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MORGANTOWN, WV 26505

# THE HIGHLANDS VOICE

Published monthly by the W. Va. Highlands Conservancy Vol. 14, No. 10 December, 1982

Annual Mid-winter workshop January 15-16

## Show & Tell...

The Annual Midwinter Workshop of the West Virginia Highlands Conservancy will be held January 15-16, 1983 at the Jacksons Mill State 4-H Camp, near Weston, West Virginia.

Program Chairman George Rosier has contacted all the organizational members of the Conservancy and asked them to prepare brief presentations. Other highlights of the weekend will include the annual membership meeting, an election of officers and board members, and the quarterly board meeting.

Registration will be held Saturday,

Jan. 15 from 9:30-10:00. Starting at 10:00, and continuing until 2:30, with a break for lunch, groups such as the Sierra Club, Trout Unlimited, Mountain Stream Monitors, Canaan Valley Alliance, and WV Scenic Trails Association, among others, will share their ideas, resources, and programs with the WVHC membership. It is expected that there will be a variety of presentations from slide shows to hands-on-demonstrations.

The annual membership meeting for business and election will be held at 3:00 p.m. Various committees may

also meet late in the afternoon. The Pathfinder, an outdoor shop in Morgantown, has been invited to demonstrate some of their products as well during the afternoon. Saturday evening has been reserved for an informal social gathering. Everyone is encouraged to bring their musical instruments and favorite beverages.

The Board of Directors will meet at 9:00 a.m. Sunday morning. As with all Conservancy meetings, the board meeting is open to the membership, and their participation is encouraged.

The exact charges for lodging and

meals have not yet been established for 1983 by Jacksons Mill. A 10 percent increase over last year's rates is anticipated. However this would still be very modest, considering the excellent food and facilities that are available. Reservations for lodging and meals should be made directly with Jacksons Mill State 4-H Camp, Weston WV 26452, (304) 269-5100. Program information or questions should be addressed to George Rosier, 633 West Virginia Ave., Morgantown WV 26505, (304) 269-5158.

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## Editorial Changes: You can Help!

The Highlands Voice is looking for a new editor. After two years of producing the Voice each month, Paul and Judy Frank informed the Conservancy's Board of Directors in July that they would not be able to continue with the Voice since they had moved to Tennessee.

During the past several months, Paul Frank has been acting editor with typing and layout being done by Sally Keeney of Elkins. Unfortunately, Sally and Paul have indicated they can no longer continue in this capacity.

Historically, the editor of the Highlands Voice has been an active member of the West Virginia Highlands Conservancy with an interest in writing and/or editing. As envisioned by the Voice Committee, appointed by the Board in October, the current position would include some of the duties editors have had in the past, while others will be farmed out. The editor will be in charge of assigning articles, writing some copy, editing all copy, and ultimately furnishing the copy to our new design and layout service. Bob Arnold and associates, who were associated with the Voice some years ago, will prepare the Voice for printing, beginning with this issue. Printing will continue to be done at the Elkins Inter-Mountain, with Sally and Robert Keeney handling the bundling and mail-

ing, using their computer for our mailing list.

If you are interested in writing an occasional article, please do. If you can furnish an occasional photograph (black and white preferred), please do. Perhaps you have talent as a graphic artist, we need it.

But most of all, we need an editor! It's a big job, but most members of the Conservancy agree that the Highlands Voice is an important reason for their belonging. If we don't find an editor to keep the Voice going, the health of the Conservancy will be in jeopardy.

To be editor, there are no formal qualifications required. Previous experience in writing is helpful, however. A resident of West Virginia will probably have an easier time keeping abreast of issues. The major reward will likely be personal, knowing you are playing a critical role in keeping hundreds of readers informed on important environmental issues. To help offset the time and sweat sacrificed by the editor, the Board has agreed to a stipend of \$100 per month. Past editors have usually found the work to take at least 20 hours per month (more if co-opted writers don't produce as promised).

Inquires, nominations, or expressions of interest should be sent to the Voice Committee, P.O. Box 506, Fairmont WV 26554.

All dressed up, no place to go

## Cranberry Bill Stalled

by Leslee McCarty

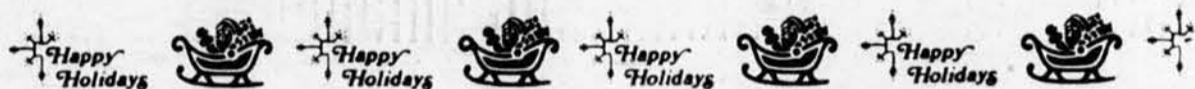
All dressed up and no place to go-- That was the scene for Cranberry and Laurel Fork just before Congress adjourned in October. It was thought that the Cranberry Bill would be considered by the Senate Energy and Natural Resources Committee before adjournment, and that it had a fair chance of passing. Unfortunately, no one had counted on the power of one Senator to throw a monkey wrench into the works.

Senator Howard Metzenbaum of Ohio, in an effort to stop three bills-- (the sale of Alaskan Railroad, authorization of water projects in Western States and a bill to allow the timber industry to withdraw from contracts to timber federal lands--) also stopped all 21 bills the committee

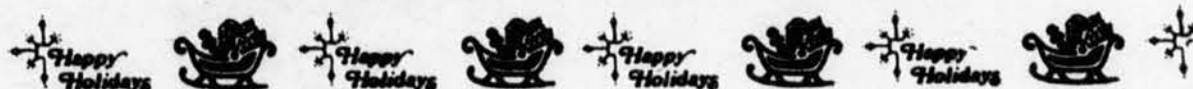
was to consider--leaving Cranberry and Laurel Fork out in the cold.

It is hoped that the Cranberry Bill will be considered during this lame duck session of Congress, BUT the strong support of both our senators is essential.

So, if there are Cranberry and Laurel Fork supporters who haven't yet written to Senators Byrd and Randolph encouraging their continued support of the bill, it's not too late! Senator Byrd's office, in particular, has been helpful in making sure the bill receives consideration. Notes of thanks and further encouragement of strong support for the bill would be very timely. Write today so you won't have to make a New Year's resolution to do more for the Cranberry and Laurel Fork next year.



From Voice to you  
Merry Christmas  
&  
Happy New Year





## Letter to the Editor

**EDITOR'S NOTE:** The following letter was received in response to the article by Purbaugh in the Oct.-Nov. VOICE. Letters are always welcome, although subject to editing if necessary.

Mr. John Purbaugh  
Managing Attorney  
West Virginia Legal Services  
1033 Quarrier Street  
Suite 700  
Charleston, West Virginia 25301

Dear Mr. Purbaugh:

I read with interest your article entitled, "Two Steps Back," published in The Highlands Voice concerning our September 14 meeting. On one issue, in particular, I was either misrepresented or not understood. We, or at least I, did not discuss enforcement that night. I discussed the new mandatory civil penalties associated with cessation orders.

It is true that civil penalty assessments are being sent out from Charleston. However, this has nothing to do with on-the-spot enforcement. These assessments are sent out well after the cessation order has been terminated and are based on the number of days between issuance and termination of the order. Chapter 14 of the permanent program regulations dealing with inspection and enforcement is being rewritten to, among other things, reflect the procedure for civil penalty assessments being used.

Enforcement procedures, including warrants and fines for all violations other than cessation orders, have not changed nor are expected to change. It has been the strength of the West Virginia program for more than a decade. We are undertaking civil penalties with cessation orders only because the law mandates that we do so. While we are doing it in a manner somewhat different than that envisioned in the regulations developed in 1980, it does not constitute a change from prior practice concerning civil penalties, because civil penalties have only now become a regular part of the enforcement program within the Division of Reclamation.

I trust that you will take appropriate steps to correct the misconceptions presented in your article.

Sincerely,  
Brent T. Wahlquist  
Deputy Director  
Dept. of Natural Resources

## Tax Deductions

Under Internal Revenue Service (IRS) regulations the West Virginia Highlands Conservancy, Inc. is classified as a Section 502 (c) (3) tax exempt organization.

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As such, all donations to the conservancy are **tax deductible** by the donor as a charitable deduction.

The Highlands Conservancy will finish 1982 with a deficit of several thousand dollars, and your donation would be especially welcome this year.

Request for financial information and specific questions can be addressed to the treasurer. Checks should be made payable to the West Virginia Highlands Conservancy, Inc.; and mailed to WVHC, P.O. Box 506, Fairmont WV 26654.

Help the Conservancy and help yourself save taxes by making your donation this year!

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New Address: \_\_\_\_\_

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# Conservation Briefs . . .

## Changes at WRB

Larry George, chairman of the West Virginia Highlands Conservancy's Cranberry Wilderness Committee, resigned in October from the State Water Resources Board after serving four years. This is the second resignation in recent months, the other being Dr. Don Brannon, also an outspoken conservationist, who often sided with George on controversial decisions. (see Oct-Nov Voice)

Dr. David Samuel of Morgantown, professor of Wildlife Biology at West Virginia University, and Robert Scott of Elkins, a retired federal expert on mine reclamation, have been appointed by Governor Rockefeller to fill the seats of Forrest Kirkpatrick, whose term expired last year, and George. Brannon's seat remains vacant. Samuel and Scott will take office immediately and serve subject to confirmation by the State Senate when it meets in early 1983. The other two members of the board will continue in office. They are John Ailes, Sr., chairman, a lawyer and newspaper publisher from Romney, and William Plass, a retired USDA employee from Princeton.

Samuel, 42, who has taught at WVU since 1969, is an author of more than 100 publications, including the newly published **Best Current Practices for Fish and Wildlife on Surface Mined Lands in the Northern Appalachians Coal Fields**, which he co-authored with Robert L. Smith. He was founder of the Mountaineer Chapter of the Na-

tional Audubon Society in Morgantown and is presently active with several national archery organizations.

Scott, a registered civil engineer, retired earlier this year from the U.S. Office of Surface Mining, where he specialized in problems of acid mine drainage from abandoned surface and deep mines. Previously to his OSM service, he was in charge of experimental projects of the U.S. Environmental Protection Agency at Crown (Monongalia County) and Norton (Randolph County). Both projects involved testing various techniques for reducing acid mine drainage pollution. Scott is also an author of many publications, including a recent report to the state Dept. of Natural Resources analyzing the costs required to clean up the acid mine drainage on the Cheat River Basin, one of the state's worst polluted basins.

Reviewing his tenure on the Water Resources Board, George pointed with pride to the development and promulgation of a host of new or revised regulations by the board during the past couple of years. These have allowed state takeover of the federal NPDES permit program, Hazardous Waste program and the Underground Injection Control program, among others. George served on the board while enrolled for three years at the WVU Law School. He is now a practicing attorney in his native Huntington.

## State pays for legal ads

The state Department of Natural Resources is picking up the tab for legal advertisements that coal companies are required by law to run.

Bill Chambers of the DNR's reclamation division says that as the state assumes primary responsibility for strip mine regulation, companies face the prospect of having to pay for hundreds of ads announcing new permits. He says the permits are required under the new state rules.

Chambers says that as a favor to the companies, the DNR is assembling all of the permit notices into advertisements which the state will run, relieving companies of having to buy their own ads. He says he doesn't know yet what the cost will be, but says it could run from \$1,000 to \$8,000.

Chambers said strip mines established when the federal government had primary jurisdiction over reclamation acquired permits, but that under new state rules different permits frequently are needed. The revised permits might require more information or additional bonding, he said.

Also, the new state rules cover all coal mines, so that deep mines open-

ed before 1976 and some other facilities such as tipples and refuse piles must now have permits that were not required earlier. Chambers said.

**Stop hurting  
the trees  
you love.**



**GIVE A HOOT! DON'T POLLUTE!**



FOREST SERVICE - USDA - PUBLIC SERVICE COUNCIL, INC.

## State Car proves methanol works

by Tom Kukucka  
Charleston Gazette

West Virginia state government's experiment with a methanol-fueled automobile, now in its second year, is being called a success. But don't look for the state to begin converting its entire fleet anytime in the near or even distant future.

The state Department of Finance and Administration converted the carburetor of a 1980 Plymouth Volare to run on methanol in the spring of 1980, and the car has since logged 26,000 miles around the city as a taxi service for state employees.

"It's operating satisfactorily," says John Bell, the administration's transportation director. "It seems to get better mileage in warmer temperatures. Why, I don't know."

Simply stated, as the temperature lowers the efficiency of the methanol decreases. Methanol fails to ignite when it's below 40 degrees. What has intrigued Dean Harper, the engineer who supervised the conversion, is the fact that the auto gets poor mileage around the city but performs as well or better than gasoline on the interstate and turnpike.

"It's getting about half the mileage gas gets around the city," says Harper, a retired Union Carbide engineer. "I ran it once on turnpike speed and it got better mileage."

Around the city, Bell says, the car is getting just five miles per gallon. He says the car isn't being tested outside the city and for good reason.

"There are no facilities for methanol on the open road. There is no way you can go to a service station," said Bell. The car may only refuel at the statehouse motor pool or Fike Chemical Company in Nitro, which sells the fuel to the state for 90 cents a gallon.

The state spent a reported \$2,000 on the conversion, which involved enlarging the carburetor and removing plastic parts from the engine which the fuel would dissolve. But Harper says in order to better gauge the efficiency of methanol as fuel, all parts of the car must be built or altered for methanol consumption.

"You need more than a simple change. Methanol is a better fuel than gas is if we work it at the proper compression ratios and timings," says Harper.

Nevertheless, Bell says there will be no additional conversions for any of the state's 6,500 cars.

"We proved we could do it. The car runs good with methanol," he says. "It is a smoother running operation (than gas) but as far as making any conclusion, we have not done so. I think Mr. Harper would like to have the car for more test."

## Acid rain may be damaging

A major environmental group has released a report showing "new dramatic evidence" that acid rain is capable of damaging more regions of the United States than earlier studies have indicated.

The report by the Izaak Walton League of America, one of the nation's oldest conservation groups, is based on research into the sensitivity of lakes and streams to acid rain.

The league, which focuses much of its work on water quality issues, said the study provides "new dramatic evidence demonstrating that significantly larger portions of the United States are susceptible to acid rain damage than previously thought."

Paul Hansen, acid rain project coordinator for the league, said the report "illustrates that, in addition to those areas usually associated with acid rain damage, much of the South and some of the mountain regions of the West are now known to be highly susceptible to acid rain damage."

"This material is in sharp contrast to the acid precipitation data most commonly used," he said. Acid rain is formed in the atmosphere by a mixing of sulfur dioxides, nitrogen oxides and water.

The league's study is certain to provoke more debate on an environmental controversy that has been the subject of intense public

discussion in recent weeks.

A massive report released recently by the Environmental Protection Agency warned that "large regions" of North America have lakes and streams sensitive to acid rain: "much of eastern Canada; New England; the Allegheny, Smoky and Rocky mountains; and the Northwest and North Central United States."

Prepared by a team of 54 scientists, the 1,200-page EPA draft report said sulfur dioxide pollution in the United States east of the Mississippi River "doubled from 1950 to 1978."

It said the largest sulfur emission increases occurred in the Midwest, "where utility and industrial fuel combustion account for at least 90 percent of the total sulfur dioxide emitted."

Following release of the study, EPA Assistant Administrator Kathleen Bennett reiterated the Reagan administration's position that more research is needed before industries are forced to spend billions of dollars to reduce sulfur dioxide emissions from coal-burning plants.

She argued that while the report shows strong evidence of increased sulfur emissions from the Midwest, there still is scientific uncertainty about the "transformation, transport and effects phenomena of acid rain."



## Corridor H Makes A Comeback

### DOH takes low road

by Skip Johnson  
Charleston Gazette

The Department of Highways has tentatively chosen the southern route for completion of long-stymied Appalachian Corridor H east of Elkins, but whether the highway actually will be built is still a question mark.

This route would take the highway from its present stoping point at Bowden in a southeasterly direction near Mouth of Seneca, northeasterly to Petersburg and then due east to an intersection with Interstate 81 near Strasburg, Va.

DOH spokesman Gary Chernenko said the agency has given its environmental staff the go-ahead to complete the final impact statement using the southern route.

He said the route still needs the approval of the Federal Highway Administration. He declined to label the DOH action as final selection of the highway's route, but said "it is approaching that."

Chernenko estimated it will take from one to 1½ years to complete the impact statement.

The southern route was one of five being considered by the DOH. Its estimated \$329 million price tag puts it in the middle, costwise, among the possibilities.

Some major roadblocks lie in the path of the highway's completion, including funding and the likely opposition of several governmental agencies and environmental groups.

The highway would go through the National Recreation Area in the Monongahela National Forest near Seneca Rocks and Monongahela Supervisor Ralph Mumme said Tuesday the DOH "hasn't shown conclusively that this is the only prudent alternative."

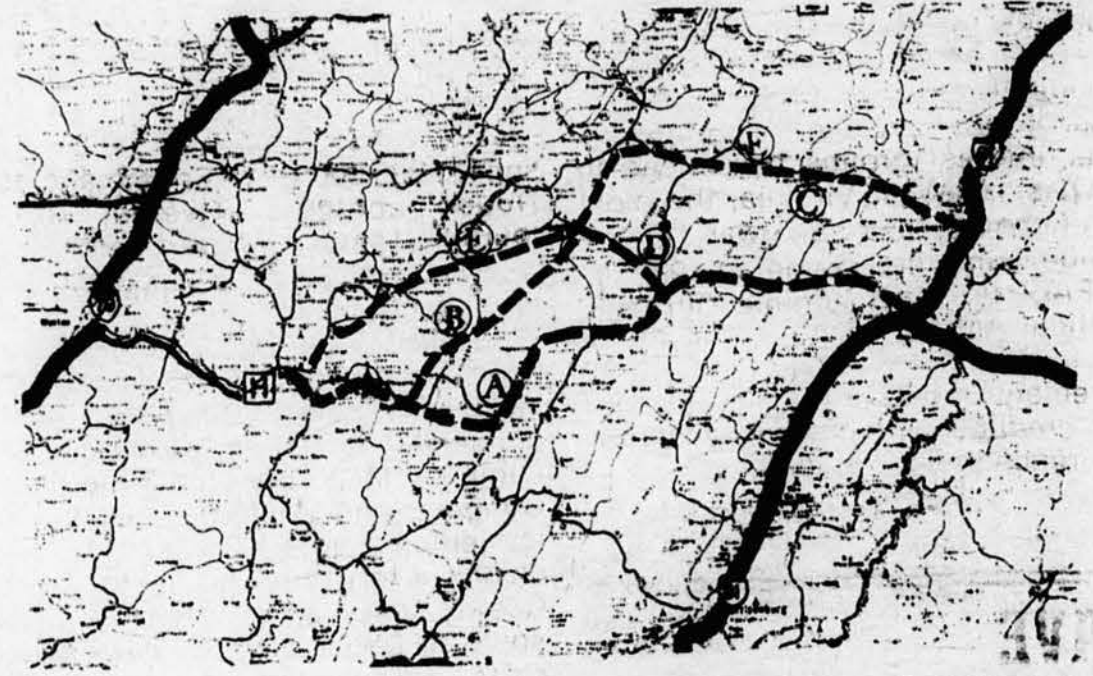
Mumme said public law requires that if there is a prudent way to bypass federal recreation areas, it has to be done.

It was announced last spring that under pressure from the Reagan administration, the Appalachian Regional Commission had scrapped plans for Corridor H as an economy move.

"Our decision at that time was to go ahead and complete the study phase," Chernenko said, "although it's true there is presently no money for construction. If money becomes available in the future, we'll have the study phase out of the way."

The highway has been stalled at Bowden for more than six years, partly because of environmental concerns. It is feared construction would ruin the main spring that feeds Bowden Federal Trout Hatchery. Also, the highway will encounter several trout streams east of Bowden.

The U.S. Fish and Wildlife Service, which owns Bowden Hatchery, says the facility could not operate without a steady supply of good water from the spring.



Map of Corridor H Highway across the highlands. The State DOH plans to proceed with the Southern Route (marked A on map) against advise of all environmental agencies and conservation groups.

### Resource agencies oppose route

The route tentatively chosen for the Corridor H highway by the West Virginia Dept. of Highways is the "most damaging to the environment of all the alternatives considered," according to Don Phares, a fish biologist with the state Dept. of Natural Resources. Phares, and some two dozen other DNR staff members and representatives of other federal and state natural resources agencies, attended a meeting November 9 in Elkins with the State DOH officials planning Corridor H.

For nearly three hours the DOH staff heard a long litany of reasons why the southern route (Elkins-Bowden-Seneca-Petersburg-Strasburg, Va) was unacceptable. Since this route was first proposed during the Moore administration, the DNR has consistently fought it on the basis of its severe environmental impact. Soon after taking office, the Rockefeller administration stopped all planning until a northern alternative route through Parsons could be studied. Most environmental agencies and conservation organizations, including the Highlands Conservancy, believed that this northern route would accomplish the purposes for which the highway was sought (development), at a far lower environmental cost.

In addition to DNR objections, other agencies at the Elkins meeting

were equally concerned. Representatives of the U.S. Fish and Wildlife Service are extremely fearful that construction of Corridor H east of Bowden will destroy the North Spring that supplies the major portion of the water used by the Bowden National Fish Hatchery. The FWS spokesman, Chris Clower, informed both the DOH and the Federal Highway Administration's representative that FWS would request a full review by the President's Council on Environmental Quality of any final environmental impact statement recommending the southern route. The CEQ referral procedure is only used by federal agencies when there exists a major impasse between two federal agencies over environmental issues.

The threat to the Bowden hatchery is considered very real since the South Spring has already been damaged by construction of Corridor H from Elkins to Bowden several years ago. Herman Rodrigo of FHWA tried to reassure the FWS and DNR officials by stating that FHWS would "guarantee operation of the hatchery by whatever means necessary." This might even include building and operating a water treatment plant to treat river water from Shavers Fork. Phares and others expressed a lack of confidence in any such assurances, citing similar promises prior to the damage to South Spring

and a similar incident at the Edray Hatchery during the construction of the Highland Scenic Highway.

When asked for the rationale for choosing the southern route, Paul Wilkinson, DOH Planning Division Director, listed eight reasons, including that this route was least cost, shortest distance, fastest travel time, and required the least maintenance, among other factors. Several in the audience questioned whether these factors were actually true, pointing out that mitigation costs, for example, were not counted and would be highest for this route. Other factors, such as maintenance costs are highly speculative. The DOH did not indicate that either environmental factors or the public comment solicited at six public hearings in 1981 were even considered.

The only concession to environmental concerns that the DOH appeared to have considered was their decision to study the use of two lanes, rather than four, in a couple of specific locations where topography would preclude four. One such area was the crossing of the Allegheny Front, between Harman and Onego, where a two-lane alignment (actually three including a passing lane) could follow the existing route of US 33. This would allow the preservation of White's Run, a well-known trout stream, which otherwise would absorb the full four lane impact down

its narrow valley. Two lanes will also be studied along the North Fork of the South Branch of the Potomac between Seneca Rocks and Cabins. This concession was apparently an attempt to satisfy the objections of the U.S. Forest Service to the severe adverse impact that Corridor H would cause to the Seneca Rocks-Spruce Knob National Recreation Area.

While consideration of possible use of two-laning seemed a positive step, several comments were expressed indicating that such a design would cause traffic bottlenecks, leading eventually to the full four-laning anyway. At a later time, the construction of an additional two lanes might be even more difficult than building four at the outset.

Willis Hertig, Deputy Director of the DNR, was quoted as restating the DNR's position favoring the "no build" alternative. In official comments to the DOH at the draft EIS, the DNR had further stated that if a build alternative was chosen, the northern route was preferable to the southern one, due in part to the many stream crossings on the southern route. Together with other environmental objections and the inability to mitigate for those losses, the southern route was the least desirable.

At the end of the meeting, the DOH announced that the final environmental impact statement would not be published until early 1984.



# "Green vote"

## A new phrase to be added to electoral dictionary

The "Green vote" became a phrase to be added to the electoral dictionary during 1982 in West Virginia, as in other states, and even other countries. Loosely defined it refers to the organized participation of environmentalists in the political process, it ways often similar to what other interest groups have done in the past. In West Virginia, the most significant development was the formation during the summer of 1982 of CITPAC, the West Virginia Citizens Political Action Committee. Formed late in the process and operating on extremely limited funds, CITPAC was still credited with making a crucial difference in several races.

On the national level, the Sierra Club, Friends of the Earth, and Environmental Action, joined the older League of Conservation Voters, in contributing money and staff to targeted races for both congressional seats and statewide offices. The Sierra Club for example, reportedly spent \$225,000 in 15 Senate and 158 House contests. Overall, three-fourths of their endorsed candidates won, several being newcomers who toppled incumbents.

In West Virginia, the biggest environmental winner was probably Bob Wise, who defeated the arch-conservative, anti-environment incumbent Mick Staton in the Third Congressional District. This district is centered in Charleston, but includes everything north to Lewis County, west to the Ohio River, and south to Boone County. Wise was a clear pro-environment contrast to Staton, who brought Interior Secretary James Watt to the state to speak on his behalf. Wise credited the Sierra Club's endorsement, and CITPAC's get-out-the-vote efforts with being crucial to his victory.

One interesting environmental issue that surfaced during the campaign showed the contrast between the two candidates. Wise had consistently opposed the Corps of Engineers Stonewall Jackson Dam project in Lewis County. Staton had voted against it in Congress last year, before his district was altered to include Lewis County. This year Staton refused to disclose his position, asking instead that the voters trust his judgement. Finally, after being chastized by editorial writers across the state for his arrogant attitude, Staton announced his support for the dam.

The Sierra Club's endorsements in West Virginia included, in addition to Wise, four candidates for each house of the state legislature. These were Lucht, Nelson, Boettner, and Cook in the Senate and Chambers, Hamilton, Brown and Humphries in the House. All were winners.

CITPAC endorsed 25 candidates of which 23 won. These included Wise and Harley O. Staggers, Jr., running for the Second congressional district seat held for many years by his father. Other endorsements went to several of those endorsed by the Sierra Club.

In an interview with the *Voice*, David Grubb, a CITPAC board member, discussed the three levels of support his group provided. As a minimum, an endorsement was made where a candidate provided a clear choice on environmental/energy/senior citizens issues used as criteria by CITPAC. In a few targeted races, the maximum level of effort included CITPAC hiring door-to-door canvassers to interview voters prior to the election, pass out literature in support of the CITPAC slate, and provide precinct workers on election day. This approach was used in three races, including Wise's. At its peak, CITPAC had 18 canvassers on its payroll, each working for approximately the minimum

wage.

Grubb believes that the use of canvassers, rather than the more traditional approach of simply giving grants to candidates to use as they see fit, was a little over \$20,000 in three months from 3,000 different people. Those contacted often remarked that they felt they could trust CITPAC's endorsements because it was an independent group, controlled by a board of directors who were themselves involved in these issues. In addition to Grubb, they include two Conservancy board members, Charleston Vice-president, Perry Bryant, and Past President, Linda Cooper Elkinton.

As to the future, Grubb told the *VOICE*, "It is not a question of if in 1984, but what we want to do." The results of the hastily-organized 1982 activities were viewed as a pilot program, he said, to test whether such an approach could make an impact in West Virginia politics. CITPAC's expectations were more than exceeded. Their board will meet next month to evaluate the campaign and prepare for 1984. Grubb hopes the same approach will be used statewide with

similar success. In the meantime, Grubb indicated CITPAC will be helping in candidate recruitment, especially in districts where the incumbents are opposed to the CITPAC issues.

In summarizing the CITPAC effort, Grubb remembered having said last summer that the establishment of CITPAC represented "one of the most significant political developments in the past decade in West Virginia." At the time he thought that phrase might be simply so much hyperbole, but now he believes it may prove to be realistic.

For more information, CITPAC can be contacted at 1324-B Virginia Street East, Charleston WV 25301.

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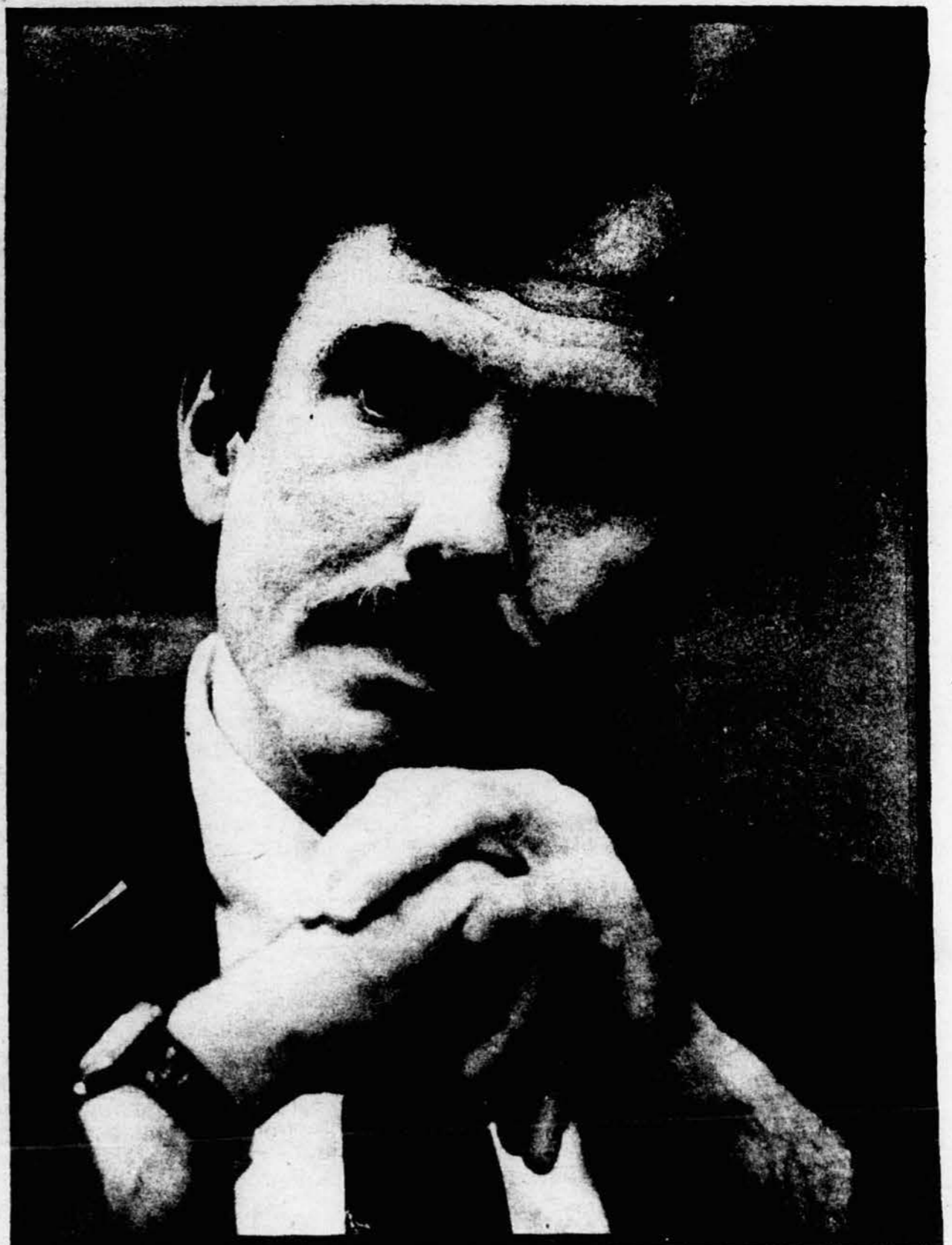
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# Shavers Fork being threatened

by Bard Montgomery

A proposed coal refuse dump on Shaver's Fork threatens the river with acid drainage, Rick Webb told a public meeting in Elkins November 15. Speaking for the Highlands Conservancy, which had protested a permit application for the refuse dump, Webb requested that the Department of Natural Resources (DNR) deny Ingram Coal Co. the permit or require major modifications of the design.

Ingram has applied to construct a gob pile near its coal preparation plant at Cheat Bridge. Establishment of this plant by New Era Resources in 1975 was opposed by the Conservancy, which cited potential water pollution from coal washing operations and impairment of recreational activities in this popular trout stream. The plant cleans and loads coal from both strip and deep mines in the Shaver's watershed operated by Ingram and other lessees of the landowner, Mower Lumber Company.

A small gathering of environmentalists and coal company representatives were convened by the DNR in an informal conference to discuss the proposed dump. Webb cited test results of coal refuse samples from the plant which have shown a net acid potential. Webb said that the history of seasonally high acid levels in Shaver's Fork demonstrated the river's vulnerability to further acid insults, which may prejudice its capacity to sustain a population of stocked trout. Acidity associated with spring floodwaters already makes it impossible to establish a naturally reproducing fish population in the Shaver's.

Ingram attorney David Romano challenged Webb's conclusions about the potential acid discharge. Romano contended that fractionization would reduce the acid potential of the waste to half the values determined by lab tests. These values ranged as high as 32 tons/thousand CaCo-3 deficiency for the Sewell seam. Average values for the waste material would be much lower, said Romano.

Mower Lumber Company vice-president Ralph McDonald also disputed Webb's assertion that the Shaver's Fork is vulnerable to acid discharge from mining disturbances. "I know more about the geology of Shaver's Fork than probably any man alive," claimed McDonald.

He asserted that strip mining in the watershed has beneficial effects on the river.

Support for Webb's position was voiced by former highway engineer John Ward. Speaking for Trout Unlimited, Ward said the coal waste "should be treated like the hazardous industrial waste that it is and be completely isolated from the environment." Ward criticized the "finger-channel" drains proposed by Ingram and recommended that an eight-foot deep stone "carpet drain" be placed underneath the waste pile to allow groundwaters to underpass it without contacting it.

Ward recommended that the waste

be sealed above and below with compacted clay, and that the site be covered with 18 feet of topsoil to accommodate long-term forest revegetation. The Ingram proposal calls for only twelve inches of topsoil to be seeded with grasses and planted in pines.

Members of the Conservancy Mining Committee and of Mountain Stream Monitors, accompanied by Ingram personnel and DNR Reclamation inspectors visited the site of the proposed refuse dump and an active disposal site nearby on November 9. They were frankly impressed by the active operation where coal waste is being filled into an old strip-mine bench and compacted before being covered with top soil and seeded. Committee member Geoff Green, a civil engineer, commented at the conference that "The company is doing as good a job as could be done under the circumstances." A water sample collected at the mouth of Fish Hatchery Run, which drains the active site, proved to be nearly neutral in pH value. This clear flowing stream showed no adverse effects from the present disposal operation.

Nonetheless, a contour-band of small springs and seeps lies below the active site and continues into the proposed site, posing the possibility of water infiltrating refuse at the proposed site and leaching out acid and iron. Samples of the coal waste at the active site were gathered and tested by Mountain Stream Monitors. Two of the seven samples proved highly acid, ranging in pH from 3.3 to 4.5 in successive lab tests. Surface waters from proposed site would pass through treatment ponds which appear to operate effectively at the present time. But Conservancy members doubt that perpetual treatment would be possible if it should prove necessary. Reclamation bonds are customarily released in steps over a five year schedule.

The Conservancy asked that DNR require the following modifications if the permit is granted:

—Expanding the drain system to make sure springs and groundwater do not contact the refuse;

—Two to three feet of compacted clay above the pile to seal out surface water;

—Two to four feet of topsoil to sustain revegetation;

—The exclusion of coal from outside the Shaver's watershed;

—Monitoring and testing of the refuse in the pile;

—Mapping of the refuse pile to show source and acid potential of material in each zone;

—Limiting the permit to Phase I

The proposed fill would occur in two stages, with Phase I lasting eight years and Phase II twelve to sixteen years. Each phase would fill a relatively flat area on top of "hogbacks" or ridges flanking a small hollow. Ingram's original proposal to fill the hollow was rejected by DNR, due to the probability of water contamination.

DNR Director Dave Callaghan must

rule on the permit application by December 14. Fortunately, he will have available for consideration the written comments of Rick Webb, John Ward and Conservancy Mining

Committee Chairman John Purbaugh. The tape recording of oral comments was discovered to be blank after the conclusion of the conference.



Scott Burgoon of mountain Stream Monitors sample water at small spring on proposed site of coal waste dump. Geoff Green records data.



Rick Webb digs up sample of coal waste at active Ingram dump.



Shaver's Fork, looking north from Cheat Bridge.



# Coal slump quiets debate over mining on Shavers Fork

by Skip Johnson  
Charleston Gazette

Mining on the Shavers Fork River in Randolph County, which has long been a subject of controversy between environmentalists and the industry, is virtually silent because of the slumping coal market.

All of the surface mines on the southern end of Shavers Fork have shut down, and only two of four deep mines opened on the Monongahela National Forest on the northern end are operating.

Surface mining operations which have been suspended in recent weeks are those of Ingram Coal Co., Rehoboth Coal Co. and Mountaintop Fuel.

Enviro Energy, the developer of the deep mines, is still producing coal at two mines but at far less than capacity, according to company officials. The two mines employ 62 people, also far fewer than had been contemplated at this state.

"The coal economy is affecting us drastically," said Lloyd Lang, president of Lang Brothers of Bridgeport, parent company of Enviro.

"It has nothing to do with the quali-

ty of coal. The market simply isn't there."

Lang said he sees no cause for optimism in the near future. "I've been talking to some Europeans," he said, "and their economies are in the same shambles as ours."

But Lang pointed out coal production in West Virginia is running at levels ahead of or as high as last year, despite mine closings around the state. "So I don't know what to think," he said.

Lang said Mountaintop, another Lang subsidiary, did well in the export market until late last year. "But this year it dried up prematurely," he said.

The idle mines on Shavers Fork are indicative of mining generally in Randolph County, once a top producer. Now only a few small mines are operating throughout the county.

Pete Pitsenbarger, chief of the land reclamation division of the Department of Natural Resources, said his inspectors are still busy reviewing permit applications. "But we're getting request as a record clip to change permits to inactive status," he said.

## Pollutants turning

### Blue Ridge Mountains white

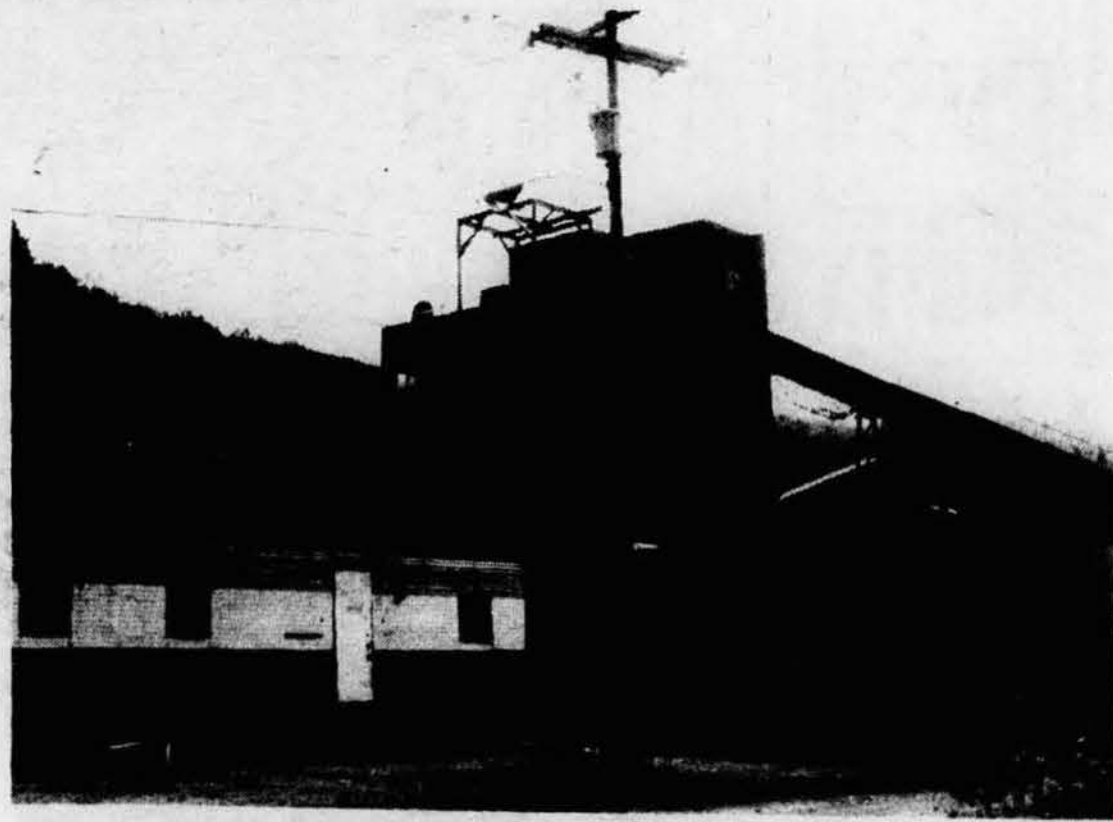
Pollutants are turning the Blue Ridge Mountains white, an Appalachian State University study indicates.

The study, supervised by chemistry professor James Buchanan, found that smoke heavy with sulfur dioxide from the Ohio Valley is turning white and settling in the mountains, thus limiting visibility.

The mountains stretching across

western North Carolina got their name from the blue haze that rises from evergreen-covered hillsides. But the blue haze is being covered up by the white smoke, according to the seven-month ASU study.

The project was funded by the U.S. Environmental Protection Agency, the state Board of Science and Technology and the ASU Research Committee.



Ingram Coal Co. preparation plant at Cheat Bridge.

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| <input type="checkbox"/> \$ 8 Senior     |  |

Brief statement of present position, interest, or activities in conservation activities (optional) .....

Make checks payable to The West Virginia Highlands Conservancy.

## Coming In The Next Issue

- More details on the Midwinter Workshop, January 15-16
- A report on the Cranberry Wilderness legislation and the lame duck session of Congress
- A DNR response to the Don Brannon interview in the Oct-Nov VOICE
- Brief statements of candidates for election to Conservancy officers
- Other late-breaking environmental news

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That's the idea behind the National Wildlife Federation's Land Heritage Program. With the aid of interested individuals and corporations, we're acquiring still undeveloped land to preserve the habitat of endangered animals like the bald eagle.



