

# I Love Mountains Day 2010

## Talking Points

1. The best science available (through numerous studies) documents the widespread, permanent and irreversible damage done to our land, water and forests by mountaintop removal and valley fills. Top environmental scientists said recently that allowing these practices to continue is foolish and recommend an immediate halt to mountaintop removal mining and valley fills.

**Message:** When scientists collectively take initiative to recommend an immediate change in policy you know they are alarmed by their research findings. We should listen to those who have studied the consequences of mountaintop removal and valley fills most closely.

2. In real numbers, the U.S. EPA reports that at least 1,400 miles of Kentucky's headwater streams have been buried or significantly damaged by valley fills between 1981 and 2005, and the total grows daily. This figure represents a distance that is slightly more than the distance between Pikeville, Kentucky and Denver, Colorado. (*Source: U.S. EPA Environmental Impact Statement, 2003 and the update in 2008*)

**Message:** Enough is Enough! The coal industry has been allowed by state officials to destroy too much already. An incremental first step is for the General Assembly to pass the Stream Saver Bill (Senate Bill 139, House Bill 396) that would protect vital headwater streams.

3. According to state and federal studies, siltation and sedimentation pollution directly associated with resource extraction account for more than half of all stream impairments across the coalfields. 42% of streams in the Kentucky River Basin have been impaired by siltation and sedimentation; 41.9% of streams in the Cumberland River Basin and 85.7% of streams in the Big Sandy River Basin have been impaired by siltation and sedimentation. (*Source: Kentucky 303(d) Report to Congress "List of Impaired Waters," 2004*)

**Message:** Substantial evidence proves that valley fills from coal mining are having a devastating and costly affect on our headwater streams and major rivers. Waterways are the social and economic lifelines of our communities, and that means all Kentuckians share the cost.

4. In a study by EKU's Eastern Kentucky Environmental Research Institute that sampled more than 7,000 miles of streams across a six-county area in eastern Kentucky, 70% of the water samples came back as "bad." These water samples had at least one parameter on the extreme range for iron (from acid mine drainage), conductivity (from metals and sedimentation) or extremely high or low pH levels. (*Source: Environmental Research Institute, 2007*)

**Message:** Scientific research confirms what we've known about for years — the consequences this destructive mining practice is having on our state and nation's water are severe and widespread. Pass the Stream Saver Bill and stop the destruction of our water and preserve this resource for present and future generations.

5. There are no studies that show dumping toxic wastes into our streams is beneficial.

**Message:** It is time to quite denying or ignoring overwhelming evidence that what we are doing is wrong and has negative consequences for people upstream and down.

6. A new “fill placement optimization protocol” agreed upon by federal agencies and some coal representatives provides engineering guidelines for calculating the amount of fill produced by a mine and sets preferences for where it should end up — first backfilled on the active mine site, then on adjacent mined lands and then in upper elevations of valleys. This is a good development and mirrors the goals of the Stream Saver Bill. However, this protocol is not a regulation, does not have the force of law, and does not ban dumping fill in streams. So far, state officials are only recommending that coal companies follow the guidelines, while continuing to issue permits with stream buffer zone waivers. Laws are needed to protect our streams.

**Message: Dumping toxic mining wastes into streams is not acceptable. We applaud the fill agreement and regulators’ stated intention to reduce the harm to Kentucky’s waterways. However, the Stream Saver Bill is urgently needed to prohibit the dumping of mine waste into our headwater streams that provide the source of drinking water for more than 1 million downstream residents.**

7. The Obama administration has allowed dozens of valley fill permits to be granted while putting 49 in Kentucky “on hold” for further review. There is no clear indication of what the final outcome of this case-by-case permit review will be, or how long this process will take. Everyone remains uncertain what standard of protection for our streams will apply.

**Message: Kentucky can make it clear what standard of stream protection we want by passing the Stream Saver Bill.**

8. Radical strip mining technically may be called “area,” “contour,” “point removal,” “steep slope,” “surface” and other terms as well as mountaintop removal. Dozens of permits are granted each year for these various types of mining at an increasing rate — all of which bury streams with valley fills.

**Message: All forms of radical strip mining are highly destructive no matter what they are called. These claims by the industry and state officials that there is very little mountaintop removal going on is a deliberate attempt to distort what is taking place in our coalfield communities.**

9. Mining waste dumped in streams is toxic. Heavy metals, including selenium and mercury — both of which are hazardous to human health — leach from the rock into the stream and can also seep into the water table underground. Adults and children who ingest this water and/or eat fish from the water are at risk for severe health problems. Water in streams impacted by valley fills contains higher levels of mercury and selenium than unmarred streams (Clean Air Task Force, Cradle To Grave report). Both mercury and selenium make fish unsuitable for eating. There is currently a statewide health advisory about fish caught from Kentucky rivers, lakes and streams.

**Message: Dumping mining waste into valleys is toxic to the health of our children and families. Not only does the waste add hazardous heavy metals and other toxins to fresh water that will be consumed by people downstream, but it also seeps into the water table, ruining well-water quality for many coalfield residents.**

**It is unnecessary to dump mining wastes into streams and valleys. It is done because it is more convenient and profitable for the coal companies. Kentucky should stop allowing these corporations to destroy our water quality and degrade our health. Action is urgently needed to protect Kentucky’s land, water and people.**