman, Tennessee



In 1994 I learned the problems facing Navajo people are no worse than what people are facing in other parts of the country. I knew things were bad here, but when I talk to people from other states I see they are just as bad off.
Jeannie Benally, New Mexico

There is no human side to the regulations, only the company's. The public doesn't realize how violated we are during pre-blast surveys. Coal company employees come into your home and violate your privacy.

Pennsylvania citizens are cursed with inept fools in the Department of Environmental Protection. We desperately need OSM to do its job and we are finally getting some relief.
Mimi Filippelli, Pennsylvania

We activists have long known that there is power in numbers. Times have changed around eastern Kentucky. There aren't as many flagrant violations. More laws are being enforced and we can thank the CCC and all its member groups from across the country.

In 1984, Kentuckians For The Commonwealth (KFTC) finally got a state law passed outlawing strip mining under the old broad form deed law. The state Supreme Court ruled it unconstitutional, so we had to get a constitutional amendment on the ballot.

I was the Chairperson for KFTC, working full time, talking to reporters, writing letters and anything else I could do to get support. We had a time! Finally, on November 8, 1988, the people of Kentucky spoke and voted "Yes" to Amendment #2. We won 82.5 percent of the vote to protect the rights of the land owners. This was a great victory. The people had spoken. This was a highlight of my life.
Mary Jane Adams, Kentucky

We always thought no one, including OSM, pays attention to the problems of American Indian people. We were surprised when we learned OSM ignores the problems for all coal field residents.

Citizen participation isn't welcomed by OSM. OSM officials see their job as getting rid of citizen complaints, not solving the problems that caused them.

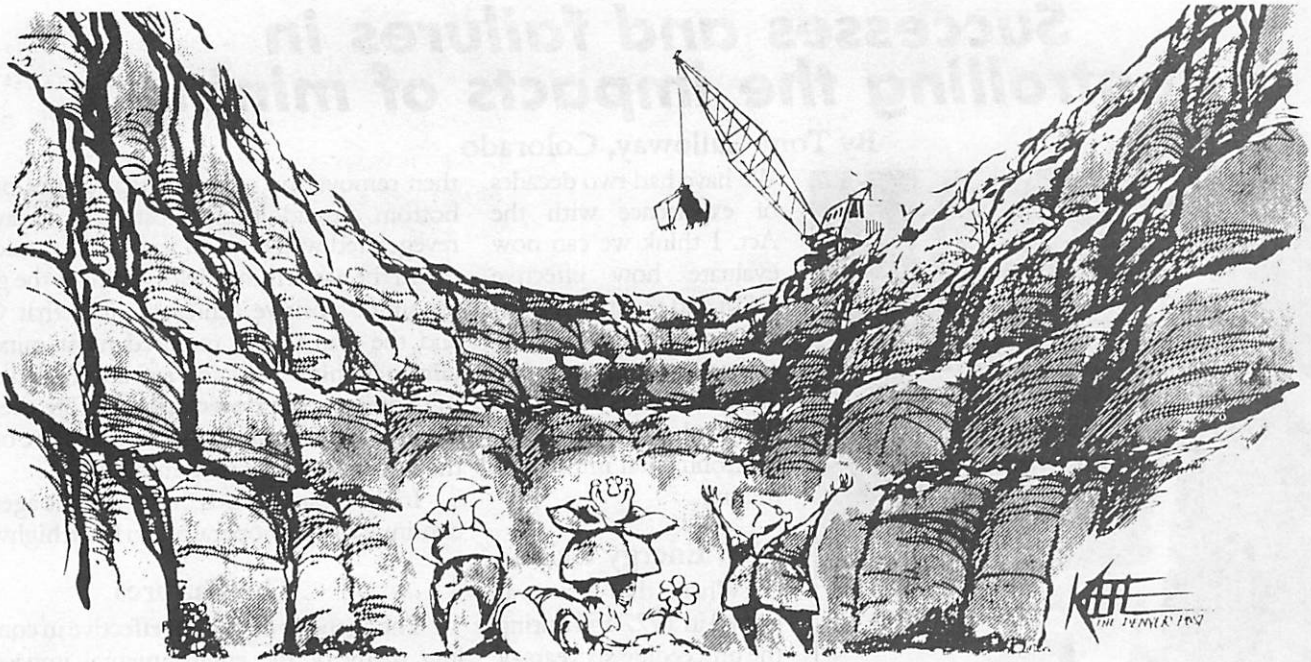
Lila Bird, New Mexico

We all share in OSM's declining presence. The parts of the law on citizens rights are more and more difficult to maintain.
Cindy Rank, West Virginia

Things are getting worse. We've made some progress with underground mining, but strip mining is getting worse. Political pressure from the coal companies at the state and local levels undercuts SMCRA's goal of a level playing field. We are moving back to the old days where states compete to have the weakest rules and enforcement.
Gene Wirtz, North Dakota

My most vivid memories of Kentucky's struggle to reform the atrocious "broad form deed" law all flood to me from one building — the Kentucky Capitol. In 1988, my client in the broad form deed case, Elizabeth Wooten, a widow whose husband was buried on her land that a company wanted to strip mine, addressed a rally held by KFTC in the Capitol.

The crowd hushed as Elizabeth vowed that "rivers will run red" before the coal company would strip her land. Elizabeth's husband had made her promise to keep the strippers off the land as he was lying on his death bed. She intended to do just that and she had a half dozen sons to back her up. The company never stripped her land and KFTC reformed the law.
Joe F. Childers, Kentucky



**ON BEHALF OF THE INTERIOR DEPARTMENT
I DECLARE THIS STRIP MINE RECLAIMED!**

Reflections on a corpse

By Bruce Boyens, Kentucky

As SMCRA's 20th anniversary approaches, one phrase to adequately describe OSM's evolution comes to mind (with apologies to Clint Eastwood): "The good, the bad, and now the ugly."

The Good: During the interim program, 1978-81, I was Region II's Inspection and Enforcement chief in Knoxville, TN. Our office enforced the Act at a rate five times higher than the rest of OSM combined. We developed consistent I & E policies which were eventually adopted as the national I & E policy. We developed the strategy to shut down the wildcat mines.

Our collective tenure is best summarized as we "fought the good fight," despite the fervent efforts to deter us by coal associations, bureaucrats, other OSM personnel, Congress, and former Interior Secretary Jim Watt. On-the-ground enforcement meant something.

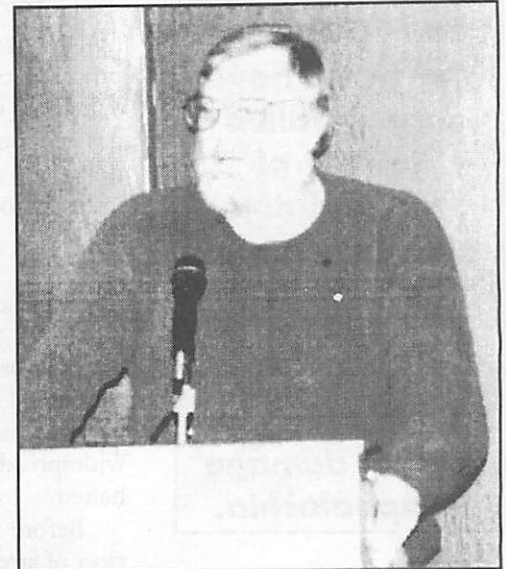
I am proud to have been part of a crew with the knowledge and backbone to fairly and repeatedly enforce the Act. I believe our legacy gives OSM what little positive efforts and ideals that remain as far as the spirit of the Act is concerned.

The Bad: Where do I start? Jim Watt, former OSM Director Harry Snyder and the many "government slugs and turkeys" (Brent Wahlquist comes to mind) who have worked and continue to work at OSM or the Interior Department since the interim program.

The Ugly: Simply put, the ugly is a joke called OSM. While some good solid personnel remain, OSM continues to waste our tax dollars by its inept oversight of the Act and the states and by its failure to be proactive in field inspection and enforcement activities. Dominated by Bruce Babbitt and Buck Miller clones and lackeys, OSM is a mere skeleton of what enforcement agencies are supposed to be. It's tempting to call for its abolishment, but for the good people still there.

Must there be a federal presence in the coal fields? Of course, but I'm not sure OSM can ever regain the backbone it once had.

It may be better to give its enforcement powers to MSHA and maybe its oversight duties to EPA. Keep the citizens' right to maintain a federal course of action. Keep the money grants to the states tied to compliance with the Act's terms. Keep the long-term "good" employees in the federal system, but it may be time to consider getting rid of the ugly joke called OSM. ♣



Successes and failures in controlling the impacts of mining

By Tom Galloway, Colorado



We have had two decades of experience with the Act. I think we can now evaluate how effective OSM and the state regulatory agencies have been at enforcing some of the Act's standards that were designed to control the environmental impacts of mining.

No Energy Crisis

When the Act was passed in 1977 and during the proceeding six years of Congressional debate,

most opponents predicted the Act would significantly reduce the nation's ability to mine enough coal to meet demand. Doomsday never arrived — no brownouts and blackouts occurred.

In 1977, the industry produced 691 millions tons of coal; today the U.S. industry produces over 1 billion tons of coal each year. Whatever constraints enforcement of the Act has imposed on production, advances in technology — along with other factors — enabled industry to meet demand.

The Successes

For the first 10 years after the Act was passed, a veritable war was fought against gross abuse — mining with little or no environmental controls and abandoning the site without reclamation. That war was won and widespread gross abuses have been largely halted.

Before the Act, erosion and sedimentation of streams and lakes were major impacts of strip mines. Some stripped watersheds showed sedimentation levels more than 1,000 percent higher than those of non-mined watersheds. Sedimentation caused flooding and destruction of aquatic life, and erosion limited the use of land for farming and other purposes.

Today, much lower amounts of sediment escape from strip and underground mine sites. OSM and the states have accomplished this by requiring almost all mines to construct sediment ponds to catch run-off from the mine and

then remove the sediment that settles on the bottom. In addition, most sites today are revegetated well enough to control erosion.

In the eastern coal fields, perhaps the greatest single positive achievement is that OSM and the states have required most mines to **eliminate highwalls and refrain from dumping spoil on the downslope**. Before the Act, massive and widespread landslides were one of the worst abuses of strip mining.

In the western fields, however, the agencies continue to allow operators to leave highwalls.

The Failures

The agencies have been effective in controlling many of the environmental impacts of contour strip mining in Appalachia, but, ironically, they have largely failed to control **mountaintop removal**, the now dominant form of strip mining that causes the most environmental damage in Appalachia.

Mountaintop removal was just starting in the 70's, and Congress didn't seriously consider it until 1977 when it was almost banned. The states and OSM felt they needed to interpret the Act's standards "flexibly" to allow this damaging technique to continue. And so they have, finding flexibility at every turn.

Under the Act, mining must be a temporary use of the land and not only must operators revegetate mine sites, they must also reclaim it for a **viable post-mining land use**. The refusal of both OSM and the states to require viable post-mining land uses has been one of the greatest failures of the agencies.

Bonding has also been one of the great failures. Neither OSM nor the states set **adequate bonds** high enough to reclaim many sites, particularly those with toxicity problems such as acid discharge that require perpetual treatment.

The agencies have not required operators to protect **land, buildings and water supplies** from the effects of subsidence nor to control **acid mine drainage** at inactive sites.

Across the board, protection for **ground water resources** from both strip and underground mining has not been implemented. Although some landowners have had individual wells replaced, the agencies largely ignore the Act's protections for aquifers. ♣

Both OSM and the states have largely failed to control mountaintop removal, the now dominant form of strip mining that causes the most environmental damage in Appalachia.

The true meaning of SMCRA

By an OSM employee

On Memorial Day, we honored those who made the ultimate sacrifice to their country. Sadly, many Americans no longer remember what Memorial Day signifies. It is simply a day off from work.

We now approach another anniversary that is just as relevant to the spirit of America and the moral and legal obligations to its citizens. August 3rd is the date SMCRA was signed into law; a day marking the culmination of a struggle to ensure protection of not only our nation's land and streams, but of those citizens who live in and around America's coal fields.

We are now 20 years along the path that began in the rose garden. As with Memorial Day, however, it appears our government leaders have forgotten — or refuse to remember — the true meaning of SMCRA.

Contrary to OSM's recent actions, SMCRA wasn't meant to honor coal companies that do what the law requires. Nor was it enacted so top OSM officials could later issue internal directives ordering the staff to circumvent its requirements. Nor was it enacted to again allow states unsupervised regulation of coal mining. By taking such actions, OSM mocks the sacrifices endured by coal field citizens and surrenders, without struggle, their hard won legislative victory.

Many of OSM's best have departed or were forced out due to budget cuts, reductions-in-force and questionable managerial decisions. Still, the vast majority of OSM employees are dedicated public servants who understand the true meaning

of SMCRA and long for the day when they will be able to perform their jobs as the law intended.

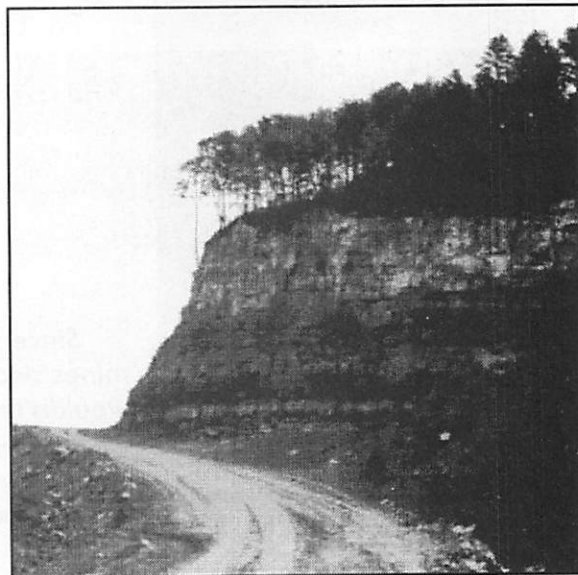
As the 20th anniversary approaches, the history and true underlying concepts of SMCRA will be heralded across the coal fields. OSM will also welcome Kathy Karpan as the new Director. Wouldn't it be wonderful if through this newfound publicity of SMCRA, Ms. Karpan obtained a

clear understanding of these concepts and moved ahead with fortitude to implement them?

Let's use this 20th anniversary not only as a means to remember the past, but as an opportunity to teach a new generation about the protections and duties embodied in SMCRA.

Let's move forward, along with OSM's new Director, to again carry out all aspects of this landmark law. It's up to us to ensure future generations fully understand, and benefit from, these hard won principles that placed the protection of the people and environment on equal footing with industry.

Happy 20th Birthday, SMCRA! ♣



Mountaintop removal in Kentucky.

OSM hasn't overseen the states' performance since 1993. To say they're doing a good job is wishful thinking. We need to set criteria and evaluate each state program on the ground.

An OSM employee

OSM managers largely ignore technical problems. To this day, no one knows how to deal with a final bond release on the mines in the West with less than 26 inches of rain. OSM has bungled its research programs and funds; many basic questions about field techniques for enforcement and reclamation are unanswered. The Denver office has deteriorated because managers are uninterested in hearing about problems and basic issues influencing technical aspects.

Scott Fisher, Wyoming, (retired from OSM in 1997)

Whole ecosystems are being damaged in Appalachia and the West. Mountaintop removal wipes out watersheds, forces people out, and wrecks bird and plant habitats. In the West, vast areas of semi-arid lands are eroding, aquifers are gone, and mines are 10 years behind on reclamation and they leave highwalls.

Many OSM technical support staff are ignorant of field conditions or don't make sound technical decisions. OSM's practice has been to force out the talent and leave the dregs.

OSM had some life left at the end of the Bush administration, but Babbitt has handed over the coal fields to industry. It's an unnecessary, immoral sacrifice.

We need more citizen actions to let the world know. Confront them! We need an abolition movement again. Ex-OSMer with 30 years in mining and reclamation

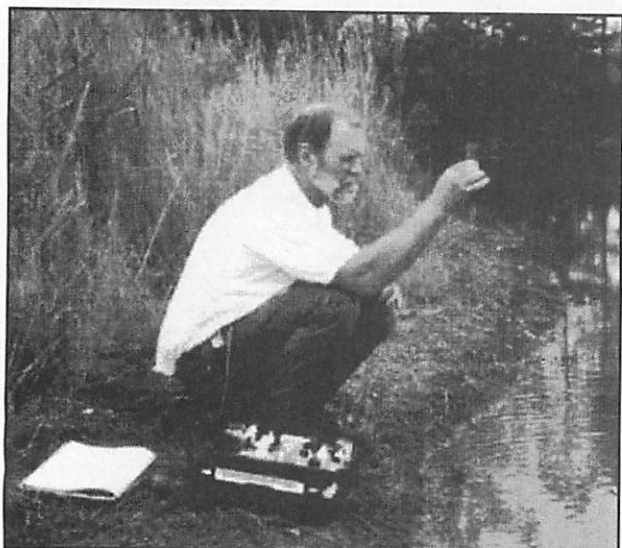


If I had a chance I would do it all over again. We need to prepare young folks and teach them the history.
Joe Begley, Kentucky

Until influence can't be bought, there will be no change in Oklahoma or anywhere in the country. The very people who won't reclaim the land fly to Washington to demand weaker rules.

Fortunately, Okies are hard headed and hard to kill. We keep coming back for more. I'm trying to leave things for our kids and grand kids.
Shirley Willie, Oklahoma

Since I began getting active, there are no new mines near my home. One company official said, "I wouldn't mine within 50 miles of that damn woman!" A state regulator complained about the lack of new mining by saying, "This is all Linda Brock's fault."
Linda Brock, Kentucky



Before I became active, I just thought the problems in the coal fields were a fact of life. For the first time, I'm seeing some hope in Alabama. The bureaucracy is the only thing standing in the way.
John Wathen, Alabama

There needs to be a change of personnel and attitudes at higher levels. Inspectors turn in reports about problems and managers in Denver completely stifle any enforcement.
Lila Bird, New Mexico

This business of fighting against multinationals takes sacrifice.
Jeannie Benally, New Mexico

We moved to this home years ago for the streams and wildlife. I want the streams to be here when my daughter is old enough to swim and play.
Mimi Filippelli, Pennsylvania

We met with our state representatives on coal and timber and one said coal was over-regulated. I asked him which law wasn't needed —the ones dealing with reclamation and protecting the land and water? He agreed all those laws are important. I'm not sure which law he wanted changed.
Daymon Morgan, Kentucky



Keep the faith, grab the torch!

By Barney Reilly, Virginia

More than 20 years ago our predecessors struggled to gain passage of SMCRA. After achieving their goal they breathed a great sigh of relief and took a well-deserved rest. Unfortunately, while they rested, industry and succeeding administrations began a relentless assault on the Act and OSM.

In 1987, many of the grass roots groups in the coal fields got together in Lexington, KY, and decided to join the effort to recreate an effective SMCRA. We created the Citizens Coal Council started gaining widespread support and gathering strength. CCC built on the foundation left by our friends and neighbors who got the law passed. We made new friends and allies, we went to the people who could make a difference and worked hard to press the issue of the promise of SMCRA. We wanted our law back and we were willing to move mountains to get it.

We won our effort to get water and subsidence protection from underground operations, but we couldn't get the support of the Secretary of Interior or OSM. When the implementing rules were issued, we realized many of our supposed protections were evaporating rapidly.

Former Director Bob Uram proposed giving primacy states permission to run their programs unhindered by federal intervention. A new Ten-Day Notice procedure was proposed that would guarantee a federal hands-off policy when it comes to SMCRA enforcement. The dark clouds were rising and spreading doom

and gloom over SMCRA and coal field citizens.

The Citizens Coal Council refuses to passively accept the impending chain of events. We won't let past hard work be negated by current negligence towards our law. All the suffering endured by coal field citizens before and after SMCRA was passed remains fresh in our minds. The blood spilled, the property destroyed, and the lives ruined must never be forgotten.

The torch has been passed to us. We cannot refuse to carry it. We cannot damn it with faint praise. We must endure, we must press forward, we must do our utmost to leave our children and grandchildren a nation that can be proud of its coal fields. We must leave a place where industry, the environment, and people thrive.

Grab the torch from those early runners in your state. Take off with it and continue the race. Your efforts may not bring the great reward, but your efforts will further the cause. You can't let the process falter, remember what it took to get to the Rose Garden on August 3, 1977! Keep the faith! ❖



Vina and Barney Reilly

Photo Credits

Cover: Clockwise from left, Daymon Morgan by Kentuckians For The Commonwealth (KFTC); Mary Jane Adams, KY, family album; J. W. Bradley, TN, family album; Jeannie Benally, NM, Hendrik Snow; Mark Trechock and Gene Wirtz, ND, Carolyn Johnson, CCC. p. 3: White House. p. 4: top, Jane Johnson; bottom, New York Times. p. 6: top, Will Collette, CCC; KFTC. p. 7: Ken Hechler. p. 8: Carolyn Johnson. p. 10: Carolyn Johnson. p. 11: Wyona Coleman family album; Ed Swartz family album. p. 12: Joe Browder. p. 13: unknown, Carolyn Guthrie family album. p. 14: Carolyn Johnson. p. 15: KFTC. p. 16: Larry Damrau, OSM. p. 17: Buckeye Forest Council. p. 18: Carolyn Johnson. p. 19: Carolyn Johnson. p. 20: Earl Dotter. p. 21: Carolyn Johnson. p. 22: top, Carolyn Johnson; mid, Alabama Environmental Council; lower, Carolyn Johnson. p. 23: Reilly family album. p. 24: KFTC.

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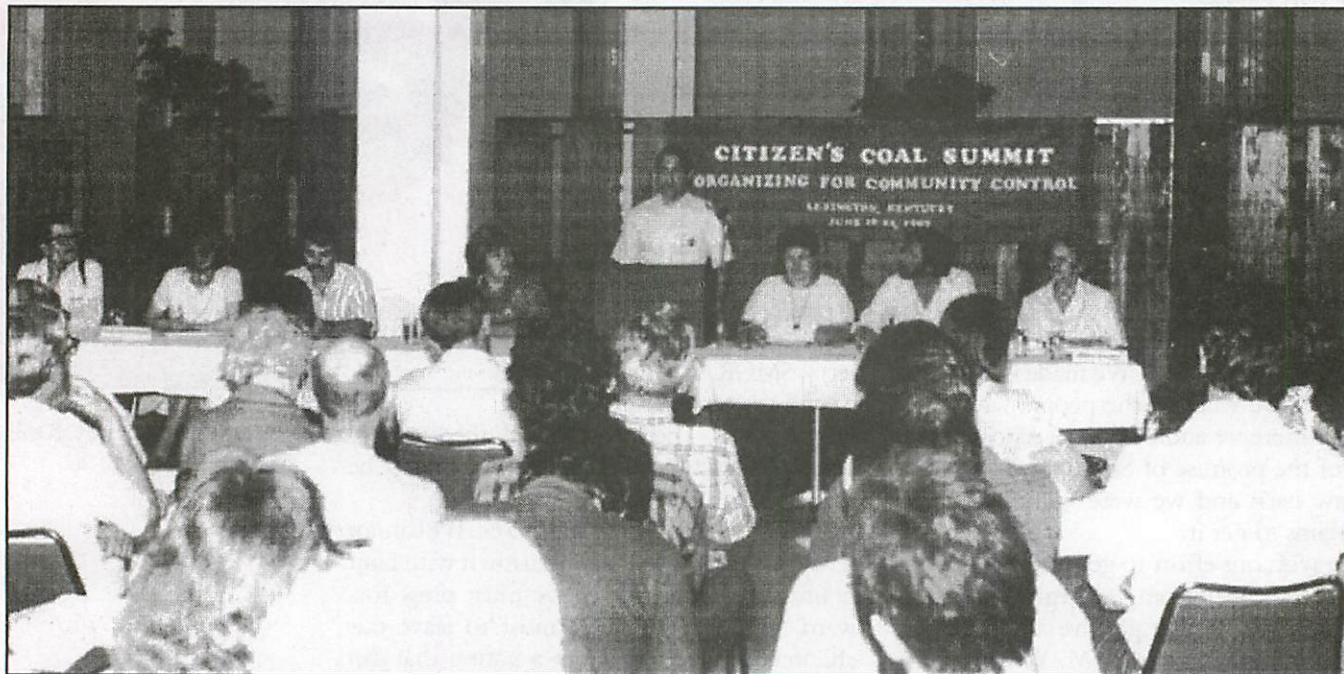
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Thank you!

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Meet the folks of CCC



What did folks do for the 10th anniversary of the federal coal law? Over 200 grassroots leaders held a summit meeting in Lexington, KY to discuss citizens' problems and assess the successes and failures of the states and OSM in enforcing the Act. They realized that mine operators were destroying water supplies across the country; enforcement of environmental standards and landowner protections was inconsis-

tent; and people near underground mines had few protections of any kind. The summit participants decided to coordinate their efforts on these issues.

The coordinating committee took the name of the Citizens Coal Council in 1989. In 1992, the Council and its member groups persuaded Congress to amend the Act and add more protection for people affected by underground mining.

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