AARON J. SHARP

1982 annual report



Save Our Cumberland Mountains

1982 SOCM ANNUAL REPORT

SAVE OUR CUMBERLAND MOUNTAINS (SOCM) is a coalfield people's organization primarily made up of members living in sixteen East Tennessee coalfield counties. SOCM began in 1971 with thirteen coalfield residents who took action on unfair mineral appraisals of large land company tracts in the coalfields. Since that date SOCM members have continued to combat the domination of outside corporations and fight for better services for people living in East Tennessee.

A LETTER FROM SOCM S PRESIDENT

Dear Friends,

In spite of the hard times that so many of us are enduring these days, I sense a real growing inner strength within SOCM. Our new structure of board, chapter, and committees has worked remarkably well this year. We look forward to a permanent structure being adopted at our fall membership meeting.

Our greatest strength is the growing number of members who are willing to do what they can, no matter how small, be it serving on a committee, selling raffle tackets, or just coming to chapter meetings.

Our victories have been many this year. None has been more spectacular than the Koppers victory in Roane County. This plant might have doubled strip mine coal production in the state. It would have been a disaster for people in Roane County, also.

Fentress County residents have scored some impressive victories as well in winning the D & H permit fight and getting strip mining banded in Jamestown.

Continuing anti-citizen attitudes in Washington resulted in the canning of Bruce Boyens as OSM Director in Tennessee. Mr. Boyens was an outstanding public servant. Given the attitude of the current administration, we were not surprised that they found a way to get rid of him.

We were sorry to lose several staff members this year. Shirley Harkins left very unexpectedly in late spring. She did a fine job for us in the Koppers fight. Peggy Mathews, although not leaving entirely, is working part time for SOCM. Boomer also, is not expected to return to staff after he completes the canoe-a-thon.

The canoe-a-thon is something we are all excited about. Boomer is now over the hump having finished the tough upper sections of the Little Tennessee and made the long portage to the Chattahooche. Our prayers and best wishes are with him.

As we complete this tenth year let us recommit ourselves to the values which SOCM has stood for. There is so much yet to be done if we and our children are to have a say about what happens in our communities and have a share of the fruits which this land produces.

Raymond Weaver

1982 EVENTS AFFECTING SOCM MEMBERS

at the national level

The second year under the Reagan-Watt administration has not been any easier than the first. Major changes in over thirty crucial permanent regulations, involving important environmental standards and enforcement procedures, are currently in some state of drafting, public comment, or final review. In some cases only the threat of litigation has prevented regulation changes that would have the effect of gutting the Federal Strip Mine Law.

Reorganization of the Federal Offices of Surface Mining has taken place strengthening the central office in Washington and giving less control at the more local level. Some competent and dedicated staff have been removed or "reassigned" so that they would resign.

With two years left in the Reagan administration citizens have to redouble their efforts to hold the line against many of the proposals coming from the central OSM office.

at the state level

Although SOCM has consistently been on the record for obtaining federal control over enforcement of the Strip Mine Law in Tennessee, the State's Program was approved this year making Tennessee primary enforcer of the strip mine law and regulations.

However, due to SOCM's vigilance and persistent testimony regarding weakensses in the program as it was developed, the end product is a fairly stringent set of regulations, very close to OSM's own regulations and the program includes a larger staff than formerly used.

This year the State Comptroller's Division of Audit reviewed the state Division of Surface Mining's performance over its seven years of existence. The final report read like past SOCM enforcement studies. Items listed included problems of inadequate reclamation bonds, failure to collect bonds, premature release of bonds, issuance of permits to ineligible operators, and so on.

Over the last several years the state has been in the process of a tax reappraisal. Tight money is pushing county finances and these reappraisals are being greeted with protests from local citizens who see the large landholding companies continue under-appraised in their mineral holdings. SOCM members will be joining with those raising objections to ensure a fair distribution of the tax burden.

1982 VICTORIES

SYNFUELS PLANT DEFEATED

The summer finally brought what appears to be a firm finish to Kopper's plans to build a synthetic fuels plant in a rural part of Roane County.

Koppers Corporation was denied funding approval by the Synthetic Fuels Board in the first round of funding decisions made in February. Then, at the last minute, (because they knew that denial was probable), Koppers withdrew its request to the Board before the second round of decisions.

Long, tedious, persistent research and digging by local citizens and SOCM staff and members produced a long list of serious problems in the plans of the proposed plant. Among the many ways this plant would have affected all of east Tennessee are: inadequate road access and transportation problems, noise, waste disposal in an area prone to sink holes, etc. All this - plus the impact of increased strip mining for coal to supply a plant that would use a yearly tonnage equal to Tennessee's present yearly production.

Citizens in Roane County and all parts of East Tennessee remain alert but hopeful that we have seen the last of our fight with this Goliath.

Koppers Rejected Group for Aid on Ridge Project

The Knoxville News-Sentinel

By RICHARD POWELSON
News-Sentinel Washington Bureau

WASHINGTON — The Synthetic Fuels Corp. (SFC) has rejected further consideration of assistance for a $1.5-billion coal-to-gasoline project proposed for Oak Ridge, causing the project's sole sponsor to reconsider the company's future interest in the effort.

Koppers Co. Inc., the sole sponsor, was one of six applicants rejected by the SFC Friday night in the first round of projects considered. Although the applications for the rejected projects can be changed and considered in the second round of synthetic fuels projects proposals, one Koppers official said the reapplication would not be automatic.

MARCH 27, 1982

by Synfuel

By RICHARD POWELSON.
News-Sentinel Washington Correspondent

WASHINGTON — Plans for a $1.5-billion coal-to-gasoline project in Oak Ridge have been delayed again by the Synthetic Fuels Corp. (SFC) because of continuing problems in lining up a financial partner to work with Koppers Co. Inc.

Koppers has been the leader on the project all along, but needs to secure a partner to pass the management and financial strength tests detailed by the SFC.

SEPTEMBER 18, 1982

AND ACCOMPLISH MENTS

COAL CREEK SUIT

Several years ago SOCM filed suit against the Coal Creek Mining and Manufacturing Company claiming they should be required to pay taxes on minerals while the mineral remained under the earth - as opposed to only paying a severance tax on the mineral at the point of the mining of those minerals. This case has been a long time in the courts - and because of it many companies owning large tracts of minerals have not been taxed and the counties have been deprived of that source of revenue. The case was decided in SOCM's favor - though we have no doubt that the coal industry will take it all the way to the Tennessee Supreme Court. Final settlement will mean anywhere from $250,000 to $500,000 in new taxes to counties.

The Mountain Eagle ... Thursday, August 19, 1982

Tennessee judge says landowners must pay taxes on coal

Companies owning thousands of acres of land in Anderson and Morgan Counties, Tennessee, will have to pay property taxes on the value of the underlying coal, according to a recently signed order by Chancellor Robert Brant in Nashville. The decision should bring in between $250,000 and $500,000 in new taxes to the counties.

FIRST LANDS UNSUITABLE PETITION FILED

SOCM has assisted members living on Potato Knob, Campbell County, in filing the first petition for declaring an area unsuitable for mining in the State of Tennessee. The document gives details of the geology and hydrology of the Potato Knob area showing why it would always be a hazard to mine. Also included are past reasons given in permit denials by the State Division of Surface Mining when companies have applied to mine the area.

The final document has been hailed by state officials as a model to be used in future such petitions. The public hearing was held on November 11. A decision should come before the end of the year. If the area is designated unsuitable for mining, people living in the Potato Knob area will never again have to fight another strip mine permit application.

NOTICE OF PUBLIC HEARING

In accordance with T.C.A. 59-8-331, the Tennessee Division of Surface Mining will hold a public hearing on Thursday, November 11, 1982, at 7:00 p.m. in the Campbell County High SchooL, Route #2, Jacksboro, Tennessee. The hearing officer will receive relevant public comments as they relate to a petition the Commissioner of Conservation has received to designate the Douglas Branch Watershed as unsuitable for all or certain types of coal mining.

campbell county chapter

lands unsuitable petition filed

Because this petition was the first of its kind in Tennessee, its filing will affect more than the local members of the Campbell County Chapter. We placed the description in the earlier section under "1982 VICTORIES AND ACCOMPLISHMENTS"

potato knob permit denied

Campbell County SOCM members are still proceeding with a tax suit claiming that the County has underappraised some 45,000 acres of land owned by the Koppers Corporation. At this point all the effort is being continued by the lawyers - and will probably take at least another year for completion. Meantime, members continue to pursue every opportunity available to them to inform local residents of this unfair tax appraisal and the loss in revenues to the county.

koppers tax suit

SOCM members living on Potato Knob won their fight to prevent the Westbourne Mining Company from mining the steep mountainside near their homes. Water Quality denied the permit because water drainage cannot be adequately controlled on such steep slopes. This was one more win in an eight year series of battles Potato Knob residents have fought with miners wishing to strip in their area.

hamilton county chapter

SOCM members on Flattop Mountain are still fighting to keep Southernway Sales' proposed strip mine near their homes from coming in and disrupting their water supplies. This particular application came in November of last year - it was filled with errors, including a statement that there were no homes within one half mile of the proposed site. There are at least six homes within that area. Local citizens have been taking every opportunity to point out all these errors, and are stressing the importance of protecting their water wells which have, in the past, been negatively affected by area mining.

roane county chapter

The description of the Roane County Chapter's successful fight to keep a proposed synfuels plant out of their neighborhood has been placed under "1982 VICTORIES AND ACCOMPLISHMENTS" because this particular plant's existence would seriously affect all of east Tennessee.

fentress county chapter

D&H permit victory

SOCM members and other residents in and around Jamestown successfully stopped D&H Mining Company from getting another permit to strip mine near them. Citizens had earlier protested heavy blasting by the company and testified at a public hearing against giving another permit to them. The state immediately denied the portion of the site located in the Jamestown city limits and later, when the company didn't supply additional required information, the portion outside the town was also denied.

strip mining in city limits of jamestown

In the course of the D&H fight, members succeeded in getting a clear interpretation by the Planning Commission that the Jamestown zoning ordinance did not allow strip mining in the city limits under any zoning classification. Members are now fighting an attempt by operators and some politicians in the area to change the zoning ordinance to allow mining under some conditions.

severance tax

SOCM members met with officials of the Department of Revenue to see how citizens could help monitor severance tax payments in the county. They ran up against the stone wall of the confidentiality requirement of all payments to the Department of Revenue - that information on particular companies' payments would not be given out.

universal coal permit fight

In an area west of Jamestown residents protested a permit application of Universal Coal Company. The proposed site lies within a half mile of the Fentress County Hospital and over 100 homes and the operation calls for blasting. A decision is still pending in this case.

york permit fight

In the Allardt Community residents protested issuing a permit to York Coal Company for a site that is very close to homes, calls for blasting, and is in the watershed of the Jamestown city water supply. Comments at the public hearing brought about a request by the state for more information from the company. A decision is still pending in the case.

clarkrange oil and gas project

In the Clarkrange Community many residents are worried about the effect of extensive oil and gas leasing and development in their area. They sponsered a meeting with State Division of Geology personnel to learn more about the laws regulating oil and gas production and are continuing to meet to work together on problems they agree are of concern to a lot of people .

sequatchie-van buren counties

state finally reclaims land

Due to a constant barage of petitions and letters, local residents led by SOCM member Lewis McDowell succeeded in getting the state to collect the bond and begin reclamation on the abandoned stripmine left by the Shu-Ter Mining Company.

PCB incinerator

Van Buren County SOCM members mobilized to prevent a PCB Incinerator from being located in their county. Company officials of Pyro-Tech were initially encouraged to come to the county by some of the local officials. However, local citizens did not want jobs at the price of poisoning risks. They flooded the county judge's office with phone calls and petitions and came in large numbers to an informational meeting. At this moment, they seem to have successfully forestalled the plant.

morgan county

SOCM members and citizens of the Community of Coalfield requested a hearing and testified against permitting David Phillips to mine an abandoned mine near their homes. Earlier, Mr. Phillips was caught mining without a permit. They spoke their concerns about offsite damage to homes and water supplies, absence of pre-blast surveys required by law. A decision is pending.

anderson county

county tax committee formed

The completion of the state's tax reappraisal of Anderson County was met by local citizens with loud protests against the too low taxes charged to large land holding companies in that county. The County Commission met these protests with a plan to set up a special committee to study the problem and make recommendations. Boomer Winfrey of the SOCM staff, and Bill Allen, longtime SOCM member, were appointed to that committee.

longwa tax assessment

The complaint of Mineral Springs citizens brought against the Longwa, Inc., low tax appraisal on a coal processing plant was heard this month, November, by the Assessment Appeals Commission. The decision is pending. The petitioners claim that the plant cost more than one million dollars and that it is presently taxed at $500,000. They further object to the plant being taxed as personal property rather than as an industrial facility.

scott county

After five years of appeals and stalling tactics, West Coal has finally been ordered by the Nashville Circuit Court to pay the increased taxes on their equipment as originally requested by three Scott County SOCM members. Scott County residents will be receiving approximately $56,000 more in tax revenue from West.

COURTS AND SUITS

mineral lapse statute upheld

In January, the U.S.Supreme Court upheld an Indiana Law which allows, in some circumstances, the return of mineral rights to the surface owner. Referred to as the "mineral lapse statute", the law states that where a mineral interest has not been used in twenty years and the owner does not file a claim in the county courthouse, that mineral interest may revert back to the surface owner. SOCM, seeing the implications of the decision on problems that exist in Tennessee, filed an "amicus" brief in support of the law. The successful decision may have important implications for the thousands of surface owners who do not own their minerals.

OSM assessment case

SOCM is one of a number of plaintiffs in a case which seeks to force the Federal Office of Surface Mining to collect over $43 million in fines to companies for violation of the Federal Strip Mine Law. Recently a Federal District Judge ruled that OSM should begin collecting these fines. A final order is still being worked out.

SOCM adds to OSM suit

In October, SOCM filed an amendment to its suit against OSM's approval of the Tennessee Stripmine Program, challenging that parts of the program still incomplete are not minor ones and should have been completed before approval. These include: details about staffing, how the state will work with other agencies, some problems with regulations. This was added to SOCM's pending suit challenging the legality of having two mining representatives on the Board of Reclamation Review.

reclamation bond suit

Knowing well the state's problems with setting mine reclamation bonds too low, SOCM is now in the process of filing a suit to force DSM to consider all legally required criteria, including the requirement that the bond be sufficient to pay for reclamation if the state has to do it.



'SURELY,' SAYS I, 'NOT THE JAMES WATT FOLK-HERO AND FAMOUS WILDERNESS RAPIST!' 'THAT'S ME,' SAYS HE. AND I SAYS, 'NOT THE RENOWNED DESPOILER OF OUR PRECIOUS NATIONAL HERITAGE!' 'RIGHT,' SAYS HE. SO I ATE HIM.'

COALITIONS

TVEC

SOCM is an active member of the Tennessee Valley Energy Coalition (TVEC) and SOCM staff person, Maureen O'Connell has been a TVEC Board Member for several years. For three years we have joined TVEC in their effort to keep down energy costs for ordinary people. TVEC has gotten the TVA to adopt reforms in the ways residential customers are charged for electricity; has sued TVA and gathered 16,000 signatures petitioning TVA to stop charging people for power plants where construction is unfinished. During this year TVEC has been the main organization pushing TVA to finally defer four plants and cancel four others planned. TVEC got the Tennessee Community Services Commission to release over one million dollars in summer fuel assistance money. As a part of TVEC, we are now working with local groups concerned about practices of local utilities - shut-offs, deposits, late billing, meter reading, and governance.

APPALACHIAN ALLIANCE

The Appalachian Alliance is a coalition of many groups like SOCM in the Appalachian area. SOCM staff person, Peggy Mathews, has served on their board for several years. This year's efforts focused on working with groups concerned about unfair taxation; expanding Alliance membership; and rewriting the "National Sacrifice Area" booklet.

decision-making structure

the chapters

1982 began a year of trying a new decision-making structure for SOCM. Any area in Tennessee that had twenty or more dues paying SOCM members was invited to form a chapter - we have four thus far - Campbell, Fentress, Roane, and Hamilton County Chapters. These chapters worked on local issues, elected officers, and one representative to the SOCM Board.

the board

The Board is formed by the four SOCM officers elected by all members; three delegates-at-large; and the four representatives from the chapters. It met every other month and dealt with matters of policy, direction, finances, and other internal matters.

the committees

The Board's Committees are the working arm of SOCM. At present we have six standing committees - the Strip Mine Committee, the Legislative Committee, the Personnel Committee, the Membership Committee, the Finance Committee, and the Fundraising Committee. Each committee works on matters of concern to it and brings decisions or recommendations to the Board.

membership meetings

Three times the whole membership was invited to come together - to learn, make decisions, and for fun. At the Spring Membership Meeting members were offered a workshop in gas and oil leasing and one on strip mine regulations. The Fall Membership Meeting focused on election of new officers for the coming year. The annual picnic brings together many members for good fun, food and sharing.

training and evaluation

SOCM's board members, committee chairpersons and chapter leaders were invited to a Leadership Training Workshop held in October and conducted by Si Kahn. Those able to come (18 in all) used the time to evaluate the new decision-making structure and make recommendations for changes. All agreed it had worked extremely well for SOCM and fits our needs at the present time in an ideal way.

fun

And of course, we had fun - SOCM staff and members took trips together- white water rafting down the Nantahala; canoeing through the cypress of the Suwanee River; and canoeing with Boomer through the Okefenokee Swamp. All fun was accompanied by song - a "committee" now plans publication of the SOCM Song Book during 1983.

fundraisers

SOCM has been affected by the tight money situation along with everyone else. This year the board decided to have a staff person, Peggy Mathews, work solely on internal fundraising.

SOCM had five benefit concerts - three given by Si Kahn, one by Jean Ritchie, and one by several musicians at the Annual Spring Benefit.

We've sold bread, cakes, and T-shirts at Charity Fairs and at Highlander's Anniversary Celebration.

SOCM member, Heleny Cook, organized a champagne get together in SOCM's honor as a fundraiser in Washington, D.C. (a wonderful success!)

And, finally, one of SOCM's more creative fundraisers is still in progress - Boomer, long time SOCM staffer, is paddling his way from Norris Dam, Tennessee to the southern tip of Florida with the pledges of about 200 people following him.

officers, 1982

PRESIDENT: Raymond Weaver
VICE-PRESIDENT: Tom Levi
SECRETARY: Joyce Schmidlin
TREASURER: Carol Ford

board members

Raymond Weaver, President
Tom Levi, Vice-President
Joyce Schmidlin, Secretary
Carol Ford, Treasurer
Steve Schaab, Campbell County Rep
Ron Carnahan, Fentress County Rep
Jim Young, Roane County Rep
Granville Burchard, Hamilton County Rep
Annetta Watson, Delegate-at-large
James Shockley, Delegate-at-large
Betty Anderson, Delegate-at-large

staff

Charles Winfrey, Maureen O'Connell,
Peggy Mathews, Shirley Harkins,
Susan Williams, Vicki Quatmann

committees, 1982

legislative

Bill Allen
John Burris
Lynnie Richardson
John Gaventa
Mac Randolph
Barry McConnell
Jenny Freeman

strip mine

Melody Reeves
Barbara Levi
Connie White
Barbara Kelly
Betty Anderson
Lloyd Bryant
Jane Threet
J.W.Bradley

membership

David Linge
Shirley Cockerham
Pat Bryant
Bebe Helms
Harold Lea

finance

Betty Anderson
Carol Ford, Chair
Mary Ann Karant
Joyce Schmidlin
John Cruze
Connie White

fundraising

Ann Bender
Ted Lankford
P.H.Noe
Carol Ford
Betty Anderson
Grimes Slaughter

personnel

Barbara Levi
Annetta Watson
Amy Savery, Chair
Babs McBride
Verda McPeters
John Burris

STATEMENT OF CASH RECEIPTS , CASH

cash receipts

Foundations	$47,130.00
Dues	1,925.00
Donations	2,323.00
Honorariums	1,242.00
Internal Fundraising	5,875.00
Investment Interest	1,275.00
Other	1,946.00
TOTAL	$61,716.00

DISBURSEMENTS FOR FIRST NINE MONTHS OF 1982

cash disbursements

Salary and Fringe	$33,632.00
Consultants	3,359.00
Travel	8,160.00
Telephone	8,454.00
Rent and Utilities	1,617.00
Office Supplies	674.00
Duplication	1,786.00
Postage	1,947.00
Publications, Membership Dues	348.00
Fundraising Expenses	1,560.00
Training	175.00
Printing	713.00
Legal Services	2,124.00
Miscellaneous	162.00
TOTAL	$64,711.00

SOCM

A COALFIELD PEOPLE'S ORGANIZATION

TEN YEARS STRONG AND LOOKING TO THE FUTURE:

The coalfields of East Tennessee are the scene of some of the greatest natural wealth in the nation, yet that wealth does not stay here with it's people. The wealth of the region, in timber and coal, is largely controlled by a few large land holding companies, most of which are based outside the area. In thirteen coal counties, the top five landowners in each county own 27.3% of surface land, and pay 3.4% of the taxes.

A group of 13 coalfield residents organized in the fall of 1971 to take action on the unfair county tax policies that allowed the coal companies' reserves and mining equipment to go untaxed. Out of these actions grew Save Our Cumberland Mountains, or SOCM (pronounced sock 'em), an organization of citizens working to combat the domination of outside corporations and fight for better services for the people. SOCM has members throughout Tennessee's Cumberland Mountains and Cumberland Plateau.

Ten years later SOCM has grown to a membership of 600 families scattered throughout Tennessee to other states. In these ten years, with a goal of improving the quality of life in the Tennessee coalfields, SOCM has taken strong stands and has achieved victories in many areas.

PROPERTY RIGHTS, WATER QUALITY, ROADS, TAXATION, TVA, COMMUNITY SERVICES: THEY'RE ALL CONNECTED.

Over the years SOCM has worked in all these areas. Our accomplishments are many and diverse, and are the result of many people working together. A few of those accomplishments are listed below:

SOCM HAS:

*succeeded in passing the Surface Rights Law in Tennessee in 1977. This legislation protects landowners who do not control their mineral rights from having their land strip mined without their consent.

*coordinated in 1979 a federally funded ARC land study in Tennessee which documented the extensive outside corporate control of the coalfields and low taxes paid by these corporations.

*won a court ruling ordering the state to enforce its Water Quality Law of 1971, which requires miners to obtain water quality permits prior to operation.

*investigated and then testified before Congress to expose the illegal practice of layering (concealing low quality coal and dirt in trucks) accepted by TVA generating plants.

*filed suit against TVA for accepting illegally overloaded coal trucks which damage local roads

*forced State to tax coal reserves

*persuaded State Legislature to adopt coal severance tax, providing millions of dollars to coal producing counties for roads and schools

*worked toward fair and equal property taxation of large corporate landowners

*forced several coal companies to pay their fair share of personal property taxes on business equipment

Many problems continue to exist, but SOCM members have discovered that working together brings power to solve problems. The more people are working together the better will be the solution.

We urge you to join SOCM and join us in our goal: a better quality life and a more promising future for the coalfield residents of Tennessee.

Save Our
Cumberland
Mountains

P.O. Box 457

Jacksboro, TN 37757

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