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WV Advocacy Groups Sue Multiple Coal Facilities For Water Violations

Charleston, W.V.-- A coalition of West Virginian advocacy groups including the West Virginia Highlands Conservancy, the Ohio Valley Environmental Coalition, Appalachian Voices, and the Sierra Club sued four coal and chemical facilities alleging serious violations of the Clean Water Act (CWA). The facilities listed below have been dumping toxic pollutants into local waterways in violation of their permits. These lawsuits follow previous notice letters submitted to these companies in early June.

- [Lexington Coal Company's Surface Mine No. 10 and Low Gap Surface Mine of Mingo County](#). Waterway: tributaries of Pigeon Creek, which flows into the Tug Fork River. Violation: selenium and [conductivity pollution](#)
- [Justice Group/ Bluestone Coal's Red Fox Mine in McDowell County](#). Waterway: tributaries of Jacob's Fork, which discharges into the Tug Fork River. Violation: selenium, aluminum, iron
- [Dana Mining Company's Prime Number 1 Mine: underground mine located in Monongalia County](#). Waterway: unnamed tributary of Robinson Run, in the Monongahela River watershed. Violation: conductivity pollution
- [Eagle Natrium chemical plant in Marshall County](#). Waterway: Ohio River. Violation: mercury pollution

Several of the facility owners have especially poor records on issues of workers' rights in the state (and elsewhere). Jeff Hoops, owner of the Lexington Coal Company, is also the owner and former CEO of the Revelation and Blackjewel mining companies which are currently in bankruptcy and are holding workers' paychecks. The Red Fox Mine is owned by a subsidiary of the Justice Group, which is controlled by the family of West Virginia Governor Jim Justice, and has been sued by the federal government for its failure to pay fines for miner safety and health violations.

The groups bringing these citizen enforcement lawsuits are represented by attorneys with Appalachian Mountain Advocates and Public Justice.

Below are comments from the organizations filing the suit:

"Clean water is a human right, not a privilege, and these lawsuits highlight bad actors within West Virginia who clearly don't care about the communities who have to contend with harmful water pollution," **Patrick Greuter, Senior Campaign Representative for the Sierra Club's Beyond Coal Campaign** said. "What's happening in West Virginia is happening all across Appalachia and it's time for the pollution to stop. These communities deserve better."

"When companies like these decide to do business, they make legal promises to the people in the form of a permit to follow the law," **Dustin White, Project Coordinator at the Ohio Valley Environmental Coalition said.** "When they break that promise, the communities get stuck with the pollution that can harm the environment and human health. That is when we, the people, must take legal action to hold these companies accountable for their disregard of the law and to highlight the lack of enforcement by regulators. People must be prioritized over profits."

"If not forced to correct their polluting discharges these operations will continue to contribute to the ultimate demise of water quality that's so important to the health and well being of all," **Cindy Rank, Chair of the West Virginia Highlands Conservancy's Extractive Industries Committee said.**

"For too long, coal companies have done business at the expense of clean water and the health and well-being of people living near mines," **Erin Savage, Central Appalachian Program Manager said.** "We're ensuring that coal companies are held accountable for the water they pollute, so that they cannot leave the problem behind for local communities."