



PRESS RELEASE

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Groups to Strickland: No more toxic coal waste lagoons

Same old story as faulty pipeline ruptures again, releasing quarter-million gallons of coal sludge

Coal mine owner at Strike 9 for spills, yet still demanding state to build another waste lagoon

(Columbus, OH)—Outraged by yet another massive releases of coal waste in eastern Ohio, environmental groups today called on the Strickland administration to prosecute the offending mine owner to the fullest extent of the law and to reject the owner’s pending request to turn six miles of pristine creek in Belmont County into sea of coal sludge.

“Murray ‘Slurry’ Energy simply does not seem to be interested in changing the way they do business,” said Nachy Kanfer, Midwest Representative for the Sierra Club’s Beyond Coal Campaign. “When was the last time a wind turbine spilled toxic waste into our waterways? With spills like this, Ohio’s coal companies are only proving they’re unable to adapt to a clean 21st century.”

During a press conference today in Columbus, the Sierra Club Ohio Chapter and the Ohio Environmental Council pointed to damning evidence in making a case that Murray Energy Company be treated as a repeat offender and its request to build a new slurry lagoon be denied:

- According to state officials, an underground pipeline carrying coal slurry waste ruptured last Friday morning near Alledonia, Ohio, oozing black coal sludge into the Captina Creek. By the time clean-up crews erected a temporary hay bale dike in a hay field around the ruptured pipeline, a foot of

sludge covered an area measuring approximately 300 feet long by 100 feet wide. Based on that information, the contained part of the spill may have totaled 225,000 gallons of waste. An additional unknown amount of waste poured into the Creek before the dike was erected. State investigators report that approximately 1.5 miles of the creek were fouled.

- According to an April 2010 Ohio EPA report (<http://bit.ly/9NT72H>), the agency has documented at least seven slurry releases from the Ohio Valley Coal Company's waste lagoon into Captina Creek since 1999. The last slurry release on Feb. 28, 2008 discolored more than 22 miles of Captina Creek until the creek emptied into the Ohio River.

- In addition to the seven documented lagoon leaks, the same pipeline that ruptured last Friday also broke on Aug. 23, 2005, gushing approximately 30,000 gallons of sludge into Captina Creek. The spill fouled roughly 3,000 linear feet of the stream with heavy sludge deposits, coating the stream bed and banks, turning the creek black and killing thousands of fish. State regulators fined American Energy Corporation \$50,000 for the unlawful discharge.

- According to the EPA report, analysis of the levels of contaminants in sediments sampled downstream of the February 2008 slurry release "were several orders of magnitude above the screening levels indicating the potential to adversely impact aquatic organisms."

- According to the report, Captina Creek is one of the best streams in Ohio, boasting exceptional populations of rare fish and aquatic wildlife. In addition, it is one of the only streams in Ohio with a replicating population of the eastern hellbender salamander, a state endangered species. The report noted that the limestone geology of the area has buffered acidic contributions from coal mining, helping maintain good water quality throughout the watershed. The report also warned that chronic exposure to contaminated sediments found downstream from where slurry spills have occurred "could result in future impacts to aquatic life."

- On April 24, 2008, Ohio EPA Director Chris Korleski issued a proposed denial of Murray's request to convert six miles Casey Run (a tributary of Captina Creek) into lagoon of coal slurry, finding:

"Over the course of the last several years, OVC has demonstrated an inability to prevent repeated slurry releases into Captina Creek . . . The placement of another slurry impoundment in the Captina Creek watershed would not serve to protect and maintain the existing aquatic life habitat use of Captina Creek."

The three-mile pipeline that burst Friday conveys waste material across Captina Creek from the American Energy Corporation's Century Mine to a massive coal waste lagoon at Ohio Valley Coal Company's Powhatan No. 6 Mine. Both mines are owned by Murray Energy Corporation and its president and CEO, Robert E. Murray of Cleveland.

"After nine strikes, the ball game must be over for these coal waste pits," said Jack Shaner Deputy Director of Ohio Environmental Council. "The State of Ohio must finally put its foot down and tell King Coal that enough is enough -- Eastern Ohio is no longer your dumping ground."

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