

Statement of Roger D. Horton

House Committee on Oversight and Government Reform:

Subcommittee on Regulatory Affairs, Stimulus Oversight and Government Spending-

EPA's Appalachian Energy Permittorium: Job Killer Or Job Creator?'

July 14, 2011

Good afternoon and thank you for the opportunity to testify today on this very important subject. My name is Roger Horton. I am the founder of Citizens for Coal, a co-founder of the Mountaintop Mining Coalition and a member of Local 5958 of the United Mine Workers of America (UMWA). I have spent over 30 years in the West Virginia mining industry, beginning in 1974 as an underground coal miner. During my career I have also been active in my union, serving in various official capacities for my UMWA local. I am proud to say that I am still a coal miner and a local union officer at a surface coal mine in West Virginia. A native West Virginian, I have lived virtually all my life in the coalfields of the Mountain State, spending most of that time in Logan County, West Virginia, where I live today in the community of Holden. I built a home, raised two children, participated and enriched my community all because of my employment in the coal industry.

It is Because of my rewarding experiences in and around the coal industry and its communities that in 2008 I founded Citizens for Coal, a group open to everyone no matter their employment or other affiliation, dedicated only to preserving the future of coal mining jobs and to actively participate in the debate surrounding coal mining in West Virginia and Appalachia. It is in this capacity that I appear before you today. I am deeply concerned and troubled by the actions of the federal Environmental Protection Agency (EPA) with respect to mining permits in West Virginia and Appalachia, and its whole attitude concerning the place that coal occupies in our nation's energy supply mix.

EPA has openly attacked coal. This assault begins with the permit application process, which you are discussing today, and continues throughout the mining process and finally to the end use of coal, where EPA has recently announced sweeping regulatory changes. These regulatory initiatives, coupled with the agency's obstruction of mining permits, threatens to cripple the viability of Appalachia and West Virginia as a source of domestic energy and destroy West Virginia coal's reputation as the world's fuel of choice be it for electrical generation or steel making or other manufacturing.

In its attacks on the mine permitting process, EPA has trampled the interests of individual states to control and regulate activities that occur within their own borders. In West Virginia, EPA has arrogantly disregarded the will of the people

and the actions of the West Virginia Legislature with respect to water quality standards, stream uses and environmental improvement. The federal agency has focused on insects, and tiny, almost undetectable shifts in insect populations while ignoring the overall health of our mountain streams and the aquatic life and fish that call them home. Further, EPA has taken such positions without regard to jobs and communities that depend on those occupations for their very survival. If left unchecked, EPA threatens to strip our citizens, our communities and the very social fabric of West Virginia of their most important source of existence- coal.

These are not just idle observations. I have personally witnessed the social and economic disruptions that occur when unelected bureaucrats in an EPA office somewhere in downtown Philadelphia make arbitrary decisions about what is best for my fellow coal miners, my friends and community.

About 11 years ago, through a combination of government interference and numerous legal challenges, a large surface mine in Logan County, West Virginia was forced to close because it could not obtain the permits necessary to continue the mining operation. The results were devastating. Some 400 members of Local

Union 2935 were out of a job... not because there was no demand for the coal or because the coal reserve had been exhausted but because of pure legal and regulatory interference. The workforce and local union were obviously devastated but the county was severely damaged. The school system and social welfare programs lost revenue that was vital to their existence and operation.

Entire communities were devastated. With nowhere to work and no prospect of the mine reopening any time soon, residents packed up and moved to other states to find lower paying jobs.

Businesses that relied on the mine for their income- gas stations, restaurants, repair shops and equipment vendors vanished.

Families suffered and disintegrated... substance abuse and divorces skyrocketed as these folks struggled to come to terms with the loss of good-paying jobs that were forecast to last decades. In fact, it is fair to say that our communities and certain families have never recovered from the loss of those jobs. That experience and those troubling, painful memories motivated me to start the

Citizens for Coal organization, and I hope this Committee and the entire Congress is mindful that EPA's assault on the coal industry has real, often dramatic effects on our workforce, our people, our schools, our churches and our communities. EPA conveniently ignores these effects, hiding behind the excuse that it cannot consider economic results of its decisions. That must be changed and, given their behavior in Appalachia and West Virginia, needs to be changed quickly.

EPA's virtual moratorium on mining permits casts a long shadow of uncertainty over our coal miners and communities. Not knowing if another permit can be obtained or if you get one the company will be allowed to keep it and operate has me and my fellow miners gripped in economic fear. People are not buying cars or homes or vacationing... we are not spending money... we are not contributing to the economy.

I have been fortunate to be able to spend the majority of my life living and working in my native West Virginia. Every day I enjoy the benefits of our rural way of life... I hope that my children can live and work in West Virginia and enjoy that same lifestyle and experience but everyday that EPA goes unchecked those chances decline.

Finally, as I life-long citizen of the coalfields of Logan County, West Virginia, I would like the Committee to carefully weigh the testimony of others that do not live or work or recreate in our communities. They will come before you as false prophets, claiming to represent the people of the coalfields and our environment and offering to "help" us survive or transition to other forms of employment when they destroy our coal industry. Whether they be from EPA or the Corps in Washington or lawyers that claim they sue the government on our behalf, we don't need their help or assistance. We can do just fine on our own.

Thank you.

Roger D. Horton

Roger is a resident of Holden, in Logan County, West Virginia and life-long resident of West Virginia. He is currently employed as a surface miner at the Apogee Coal operations in Logan County, West Virginia. Additionally, he serves in official capacities as an officer for United Mine Workers Union Local 5958. In 2008 Roger founded the Citizens for Coal, an organization dedicated to preserving coal industry jobs in West Virginia and Appalachia. Roger is also the co-founder and co-chair of the Mountaintop Mining Coalition, an organization dedicated to educating the public about the environmental and social benefits of surface coal mining.

Roger has spent over 30 years in the West Virginia coal industry, beginning his career as an underground coal miner in 1974.

Committee on Oversight and Government Reform
Witness Disclosure Requirement "Truth in Testimony"
Required by House Rule XI, Clause 2(g)(5)

Name:

ROGER DALE HURTON - NONE

1. Please list any federal grants or contracts (including subgrants or subcontracts) you have received since October 1, 2008. Include the source and amount of each grant or contract.

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2. Please list any entity you are leading or on behalf of and briefly describe your relationship with these entities.

NONE

3. Please list any federal grants or contracts (including subgrants or subcontracts) received since October 1, 2008, by the entity(ies) you listed above. Include the source and amount of each grant or contract.

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NONE

I certify that the above information is true and correct.
Signature:

Ryan D. Horta

Date:

7-12-2011