THE SOCM SENTINEL

MARCH 1983

APPEALS COURT ORDERS WEST COAL TO PAY FAIRSHARE OF TAXES

SOCM WINS!!!

Good news for Scott County and SOCM. The Court of Appeals has upheld the lower court decision to raise the personal property tax of one of the county's largest coal companies, West Coal Company to the tune of $54,000. This should make the citizens of Scott County very happy since any additional revenue to their county is desparately needed.

It especially pleases Betty Anderson and Virgil Burress, the SOCM members in Scott County who led the fight and petitioned to raise West's taxes 'way back in 1978. Betty and Virgil started with a complaint to their County Equalization Board, who decided to ignore all the state records and documents presented by Betty and Virgil showing that West was worth close to $4 million, rather than the $700,000 appraised value given by the county asessor. Betty and Virgil appealed their case to the State Board of Equalization, which did raise West's appraisal based on the petitioners' evidence. That was in 1980. Ever since, West Coal has been appealing the decision from one court to another.

But just this February, the Court of Appeals ruled, once again, in favor of Betty and Virgil, and ordered West Coal to pay the increase. The Court pointed out that since West Coal never filed their tax schedule stating the value for their mining equipment, any other information gathered to help arrive at a value was useful.



This is a big victory, since no other personal property tax case against coal companies has gone this high in Tennessee. But it isn't over yet, though the forecast is strongly in our favor. West Coal recently announced it is appealing to the highest court in the state--the Tennessee Supreme Court. Betty and Virgil's attorney, Peter Alliman, feels this will not pose a serious threat to our case, since all the courts and administrative bodies have consistently upheld Betty and Virgil's side. It's too bad, though, that it should take this long and longer before a county gets what it rightfully deserves. We will keep Sentinel readers posted.

SOCM WINS AGAIN!

SOCM and the Council of the Southern Mountains recently won a victory in the "mega-bucks" suit the two groups filed against OSM in September 1981. This past December 28, 1982 federal district court Judge Barrington Parker issued a federal injunction ordering OSM to collect more than $40 million of overdue fines from coal operators. The fines accumulated when more than 1100 operators ignored notices of violations, and subsequently OSM issued cease orders to many of them, until they met proper reclamation requirements. But OSM didn't collect the mandatory $750 fine for every day they remained in violation (up to a maximum of $22,500 per violation).

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MEGABUCKS cont.

The court order also gives SOCM, the Council and their attorney, Tom Galloway, the right to monitor the collection of these fines and the required enforcement by OSM, including possible criminal action, civil penalties and permit revocation.

Those on the list of violators from Tennessee who still owe the government for their non-compliance in this suit include Lonnie Hatmaker, Dayton Mining, Carbonex, Earl Cook, Thunder Mountain, Katron Corp., and other companies in the unofficial "SOCM Rogues Gallery."

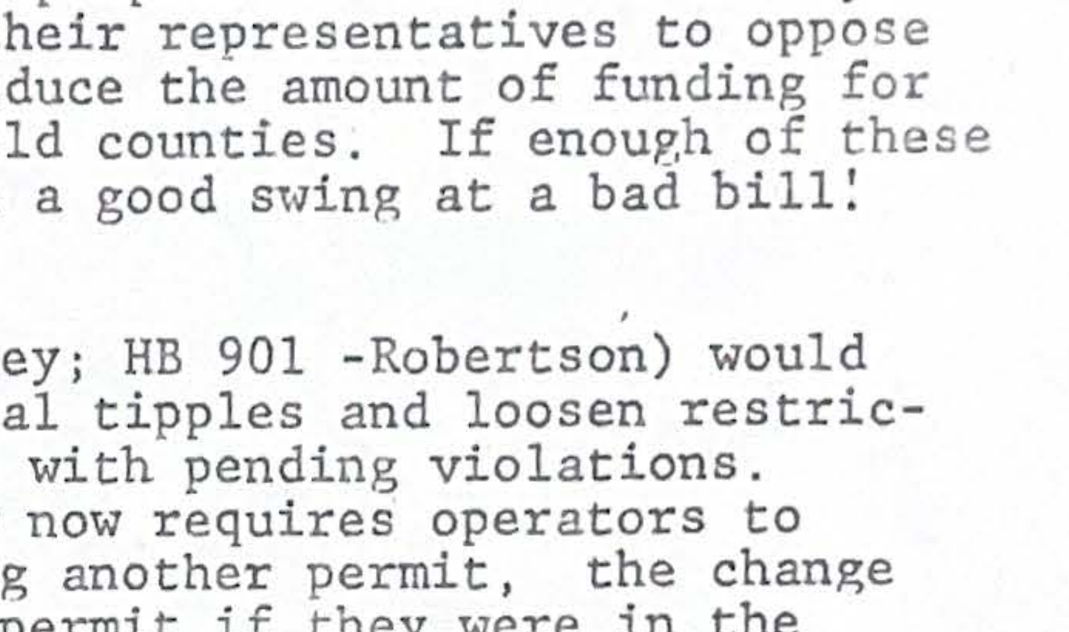
Any member who would like to see the complete list of operators who have not paid fines to OSM, contact the SOCM office. SOCM and CSM will continue to monitor OSM to make sure these civil penalties are collected and proper enforcement actions taken.

LEGISLATIVE

The Legislative Committee met on March 7th in Crossville to discuss current legislation and set committee goals. Irwin Venick, SOCM lobbyist, briefed the committee about coal industry supported bills introduced this session. One of these is an administration bill (SB 1096 -Burleson ; HB 1169 -King, McNally, Henry, Robertson) designed to eliminate the severance tax on minerals mined in Tennessee which are to be sold for the use or benefit of the state "or any subdivision thereof". SOCM staffers quickly prepared a mailer to notify people in key areas to contact their representatives to oppose this legislation, which would reduce the amount of funding for schools and roads in the coalfield counties. If enough of these contacts were made, we've taken a good swing at a bad bill! We'll keep you posted.

Another bill (SB 863 -Atchley; HB 901 -Robertson) would possibly weaken regulation of coal tipples and loosen restrictions on re-permitting operators with pending violations. Whereas one section in state law now requires operators to correct violations before getting another permit, the change would allow them to get another permit if they were in the process of correcting the violation to the satisfaction of the Commissioner. Anyone interested in more information on any of this legislation should contact the SOCM office for details.

After setting goals for the coming year, the committee elected a recently returned, hale and hardy Boomer Winfrey as Chairperson.



TVEC NEEDS WORKERS FOR CHATTANOOGA AREA

WANTED: Persons to work on the community outreach and fund-raising operation of the Tennessee Valley Energy Coalition, a citizens' organization working for fair and reasonable energy rates for Tennessee residents. Jobs will be in Chattanooga and will start in early April. For more information contact Pat Fitzsimmons at TVEC, 637-8018.

FOLLOW-UP AUDIT OF DSM IS CRITICAL -- OR, HAVEN'T WE HEARD THIS BEFORE??

The Tennessee Division of State Audits recently released an audit of the Division of Surface Mining, which was a follow-up to a highly critical audit done last year.

Some of the results, compiled in 1982, were all too familiar and a few were new unpleasant surprises. Below are most of the findings:

-DSM has scarcely made a dent in processing forfeited reclamation bonds, or 84% of the total amount forfeited since June 1972, remain uncollected. The study was critical of DSM's practice of negociating with bonding companies to try to get them to do the reclamation. The study points out that the law does not allow for these negotiations, and the "the negotictions and termination of bond forfietures has not assured that reclamation will be performed."

-The Department of Conservation stated incorrectly in the previous audit that 60 mine sites with forfeited bonds had had completed reclamation done. Follow-up showed at least 35 of these show no evidence of complete reclamation.

-During fiscal 1982, 70% of the bonds were set at the minimum of $1500/acre, while the average cost of reclamation over five years from June 1977-1982 shows average reclamation costs of $2690/acre.

-In 1982, the Department of Conservation issued at least two permits to operators who had engaged in illegal mining.

-Three out of four reclamation contracts went to operators whose past performance records would have prevented them from receiving a permit. One contract was awarded to an operator who had two performance bonds forfeited and was also under a cease order for illegal mining at the time the contract was awarded. This is not strictly illegal, but it sure doesn't seem right.

-Of 570 inactive mine sites identified in last year's audit, 74% remained inactive as of June 1982. Only 11% have been completely reclaimed and the other 15% had had bonds forfeited but not collected.

All of these results of the study seem to show that the more theings change, the more they remain the same. Maybe the change of DSM to the Department of Public Health and Environment will result in these old, familiar problems being corrected. Perhaps, one day, some changes will be made at long last to get these old mines reclaimed and to get bonds (finally, at long last--didn't SOCM tell them so??) set at the cost of reclamation.

A LETTER TO SOCM MEMBERS

Dear Folks,

Dear SOCM,

It has been a great pleasure to meet and work with SOCM members and staff over the last three weeks. SOCM's record of cooperation, hard work and accomplishments is one that everyone can be real proud of! I have been amazed by the wealth of experience and know-how that each member brings to the organization and look forward to meeting all the SOCM family and friends and working with you on the problems that affect us all.

-Don Barger

CHAPTER NEWS

Another Koppers Synfuels Death

ROANE

The TSA Synfuels Plant, proposed by Koppers Corporation for funding to the U.S.Synthetics Fuels Corporation in the latest round of proposals, has once again been quietly withdrawn from consideration. In a letter dated March 4, 1983, James Harris of Koppers wrote Edward Coles of the SFC, asking him to withdraw this plant from consideration, since Koppers has failed to attract any additional partners.

Although we are getting tired of Koppers refusal to admit that this project is a dead turkey (and tired of writing these "nine-lives" articles), we are always glad to report that Koppers has once again pulled out of requests for government funding. Congragulations once again to all the people who have worked so hard to defeat this project!

Post Oak Action Group Contributes to SOCM

We would like to thank the Post Oak Action Group of Roane County for their donation of $85 to SOCM. The Post Oak Action Group worked hard with SOCM to limit damage by Roane County Rock's quarry in their neighborhood. They recently discovered that Roane Co. Rock is required to pay more property tax as a result of their efforts. The group had a treasury of money left from a raffle that they held a few years ago, and decided to donate to SOCM in return for SOCM's help. Thanks, Post Oak folks!

Southernway Sales permit still on hold

HAMILTON

Southernway Sales has still not succeeded in getting a permit to stripmine on Flat Top Mountain. They have yet to produce the required reclamation bond that would allow their permit to be issued by the State DSM. Residents are happy that this permit is not issued, knowing that their water supplies are still safe for the time being.

On March 22, Raymond Weaver testified at a water quality hearing on a no-discharge permit request from M.C Coal Company. M.C. Coal has a 6 year history of mining off and on in the North Chickamauga Creek watershed, but they have never received a permit. The North Chickamauga Creek watershed is a valuable resource for recreation in Hamilton County, as well as being a very valuable and beautiful natural area. The Sierra Club and the Guardians of North Chickamauga Creek have worked hard over the years to protect this creek. Testimony pointed out that M.C. Coal has caused discharge of mine water into the creek in the past, and people fear that discharge into the watershed will continue if this company receives a permit.

CHAPTER NEWS cont.

Campbell County SOCM members have been busy as usual this past month. We've had one more round in our continuing lawsuit with Koppers Corporation over taxation, we've held a successful fundraiser, prepared and distributed a handbook on property reappraisal in the county, and carried out our half-day goal setting session, -- and, had a baby.

CAMPBELL

Koppers: Ever since 1981 Campbell County SOCM members Bob Firestone, Freddie Wright, Tom and Alma Jeffries, and Christine Anderson, have been petitioning the state to raise Koppers Land Company's property value to its true value. However, the hearing before the State Board has yet to be held because Koppers has been using delaying tactics. Specifically Koppers has refused to turn over vital information to the petitioners that would have a bearing on how much Koppers property is really worth. Recently, the State Board ordered Koppers to turn over the information. But Koppers is once again fighting this decision. What do they have to hide? Meanwhile, Campbell County SOCM has been continuing its efforts to educate county residents of the gross underassessment of Koppers and other major land companies and it is having its affect.

Charity Fair Fundraiser: Campbell County SOCM member, Carol Ford, organized and followed through on a successful fundraiser for the chapter bringing in a net of $195.00. Local members gave baked goods, donated freshly ground gourmet coffee, and special Smokey Mountain Bears bought at a very low price. Different people took turns sitting at the booth set up at the West Town Mall from 9:00 to 5:00 - and succeeded in selling all the baked goods and most of the bears.

Appraisal Handbook: SOCM members of the county have prepared a small handbook explaining in simple understandable language the whole process of property reappraisal that Campbell County has just experienced and telling readers how they can file complaints if they are concerned about the fairness of theirs or others appraisals. Because the county citizens recently received notice of the new appraised value of their property, there is high interest in the subject. It is expected that the handbook will be much sought after - and may go through several reprintings.

Goal Setting Session: Campbell County SOCMs suffered with all other chapter members trying desperately to bring their big hopes and dreams for their county into concrete practical accomplishable goals for the 1983 year. Like other chapters, the Campbell Chapter is small - and with the others we have hopes for a lot of growth and success by next year!

A New Baby: Campbell County SOCMs don't miss any of the angles on increasing their membership.....

- we want to congratulate Bob Firestone and Shirley Cockerham on the birth of Eric - Born March 24 - the morning. Just the night before Shirley was hard at work at the local courthouse offering leaflets on "Who Owns Campbell County" to irrate citizens attending a meeting to complain about their tax reappraisals.

FENTRESS

After their big victory in keeping strip mining out of the city limits of Jamestown (announced in the January Sentinel), Fentress County chapter members settled down for a slower, wintry season on the Plateau. The snows seldom came but chapter members got a little rest for the work ahead in 1983.

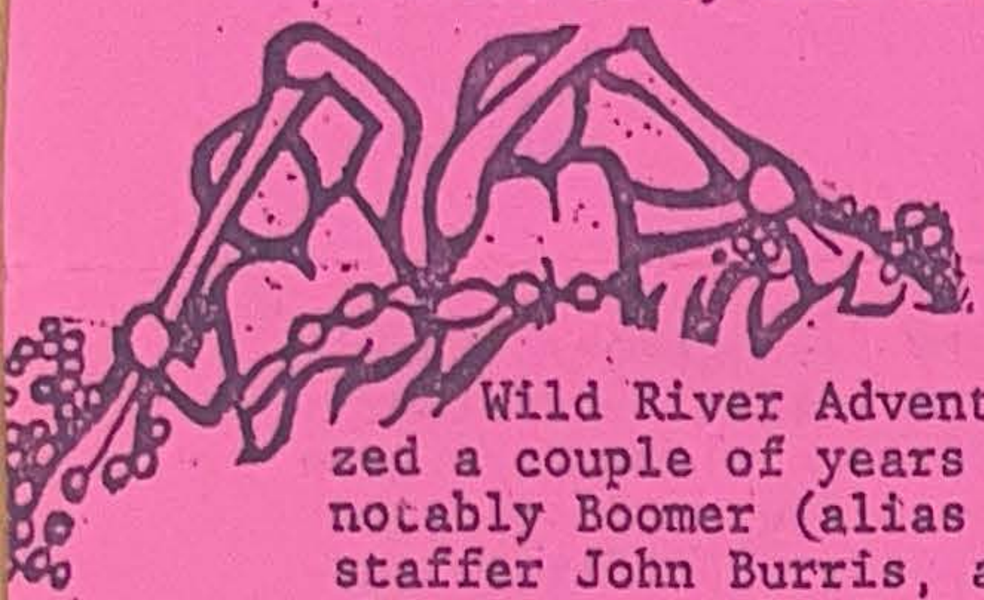
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CHAPTER NEWS, cont.

Clarkrange members were kept real busy this winter with rooting on their high school girls basketball team, the Clarkrange Buffaloes, to a state championship in the A division. Congratulations Lady Buffaloes and to all your supporters!

On March 6 chapter members met to set goals for 1983 and found no difficulty in coming up with more than enough ideas for themselves (and twice their number) to work on. Reports of progress on these goals will be carried in later articles of this newsletter.

In that goal-setting session, they set $640 as their fundraising goal for the year--to be raised by garage sales, selling ads, new members' dues, and a unique fundraising event offered us by Wild River Adventures, described below.



FLOAT THE OBED OR UPPER S. FORK RAISE $ FOR SOCM!

Wild River Adventures is a private rafting company organized a couple of years ago by some names familiar to SOCM--notably Boomer (alias "1800 Mile Marathon Man") Winfrey, former staffer John Burris, and a few of their friends. Experienced whitewater enthusiasts, they were certified last year to run raft trips down the Obed River (a National Wild and Scenic River) in Morgan County and the upper section of the Big South Fork of the Cumberland, which flows through the Big South Fork National Recreation Area in Scott County.

Wild River Adventures (WRA) has generously offered one day of its company's services to SOCM as a SOCM fundraiser. The Fentress County chapter decided to take WRA up on its offer and has scheduled a SOCM fundraiser raft trip for Saturday, May 21.

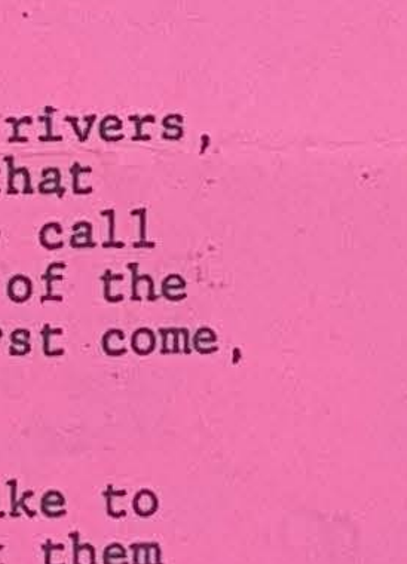
WRA will furnish the shuttle to the river, the rafts, experienced guides and a delicious lunch for the cost of the gas and food and SOCM will keep the rest of the $35 fee. The company will decide, according to which river has the best water flow, whether to float the Obed or Big South Fork--both beautiful Cumberland Plateau rivers. Because there is a good deal of heavy whitewater, children under 12 are not allowed. Life jackets will be provided.

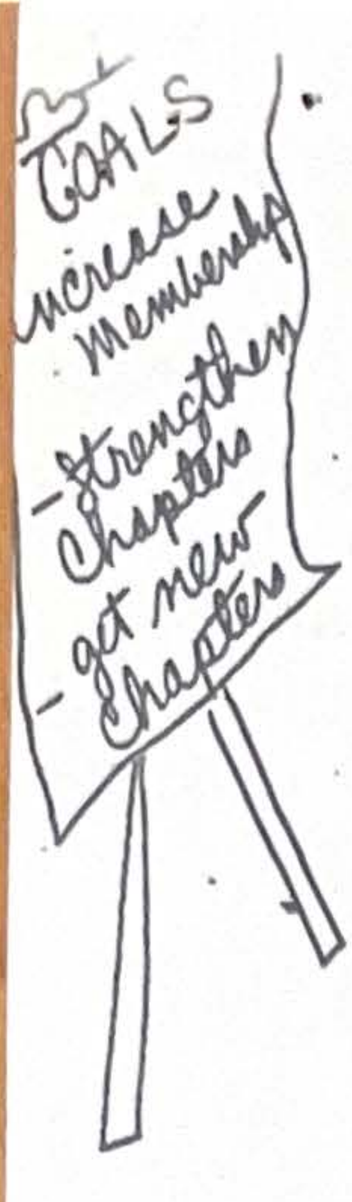
So if you have been wanting to explore one of these rivers, would like the excitement of a whitewater trip and know that you're supporting SOCM while you're having a good time- - call the SOCM office or write us to reserve your space in one of the rafts (20 spaces will be available in the rafts) on a first come, first served basis.

If you cannot make the trip on May 21, but would like to schedule another trip with Wild River Adventures, contact them at Wild River Adventures, Box 49, Lake City, TN 37769; or call 494-7328 or 784-4411.

SOCM thanks Boomer, Johnny and the other owners of Wild River Adventures for this fundraising opportunity.

Let us hear from you if you'd like to Float with SOCM down the River! Pass this along to someone else you think might be interested.







SOCM'S 1983 GOALS SET

In February and March, each SOCM chapter met to set goals for 1983--goals for what issues the chapter wanted to work on, how many new members it wanted to recruit, and how much money it planned to raise. At the same time each SOCM committee was meeting to set its 1983 goals.

These meetings, while valuable in themselves as they focus members' sights on what they hope to accomplish in the next year, were part of perparation for the March 26 Board meeting at which the SOCM Board will make decisions about how to allocate staff time for 1983. Besides the chapter and committee materials, with estimated staff time of each, staff prepared a list of what other work they are now doing with estimated times, and a list of possible new work to take on--in new areas or on new issues.

It is properly the Board's responsibility to look through all these options of staff time use and set priorities for the coming year--though it will be a hard task for the Board. There are always more things to be done than time to do them..

Members who want to see the results of the Board's decisions should contact the SOCM office.

SOCM's NINTH ANNUAL BENEFIT

Hold onto your hats, folks. Once again SOCM has lined up some great entertainment for its Annual Spring Benefit, Saturday May 7th. The location will be the Tennessee Valley Unitarian Church on Kingston Pike.



"Who do we have?" you ask. Heading the bill is SI KAHN, one of the finest songwriters around today. Si has the talent to put into words exactly how you feel in a way that moves the whole audience. Anyone who has been to his concerts will tell you it's a "must" to hear him.

Also, we have the pleasure of introducing JANE SAPP to the Knoxville area. Jane is a powerful blues singer and piano player who writes her own material, also. Jane has just moved to the area with her husband, Hubert Sapp, the current director of Highlander Center in New Market.

And, if that's not enough, SOCM Benefit goers will also get to hear the music of ELIZABETH McCOMMON who comes to us from Blacksburg, Va. Elizabeth's songs, like Si's, are rooted in her own experiences of living life and seeing both its humor and injustice.

With these three tremendously talented and powerful musicians SOCM is proud to offer what we feel is the best concert of the season.

AND, by popular demand, we will also hold The People's Auction during intermission. It is pure craziness and not like a usual auction. As they say . . . seeing is believing.

So, circle the date May 7th, 8:00p.m., Unitarian Church, Knoxville. And don't let anything keep you from coming. As a matter of fact, you may want to get tickets now since seating at the hall is limited to 200. Order now with the SOCM office. Tickets are $5.--a good deal for a good night.

3-83

LAST CHANCE--GET YOUR AD IN TODAY

Friends, Americans and SOCM Members, lend us your words! The Ad Book deadline is fast approaching and we don't want to leave you out. Come on! This is the time to get creative on us and for so little--but it means so much to your hard fighting organization.

So what do you say? Why don't you say it in an ad. We'll even bill you later if you can't pay now.

Just fill out the form below and send it to us by April 22 (or there abouts).

Save Our Cumberland Mountains
P. O. Box 457
Jacksboro, TN 37757

Bulk Rate
U.S. Postage
PAID
LaFollette, TN
Permit #10

ADDRESS CORRECTION REQUESTED

Mr.&Mrs. Aaron Sharp
Univ. of Tennessee
Knoxville, TN 37916

Deadline for buying an ad is APRIL 22. Then you will receive a copy of our book in June.

Name _____

Address _____

_____

Phone ( ) _____

( )$15 - 1/4 pg.(2"x5 1/2")
( )$25 - 1/2 pg.(4"x5 1/2")
( )$40 - full pg.(8"x5 1/2")
( )$45 - Gold Ad(4 center pgs.)
( )$50 - Inside Cover
( )$60 - Back Cover
( )$5 - Sponsor(list your name)

Amount Enclosed $_____ Bill Me $_____

Your Ad: