

# Mountaintop Removal: an illegal, immoral practice

## Basic facts

- Mountaintop Removal (MTR) is a method of surface mining that removes a seam of coal by blasting off the top of a mountain and dumping the “excess spoil” into the valley below. A MTR operation can remove 200, 500 or even 800 feet of rock and soil to reach a 2-foot coal seam.
- The Surface Mining Control and Reclamation Act (SMCRA) says that coal companies must restore land to its “approximate original contour.” Exceptions are allowed if land is reclaimed for a “higher or better use.”
- Since 1978, 57 permits with a “fish and wildlife” post mining land use were granted, and another 94 were permitted for reforestation. Our forested mountains were teeming with fish and wildlife prior to strip mining, “fish and wildlife” and “reforestation” post-mining lands uses DO NOT represent an improvement. While U.S. mining officials acknowledge that these permits have been improperly granted, they have done nothing to correct the situation.
- A Federal Study released in August 2003 estimated that 724 miles of streams have been destroyed under valley fills between 1985 and 1999 in TN, VA, KY, WV, and PA. Many more miles have been permitted and are slated for destruction. Unfortunately, these figures seriously underestimate the total damage. Many headwater streams are not shown on the maps used by our government.
- It is clearly written in SMCRA that nothing in this law shall be interpreted to violate or supercede the Clean Water Act. However, President Bush has appointed people to top Cabinet and agency posts who have long and intimate histories with the coal industry. Many of these people have also been heavily involved in an effort to weaken the Clean Water Act.
- The use of MTR has increased substantially since the late 1980s. The size of individual permits and valley fills has also grown significantly. The coal industry and our state and federal enforcement agencies have twisted our laws. MTR was meant to be an exception to the law. Unfortunately, MTR is no longer an exception, but the norm.
- “We use Mountaintop Removal Mining wherever possible because it allows us to recover more tons of coal per acre and facilitates the permitting of larger projects.” (AEI Resources S4 Report)

## Harm to communities

- Residents living near MTR sites must endure blasting from explosives hundreds of times more powerful than those used in the Oklahoma City bombing. The blasting not only wrecks homes and water wells, but causes massive boulders to “fly” hundreds of feet, endangering the lives of citizens. 42% of all citizen complaints filed in Kentucky about mining in 1999 were about blasting.
- MTR mining relies on explosives and massive earth moving machines, not people, to extract coal. The widespread use of MTR has contributed to the steady decline in jobs. MTR operations produce more than 4.5 times the amount of coal per worker than underground operations. In Kentucky between 1980 and 2000, two-thirds of mining jobs were lost.
- The owners of Kentucky’s largest MTR operations (AEI Resources/Addington, now Horizon Natural Resources), has less than one-third of its work force represented by a union. (Company Statistics).
- MTR mining causes frequent, intense flooding due to the destruction of vegetation and natural waterways. Local communities are increasingly at risk from landslides and floods caused by the structural failure of valley fills and sediment ponds.
- Finally, the widespread use of MTR and valley fills continue to weaken our trust in our government’s ability to protect the needs and interests of the public - ultimately weakening our democracy.

## **Harm to the environment**

- Our forests are among the most biologically rich in the United States, hosting a remarkable diverse group of trees and other plants, salamanders, frogs, birds and mammals. The mild, wet climate supports both southern and northern species of plants and animals.
- Large-scale mountain-top removal operations (which can destroy thousands of acres at a single mine site) cause deforestation and forest fragmentation, destroy soil quality, encourage the invasion of non-native species, destroy our waterways, the nutrients that run into downstream areas. MTR also wipes out species that thrive in headwater streams.
- MTR destroys surface and ground water quality by creating massive sediment ponds that contain run-off waste water. These ponds, which become toxic soups of chemicals, can **leak**, break or overflow. In addition, MTR causes contamination of and reduction in groundwater, especially in shallow areas where the cleanest drinking water is generally found.
- In Kentucky, 151 square miles of mountains have been leveled in the last twenty years. More than half of this land is reclaimed to pasture lands. Reforestation is almost never attempted – and even less successful – due to the excessive compaction and contamination of the soil.
- Tens of thousands of acres of land in Kentucky have been flattened. A little less than 2% of these lands have been developed for a specific economic purpose. The Development that has been attempted is of questionable value. Most businesses that locate on MTR sites often pay low wages with minimal benefits – offering no real solution to the economic problems plaguing the region.
- Mountain Top Removal also crowds out the chance of Eastern Kentucky to develop a more sustainable economy. It destroys renewable forest resources, the clean water in the region and wrecks the potential of expanding regional tourism by making a moonscape of the region's beauty.

## **Who is responsible?**

- The coal industry, the US Army Corps of Engineers and our elected officials are all to blame.
- The Coal Industry has spent millions of dollars in the last five years lobbying and supporting candidates who will weaken the Clean Water Act. Bush, Cheney and the Republican National Committee received six million dollars from the coal and utility interests in the 2000 elections.
- The Coal Industry has launched an aggressive public relations effort designed to label opponents of MTR and Valley Fills as “environmental extremists” who are out to destroy the industry.
- The US Army Corps of Engineers can issue two kinds of permits to people who want to dump fill into US waters. A general, or nationwide permit, is by far the easiest way to go for polluters. It does not require a review of the individual project, does not undergo environmental assessment, is not subject to public notice and does not require additional state water quality certification.
- The Corps is supposed to issue nationwide permits only in cases where there are “minimal impacts.” Yet nearly all Valley Fill permits issued to mining companies are nationwide.
- The Army Corps of Engineers authorizes 90% of all applications within 60 days and denies less than 1% of all requests each year.

*Concerned citizens can help KFTC preserve the Clean Water Act by (1) joining KFTC today, (2) writing a letter to the editor, (3) contacting US Senators and Congressional Representatives to protest the actions of the Bush administration, (4) taking part in (or helping plan) demonstrations against these illegal and immoral practices, (5) sponsoring or speaking at educational events to raise awareness, (6) organizing your neighborhood or community to fight against this injustice!*

**For more information, contact Kentuckians For The Commonwealth,  
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