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WVHC Fall Review: Bluestone State Park

It wasn't who turned out for the Fall Review that was responsible for the anticipatory excitement so pervasive at Bluestone but the knowledge of events upcoming in the 1990 legislative session. Following the hard work of the Legislative Coalition Weekend, a more relaxed atmosphere provided Board members an opportunity to update one another on present activities.

The Saturday evening speaker, Eli McCoy, Director of Water Resources, gave insight into ATV use, landfill permitting and water quality testing and assessment procedures. Showing no fatigue from running the river earlier in the day, Mr. McCoy was a challenge to the audience by virtue of the depth and breadth of his understanding of conservation issues in WV. A biologist by training, Mr. McCoy emphasized the availability of Department records. The value of quantitative records of water quality, especially surface waters, is becoming clearer even if the water isn't.

Two new board members were elected. Norm Steenstra will serve as Vice President for State Affairs. Karen L. Sembower, Director, has a special interest in educational activities.

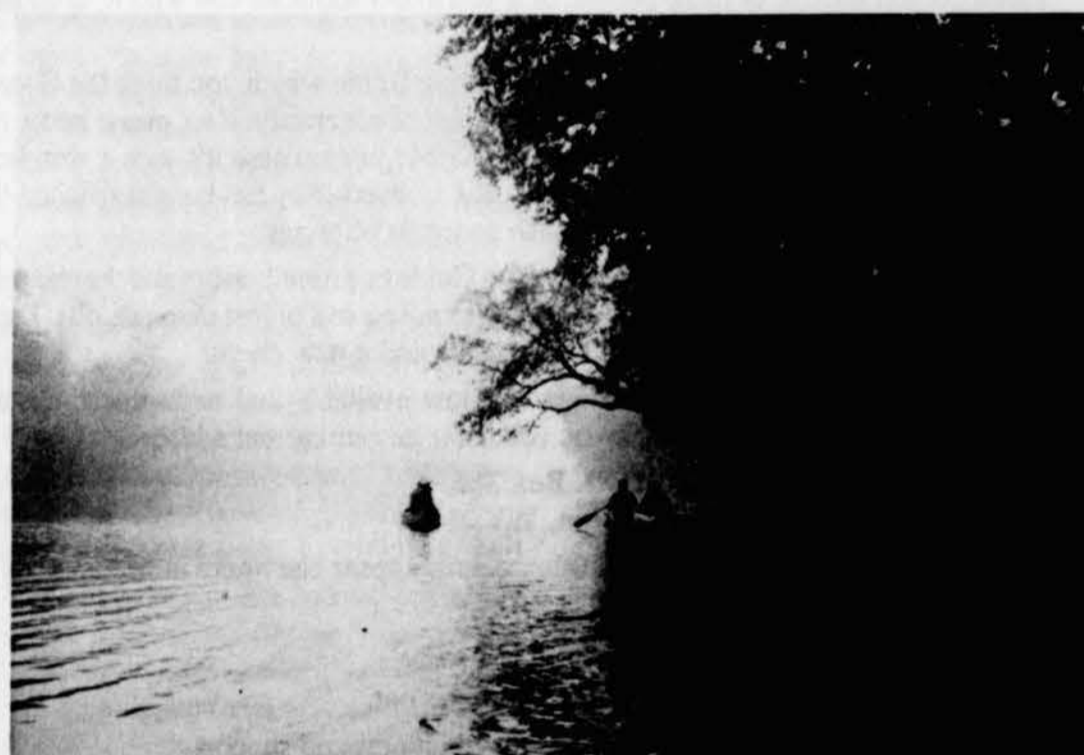
Not only will new leadership strengthen the Board, an extended phone tree will be active this winter to keep people in touch and current on legislative and administrative action. For more information, contact the Board member nearest you. This tree should continue to branch.

You cannot hear enough about any of this. Listen for the broadcast message of Andrew Maier. He will be speaking on WV Public Radio. Everyone is invited to submit editorial ideas or scripts. Send to A. Maier, P. O. Box 1286, Hinton, WV 25951.

Pocahontas 2000+ presented an overview of their work directed toward protecting the Greenbrier River. CRS Serrine, Inc. has sought a grant from DOE under the Clean Coal III program and proposes a 100 megawatt coal-fired power plant (smokestacks at 450 feet) for the Hillsboro area.

In addition to a survey of land owners in the area in question, Pocahontas 2000+ plans continued monitoring of Pocahontas County Commission activity and the DOE decision on the grant. See article this issue.

The Winter Board meeting is scheduled for January 13, 1990, at Jackson's Mill.



The mists of Alderson 10:00 a.m. Saturday, October 14, 1989. Members of the WVHC begin their river trip.

Pocahontas County Power Plant

by Leslie McCarty

"If it's not one thing, it's two," should be the motto of anyone concerned about the Greenbrier River. Even though the Corps of Engineers budget for the next fiscal year contains no authorization for the \$800,000 they need to complete their study of flood control on the Greenbrier, there is little indication that the Corps or people in Marlinton are willing to let the study lie. Look for the Huntington District to ask for authorization to proceed with the study in January.

Meanwhile, there is a new very disturbing proposal for a coal-fired power plant near the Greenbrier at Denmar in Pocahontas County. This proposal calls for strip mining coal which underlies National Forest land on Briery Knob, too, so it's just a real environmental nightmare. A local group which is combatting the proposal on all fronts is called Pocahontas 2000+. Their address is P. O. Box 281, Hillsboro, West Virginia 24946, (304) 653-4722.

Briefly, CRSS Capital in Houston has applied for a grant from the U. S. Department of Energy under the Clean Coal Technology Demonstration Program created by Senator Byrd. They are asking for \$120 million (about one-third of the actual cost) to build this plant at the Hillsboro site. Apparently there is only one of the two other West Virginia projects being given serious consideration along with the Hillsboro site, and that one is for a project at Eccles, near Beckley.

CRSS has refused to come to Pocahontas County to discuss the project, saying that such discussions would be "premature." They say there will be plenty of time to come to the community and discuss the impacts after the grant money is awarded. So — Pocahontas 2000+ has had to do some digging to find out some information about the Clean Coal Program itself.

The DOE says that "... technologies to be demonstrated must be capable of repowering or retrofitting existing facilities" and that there is a window of opportunity during the 1990's for replacing old plants as they become obsolete. Why build a plant in an area where there are no power plants to replace or retrofit, and which has no emissions to reduce?

One of the biggest problems besides air emissions and incredible truck traffic problems in the immediate area will be water pollution from various sources. A DOE publication on environmental impacts of the Clean Coal Demonstration Program states, "Surface runoff and potential groundwater contamination resulting from disposal sites may affect people and resources... in close proximity to, as well as some distance away from disposal sites." — It is expected that off site disposal sites are located relatively close to generating facilities. Waste disposal sites would contain contaminants that, over time, could leach into the ground and surface water bodies. In the long term, some unavoidable movement of these materials into ground and surface waters is inevitable. The leaching can cause noticeable degradation of nearby waterways by discharge of highly acid water, soluble iron and toxic metals."

Pocahontas, like most counties in West Virginia, has no land use plan or zoning to regulate such plants. A good groundwater bill and an industrial plant siting law at the state level could work together to help protect areas where the local political will is lacking. The promise of tax revenues to build such things as a hospital (pretty ironic!) and community services often turn the heads of public officials, and Pocahontas seems to be no exception.

The DOE expects to award the grants for the Clean Coal Program in early January. Pocahontas 2000+ requests that people who oppose the siting of this demonstration project which will undoubtedly affect the Greenbrier, and is in what is undeniably one of the most beautiful counties in the eastern United States, to write to Governor Gaston Caperton, Senators Byrd and Rockefeller, and Congressman Harley Staggers expressing your opinion.

FDA investigating animal drug found in milk

Keith Schneider

WASHINGTON — The Food and Drug Administration is moving against a widely used, powerful animal drug because it contaminates supplies of milk and pork.

The FDA could either ban the drug outright or impose dosage limits that would make it impractical to use.

The government's program to eliminate the drug, sulfamethazine, from the food supply is not yet official.

But it is prompted by new results from animal studies providing clearer evidence than ever before that sulfamethazine causes cancerous tumors of the thyroid glands of rats and mice.

The results come 14 years after scientists at the federal agency and the Department of Agriculture identified illegally high residues of the drug in pork as a threat to consumers.

"We are proceeding on the basis that this compound causes tumors," said Dr. Gerald B. Guest, director of the Center for Veterinary Medicine at the FDA.

"We have several steps to complete, but I expect that in six months we will propose to withdraw this drug from the market. You can hang out the black crepe for sulfamethazine."

Manufacturers of sulfamethazine, which has annual sales in the United States of about \$60 million, said they disagree with the government's interpretation of the animal

studies and would oppose the change in policy when it is made official, probably by next spring.

Representatives of the milk and pork industries and most veterinarians say that sulfamethazine is safe at the levels now found in food.

"Sulfa drugs have been used in human medicine since the 1930s," said Fred Gutzmann, a marketing manager at American Cyanamid Co. in Wayne, N.J., one of the largest distributors of medicated mixtures for feed and water that contain sulfamethazine.

"The effect that is seen in the rodent studies is something that would not occur and does not occur in humans even with direct use under long-term therapeutic use. We don't think there is any science that justifies the FDA removing this product from the market."

A ban would make livestock farming more difficult because the drug is effective in fighting disease, they said. They added that banning sulfamethazine would not cause food prices to rise, as alternate drugs are available.

Small amounts of sulfamethazine are mixed into feed or water in many of the 90 million pigs raised each year in the United States to speed growth and prevent respiratory diseases.

(Continued on Page 8)

From The Heart Of The Mountains HELP!

by Cindy Rank

During a transfer of Conservancy business records earlier this year I came across several unanswered inquiries about membership application or the purchase of the Monongahela National Forest Hiking Guide. I've written to many of you, but I'm sure there must be others out there who have not yet heard from us.

There is no excuse for such delays or oversights, but due to changes of address and transfer of personnel we have experienced some confusion which has inconvenienced several people.

Please, if you are one of those people, or if you know someone else who is, drop me a line and let me know of your situation.

Also, you may now possess a copy of the Hiking Guide which you think the Conservancy has sent to you free of charge merely out of a spirit of generosity. If so, please know that we would dearly love to send out free copies of the Guide just because it's such a wonderful companion when exploring the Forest. However, the Conservancy has not yet reached that point of financial largess which would allow such generous offerings.

If you wrote a check to the Conservancy for a Guide or a membership and the check has not yet cleared your bank, I have to assume that it was misplaced or lost in the shuffle. Please assume the same, cancel payment, send us a quick note and a new check.

Hiking Guides and new memberships are now available and new procedures and personnel guarantee a speedy reply when you contact us at our current address:

P. O. Box 306
Charleston, WV 25321

Specific information on prices and other details appear elsewhere in this issue of the VOICE.

My apologies for this confusion and inconvenience.

Please bear with us and help us straighten things out.

As always, we are grateful for your continued interest and support.

You May Have Already Won In West Virginia's New Death Lottery

by Andrew Maier

You might think that West Virginia's environment is already under attack from every possible angle. You might think that medical waste incinerators, a nuclear dump, unregulated strip mining, wetlands destruction, pesticide spraying and enough proposed landfills to serve the entire eastern United States would provide enough danger to the Mountain State's environment. I know I did. But that was before I heard about BRC.

The boys at the federal Nuclear Regulatory Commission and the Environmental Protection Agency must have worked late into the night to come up with this one. BRC means "Below Regulatory Concern." The idea is that the government will take one-third of the nation's so-called "low-level" nuclear waste and arbitrarily declare it to be safe. ("Low-level waste" is a misnomer. Plenty of it is highly radioactive, and it all has to be isolated from the biosphere for millenia.) In Reaganese, they'll "deregulate" it. Then it can be dumped into sewage systems and landfills, burned in incinerators, and, worst of all, recycled into new products like appliances, metal furniture and children's toys.

Incinerators will burn radioactive waste, spreading radioactive smoke. Sanitation workers will be exposed to increased radiation. Landfills will become radioactive hazards, while creators of nuclear waste walk away from responsibility for it; leaving the taxpayers holding the bag.

America's nuclear industry, the folks who brought us Three Mile Island and proposed making West Virginia the nation's High-Level nuclear dump, wants BRC. They stand to make \$31 Million more each year if BRC goes through. But if this happens, there's a good chance that 194 additional West Virginians can expect a fatal cancer during their lifetimes.

You might think I'm kidding but this is deadly serious. Congress passed this little jewel in a little-noticed amendment in 1985. Many Congressmen didn't even know what they were approving. The NRC wants to implement the BRC regulations in 1990.

I can understand the NRC hacking the BRC idea. After all, they've been the nuclear industry's obedient lap dog for years. But the EPA's role in this mess is disgraceful. It's supposed to be their job to protect our environment.

THE EPA did a risk/benefit analysis on the BRC plan. A risk/benefit analysis balances the risk (to our health) versus the benefit (to industry's profits). To do this it must place a dollar value on human life, based on the amount of money a worker killed by pollution would have earned if he or she didn't hit it big in the death lottery. So a man's life is worth more than a woman's. A white's is more valuable than a black's. You get the picture.

The EPA's Office of Radiation Programs says that under their plan "cost savings are high while the individual lifetime risk of contracting a fatal cancer as a result of exposure from the BRC wastes is about 1 in 10,000."

Let's look at those numbers. According to the 1980 census, West Virginia has 1,949,000 citizens. If all West Virginians get the new legal dose from BRC waste, 194 of us can expect to win fatal cancer in the new BRC lottery. Of course, EPA points out that most people won't get the full dose, although some may get extra. At least there's an "up" side to this. West Virginia's

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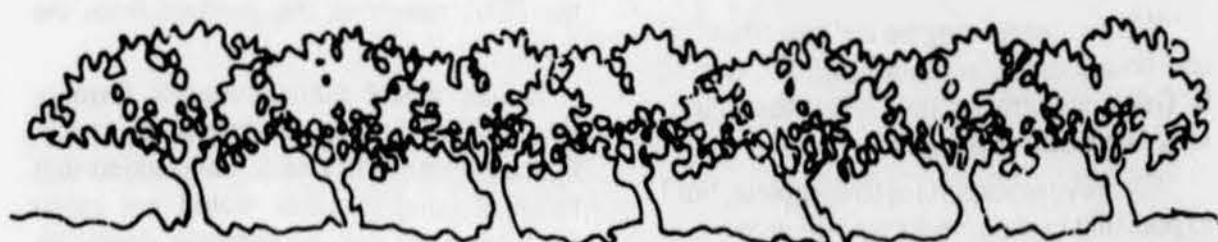
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I apologize for any inconvenience created by the Board decision to combine the November and December issues. Recognition for two pages of this issue is due Anne Brunley.

The Editor

In a recent column, *Charleston Gazette* Editor Don Marsh suggested that West Virginians who are trying to protect our state's natural environment are feeling "pessimistic" these days.

For people who have been trying for years to stop new sources of acid mine drainage (AMD for short) — "pessimism" is part of being a realist.

Thanks to a decade of irresponsibility by our state government, an acid mine drainage ecological holocaust is occurring in several major West Virginia river systems, including the Buckhannon, Tygart, Monongahela, and Cheat rivers. (AMD pollution is primarily associated with mining certain coal seams in north central West Virginia.)

Lifeless orange streams and fish kills are not just a legacy of the "bad old days" of coal mining — they're the wave of the future!

The worst thing about acid mine drainage as a pollutant is that once it's started, it can't be shut off.

A small 50-acre "reclaimed" surfaced mine, with an acid-producing sandstone overburden, will generate about 35,000 gallons per day of toxic drainage — day in, day out, for fifty years or more.

As sure as it rains, the acidified drainage, heavily laden with dissolved minerals, will flow from the mine site into the streams and groundwater of the area, as part of the earth's natural water cycle.

Once this process begins, no notice of violation, or environmental lawsuit, can turn off the tap, and stop the flow. No one can treat successfully and indefinitely such large volumes of polluted and toxic drainage — drainage which means death to aquatic life downstream, from fish and bugs to crayfish and turtles, not to mention associated non-aquatic birds and insect predators.

Because acid mine drainage sources produce such huge and inexorable amounts of pollution, it's not surprising that the creation of new-source AMD is expressly prohibited by state and federal law.

But guess what? In the great State of West Virginia, this law is about as effective as Prohibition was!

Millions of gallons daily of perpetual new-source AMD are coming onstream in north central West Virginia every year, from new AMD sources which are routinely permitted by the state Division of Energy (DOE).

Most streams and all rivers in North Central West Virginia are now affected by AMD. **Under present trends, virtually all remaining living streams in North Central West Virginia will be devastated by AMD pollution in the next twenty years.**

This is a major regional ecological catastrophe in the making. Already large sections of the Cheat River are lifeless, and other major rivers heavily poisoned. Only treatment at a couple of large mines is keeping the Tygart from going acid and lifeless.

West Virginia Department of Natural Resources fisheries and stream life experts freely confirm the severity of the situation.

Yet these concerned scientists are completely out of the policy, permitting and law enforcement loops, when it comes to anything to do with acid mine drainage. Their insights are too dangerous to coal company profits!

This is no new issue. In 1981, a citizens' coalition proposed limiting surface mining in the upper parts of the Buckhannon and Tygart rivers, because of AMD likelihood.

After extensive hearings and study, the state Water Resources Board overruled the protest. The Board cited the potential for

Ecological Holocaust

by T. Rodd

"new reclamation technology" to avoid acid mine drainage. To its credit, the Board did call for strict scrutiny of all mine permit applications where there was an AMD threat.

Eight years later, the mining that the Board allowed is producing millions of gallons of AMD, despite all "new technology;" and the hoped-for strict scrutiny has never occurred.

Just last month, Cobun Creek, a lovely stream that provides Morgantown's drinking water, turned blood-orange from new-source acid mine drainage from Omega Mining Company.

Omega got its mine permit in 1983, with the help of WVU College of Mineral and Energy Resources (COMER) Chairman Syd Peng. Local citizens protested, hiring experts who predicted the present situation.

Peng testified for Omega that subsidence, which would lead to post-mining leakage of toxic drainage, would not occur.

But Peng's prediction wasn't accurate. The flooded mine pool, some 400 million gallons of poisonous mine drainage, began this year to leak out in large springs all along the hillside, killing the stream.

A beautiful, life-filled brook became a dead, polluted sewer. (Thanks for your opinion, Dr. Peng.)

After months of Omega's pollution, federal Office of Surface Mining officials intervened, because DOE was doing nothing effective.

Omega is now "treating" the water; and discharging it, with still-illegal iron levels, into adjoining Owl Creek. Just last week, local residents found a new acid seep, this time from an Omega strip mine. What a grisly situation!

What's next? Here's a likely future scenario, based on similar cases:

The Omega Mining Company "corporation" will come to an end, and join its thousands of predecessors on the corporate shell junkheap. Omega's wealthy owners and their heirs will have no personal liability for perpetual water "treatment."

And Cobun Creek and Owl Creek will run polluted and dead.

Tough luck, creek. Goodbye, minnows.

It's enough to make you "pessimistic," especially when cases like Omega Mining happen every day.

(Not surprisingly, under DOE regulations, coal companies post no bonds to guarantee post-mining water quality. Future costs to West Virginia taxpayers for AMD "treatment" will run into many millions of dollars annually.)

Is there a solution? Could we avoid this ongoing nightmare?

Yes, and it's not a complicated solution:

We can, and must, "just say no" to acid mine drainage.

And that means saying "no" to the mining of some coal — until and unless someone comes up with a foolproof and proven method to mine acid-prone coal without AMD creation. (There is no such method in sight, just some ideas that have never worked in the field.)

All proposed mining in acid-prone seams should be scrutinized by experts in AMD

prediction, who have protecting water quality as their number one priority.

Where AMD is likely, mining should not be permitted.

In all mining which is permitted, substantial bonds which guarantee post-mining water quality must be required.

Law enforcement must be made certain and strict. Polluters must be made to pay painful and heavy fines, and all the costs of drainage treatment. Only if coal companies believe that creating new-source AMD will cost them more than their profits, will they hesitate to mine even the most toxic sites.

The "cost" of saying no to acid mine drainage? Roughly six per cent of West Virginia's strip mine production and five per cent of deep mine production is responsible for the new-source AMD. Because of excess capacity, eliminating new-source AMD creation would affect regional production, but not production statewide.

This isn't an impossible task for our state. Pennsylvania has implemented this policy, and streams in southwestern Pennsylvania are being protected from new-source AMD pollution.

So, there's a solution, and it's feasible. Why be so "pessimistic?"

Because no one with any significant power in our state government is willing to take effective steps to stop further new-source AMD.

No one at DOE is willing to say "no" to coal operators who want to mine acid-producing coal.

Just thinking about saying "no" to any proposed mining is so disturbing to the DOE, that they generally ignore the AMD issue. Only when an irate farmer or trout fisherman or community group raises a ruckus, and rubs their bureaucratic faces in it, does DOE even acknowledge the existence of a possible problem.

And when the DOE is forced to face the sickening reality of yet another new source of perpetual AMD, they say:

"Can you be certain?" "We think this needs more study;" "There certainly appears to be a problem, but right now it's hard to say exactly what to do about it;" and, "We're sick that this has happened, and we had no idea . . ." etc., etc., ad nauseam.

(No kidding, these are all direct quotes from senior DOE people. I've met some DOE field staff who I think would prefer to do a proper job, but there's no room at DOE for that sort of thinking.)

It makes me sick. Or should I say — "pessimistic?"

As for the coal industry, their interest is best served by poisoning as many watersheds as possible, as soon as possible. Then the acid-prone areas can be more extensively mined at leisure, with much less citizen opposition — because the creeks will be already dead.

Scientists working on AMD research are afraid to rock the boat. Their salaries are largely paid by coal companies, who also want to see the issue "studied" for another few decades, searching for an unlikely "cure."

So, who's doing anything?

Private citizens are the main group trying to enforce the law against creation of new-

source AMD, spending countless hours and dollars in the effort. I work with and represent several of these groups.

Some statewide environmental organizations, including Trout Unlimited and the Highlands Conservancy, have AMD as a major priority. Mountain Stream Monitors, which has worked on this issue for ten years, provides support to a wide range of citizen groups.

As an "environmentalist" lawyer, I get no pleasure (and scant financial reward) in taking citizens' money to pay for what their taxes should be going for.

And as a former assistant prosecuting attorney, its appalls me that scofflaw mine law violators can blatantly lie, cheat, steal and pollute; and never — and I mean never — suffer serious legal consequences.

It's enough to make you — "pessimistic!"

But, like a lot of people, I don't know any alternative but to personally resist the trend of more AMD pollution.

And I have a specific personal interest — a living stream flows near my home in Preston County. Sandy Creek — where our family and friends wade, play, fish, and skate — is a beautiful, intricate, life-filled piece of the Creation.

Last year F&M Coal Company's strip mines on Laurel Mountain illegally discharged millions of gallons of AMD into Sandy Creek, just below our house. The pollution caused insects, fish, turtles, and birds to disappear from the stream and its ecosystem. Farmers' cattle wouldn't drink the water.

Our community watershed association finally forced F&M to abate some of the pollution — after over a year of untreated discharges, after countless meetings, after suing DOE, and after paying thousands for expert scientific help. (If it wasn't for the *Charleston Gazette's* willingness to publicize citizen efforts like ours, we would have had a much harder time.)

We have recently learned that F&M is selling out; but the company is thoughtfully leaving behind a "farewell gift" for our community, a "gift that keeps on giving."

F&M's "gift" is a hundred acres of mined-out mountainside, which will keep on "giving" us millions of gallons of poisoned drainage into our creek, for generations.

What a nice present!

You can see why some of us are "pessimistic;" but we aren't giving up. We'll demand continued treatment, and no more mining in that area. We realize now that working to keep the stream alive will require our attention for the rest of our lives.

This has been a large and thankless task, but we're doing it, together.

Why bother?

Because Sandy Creek is a part of our community, a part of our homes. Because we want to hold our heads up in front of our kids. Because the stream cannot protect itself. Because our government won't protect it.

Because it's up to us.

On the statewide level, I don't want to see any more creeks die, so I'm going to join with others, and work hard to make changes.

We have a lot going for us in making these changes. Many people care deeply about living streams. And the law is on our side, which ought to be worth something! I believe we can make a difference.

So, Editor Marsh, I guess I'm "optimistic," as well.

Let's stop new-source acid mine drainage now!

Artist Works With Conservancy to Raise Funds

Dolly Sods has managed to attract the attention of many a West Virginia wanderer. Anne Burnley has expressed her fascination with the landscape of Dolly Sods through her original Prismacolor drawings. Two of her drawings have recently been reproduced as full-color limited edition prints. "September Scenery" and "Feather and Sodscape" are now available through The West Virginia Highlands Conservancy. Proceeds from the sale of these prints will go to fund a variety of Highlands Conservancy projects.



A special mountaintop has captured artist/illustrator Anne Burnley's imagination, inspiring her drawings of open fields, hidden bogs, and vast fern meadows.

"I've seen beautiful landscapes in the Canadian Rockies and in the Alps, but my heart belongs to Dolly Sods," Anne says.

Anne found Dolly Sods on a camping trip when she was 19, and has been going back ever since to hike, ski cross country, and take photographs for artistic inspiration. Elements in her photographs become the jewel-like "Sodscapes" of her drawings, sometimes overlaid with the image of an object she feels is connected to the earth: a feather, an arrowhead, or perhaps a bone.

Anne received her Bachelor of Fine Arts degree at Virginia Commonwealth



"I've seen the Canadian Rockies and the Alps, but my heart belongs to Dolly Sods."

University; her work has been shown in galleries throughout Virginia and in the Chrysler Museum. Yet she credits Dolly Sods with an important part of her artistic education. The landscapes and their seasonal changes taught her much about building up color. Shifting clouds and bare rock, twisted branches and hawk feathers taught her things about texture that no classroom experience ever could.

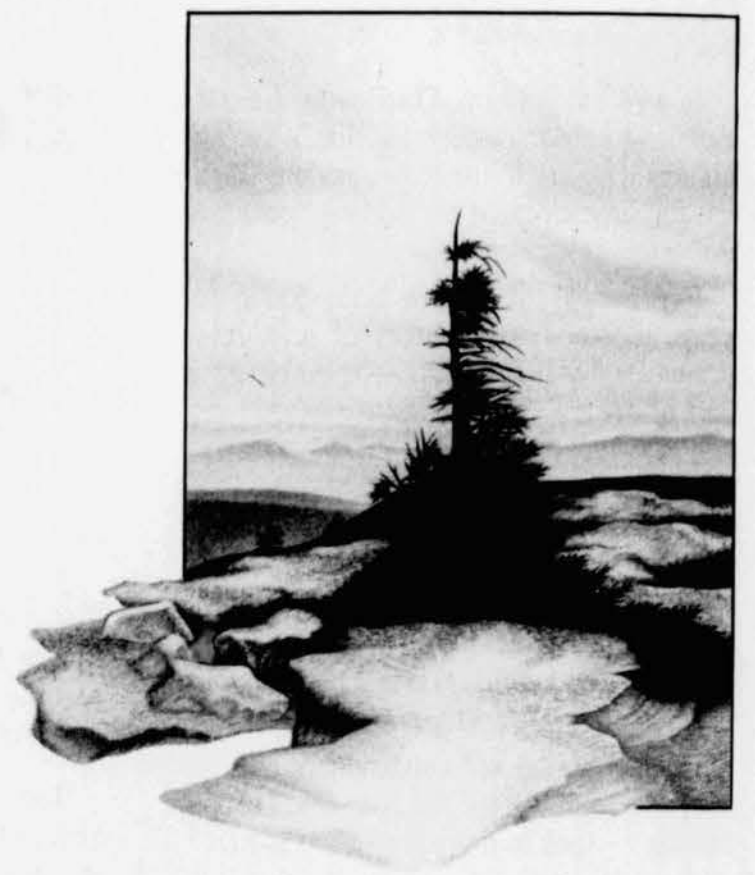
A thin, empty line across the picture plane recurs as a design element in many of her drawings. Anne cites Japanese art as an influence in this decision.

"The Japanese are so comfortable leaving empty space. Empty space is OK," she states with conviction. It's clear that the open spaces of the Sods have influenced her also.

It is Anne's hope that her drawings convey a sense of the untamed nature of Dolly Sods. Though the area cannot defend itself from the spoils of human intrusion, the fragile yet rugged character of this mountain deserves attention and protection.

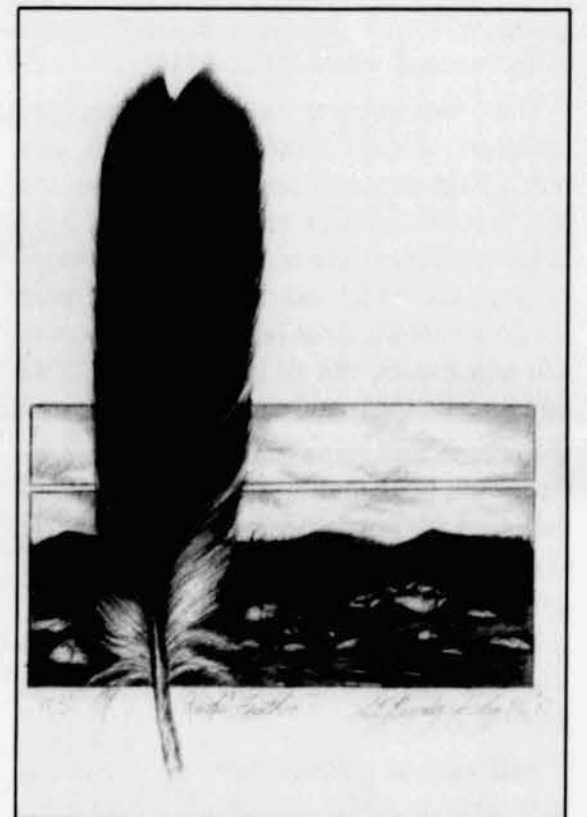
In 1987, Anne's environmental concerns led her to collaborate with the West Virginia Highlands Conservancy when she found a pile of military refuse on her first solo hike in the Sods. She designed a full-page spread in the "Highlands Voice," using her photographs of the waste. An outpouring of public concern followed. Another result was a helicopter trip for Anne when the West Virginia National Guard asked her to guide them to the site. Anne enjoyed the adventure, and the clean-up effort was a success.

When Anne is not hiking or taking photographs in the mountains of West Virginia, she can be found in Richmond, Virginia, helping children with a different kind of adventure—learning to read.



"Winter Tree At Bear Rocks"
Berol Prismacolor on Strathmore Paper
Image Size: 18" x 22"

She works with inner city children through the Chapter 1 Visual Literacy program, using art, animation,



"Red Tail"
Berol Prismacolor on Strathmore Paper
Overall Dimensions: 14" x 18"
Image Size: 10" x 7 1/2"

photography, and video to fire their imaginations, inspiring them to read and discover. She likes to bring in camping equipment or her kayak for discussion, or set up a tent on the lawn for barefoot reading sessions. For Anne, sharing her skills is a way to "give the Sods' energy back... to people."



"View From Raven's Ridge"
Berol Prismacolor on Strathmore Paper
Image Size: 15" x 18"



About the Prints

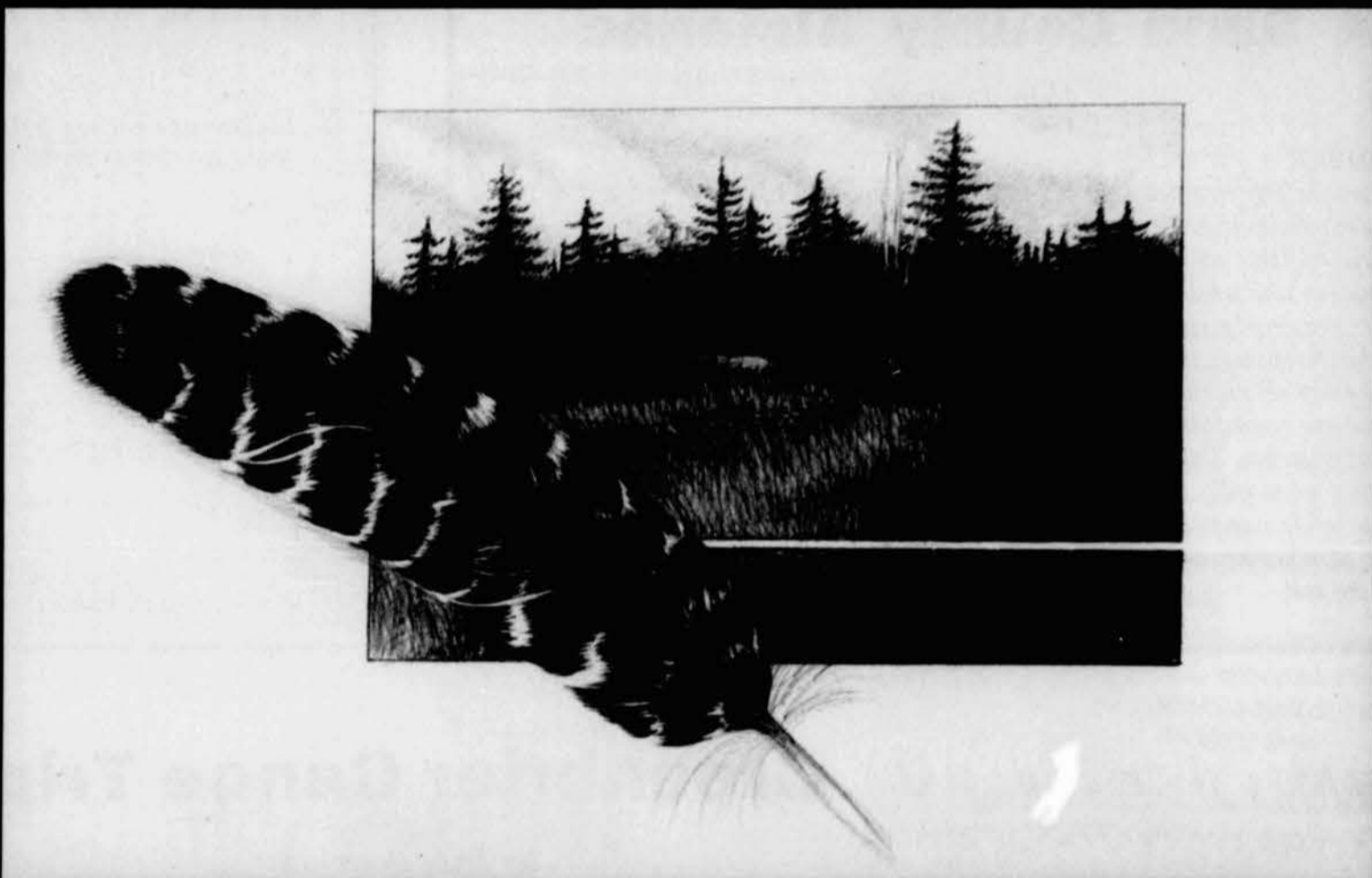
"Feather and Sodscape" and "September Scenery" have been published in two strictly limited editions consisting of 950 prints. These fine art prints have been meticulously reproduced in full color on Dulcet 80 lb. archival paper under the direct supervision of the artist. Each printed image accurately portrays the size of the original drawing. Both editions were printed in the U.S.A. by the offset lithographic process. All plates were destroyed after the edition printing and no editions will be reissued. Each print is signed and numbered by the artist. A small number of prints have been reserved as remarques. These editions are fully protected under the existing copyright laws, and all rights reserved.

"Feather and Sodscape"

Overall dimensions: 12¾" x 18"
Image size: 12" x 7"

"September Scenery"

Overall dimensions: 12¾" x 18"
Image size: 12" x 7"



Scenes from Dolly Sods by Anne B. Burnley

Each limited edition print of "Feather and Sodscape" and "September Scenery" is \$25.00. To order your fine art print, send a check or money order to:

The West Virginia Highlands Conservancy
Scenic Prints
118 Clark Avenue
Fayetteville, W.V. 25840

Please include \$2.50 for shipping and handling. West Virginia residents include 6% sales tax. (Prints are shipped unmatted.)

PLEASE PRINT

I have enclosed a check/money order for the amount of \$ _____ to the W.V.H.C. for:

(quantity)

(quantity)

_____ prints of "Feather and Sodscape" _____ prints of "September Scenery"

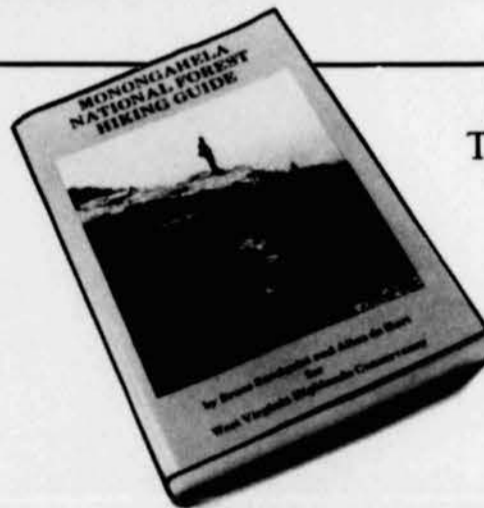
Signature: _____

Name: _____

Address: _____

City: _____

State: _____ Zip Code: _____



Monongahela National Forest Hiking Guide, Fifth Edition

by Bruce Sundquist and Allen de Hart

with the cooperation of the Monongahela National Forest Staff and Numerous Hikers

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- hiking and safety tips;
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The West Virginia Highlands Conservancy
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Charleston, W.V. 25321

Please include \$1.25 for shipping and handling. West Virginia residents include 6% sales tax.

I have included a _____ check or _____ money order for the amount of \$ _____ to the W.V.H.C. for _____ copies of the **Monongahela National Forest Hiking Guide**.

Name: _____

Address: _____

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State: _____ Zip Code: _____

Reasons To Join WVHC

The West Virginia Highlands Conservancy is a private, non-profit environmental organization started in 1967. Its objectives are "to promote, encourage, and work for the conservation—including both preservation and wise use—and appreciation of the scenic, historic, open space, wilderness, and outdoor recreation resources of and related to West Virginia, and especially the Highlands Region . . ."

Members include people and organizations diverse in their personal interests but united by a common interest. Most WVHC members are West Virginians but many live outside the state.

The Highlands Voice, a monthly 8-page

newspaper, is sent to all Conservancy members. It is filled with environmental news on topics of interest and concern to members as well as articles about trips and outings.

The Conservancy sponsors two special weekends each year. These are usually at some scenic spot in the highlands and feature speakers, outings and board meetings.

Your contribution to WVHC is tax deductible and joining is as simple as filling out this form and returning it to the office in Charleston.

Join today and become part of an active organization dedicated to preserving West Virginia's natural resources.

WVHC Membership Categories (Circle One)

Category	Individual	Family	Organization
Senior/Student	\$ 12	\$ —	\$ —
Regular	\$ 15	\$ 25	\$ 50
Associate	\$ 30	\$ 50	\$ 100
Sustaining	\$ 50	\$ 100	\$ 200
Patron	\$ 100	\$ 200	\$ 400
Mountaineer	\$ 200	\$ 300	\$ 600

Name _____ Phone: _____
 Address: _____
 City/State/Zip _____
 Make checks payable to: West Virginia Highlands Conservancy
 Mail to: P. O. Box 306, Charleston, WV 25321

Membership Benefits

- 1-year subscription to **The Highlands Voice**
- Special meetings with workshops and speakers
- Representation through WVHC's efforts to monitor legislative activity.

The West Virginia Highlands Conservancy is a non-profit organization. Your contribution is tax-deductible. Please keep this for your records.

Date _____
 Amount _____
 Check number _____

A Sand County Almanac

Aldo Leopold

DECEMBER

If you are thriftily inclined you will find pines congenial company, for, unlike the hand-to-mouth hardwoods they never pay current bills out of current earnings; they live solely on their savings of the year before. In fact every pine carries an open bankbook, in which his cash balance is recorded by 30 June of each year. If, on that date, his completed candle has developed a terminal cluster of two or twelve buds, it means that he has salted away enough rain and sun for a two-foot or even a three-foot thrust skyway next spring . . . Hard years, of course, come to pines as they do to men, and these are recorded as shorter thrusts, i.e. shorter spaces between the successive whorls of branches. These spaces, then, are an autobiography that he who walks with trees may read at will . . . When one pine shows a short year but his neighbors do not, you may safely interpolate some purely local or individual adversity: a fire scar, a gnawing meadowmouse, a windburn, or some local bottleneck in that dark laboratory we call the soil.

SPECIAL GIFT MEMBERSHIPS NOW AVAILABLE!

Introduce a friend to WVHC for only \$10.00.
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Please enter a one-year gift membership in the West Virginia Highlands Conservancy and send a gift announcement.

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Clip and mail to:
 West Virginia Highlands Conservancy, P. O. Box 306, Charleston, West Virginia 25321

Greenbrier Canoe Trip

by Jean Rodman



Eli McCoy (with lollipop) and C1 joins the OC2 gang on the Greenbrier River

Nobody knew enough on Friday night to decide where we would paddle in the morning. So we got together then, in the fog, and decided to do the section of the Greenbrier above Talcott. We headed off, driving slowly in the mists, getting gas, spotting a car near Talcott where we felt we could take out, and going on upstream to Alderson, where we put in at the town's very nice parklet which came complete with steps and a dock. This gave us about an eleven mile stretch to paddle.

The fog began to dissipate just about the time we went under the first bridge and realized that there would be adequate water for the run. There were six OC2s and a C1. Nobody had any trouble and we probably could have handled faster water, but the stream was so clear and we saw so many fish, that I think we were all glad to be where we were.

The sun shone on the leaves which were in beginning glory for this fall season. We had lunch on a gravel beach in dappled light — not too hot and not chilly. In fact, perfect. No breeze and no bugs. We saw several Great Blue Herons and many ducks and geese, a kingfisher or five and lots and lots of fish.

With the water so clear, we could see to the bottom in all but the deepest pools. The still air kept the surface smooth and that helped. There were large areas of bedrock along the bottom, perhaps scoured clear by the '85 flood. I found it amazing to paddle down a river that we had driven up beside, but in the fog. It was all new, — the bends, the houses, the hills, and the beautiful colors in the trees.

We got out and had plenty of time to get back to camp with time to shower before an excellent buffet dinner. No "Lost Patrol" for Sayre this year.

Plans for Public Service

Domestic sewage remains one of the paramount sources of pollution in West Virginia. Efforts to combat this pollution resulted in a proliferation of public service districts (psds) around the state to manage water and sewer systems. The county commissions appoint the three member boards for the psds and the psd board members have total responsibility for that district's operations.

Because many psds could not cope with the finances, engineering, and management of the systems, the West Virginia legislature passed Senate Bill 191 in 1986 which expanded the authority of the WV Public Service Commission to assist public service districts. In addition, each county was required to "conduct a study of all psds" in its county and to "develop a plan relating to the creation, consolidation, merger, expansion or dissolution of such districts or consolida-

tion or merger of management and administrative services and personnel." The counties could "perform its own study or request that the public service commission perform such study." Where consolidations occur, "any rate differentials may continue for the period of bonded indebtedness incurred prior to consolidation."

Nine counties chose to prepare their own plans. The procedure followed by the Public Service Commission for the rest of the counties is as follows: The first step for the Public Service Commission was to analyze the districts' operational problems and recommend solutions. A county commission could adopt this plan or request modifications. The second step of the studies, which is in process now, is to develop a cost-benefit analysis concerning the merger or consolidation of public service districts.

If the post-benefit analysis indicates that merger of two or more psds is advisable but the county commission is not willing to merge them, an administrative law judge will look at the evidence and issue a decision on the case. The decision is appealable to the three member Public Service Commission and then to the WV Supreme Court.

An integral part of the plan is implementation. The county commission within 30 days of the decision must design an implementation schedule. The law does not speak to the length of time for implementation, but the Public Service Commission believes that it should be reasonable.

Some of the remaining sewage problems are the unsatisfactory operations of many of the individual package plants which are not a part of a psd and the large number of unsewered residents in West Virginia. With

the change of the federal government's aid for the development of sewer systems from one of matching grants to a loan program, it will be difficult for West Virginia to meet its sewerage needs. However, the ability to merge psds when cost-effective and beneficial and the implementation of solutions to operational problems will improve the efficiencies and operations of psds around the state. Citizens interested in improving the operations of psds should review the plans for their county and contact their county commissions urging appropriate steps for reorganization.

(Thanks to Danny Ellis, WV Public Service Commission, for information relating to this article.)

Submitted by Helen W. Gibbins
6128 Gideon Rd., Huntignton, WV 25705
(304) 736-3287

No Garden Is An Island

by Myra Bonhage-Hale

In Baltimore, in the 60's and 70's, I was extremely interested and involved in all kinds of politics, not the least of which were environmental politics. As Vice President of the League of Women Voters of Baltimore City, I produced and hosted a weekly radio program entitled "Politics and People." We attempted to present both sides of issues and reach a consensus or position. Then, a divorce, single parenthood with much less money and a goal to own land in West Virginia began to consume all my energies. I guess you could say I burnt out on the larger issues and began to focus on what most affected me. I came to West Virginia, bought a run down 86 acre farm and began to organic garden.

I would like to write about just organic gardening, but I soon discovered I could not confine my interests to only my own acreage. Gas company drilling, Electric Company aerial herbicide spraying, solid waste dumps all affect my little farm. So, sometimes I will write about organic gardening and sometimes I will write about how the larger concerns must also be the organic gardener's concerns. Just as all humans are interconnected, so is every action we take to affect nature — it all comes round again.

In graduate school, I studied how the Poverty Program affected Appalachia. Part of my study involved reading Harry Caudill's "Night Comes to Appalachia." He drew a bitter picture of what happened to West Virginia along with the other Appalachian states. Coal, oil, gas and timber companies came to West Virginia, called the richest state in the country as far as natural resources go, and bought up mineral rights and timber rights, gave the residents non-revokable leases, paid minuscule amounts for the resources taken out, gave the most servile jobs to the residents and robbed West Virginia of its birth right.

Now, in the 90's West Virginia stands to take the final dump. Waste, that is, from garbage, medical waste and nuclear waste — from all over the East Coast. County governments seem to think the only way to solve their land fill problems is to let outside firms take over and create 5000 acre landfills for the entire Eastern Seaboard. And we are trying to get tourists?

Well, if you think about it, the average disposable diaper takes 200 years to break down. Maybe people from Maryland, Pennsylvania, New York, New Jersey and Delaware would like to visit our dumps — after all their great great grandfather's diaper might still be there. A real archeological treasure.

An organic gardener automatically recycles. Last weekend I spent a lot of time putting my beds to sleep for the winter by composting on top of them — using the dead vegetables, kitchen garbage, sawdust, weeds, leaves and grass clippings in layers to create next year's fertilizer. Cheap, very beneficial to the soil, and keeps the garbage out of the land fills. I understand Morgantown composts 80% of its garbage and uses it on their public gardens and parks. If we could separate our waste into newspapers, plastic, metal and glass and build businesses on recycling these wastes, again our need for a land fill run by out-of-town concerns would be decreased — and businesses could employ our residents. In Baltimore, some streets are made of recycled glass (N. Charles St.), and they are very sturdy.

The 1990's, only a few months away, will be the decade of the environment. What we do then, how we solve our problems, the creativity we use are more important than we know. West Virginia can take its final dump and become the garbage pit of the East or it can apply all its ingenuity to saving the environment and making money at the same time.

RUBBISH

Logjam at Bluestone Dam A Dilemma

by John McCoy

Charleston Bureau

HINTON — There's nothing like having 20 acres of trash dammed up behind one of your dams to give you the feeling you're damned if you do and you're damned if you don't.

Take, for example, the U. S. Army Corps of Engineers. Corps officials thought they'd dodged a bullet three weeks ago when their Bluestone flood-control dam caught Hurricane Hugo's flood waters and kept them from drowning nearby Hinton.

Problem is, the flood brought with it an immense slug of water-borne debris — about 18 football fields' worth of three limbs, bleach bottles, tires, Styrofoam, aerosol cans and other assorted flotsam, all of which collected behind Bluestone Dam. Now corps officials have to figure out what to do with the mess.

Basically, they have three choices:

■ They could scoop up all the debris and have it hauled away, but that would blow their budget.

■ They could leave the stuff floating there, but that would risk damage to the dam.

■ They could open the floodgates and send the trash down the New River toward Charleston, but that might create a serious public-relations backlash.

Roger Hayes, the corps' lock and dam section chief for the Kanawha River, doesn't know what to do.

"We believe that this current situation emphasizes that there aren't any readily available simple solutions," he said Thursday.

That could well be the understatement of the year.

Steve Wright, another corps spokesman, said the cost of a cleanup makes that choice a slim possibility at best.

Hayes said the steep-sided gorge that surrounds the lake would make a removal effort particularly difficult.

"I don't even know if we can get equipment to it," he said. "Assuming we can get equipment out there and can get the stuff to shore, there's a question of trying to get it to a disposal area. Local landfills have tonnage limitations, so they may not be usable."

"You can't hold it there forever," Hayes said. "It's like an ice jam on the river. I think there would come a time when the (debris) would start sinking and could cause us to have to shut down the dam. We just can't do that."

He said corps officials will probably have to decide what to do within a couple of weeks. Ordinarily, they'd just elect to flush the stuff through the dam and let it drift on downstream, but recent public protests about similar procedures have made the corps' image-conscious leaders a little gun-shy.

Other than creating an eyesore, Hayes said the trash — which is about 85 percent wood — would pose little threat to river users downstream.

"Other than to pleasure boaters, whose boats' propellers could be broken by the logs, it would have no effect on river traffic," he said. "Much of the problem of passing it is with the perception of the general public."

That perception could cause more problems than the trash itself. If the corps passes the trash, the river's currents would sweep the stuff right down through the scenic New River Gorge. Corps officials fear a backlash from the National Park Service, which is responsible for maintaining the river's scenic qualities.

Regardless of the Park Service's response, the corps has already drawn the ire of Congressman Nick Joe Rahall, D-W. Va. Rahall

has been trying since 1987 to get the corps to quit passing debris through the dam into the park.

"The pass-through of trash at Bluestone Dam into the national river is the most disgusting aspect of that project's current operation," Rahall wrote in comments to the Park Service's draft river management plan.

Rahall spokesman Jim Zoia said the congressman is quite upset by the prospect of having 20 acres of trash flushed downstream.

"This is a national park we're talking about here," Zoia said. "It shouldn't get that kind of pass-through. I've been there. I've seen the bleach bottles hanging in the trees. They don't belong there."

Since May, the corps' longstanding practice of flushing bleach bottles and other debris through its Winfield and Marmet navigation dams has drawn furious responses from Charleston area residents and media.

Wright said that, faced with the all-too-real prospect of a public revolt if they turn 20 acres of debris loose on Kanawha Valley residents, corps officials have decided to step back and study the problem for a while.

— Bluefield Daily Telegraph
10-14-89

Environmental Assessment

Text of comments delivered by Cindy Rank, President of WV Highland Conservancy during the afternoon panel on Water Quality Risk and Response, Conference on the Environment, "Environmental Risk — Evaluation and Response" sponsored by WV Chamber of Commerce & WV Manufacturers Association, October 11-12: Charleston Marriot

Before agreeing to be on this panel I had some reservations and hesitations to work through:

First of all I'm usually reluctant about speaking before large gatherings of people... But, I realized that not every one who speaks at conferences is always at ease, and besides this kind of activity comes with the territory of being President of the W. Va. Highlands Conservancy because I follow in the footsteps of people who, since 1967, have established a tradition of participating not only in this conference these past four years, but also in other forums of similar nature.

Then, too, I've never liked this concept of using Risk Assessment and Management as the basis for setting standards of quality... But I thought, even though I don't particularly like what I know of the idea, perhaps I owe it to myself and to the people I often represent to investigate it a bit more.

Finally I thought, people may say I don't have the official or professional credentials to participate in this panel... I had to chuckle a bit on this because I was reminded of what has become my learned response to the question "Where are you from? — How long have you lived in W. Va.?"... When I'm asked that question I often catch myself answering in a somewhat defensive manner "I've only lived here 17 years."... ONLY 17 years?!... As though my opinion could only be valid if my family had been here for generations.

Unfortunately, the same kind of learned response has become far too common for citizens within the decision making process that determines our environmental laws and regulations. If a person doesn't have a great deal of technical expertise — or at this point in time, legal or political skill — the assumption often is that he or she has little to contribute. People have come to believe that only the most astute technical or legal comments are at all valid in these decisions.

What I would like to suggest to you today is that this attitude has helped nurture a rather myopic development the past several decades.

We have reached the point where our technical, legal and political skills have skipped light years beyond our ability and willingness to fully develop our moral and ethical responsibilities toward ourselves, toward the earth we live in and toward future generations who will depend upon the earth's resources.

Given this state of affairs in the world today, Risk Assessment and Management is just not enough, especially in determining measures necessary to protect our water resources.

Risk Assessment can only be part of our thinking... Certainly it is useful and necessary to know how much of one thing or another will be harmful or dangerous to human health... And we have to be able to measure the effects, and to monitor accidental occurrences, oversights or blatant excursions of permit requirements, and to recommend remediation measures. But by itself, Risk Assessment and Management is an anemic substitute for real solutions to current problems and is lacking the depth needed to prevent future problems.

The process itself limits reality. It creates a false sense of security in an unreal world where we are led to believe that EVERYTHING CAN BE CONTROLLED.

Within the framework of Risk Management the questions are always How much more? (How much more can we discharge without exceeding some limit? How much more can we discharge without making someone sick?)... The assumption is always that there are certain definable limits and that we can pollute up to those limits.

The questions we seem to avoid or ignore in this process are How much longer can we degrade our water resources?... Or, Why must we pollute at all?... Human health is certainly

(Continued from Page 2)

194 new radiation victims will help the nuclear industry what the EPA calls "significant cost savings."

And a Mountaineer's chance of hitting the jackpot in the death lottery may increase dramatically in the near future. With our state being targeted by the garbage industry for every toxic boondoggle that no other state wants, and with the Caperton administration apparently unwilling to live up to its campaign promises on out-of-state wastes, you can bet that we'll begin seeing plenty of the new "deregulated" nuclear wastes.

It doesn't have to happen. If the Governor wakes up and smells the coffee — or the approaching trainloads of garbage — we've got a chance. If Wise, Rahall, Mollohan, Staggers, Byrd and Rockefeller hear from us about this, if West Virginians band together to fight the rape of our beautiful and healthful environment, there's still a chance we can save the Mountain State from the polluters and keep West Virginia as a place where we all live as a people both proud and healthy.

(Continued from Page 1)

Dairy farmers most often administer the drug to cows in the form of a large pill, or bolus, to treat diseases of the lungs and cure hoof infections.

The government bars sulfamethazine residues in pork products from exceeding 100 parts per billion and prohibits any level of the drug in milk.

Sulfamethazine, an anti-bacterial compound, was one of a handful of animal drugs introduced in the late 1940s and 1950s that

helped to radically alter the structure of American livestock farms.

Because it is inexpensive and effective against an array of diseases in hogs and cattle, sulfamethazine made it possible for farmers to improve the economic efficiency of raising meat and milk by closing down outdoor corrals and confining large numbers of infection-prone animals in production houses and feeding pens.

— *The New York Times Service*
November 5, 1989

important and health standards must be complied with, but we have to do MORE than that.

As naive as it may sound, we really have to come to realize the intrinsic worth of the resource itself. Human health is but one aspect of the ecological systems that support and sustain us. It is the health and well-being of the global ecosystem itself that is at risk. Each time we allow our activities to weaken that support system, we lessen our chances of longterm survival.

Of specific concern to this panel, it is our water resources, especially our ground water resources, that are at risk each time we loosen a standard and allow a new level of pollution. The immediate effects aren't always too obvious, but the longterm cumulative effects are only beginning to be felt.

Discussions of water quality always seem to lead me back to the Clean Water Act. We should all be required, at least once a week, to read the parts of this Act that speak of goals and policy... "The objective of this Act is to restore and maintain the chemical, physical, and biological integrity of the Nation's waters" (101(a)... Furthermore "It is the national policy that a major research and demonstration effort be made to develop technology necessary to eliminate the discharge of pollutants into the navigable waters, waters of the contiguous zone, and the oceans." (101(a) (6)) Over and over it is written "to prevent," "to reduce," "to eliminate" pollution — not to create more... "to restore, preserve and enhance the quality of our waters" — not to degrade them to some particular limits.

However, what we've done to the Clean Water Act is criminal. We don't read the sections on goals and policies anymore. — Instead we've taken the fine print and created loopholes big enough for everyone imaginable to escape through. — We've chosen to expand and develop those parts of the Act which allow in some circumstances for the control of pollution where such pollution cannot be prevented, reduced or eliminated. Well, it seems these days NO ONE feels they discharge pollutants that can be prevented or eliminated. True, some stay within the set standards, some push those standards for more and more flexibility, but it's a rare (if not extinct) bird who ever decides the goal of no pollution is either desirable or attainable.

But, many people will say, the cost of doing business today, especially in this State, is prohibitive. We can't afford to eliminate, to prevent pollution all together. We'll have to close our doors and move on...

What we fail to recognize is that the TRUE cost of doing business these recent couple of decades was never paid in the first place. And we're just now beginning to reap the harvest. The final payment has become due and we're beginning to pay in ways that will be with us for decades to come... fish that we can't eat, waters that we can't swim in, water that is difficult to treat to acceptable standards for drinking... the list is long and we're all exposed to the updates day after day and week after week.

What we can't seem to admit is that the true cost of living in today's world involves paying the price, no matter how great, so that our children can continue to exist on the planet earth... so that the earth itself can survive and rejuvenate.

We have been moving farther and farther away from the intent of the Clean Water Act... And the process of Risk Assessment and Management in use today just confirms our direction and takes us one step further away from the goals and resolve expressed in the Act.

Our planet is at risk; our waters are at risk; our future is at risk. The assessment is critical, and only the most serious attempts at pollution reduction and elimination can save us.

LAW

COMPANIES SEEKING to make insurers pay for pollution clean-up win court victory.

In a case involving Avondale Industries Inc. and its insurer, Travelers Cos., the Second U. S. Circuit Court of Appeals in New York ruled in favor of the company on two issues that lawyers say are central to dozens of pollution cases around the country.

Travelers and other insurers have maintained that clean-up costs aren't damages and thus aren't covered under commercial policies. They also have argued that government proceedings aren't covered by the policies, the insurers say.

The appeals court disagreed on both counts. Avondale was notified by Louisiana officials in 1986 that it was potentially responsible for a clean-up at an oil-recycling plant. Avondale asked Travelers to defend it in the state proceeding, but the insurer didn't respond. The appeals court upheld a district judge's ruling that the insurer had to defend the company in such proceedings.

The appeals court also said, "We think an ordinary businessman reading this policy would have believed himself covered for the demands and potential damage claims" stemming from any clean-up.

"This decision will have a very considerable impact," said Kenneth Abraham, professor of environmental law and insurance law at the University of Virginia, because many commercial insurance policies are issued by companies based in New York.

William Greaney, an attorney for the Chemical Manufacturers Association, said that while appeals courts have ruled differently on whether clean-up costs are damages, the influence of the appeals court in New York "will make insurers sit up and listen." He said the decision was the first in which a federal appeals court has ruled that administrative government proceedings qualify as litigation.

Barry R. Ostrager, an attorney for Travelers, said, "there are procedural bases on which this case will be appealed further."