

**A SHORT HISTORY OF SAVE OUR CUMBERLAND
MOUNTAINS, INCORPORATED**

SECOND EDITION

EUGENE JACKSON PRATER

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A SHORT HISTORY OF
SAVE OUR CUMBERLAND MOUNTAINS, INCORPORATED

An Abstract
Presented to
the Graduate Council of
Austin Peay State University

In Partial Fulfillment
of the Requirements for the Degree
Master of Arts

by
Eugene Jackson Prater
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ABSTRACT

The coal industry is considered by many people, even by a large number who know little or nothing about it, to be of great importance to the economic survival of people living in the Appalachian Mountain region. Some of these people have only recently been made aware of the problems connected with this controversial industry. There are two ways to get coal from the ground. One method is by strip, or surface mining, and the other method is by deep mining.

Several of the most active members of Save Our Cumberland Mountains, Incorporated were at one time employed in deep mining or related fields. The mountain people who are the backbone of the organization have strong feelings concerning the economic, social, and environmental impacts of the different methods of mining.

In order to understand the reasoning behind the actions taken by these mountaineers, it is necessary to discuss the development of the coal industry in the state of Tennessee. The families of many of the mountain people have been involved in the coal industry for generations. No one can call Save Our Cumberland Mountains, Incorporated an organization of "outsiders" who are just out to stir up trouble. On the contrary, many of the organizations members are people who are very directly suffering because of the ravages of strip mining in East Tennessee.

Much of the coal that is taken from the ground when mountains are ripped asunder and water tables are destroyed goes to the Tennessee Valley Authority for use in the production of electricity. The mountaineers do not understand why a government agency that they believe was designed to improve their lot in life would sanction the destruction of land, water, and roads in mountain communities.

Before Save Our Cumberland Mountains, Incorporated and other environmental organizations began to publicly criticize the Authority, the great public utility had stood virtually unchallenged for a number of years in its power to ignore pleas by individuals who called for reforms in the policies of the giant public corporation. Save Our Cumberland Mountains, Incorporated has been relentless in applying pressure in various attempts to bring about needed changes in the stiff bureaucracy that is the Tennessee Valley Authority of today. The small organization has also struck out at the ineptness of the state and federal governments for their mishandling of policies which directly effect members of the group and local communities everywhere. Save Our Cumberland Mountains, Incorporated is performing a service to the country that should be remembered by the people of the United States.

A SHORT HISTORY OF
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A Thesis
Presented to
the Graduate Council of
Austin Peay State University

In Partial Fulfillment
of the Requirements for the Degree
Master of Arts

by
Eugene Jackson Prater
December 1974

To the Graduate Council:

I am submitting herewith a Thesis written by Eugene Jackson Prater entitled "A Short History of Save Our Cumberland Mountains, Incorporated." I recommend that it be accepted in partial fulfillment of the requirements for the degree of Master of Arts, with a major in History.

Preston J. Hubbard
Major Professor

We have read this thesis and
recommend its acceptance:

J. Milton Henry
Minor Professor
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W. C. Morris
Third Committee Member

Accepted for the Council:

Wm. E. Stamp
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PREFACE

Tennessee is a state that has much natural beauty and many natural resources. There are times when efforts to exploit the bountiful resources lead to irreparable damage to the natural beauty. Without a doubt, one of the most devastating methods to get at many natural resources is strip mining. Strip mining for coal has become a major industry in Tennessee. The problems connected with strip mining for coal have led to strong opposition by people against the process in many areas of Tennessee.

This opposition led to the development of an organization whose purpose was to combat strip mining. The organization which goes by the name of Save Our Cumberland Mountains, Incorporated is very aggressive in its struggle to limit the destructiveness of strip mining.

Many of the people involved in this environmentalist group have at some time been involved directly or indirectly in the mining industry in Tennessee. These people believe that the use of the deep mining process should be increased and that strip mining should be phased out.

The group tends to blame the Tennessee Valley Authority for the rapid growth of strip mining in Tennessee and for the decline of deep mining in the state. In order to understand this argument, one must review the history of

the coal industry in Tennessee. Chapter one briefly outlines the development of the coal industry in Tennessee up to the time that the Tennessee Valley Authority came to dominate Tennessee's mining industry.

The Authority naturally wanted to buy coal at the cheapest possible price. Chapters two and three discuss how this drive for low coal prices increased the growth of strip mining and caused many small deep mines to fail to meet the competition. Strip mining quickly equaled and eventually surpassed deep mining in coal production in Tennessee.

All factors, however, did not favor strip mining. Chapter four considers the positive and negative features of strip mining. A number of the original members of Save Our Cumberland Mountains live, or have lived, in areas that have been torn by strip mining. Thus, the problems of strip mining that are discussed in chapter four are well known to the members of the group and are used by the group in arguing for stronger controls on strip mining.

Chapter five explores the activities which led directly to the creation of Save Our Cumberland Mountains. Chapter six describes the actual formation of the organization. This chapter also discusses some of the early activities of the organization and the reaction of the strip miners of East Tennessee to the early activities of the group.

Chapter seven relates some of the more recent actions in which the group has been involved. This chapter

includes a brief description of a few of the organizations criticisms of the Tennessee Valley Authority. Save Our Cumberland Mountains is not opposed to the Tennessee Valley Authority, but the group does feel that the Authority needs some reforms. The group is interested in bringing about reforms in many areas of the federal, state, and local governments.

Chapter eight summarizes the paper and discusses the importance of Save Our Cumberland Mountains, Incorporated as a grass roots organization.

The author would like to commend a number of people for the great aid that they gave him in this project. The project would not have been undertaken at all had it not been for the encouragement and advice of Dr. Preston J. Hubbard. Dr. Hubbard's assistance was invaluable as the project progressed. The author also appreciates the constructive criticism and understanding shown by Drs. Wentworth Morris and Milton Henry throughout the course of the project.

A great deal of appreciation goes to Mr. J. W. Bradley who is the President of Save Our Cumberland Mountains, Incorporated. Mr. Bradley discussed his organization and its work at length with the author, and he also made available to the author many important records and other materials of the organization. Mr. Bradley is an extremely energetic person who is constantly working in the many activities supported by Save Our Cumberland Mountains,

Incorporated.

The author would also like to say a deep thanks to Mr. William J. Prater. Mr. Prater was working as an organizer for the United Mine Workers of America during the time that he became affiliated with the Save Our Cumberland Mountains group. Because of Mr. Prater's association with the group, some people suggested that the organization was being sponsored by the Union. Mr. Prater has asserted that this allegation is not true and that his interest in Save Our Cumberland Mountains was purely personal. The author can substantiate that Mr. Prater's opposition to strip mining began long before Save Our Cumberland Mountains was formed. Besides openly discussing his affiliation with the group, Mr. Prater gave the author a file that he had maintained on the activities of the environmentalist organization.

Finally, special thanks must go to my beautiful wife, Donna, for the great efforts she has put forth to aid the author in every way possible.

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Chapter 1

BACKGROUND

While the United States is not a utopia, most Americans would say that it is a country in which a good deal of importance is imparted to the idea of individual freedom. Many people say that the only limit placed on individual freedom of choice should be when one person's choice encroaches upon the rights of others. This limited rule of choice is very prevalent in the section of the United States known as Appalachia. The mountain people of Appalachia are commonly known for two characteristics: their independence of mind and their poverty.

The independence of mind which is found among the mountaineers is something of a heritage from their forefathers. Only the most independent and determined people could expect to survive in the forlorn wilderness that was the Appalachia of the colonial period of American history. Through the course of American history, Appalachia has continued to be one of the few areas in the United States in which survival was the paramount issue of life. While many sections of the country were becoming industrialized, Appalachia remained basically agricultural. For a few, agriculture brought the good life; but for the masses of

people in Appalachia, farming only allowed a subsistence level of life. People started moving away to the industrialized sections of the north. There were many people, however, who refused to leave the homes which had belonged to their fathers and grandfathers before them.

In the mountain sections of Tennessee, many of the people began to get involved directly or indirectly in the one local industry which showed at least some promise of a future. This was the coal industry. Besides creating jobs, this industry led to problems which would eventually instigate the formation of an organization known as Save Our Cumberland Mountains, Incorporated. This is basically a grass roots community action organization whose members are demanding changes which they say will bring a better life to their community and country. Many of the people who formed the core group of Save Our Cumberland Mountains, Incorporated had been either actually involved in coal mining at some time or had been in some way affected by the coal industry and its problems. Thus, in order to understand the problems that led to the formation of SOCM, Save Our Cumberland Mountains, Incorporated, it is necessary to review the history of the coal industry in Tennessee.

While the growth of the coal industry in Tennessee has been fairly steady in the last few years, it was relatively erratic in the first years of its development as a

significant industry in the state.¹ An early peak in coal production in Tennessee was reached in 1907 when nearly seven million tons of coal were mined.² Between 1910 and 1914, however, production within the state declined considerably.³ Some of this decline was purportedly caused by the development of hydroelectric power sources in the area of Tennessee.⁴

After World War I, coal production in Tennessee was very erratic and began to fall off steadily after 1928 until a low of 3,500,000 tons was mined in 1932.⁵ Between 1932 and 1942, however, coal was mined at increasingly higher production levels.⁶ A new peak of 8,000,000 tons was reached in 1942.⁷

In 1933, the Tennessee Valley Act was passed. The mine operators, of course, saw the passage of this Act as a threat to their business. About the time that TVA, the Tennessee Valley Authority created by the Tennessee Valley Act, became an important producer of hydroelectric power,

¹Wilbur A. Nelson, The Southern Tennessee Coal Field, State of Tennessee Department of Education Division of Geology Bulletin 33-A (Nashville, Tenn.: 1925), p. 8.

²Edward T. Luther, The Coal Industry of Tennessee, State of Tennessee Department of Conservation and Commerce Division of Geology Information Circular No. 10 (Nashville, Tenn.: 1960), p. 3.

³Nelson, loc. cit. ⁴Ibid.

⁵Luther, op. cit., p. 5. ⁶Ibid. ⁷Ibid.

there was a fall in coal production in Tennessee.

According to an official State source, "In the years between 1942 and 1949 Tennessee's coal production, contrary in part to the national trend, declined steadily."⁸

Any detrimental effect that TVA may have had on the coal industry of Tennessee did not last long. Even by the late 1940's, the use of electrical power in the Tennessee Valley area had increased to the extent that TVA had to begin developing steam plants in connection with its hydroelectric plants to insure production of enough power to cover the demand.⁹ TVA began to buy coal for the steam plants which were used when power demands exceeded the capability of the hydroelectric plants.¹⁰ The Authority reported that "in the fiscal year 1949, approximately 16 percent of the system generation was produced at steam plants."¹¹

The continued rise in demand for electricity in the Valley area put to rest arguments from a number of people that TVA would produce "unusable surpluses of power."¹² The agency has asserted that "there has never

⁸Ibid. ⁹Ibid.

¹⁰Annual Report of the Tennessee Valley Authority, (1949), p. 50.

¹¹Ibid.

¹²Annual Report of the Tennessee Valley Authority, (1950), p. 14.

been a substantial surplus of generating capacity in the region since TVA was established."¹³ As a matter of fact, TVA has had to work fast to keep up with the power demands placed upon it.¹⁴

By 1952, TVA had entered the coal buying business as a major customer in Tennessee, as well as other areas.¹⁵ In 1952, the Authority signed contracts for about forty million tons of coal to be delivered to its steam plants over a ten year period.¹⁶ TVA realized that in the future it was going to have to rely more and more on coal to produce power.¹⁷ Thus, it became necessary for TVA to take actions which would insure a sufficient supply of coal over a long period of time at the lowest possible price. At the time, TVA apparently decided that the best method that could be used to achieve the goals stated above was to enter into long term contracts with coal companies. The long term contracts handed out in 1952 were designed to encourage the coal operators to use the most modern mining methods in extracting coal from the ground.¹⁸

¹³Ibid.

¹⁴Annual Report of the Tennessee Valley Authority, (1951), p. 11.

¹⁵Annual Report of the Tennessee Valley Authority, (1952), p. 24.

¹⁶Ibid. ¹⁷Ibid.

¹⁸TVA, op. cit., p. 25.

Since several of the major TVA plants were located relatively close to Tennessee coal fields, a number of large contracts were given by TVA to Tennessee mining firms.¹⁹

One thing that favored Tennessee coal operators was that Tennessee coal is of relatively high quality.²⁰ "TVA purchases coal on the basis of the heat content measured in British thermal units; in effect, TVA buys heat rather than tonnage."²¹ The state government of Tennessee was also interested in aiding the development of the state's coal fields. In 1951, the Tennessee State Legislature appropriated \$200,000 "for an active 2-year program to explore coal resources with particular reference to TVA needs."²²

During the 1950's, the Authority generally continued to buy increasing amounts of coal until 1957 when TVA had amassed a hundred day supply in excess of its day to day needs.²³ Because of increases in the wages of miners and other factors, there was an increase in the price of coal in 1957.²⁴ "The average cost per ton was \$4.51, as compared with \$4.36 the year before."²⁵ TVA cut back in its coal buying operations in the last part of 1957.²⁶ The Authority did not directly relate the cut back in

¹⁹Ibid. ²⁰Ibid. ²¹Ibid. ²²Ibid.

²³Annual Report of the Tennessee Valley Authority, (1957), p. 33.

²⁴Ibid. ²⁵Ibid. ²⁶TVA, op. cit., p. 34.

buying to the increase of the cost of coal. Instead, the Authority asserted that the cut back "resulted from the completion of the stockpile buildup plus the favorable hydroelectric supply situation."²⁷ Whatever the reason for the buying cut back, one of the first results of it was a general lowering of the price of coal.²⁸ This decline in the price of coal in Tennessee, thus, could have only been looked upon with favor by TVA. At this point, TVA had the ability to alter the price of coal and to control the direction of growth of the coal industry in the state.

The coal industry and TVA had become inseparably bound. It is at this point that the people of SOCM say that TVA began making mistakes leading to much environmental destruction which has not been corrected.

²⁷Ibid.

²⁸Ibid.

Chapter 2

THE DEVELOPMENT OF STRIP MINING IN TENNESSEE

In order to keep the price of coal down, TVA encouraged the operators who had contracts with the Authority to mechanize their mines and in other ways promote efficiency which would lead to cheaper coal produced at a faster rate.¹ Many of the mines in Tennessee that had TVA contracts had not kept abreast of mechanical improvements which would have allowed them to mine coal much more efficiently.² Early in 1958, TVA began to withdraw from a number of contracts with mines in the middle Tennessee area.³ The basic reason for this action by TVA was that these Tennessee mines, in their state of technology at that time, could not compete with the large, highly mechanized strip and deep mines in West Kentucky and other areas.⁴ Because of the differences in the cost of production, transportation, and labor, TVA found that it could buy coal cheaper in West Kentucky than from mines

¹Annual Report of the Tennessee Valley Authority, (1958), p. 54.

²The Nashville Tennessean, February 19, 1958, p. 2.

³Putnam County Herald, January 9, 1958.

⁴Tennessean, loc. cit.

in Tennessee which were closer to the TVA steam plants.⁵

Many people in Tennessee simply could not understand why TVA would have to go out of the state to buy a fuel that was so plentiful within the state. The cancellation of these contracts, which put several hundred people out of work, led to an uproar of protest from local papers in middle Tennessee.⁶ Some of these papers had never opposed TVA on any issue before.⁷ Even Governor Frank G. Clement castigated members of the TVA board for their role in cancelling the contracts.⁸ TVA gave a questionable response to Governor Clement's charges:

Chairman Herbert D. Vogel of Tennessee Valley Authority . . . informed Gov. Frank Clement that a contract covering coal mined in Fentress, Putnam, Overton, and Cumberland Counties 'expired by its own terms' and cannot be extended under competitive bidding requirements to the TVA Act.⁹

Since some of these contracts had been signed in 1951 to cover a ten year period, it is apparent that the "terms" Vogel spoke of were clauses that TVA had in the contracts which allowed the Authority to cancel the contracts under certain conditions.¹⁰

In any case, TVA was required by law, with some

⁵Ibid.

⁶The Nashville Tennessean, January 12, 1958.

⁷Crossville Chronicle, January 9, 1958.

⁸Putnam County Herald, January 6, 1958, p. 1.

⁹Ibid.

¹⁰Putnam County Herald, January 9, 1958.

exceptions, to buy coal from the lowest bidder.¹¹ The lowest bids, of course, came from mines that were highly mechanized.¹² TVA also signed some contracts with coal operations that were going to use new or "experimental" machinery or mining methods.¹³ The agency awarded a contract to "a company in Tennessee for coal to be produced from experimental operation of an underground auger."¹⁴ It was felt that this "could lead to economical mining of Tennessee coals where underground mining has virtually ceased because of poor roof conditions."¹⁵ Deep mining, however, continued to decline within the state.

¹¹Putnam County Herald, January 6, 1958, p. 1.

¹²The Nashville Tennessean, February 19, 1958,

p. 1.

¹³TVA, loc. cit.

¹⁴Ibid.

¹⁵Ibid.

Chapter 3

EXPANSION OF STRIP MINING IN TENNESSEE

While the deep mine fields of middle Tennessee were falling behind the competition, strip mine operators were beginning to develop comparatively efficient operations in east Tennessee.¹ Strip miners were able to take about 17.27 tons of coal per day from the earth for each man working while deep miners could only average 6.47 tons a day.² This increased production by fewer men would lead directly to another step in the competition between deep and strip mines in Tennessee. Small mines that could not compete would be forced out of business.³

Strip mine operations grew rapidly in the Tennessee Valley area. By 1960, there were "some 250 active or completed strip mines in east Tennessee."⁴ Most of these strip operations were under contract to TVA.⁵ In 1960, TVA, in conjunction with the Tennessee Department of Conservation and Commerce, did a study of the problems of

¹The Nashville Tennessean, February 19, 1958, p. 2.

²Ibid. ³Ibid., pp. 53-54.

⁴TVA Annual Report, (1960), p. 74.

⁵Ibid.

strip mining.⁶

Recommendations were developed for road reclamations, dispersal of standing water in the strips, revegetation of new strips, and the reclamation of abandoned strips.⁷

TVA continued to buy ever larger amounts of strip mined coal.⁸ Western Kentucky operators, especially the Peabody Coal Company, were getting an increasingly larger share of the TVA contracts.⁹ In 1960, the Peabody Coal Company got a contract with TVA "for 65 million tons of coal to be delivered to the Paradise steam plant over a period of 17 years."¹⁰ By 1961, western Kentucky operations delivered more than twice the amount of coal to TVA facilities than Tennessee mines did.¹¹ At least part of this growth in trade between TVA and western Kentucky was the result of an agreement by the Authority with the L&N Railroad system.¹² This agreement was "worked out by the L&N Railroad and TVA to bring coal from the Western Kentucky fields to the Colbert Steam Plant in northern Alabama."¹³ This contract was also to extend over a period of seventeen years.¹⁴

The southeast Tennessee coal fields were struck a

⁶Ibid. ⁷Ibid.

⁸TVA, op. cit., p. 40. ⁹Ibid. ¹⁰Ibid.

¹¹TVA Annual Report, (1961), p. 45.

¹²TVA, op. cit., p. 44.

¹³Ibid. ¹⁴Ibid.

hard blow by the agreement.¹⁵ A group of southeast Tennessee coal operators filed suit against several organizations, including TVA, for allegedly conspiring "to control production and price of all coal in the entire Southern Appalachians."¹⁶ TVA was eventually dropped by the judge as a defendant in the case, but the allegation showed the disenchantment of many Tennessee coal operators with the Authority.¹⁷ This was not the only problem that southeast Tennessee coal operators had with TVA. The operators claimed that TVA contracts did not pay them enough to enable the coal companies to pay their men union wages and still make money.¹⁸ TVA disputed this claim and stated that if the southeast Tennessee coal mines were properly mechanized and efficiently operated, they would have no trouble maintaining operations.¹⁹ A leader among the small coal operators then demanded that TVA establish an experimental mine and show the small coal companies how to operate efficiently enough to compete with the huge western Kentucky mines.²⁰ TVA did not respond to this

¹⁵The Nashville Tennessean, January 7, 1961, p. 1, col. 6.

¹⁶Ibid.

¹⁷The Nashville Tennessean, June 16, 1961, p. 25.

¹⁸The Knoxville News-Sentinel, February 9, 1961, p. 34.

¹⁹Ibid.

²⁰The Nashville Tennessean, February 20, 1961.

challenge.²¹ It was well known that one of the largest operators in southeast Tennessee had mechanized according to standards recommended by TVA, but the company had still not been able to meet TVA production requirements; and its contract with the Authority had been cancelled.²²

In 1963, TVA began to feel pressure from another direction in Tennessee. Tennessee Senator Estes Kefauver began to call for "direct action by the Tennessee Valley Authority to remove the 'scars' left by the strip mine operations from the landscape of Tennessee and neighboring states."²³ Up to that time TVA had taken the stand "that restoration of stripped land should be regulated by state laws and . . . [had] confined itself to studies and demonstration projects."²⁴ As strip mining continued to grow in Tennessee, the practice "left thousands of acres of denuded, eroded and wasted land in Scott, Morgan, Campbell, Anderson, Fentress, Overton, Claiborne, Marion, Grundy, and Bledsoe Counties."²⁵ There began to be demands that something be done about the ravages of strip mining.²⁶ TVA

²¹The Nashville Tennessean, May 28, 1961, p. B-1.

²²The Nashville Tennessean, February 20, 1961, p. 1, col. 3.

²³The Knoxville News-Sentinel, June 25, 1963.

²⁴Ibid.

²⁵The Knoxville News-Sentinel, March 15, 1964, p. C-1.

²⁶Ibid.

had run tests which showed that the price of reclamation would be "about \$50 an acre or about one cent per ton of coal mined."²⁷

In the mid 1960's, TVA began to take more positive action concerning strip mining. "TVA introduced reclamation provisions into its coal contracts beginning in 1965."²⁸ The state of Tennessee also got into the strip mine control picture by passing a law regulating strip mining in 1965.²⁹ By the early 1970's, however, people living in areas that were being heavily strip mined began to blast both the TVA reclamation provisions and the Tennessee regulation law as being practically unenforced.³⁰ There was a growing concern around the nation about the problems involved in strip mining. Many people were debating whether or not strip mining for coal should be allowed.

²⁷ Ibid.

²⁸ The Nashville Tennessean, September 19, 1971, p. B-1.

²⁹ The Nashville Tennessean, January 22, 1972, p. 1.

³⁰ The Nashville Tennessean, September 19, 1971, p. B-1.

Chapter 4

STRIP MINING: YES OR NO

One of the great concerns of society today is the possibility of a shortage of the energy needed to keep the world's industrial complex running. There is widespread interest in the possibilities for development of various energy sources. Coal is a major fuel that is receiving much attention. Coal is one of the most abundant fuels available to the United States today. While almost everyone realizes that coal is not the long-run answer to the energy problem, there are high hopes that coal may be used as one of the major fuels during the interim in which other fuels are being researched and developed.

There are about three trillion tons of coal resources in the United States.¹ Not all of this coal, however, is available for use.

Of these total coal resources, some 50 percent, or 1.5 trillion tons of bituminous coal and lignite, are considered to be recoverable reserves (i.e., minable under current economic conditions and with present technology, or technology that may be available in the foreseeable future.)²

At the present time, the most important methods of

¹U. S., Congressional Record, 93rd Cong., 1st Sess. (1973), CXIX, No. 18756.

²Ibid.

extracting coal from the earth are deep mining and surface or strip mining. In the past, deep mining has been the principal source of coal, but in the last few years, there has been more and more competition from strip mining. Strip mining now accounts for at least fifty percent of all the coal that is mined in the United States each year.³

There are several reasons for the rapid growth of strip mining as compared to deep mining. According to a recent report to Congress, "Although there are deep reserves of coal, present underground technology does not exist [to reach it] because of the . . . depth or thickness of the seams."⁴ Strip miners, however, have been blessed with technological developments which have allowed them to dig deeper and deeper to reach coal seams.⁵ Some of the stripping machines are capable of moving over three hundred tons of dirt every time the shovel sinks into the earth.⁶ While big machinery enables strip miners to reach coal, it also increases the expenses of stripping companies.

The heavy equipment . . . need[ed] to do it makes the initial investment bigger than in underground mining [6] . . . the experts . . . [estimate costs] at one-third to one-half more capital for a strip mine than for a deep pit mine of comparable size . . . the other side of the picture is this: Labor cost [s] in operation

³Ibid., p. 18765. ⁴Ibid.

⁵The Wall Street Journal, May 24, 1971, p. 1, col. 6.

⁶Harry M. Caudill, "Can We Survive Strip Mining?," The Reader's Digest, December, 1973, pp. 65-69.

are so much smaller in strip [mining] that the experts say . . . [a strip operator] can mine a ton of bituminous for 50¢ to a \$1 less [than a deep mine can].⁷

Thus, even though his initial investment is higher, the strip operator can look forward to better profits.

Because of the great profits, there has been an increasing number of people opening strip mine operations.⁸ These strip mines have been much more efficient at getting coal than deep mines. "Coal experts figure that they can recover about 95% of the available coal in surface mining, compared with 55% for stuff that is deep mined."⁹ In addition to being cheaper to operate and more efficient to excavate, the strip mine is much safer for the men involved in operating it. Available sources indicate that "both the fatal and nonfatal accident rates at surface coal mines are less than half those at underground mines."¹⁰

Strip mining, however, is riddled with drawbacks, some of which cast deep shadows on any advantages and potentialities that this method of extracting coal may have. The chief problems with strip mining revolve around

⁷"Strip Mining: Getting Bigger, Going Deeper," Business Week, June 26, 1954, pp. 166-174.

⁸The New York Times, December 15, 1970, p. 1, col. 1.

⁹"Surface Coal," Business Week, August 11, 1951, p. 64.

¹⁰David B. Brooks, "Strip Mining, Reclamation, and the Public Interest," American Forests, March, 1966, pp. 18-19.

economic, ecological, and moral factors. Many times these factors are so closely related that it would be nearly impossible to point to any one of them as being the most important in a given situation.

While the problems surrounding strip mining have just recently begun receiving widespread national attention, the people of east Tennessee, large sections of Kentucky, and other extensively strip mined areas have viewed the harsh realities of surface mining for some time. Howard H. Baker, the senior Senator from Tennessee, has described strip mining as "an environmental disaster."¹¹ Senator Baker, who paradoxically manages a large section of Scott County, Tennessee, that was being strip mined as recently as 1971, has stated that strip mining must be stopped in northeast Tennessee.¹² The Senator is afraid that the Cumberland Mountains in Tennessee will be completely ravaged if stripping is not stopped.¹³ "The strippers are moving very fast," Baker said. "They know something is going to happen."¹⁴

A Reader's Digest article by David Nevin entitled "These Murdered Mountains" gives a vivid description of what happens when strip operators tear into a mountain:

¹¹Richard Starnes, "The Strip Mine Scandals, Cont'd," Field & Stream, November, 1972, p. 10.

¹²The Nashville Tennessean, September 20, 1971, p. 1.

¹³Starnes, loc. cit. ¹⁴Tennessean, loc. cit.

From the air you can see the timbered ridges stretching for miles into the bluing haze, the yellow wounds of the miner's cuts clearly marked in their sides. Sometimes the cuts encircle a mountain, leaving a lonely island of trees on top; sometimes, in a sort of cosmic contempt, the miners simply whack off the entire mountaintop and leave it a mesa.

Rock containing sulfur often is exposed, and it oxidizes. Rainwater washes it into a mild solution of sulphuric acid that collects in reddish pools. It seeps into the water table and ruins wells. It runs down into the streams. The fish die and the grass along the banks surrenders and the trees fail to leaf that spring.

The spoil banks leak yellow silt into the streams, gradually covering their stony bottoms. Then the creeks send floods of acid water over the fertile bottomlands and coat them with the sterile silt. In many places today, only cattails and other marsh plants prosper on what was once the best garden land.¹⁵

Even the bleak description written by Nevin does not illustrate the full impact of mountain strip mining. Once a mountain has been strip mined, the earth is very unstable, and there is a very real possibility of a landslide.¹⁶ These landslides destroy timber, cover small country roads, and are a clear danger to people living at the base of strip mined mountains.¹⁷ Another constant fear of people living in strip mined areas is flooding caused by silt from the strip mines filling streams.¹⁸ There are many stories among the mountain folk about the

¹⁵David Nevin, "These Murdered Mountains," The Reader's Digest, June, 1968, pp. 92-96.

¹⁶The Nashville Tennessean, September 15, 1971, p. 1, col. 1.

¹⁷Ibid., p. 8, col. 1.

¹⁸The Nashville Tennessean, September 16, 1971, p. 1, col. 1.

serious damage to life, limb, and property that has been directly related to strip mining.¹⁹ In addition to these problems, there have been many instances of strip miners' blasting with little apparent concern for the people in the communities around their mines.²⁰ Although many people complain to officials, little is done to prevent these excesses of the strip operators.²¹

In answer to these criticisms, the strip operators argue that they bring needed revenue and jobs into blighted areas, and they say that the land they strip is generally useless anyway.²² While these arguments may appear to have a grain of truth in them, they are very deceptive, and the deception can be discovered by looking a little deeper into the facts. One example of the weakness of the strip operators' argument can be found in their claim that much of the land that is stripped is already useless and that stripping does not hurt it much. This claim by the strip miner is weak from both the ecological and economic viewpoints. "It is far poorer after they are through and state money has to go to fight the blight that is left."²³

¹⁹Ibid.

²⁰The Nashville Tennessean, December 5, 1971,
p. 1

²¹Ibid., p. 2-A, col. 1.

²²"Louisville: Law or License," Saturday Review,
May 22, 1965, p. 44.

²³Saturday Review, loc. cit.

The most widely discussed conflict between the strip operators and the general public revolves around the question of whether or not land can be reclaimed after it has been strip mined. An estimate has been made that "there are 71,000 square miles in the U.S. that have been or could be bulldozed for coal—an expanse larger than Pennsylvania, Connecticut, and New Jersey."²⁴ When one considers that strip mining, especially in mountainous areas, actually affects a much larger area than that being immediately mined, it is easy to understand why there is wide concern about the possibility of restoring the mined lands.

As of January 1, 1972, there were four million acres of land disturbed by surface mining, of which 1.7 million acres (43 percent) were disturbed by surface mining for coal, 1.3 million of these acres in the eastern coalfields. Only about half these lands have been reclaimed.²⁵

Generally, reclamation of strip mined lands has proven to be very expensive. One source asserts that "In the few cases where adequate reclamation has been tried the cost has been great enough to negate the value of the coal mined."²⁶ In many areas, reclamation has been a sham.

Reclamation consists of seeding strip mine sites

²⁴"Battle Over Mining That Scars the Land," U. S. News & World Report, September 25, 1972, p. 76.

²⁵Congressional Record, op. cit., p. 18756.

²⁶James Branscome, "Stripping for Pleasure and Profit," Commonweal, December 3, 1971, pp. 229-231.

with grass, trees, or legumes and building silt dams to trap sediment in ponds rather than sending it down-stream. What usually happens is that the vegetation dies and the silt dams quickly fill up and break.²⁷

In Tennessee, strip operators have found ways to avoid having to do any reclamation at all:

Many operators have already demonstrated they have no intention of reclaiming the land by going out of business and reappearing as another company that the state is powerless to hold responsible for previous damage.²⁸

Another method used by Tennessee strip miners to avoid reclamation is to forfeit the bond which operators have to give the state as security that they will reclaim the land.²⁹ The low bond requirement of the Tennessee strip mine law is only one indication of that law's weakness.

The vague language of the law makes it possible for a strip miner to put off reclamation for three years—and by that time he may be gone and forgotten. The only reminder is the devastation left behind that has to be repaired out of the taxpayer's purse.³⁰

Because of the ravages of strip mining, there has been a strong reaction against it in some areas. "In the East, West Virginia has already banned stripmining in 22 of its counties, and there is talk of outlawing it entirely."³¹ There has also been a reaction against strip mining in parts of Tennessee. Even before 1971, activities were taking place which would lead to a unified movement

²⁷Ibid. ²⁸Tennessean, op. cit., p. 4, col. 1.

²⁹Ibid. ³⁰Ibid.

³¹"Confrontation," Forbes, November 15, 1972, p. 41.

by a group of people, not only against strip mining, but also against other social injustices that they saw facing their community and state.

Chapter 5

CATALYST FOR ACTION

Many individuals in the mountain sections of East Tennessee had opposed strip mining almost from its inception in their area. It was only a natural reaction for them when they found that their garden areas were being covered by silt in which nothing would grow and that their wells were being polluted by strip mine runoff. These people complained to their families, friends, and neighbors; but there seemed to be little else they could do to stop the onslaught. Even a small strip operation represents a tremendous amount of money when compared to the financial means of the average Tennessee mountaineer. In the mountains, as is the case almost anywhere else, money is power.

Strip miners could afford to ignore individual claims of injustice since the operators knew that there was little chance that the person upon whom they had transgressed could afford to challenge them in open court. Sometimes an individual would take the law into his own hands in an attempt to bring the strip miner to justice. This "taking to the bushes" in a desperate move to save property and life could, at best, only have limited

success since the law would then be squarely behind the operator. Thus, the machinery which would be necessary effectively to challenge the power of the strip operators was not present.

In 1971, a combination of factors brought together a group of people who were ready to take unified action to correct some of the economic, social, and political ills that they saw facing their communities, state, and nation. The spark which started the fire of action was a small group of Vanderbilt University students who were spending the summer working with the Vanderbilt Health Coalition, a group of activist students, in East Tennessee.¹ John Gaventa, Ellen Ormond, and Bob Thompson, who were all working out of Vanderbilt, and Heleny Cook, who was from Sarah Lawrence College, decided to investigate to see if the Tennessee land tax laws were being properly enforced in the areas in which the students were working.² The students were interested in finding out just what valuation was being placed on the mineral resources of a five county region in East Tennessee.³ There are laws in Tennessee which "require taxing minerals as part of

¹Marie Cirillo, "Tax Equalization Report"(Tennessee: Report to members of SOCM, September 16, 1971), P. 1. (Xeroxed)

²See SOCM Papers of W. J. Prater or J. W. Bradley, Specifically the Tax Equalization Complaint by SOCM, Nashville, Tennessee, September 16, 1971, pp. 5-7.

³Cirillo, loc. cit.

property value."⁴ The students knew that something was awry when they "observed the poverty within the counties while knowing that these same counties produced more wealth than most Tennessee counties."⁵ The wealth of these counties in coal resources is shown by Table 1 which gives the total "minimun" tonnage which is expected to be taken from this five county area.

Table 1

Recoverable Reserves of the 5-County Area*

County	Total Recoverable Reserves
Anderson	128,748,000
Campbell	288,622,000
Claiborne	80,767,000
Morgan	84,641,000
Scott	79,750,000
Total	662,528,000

* See SOCM Papers of W. J. Prater or J. W. Bradley, Specifically the Tax Equalization Complaint by SOCM, Nashville, Tennessee, September 16, 1971, Appendix III, P. 15.

These massive coal reserves are not being ignored by the coal industry. In 1970, over six million tons of coal were taken out of this five county area.⁶ This

⁴Prater or Bradley Papers loc. cit.

⁵Cirillo, loc. cit. ⁶Ibid.

represents a tremendous amount of wealth in this area of the country. When the students checked the tax assessments on this extremely profitable property, they found "glaring discrepancies."⁷ "The state had failed to abide by its own law regarding equal taxes to all, [and] the land holding companies were paying little on some land and nothing on other property."⁸ This is a very disgusting fact when one considers how badly these communities needed the revenue that would come from just taxation of this property. To the knowledge of the author, no public official had ever stepped forward to demand that these companies pay their fair share of local and state taxes. Tables 2 and 3 on pages 29 and 30 show the percentage of taxes paid by these companies as compared to the amount of land they own.

Thus, while these land companies owned about 34% of the land area of these five counties, they accounted for less than 4% of the total land tax appraisal. A Table of the nine major companies cited by the students and a description of their holdings is located in Appendix 1 page 57.

After the completion of their research, which was aided by the advisement of Professor Lestor Salamon of Vanderbilt, the students spoke to a number of people in this five county area about doing something to correct the situation.⁹ "The students suggested that together

⁷Cirillo, loc. cit.

⁸Ibid.

⁹Ibid.

Table 2
Summary of "Company" Ownership*

County	Total Acreage	Company Acreage as Percentage of Total**
Anderson	214,400	30%
Campbell	288,640	43%
Claiborne	284,160	17%
Morgan	344,960	38%
Scott	348,160	41%
Total	1,480,160 sic	34%

* See SOCM Papers of W. J. Prater or J. W. Bradley, Specifically the Tax Equalization Complaint by SOCM, Nashville, Tennessee, September 16, 1971, Appendix III, p. 14.

** According to the above source, "Most of the company land is in the coal field, and 80% of the coal field is owned by nine companies."

Table 3
Summary of Appraisal for Taxes

Total Property Appraisal (1970)		Company Appraisal as Percentage of Total
Anderson	\$211,098,990	1.05%
Campbell	\$ 65,226,670	7.33%
Claiborne	\$ 50,272,000	2.38%
Morgan	\$ 37,373,620	6.45%
Scott	\$ 34,963,950	10.5%
Total	\$398,680,272 sic	3.6%

* See SOCM Papers of W. J. Prater or J. W. Bradley, Specifically the Tax Equalization Complaint by SOCM, Nashville, Tennessee, September 16, 1971, Appendix III, P. 14.

these citizens might want to appeal to the state equalization board for a hearing."¹⁰ The students then arranged for a meeting between the local people and lawyer Gilbert S. Merritt of Nashville, Tennessee, in order to get the issue of the complaint settled.¹¹ At the meeting, which occurred in September, 1971, Mr. Merritt told the people that there would be a "risk" factor, but "that a turtle never moves until it sticks its neck out."¹² The lawyer's mention of risks was not just for theatrical effect. The coal fields of East Tennessee are known to be areas where violence is almost a way of life. There could be no doubt that the coal operators would deeply resent any move to make them pay a fair share of the area's taxes. The petitioners would be pitting themselves against a small group of very powerful men.

Mr. Merritt then discussed the various routes that could be taken to rectify the tax problem, and the group decided that the best approach would be to petition the State Board of Tax Equalization in an attempt to get the Board to correct the improper taxing procedures.¹³ On September 16, 1971, a petition signed by thirteen people from the five county area was presented to the Board.¹⁴ The petition received wide publicity in Tennessee news-

¹⁰Ibid. ¹¹Ibid. ¹²Ibid. ¹³Ibid., p. 2.

¹⁴Bill Preston, Jr., "Petitioners Ask 'Fair' Tax Bite on Coal Assets," The Nashville Tennessean, September 17, 1971. p. 1.

papers, and the number of petitioners grew from thirteen to about four hundred.¹⁵ Some of the students and local people felt that since so many people had signed the petition, it might be possible "to form some organization to try to better life in these five counties."¹⁶ These people had decided that it was time to unite in an attempt to affect needed changes in their communities.

¹⁵Statement by J. W. Bradley, President of Save Our Cumberland Mountains, Inc., Petros, Tennessee, March 17, 1974.

¹⁶Ibid.

Chapter 6

SOCM CHALLENGES STRIP MINERS

In the late fall and early winter of 1971, the Vanderbilt students and other community workers began to help a group of people in the East Tennessee coal fields organize and structure a community action organization.¹ The people were interested in finding a name for their organization which would represent their sentiments and also have initials that would catch attention.² The group eventually agreed that the organization should be called Save Our Cumberland Mountains which could be shortened to SOCM.³ The first meetings of SOCM were chaired by Mr. J. W. Bradley of Morgan County, Tennessee; and the vice-chairman was Mrs. Lola King of Campbell County, Tennessee.⁴

The new organization continued to work on the tax equalization question, but they were unable to get the results that were sought although the state government did begin to tax a few companies more heavily.⁵ Even though this first action by SOCM was not as successful as the group wanted, it did get the organization quite a bit of

¹Statement of J. W. Bradley, President of Save Our Cumberland Mountains, Inc., Petros, Tennessee, April 11, 1974.

²Ibid.

³Ibid.

⁴Ibid.

⁵Ibid.

publicity, which helped spread the word of their activities. SOCM's activities were reported in the state's capital by William Greenburg who was, at that time, a reporter for the Nashville Tennessean. Greenburg had worked with some of the future members of SOCM, including J. W. Bradley, while doing research for his articles on strip mining in 1971.⁶ Greenburg received wide acclaim, as well as denunciation in some areas, for a series of articles in the Tennessean which described many of the problems of strip mining. Strip mining was becoming a major issue in Tennessee at this time. Many people who had not realized the extent of the problem were beginning to take interest. By January, 1972, the members of SOCM decided to call a meeting and announce a bill that would be introduced to the state legislature and call for an immediate ban on strip mining in Tennessee.⁷ On the evening of January 20, 1972, the members of SOCM, and other interested people, met at Lake City Elementary School to discuss the bill in an open forum.⁸ The meeting was well publicized, and several high ranking state officials were invited to attend, but by some quirk, almost all of the important officials had engagements elsewhere which could not be

⁶ Ibid.

⁷ William Greenburg, "Many Invited, Few Promise to Show Up," The Nashville Tennessean, January 20, 1972, p. 1.

⁸ The Campbell County Times, LaFollette, Tennessee, January 26, 1972, p. 1.

broken.⁹ There can be little doubt about the tension that was felt by everyone who attended this meeting. A group of strip mine operators attended the meeting to protect their interests.¹⁰ The strip mine owners were becoming alarmed by the growing strength of SOCM and by the general anti-strip mine sentiment that seemed to be springing up around the country.

At the meeting, a few individuals stood up to make harsh statements concerning their experiences with strip mining.¹¹ The stories of death and destruction such as were told at this meeting can be heard in many mountain communities of Appalachia. The basic difference was that the people in SOCM were bonding together publicly to vent their feelings about strip mining. These people made their statements knowing how powerful the strip operators were in their communities. Their courage could not be doubted.

'We have been forced to take the stand to ban stripping,' said Billy Christopher* of Petros. 'It is not by choice that we take this stand, but because the strip mining industry has not regulated itself [J] and laws to control it have been demonstrated to be useless.'¹²

This was probably the sentiment of many of the

⁹Greenburg, loc. cit.

¹⁰The Campbell County Times, loc. cit.

¹¹Ibid.

¹²The Nashville Tennessean, January 21, 1972.

*A song written by Billy Christopher for this meeting is in Appendix II, page 58.

people present.

One of the speakers at the meeting was William J. Prater, who was at that time a field representative for District 19 of the United Mine Workers of America. Mr. Prater not only struck out at the strip miners for their destruction, but he also lambasted TVA for buying strip mined coal to the detriment of the deep mine industry.¹³ Many of the people of SOCM, a number of whom, as has been noted, have at some time been coal miners, believe that TVA made a serious mistake by not working to aid the development of deep mines, which will have to be used to get around ninety-seven percent of the coal and which many environmentalists believe is easier to control from a pollution viewpoint.¹⁴ Thus, the arguments made by Mr. Prater against strip mining and TVA found, for the most part, a very receptive audience in the crowd that had gathered for this meeting.

A small segment of the audience, however, did not like the course that the meeting was taking. The strip mine owners who were present wanted an opportunity to defend their business. In addition to saying that land was being reclaimed, or at least reclaimed to be suitable for future use, the operators warned that without strip

¹³Statement of W. J. Prater, former SOCM and UMWA organizer, Lewisburg, Pennsylvania, December 18-20, 1973.

¹⁴Bradley, loc. cit.

mines, TVA could not meet the power needs of the Valley unless there was a tremendous rise in the cost of electricity.¹⁵ The statement that without strip mined coal there would be a high rise in the cost of electricity was refuted by a couple of people who stated that "figures issued by TVA estimated the rate of increase per family at 30¢ per month if strip mined coal were no longer available."¹⁶

The group voted to endorse the strip mine ban bill, which a state legislator, Representative William Blakely of Scott County, had stated that he would sponsor before the state government.¹⁷ Considering the strength of the influence of the strip mine operators in the state legislature, there was virtually no chance that the ban bill would be passed even if it was introduced for discussion by the legislature. Probably, the most important effect the ban request had was in demonstrating that a growing number of people were willing publicly to take a stand in opposition to the destruction being wrought by strip mining.

The day after the SOCM meeting, "Governor Winfield Dunn unveiled a new strip mine control bill . . . which he said would give Tennessee the 'best law on this subject

¹⁵The Campbell County Times, loc. cit.

¹⁶Ibid.

¹⁷The Nashville Tennessean, loc. cit.

in the United States."¹⁸ The SOCM group was suspicious of any strip mine control legislation that might be introduced by the Dunn Administration.¹⁹ The group's suspicion proved to be well grounded by later revelations. Knoxville News-Sentinel reporter Dana-Ford Thomas wrote an article on February 20, 1972, which castigated the Dunn Administration for proposing a strip mine control bill which Thomas said "was written by stripminers, for stripminers, and [that] the lobbying effort on Capitol Hill . . . [was] being paid for with money from stripminers."²⁰ Reporter Thomas had discussed the origins of the Dunn legislation with a strip mine operator who apparently did not mind letting the public know from where the bill came.

This miner said he and others from East Tennessee met several times with the commissioner [Conservation Commissioner William Jenkins] and members of the department, and that it was out of these discussions that the legislation was put together.²¹

A strip mine control law was passed in Tennessee in 1972, but it was not the cure-all that Governor Dunn had promised.²²

Within a month after Dunn had announced his strip mine control bill, a couple of U. S. Senators decided to

¹⁸The Nashville Tennessean, January 22, 1972, p. 1.

¹⁹The LaFollette Press, January 20, 1972, p. 1.

²⁰The Knoxville News-Sentinel, February 20, 1972.

²¹Ibid.

²²Bradley, loc. cit.

get a first hand view of the desolation caused by strip mining in Tennessee.

Sen. Frank E. Moss (D.-Utah), chairman of the Senate subcommittee of Minerals, Materials and Fuels, and another member of that subcommittee, Sen. Henry Bellman (R. Okla.), saw numerous instances of the steep forestland peppered with long coal seams winding snake-like around mountains.²³

At best, however, the Senators were treated to a narrow pro-strip mine view of the problems caused by tearing a mountain apart to get coal. J. W. Bradley, the President of SOCM, asked to go on the tour with the Senators, but he was told that neither environmentalists nor strip mine operators would be allowed to go on the trip.²⁴ While it was true that no mine operators were allowed directly to take the helicopter tour with the government officials, the strip mine owners were represented on the trip in more than one way. A local newspaper reported that the "TVA conducted the tour of Tennessee, with Al Curry, who directs the agency's strip mine reclamation program, briefing the party in flight by radio while the passengers listened on earphones."²⁵ It would be presumptuous to think that TVA would do anything but cast as good a light as possible on strip mine operations with which the Authority had important contracts. Thus, the strip mine operators almost assuredly

²³Quin County Advertiser, Oak Ridge, Tennessee, February 17, 1972, p. 1, cols. 1 & 2.

²⁴Bradley, loc. cit.

²⁵Advertiser, op. cit., p. 1, col. 7.

received fair, or even favorable, representation from some of the officials leading the tour. The operators also had another ace up their sleeves.

"TVA arranged that the helicopters land on only three sites in Tennessee—all mining operations which are being reclaimed under TVA contract."²⁶ While this again shows TVA's desire to show the Senators only selected sites, it is also important from another viewpoint. At two of the sites selected by TVA, the strip operators were waiting for the tour to land.²⁷ One of the operators, Jack Walls, "was prepared not only to give a speech at the . . . site but also to serve the party coffee and donuts."²⁸ It could be argued that the operators had every right to meet the party which was, after all, landing on their property. It could also be argued, however, that since we live in a democratic society, the people who live at the base of the mountain and have to suffer the consequences of what occurs on the mountain should be allowed to give their views on the problem to any federal officials visiting the area. In any case, this was one sign of the strip miners concern for the bad publicity they had been receiving. SOCM was determined to keep the strip mine problem in the public eye.

Several strip miners had already agreed to unite in

²⁶Ibid., p. 2, col. 3. ²⁷Ibid.

²⁸Ibid.

their efforts to offset the pressure being put on their business by SOCM. On February 11, 1972, SOCM held a meeting at Jellico Elementary School in Jellico, Tennessee to elect officers.²⁹ A number of strip miners showed up and demanded that they be allowed to attend the meeting.³⁰ William J. Prater informed the miners, led by Junior Thacker, who is a well known strip mine operator and businessman, that the meeting was only open to members of SOCM.³¹ The strip miners finally agreed to meet in another room in the same building.³² Thus, while SOCM members elected new officers, strip miners formed a new organization which they called Save Our Jobs.³³

Within a few days of its organization, the pro-strip mining group met again.³⁴ The strip miners left no doubt about their intentions at this meeting. "About 200 strip mine owners, operators, workers, and equipment company owners . . . vowed to retaliate against efforts to get strip mining banned in East Tennessee."³⁵ SOCM President J. W. Bradley states that he understood that

²⁹"Strip Miners Come Uninvited to SOCM Meeting," The LaFollette Press, February 17, 1972, p. 1, cols. 1, 2, & 3.

³⁰Ibid. ³¹Prater, loc. cit.

³²"Strip Miners Come Uninvited to SOCM Meeting," The LaFollette Press, loc. cit.

³³Ibid.

³⁴The LaFollette Press, February 24, 1972, p. 1.

³⁵Ibid.

these people agreed to fund a state wide lobbying effort in support of strip mining.³⁶ While the strip miners were worrying, SOCM was on the move.

³⁶ Statement of J. W. Bradley, President of Save Our Cumberland Mountains, Inc., Petros, Tennessee, April 11, 1974.

Chapter 7

HIGHLIGHTS OF RECENT SOCM ACTIVITIES

SOCM had the strip miners worried. The group was not alone in its fight to do something about the problems which were involved in strip mining. As has been stated before, individuals and organizations across the United States were beginning seriously to turn their attention to the question of strip mining in the early 1970's.

SOCM found one nationally known individual who was willing to visit East Tennessee and view firsthand the ravages caused by strip mining. In February, 1972, Senator Fred Harris of Oklahoma visited Campbell County, Tennessee in order to tour some of the strip mined areas of that county.¹ Some members of SOCM had requested that the Senator visit the area.²

Members of SOCM . . . who hosted his tour . . . showed him not only the mutilated land but also the anguish and bitterness of native mountain people who feel they are victims of the rich and powerful strip mining industry.³

Senator Harris was clearly upset by the things he saw and

¹The LaFollette Press, February 24, 1972, p. 1.

²The Campbell County Times, March 1, 1972, p. 1, cols. 4-7.

³Ibid.

heard. The Senator stated that he would support a bill that was before Congress which called for at least a temporary ban on strip mining.⁴

After the tour, Senator Harris met in Lake City, Tennessee with a group of prominent strip operators and landowners.⁵ At this meeting, the Senator severely reproached the strip miners for the damage which their business had done to the land and the people.⁶ Senator Harris did not place all of the blame directly on the strip miners. He also laid some of the blame for the horrible conditions he saw to the coal buying policies of TVA.⁷ Thus, at least one U. S. Senator went directly to the mountain people to show his concern for the problems they must face because of strip mining.

On May 25, 1972, SOCM received a charter from the state and became Save Our Cumberland Mountains, Incorporated (hereafter designated as SOCM, Inc.)⁸ Soon after this in the fall of 1972, SOCM, Inc. began to request that TVA require trucks hauling coal to TVA steam plants to carry only loads which met state tonnage laws.⁹ The group had found that TVA regularly accepted trucks at its steam

⁴Ibid. ⁵Ibid. ⁶Ibid. ⁷Ibid.

⁸Statement of J. W. Bradley, President of SOCM, Inc., Petros, Tennessee, April 11, 1974.

⁹Letter from J. W. Bradley of SOCM, Inc. & Dean Hill Rivkin of the Appalachian Research & Defense Fund to TVA Board Chairman Aubrey J. Wagner, Petros, Tennessee, August 25, 1972.

plants which had loads up to ten to twenty thousand pounds more than the legal limit allowed for trucks in the state of Tennessee.¹⁰ SOCM, Inc. felt that TVA, being a federal agency, should not accept trucks which carried loads that were in violation of state weight laws.¹¹ SOCM, Inc. filed suit against TVA and took the case all the way to the U. S. Supreme Court, but the Court decided in favor of TVA.¹² Since this suit, the state, which had done little about the problem before, has been somewhat stricter on overweight trucks, but the strip miners still succeed in sending many overloaded trucks to TVA.¹³ SOCM, Inc.'s chief concern in this case was that overloaded trucks ruin roads which the taxpayers of the state have to pay for to get repaired.¹⁴

SOCM, Inc. did not let this rebuff slow the organization's efforts. The group did find that it was very expensive to finance activities such as this court case.¹⁵ In 1973, the Ford Foundation agreed to grant fifty thousand dollars to the East Tennessee Research Corporation, ETRC, which was actually an offshoot of SOCM, Inc.¹⁶ "SOCM, Inc. could not receive funds; therefore, ETRC was set up to receive funds and start projects."¹⁷

¹⁰Statement of Bradley, loc. cit. ¹¹Ibid.

¹²Ibid. ¹³Ibid. ¹⁴Ibid. ¹⁵Ibid.

¹⁶Bradley, March 17, 1974, loc. cit.

¹⁷Ibid.

Even with this aid, however, SOCM, Inc. found that in most instances a major court case would be better approached in conjunction with other environmentalists' groups if possible.¹⁸

In November of 1973, SOCM, Inc. joined with other environmentalist organizations to bring suit against the Water Quality Control Division of the State Department of Public Health.¹⁹ Under the state of Tennessee's 1972 strip mine control law, the strip mine operators were required to file for a permit from the Water Quality Control Division before they were given a permit to strip mine.²⁰ The law did not require that an operator's water quality permit request be "acted" upon.²¹ SOCM, Inc. was successful in this suit, and the Water Quality Control Division was required to enforce water quality standards in areas that were being strip mined.²²

No one can deny the importance of maintaining a high level of water quality. This is an area in which strip miners are very vulnerable. Siltation and acid runoff are both serious problems relating to water quality that can be directly traced to strip mining. While the water quality suit was an initial success, SOCM, Inc. has found that the Water Quality Control Division has still not

¹⁸Bradley, April 11, 1974, loc. cit.

¹⁹The Campbell County Times, April 17, 1974.

²⁰Ibid. ²¹Ibid. ²²Ibid.

been checking the strip mine sites sufficiently, and the organization filed another suit in April of 1974 to bring about proper enforcement of the law.²³

In another move related to water quality, SOCM, Inc. helped sponsor a series of Water Quality Workshops in Oak Ridge, Tennessee in 1974. These programs were aimed at educating people to the importance of maintaining high water quality and aiding people to understand their legal rights concerning water quality. In relation with these programs, people were invited to attend various activities such as a strip mine tour led by J. W. Bradley, President of SOCM, Inc. The writer went on a tour led by Bradley on June 9, 1974. Bradley showed the people who attended the tour a silt dam and explained that the structure was temporary at best, and he said that it could very possibly cause a local flood if it broke. Everyone noticed the absence of life in the stream which flowed from the mountain that had been strip mined. The author has seen many examples of such streams in various areas of East Tennessee. Bradley took the group to a fire watch tower on top of a mountain. From this position, one could see the muddy slabs that strip mining had made of once beautiful mountains. The author was deeply saddened when he realized that the devastation being observed that day would in all probability soon creep like a cancer through the heart of

²³Ibid.

a once grand chain of mountains. Already the cancer, which at one time could only be seen from remote county roads, has spread to much traveled areas that at one time would have been considered scenic routes by tourists. One of the few areas of hope for saving these mountains is through the bitter struggle being waged by SOCM, Inc. and other environmentalist groups to restrict strip mining before it is too late.

J. W. Bradley has been to Washington, D. C. several times lobbying for a strong federal strip mine control bill.²⁴ At this time, there is hope that some kind of federal bill will be passed. While the proposed federal bill is not all the organization hoped for, it would at least be a federal bill which could be expanded later.²⁵

In late June of 1974, SOCM, Inc. again attacked TVA.²⁶ SOCM, Inc. charged that TVA had been for a long period of time, knowingly buying coal that was "layer loaded" on the trucks delivering it.²⁷ Stated simply, "layer loading" means that high quality coal is placed on top of bad quality coal and sold at a high price.²⁸ J. W. Bradley states that TVA continues accepting this low quality mixture of coal even though the agency has admitted

²⁴Bradley, loc. cit. ²⁵Ibid.

²⁶The LaFollette Press, June 20, 1974, p. 2a, cols. 3, 4, & 5.

²⁷Ibid. ²⁸Ibid.

to being aware that it is being cheated.²⁹ SOCM, Inc. believes this to be one of the reasons TVA has had to raise its prices to such an extent recently.³⁰ The Authority has not been getting the BTU's it paid for, and the low quality coal has led to "increased maintenance or frequent shutdowns."³¹

The people of SOCM, Inc. have been involved in interests other than tax equalization and strip mine control. J. W. Bradley asserts that SOCM, Inc. is interested in bettering community life for everyone in East Tennessee.³² It was for this reason that in May of 1974, the organization requested that the Governor of Tennessee join a suit being filed by several states in an attempt to get federal funds, that had been designated for states to build highways with, which have been impounded by the President.³³ The Governor's reply to SOCM, Inc. was so noncommittal that it did not even mention the impounded funds.³⁴ Since the Governor refused to respond, SOCM, Inc. has "filed a motion asking the court to let them join--as representatives of the citizens of Tennessee-- in a suit which has already been filed by ten states."³⁵

²⁹Bradley, loc. cit.

³⁰The LaFollette Press, loc. cit. ³¹Ibid.

³²Bradley, loc. cit. ³³Ibid. ³⁴Ibid.

³⁵The LaFollette Press, LaFollette, Tennessee, July 11, 1974, p. 1, col. 5.

J. W. Bradley says those impounded funds are needed badly in East Tennessee to repair roads which have been pulverized by huge coal trucks.³⁶

Save Our Cumberland Mountains, Incorporated is still on the move. The group will continue to strive to make their small part of the country a better place in which to live.

³⁶J. W. Bradley, President of SOCM, Inc., Petros, Tennessee, April 11, 1974.

Chapter 8

CONCLUSION

One of the healthiest signs that democracy is still very much desired and even demanded in the United States is the development and growth of community action organizations such as SOCM, Inc. The mountain people who make up the backbone of SOCM, Inc. are fighting for the survival of their communities. Anyone who would take the time to visit the mountain regions of East Tennessee could easily see that strip mining is a major problem in that area. Great sections of the mountains have been ripped asunder, and huge sores bleed acid and silt into once beautiful mountain streams. The results of this pollution are all too well known. SOCM, Inc. is working day and night to stop the forces of devastation that have run rampant in the mountains of Tennessee for so many years.

The President of SOCM, Inc., J. W. Bradley, lives at the base of a mountain that has been strip mined in Petros, Tennessee. Mr. Bradley is an extremely active person, and he is constantly lecturing to groups, showing films, guiding tours through strip mined lands, lobbying in the state and national capitols, and in other ways spreading the word about various SOCM, Inc. activities.

The group picked a leader who very strongly feels that members of SOCM, Inc. should work through every available channel to improve community life at every opportunity.

There can be little doubt that SOCM, Inc.'s various efforts have caused some people deep consternation. Strip mine operators are constantly being bothered by SOCM, Inc.'s repeated revelations concerning the operators' wrongdoings. Strip miners, however, are not the only individuals who are irritated by SOCM, Inc.'s activities. State and federal officials who are not fulfilling functions that SOCM, Inc. members think are important find themselves challenged in the courts or in open public forums.

In the opinion of the author, groups like SOCM, Inc. are an important, if not essential, part of our society. These groups strengthen community life and help keep errant officials in line. A local organization such as SOCM, Inc. represents the feelings of the people of a local community better than any national organization ever could.

A group of mountain people in East Tennessee are fighting for their rights as citizens of America. The rest of America would do well to listen to SOCM, Inc.'s call for justice under the law.

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APPENDIX I

Holdings of Nine Major Companies in Five-County East Tennessee Area*

Coal Creek Mining and Manufacturing Company, along with its affiliates Poplar Creek Coal and Iron Company and Winters Gap Coal Company owns 64,199 acres in Anderson, Campbell, Morgan, and Scott Counties. The company is controlled by 165 shareholders throughout the United States.

Tennessee Land and Mining Company, a family trust, managed by E.L. Spetnagel of New Preston, Connecticut owns 50,940 acres in Anderson, Campbell, Morgan, and Scott Counties.

Koppers Company, a multimillion dollar Pittsburgh Corporation, controls 50,771 acres in Campbell and Scott Counties. Tennessee Valley Authority owns the mineral rights beneath.

American Association, a British limited corporation owned by the London Foreign and Colonial Securities, Limited owns 50,661 acres in Claiborne and Campbell Counties.

Ford, Faust, and Cheely, a family trust of Knoxville, Tennessee owns 37,206 acres in Morgan and Scott Counties.

Payne-Baker lands, managed by U.S. Senator Howard Baker, whose mother owns one-ninth interest. The rest is owned by the Paynes of Pennsylvania, relatives of Mrs. Baker. Together they own 37,206 acres in Morgan and Scott Counties.

Stearns Coal and Lumber, owned by a family from Stearns, Kentucky retains 26,390 acres in Scott County.

Francis Brothers, the only locally owned land among the largest company holdings is owned by a family in LaFollette, Tennessee. They own 23,676 acres in Campbell County.

Blue Diamond Coal Company which has been a coal owner and operator for many years throughout Appalachia is headquartered in Knoxville, and owns 20,131 acres in Campbell, Claiborne, and Scott County.

*Taken from the Tax Equalization Complaint by SOCM.

APPENDIX II

NATURE'S LAMENTATION by Billy Christopher

You all have heard of the 9# hammer,
And 16 tons of Hard Rock Coal;
But have you heard of the Stripper's Shovel,
And how it makes the Mountains roll?

Bulldoze away the trees and topsoil,
Drill and Blast away the stone;
Dip out the coal and load that tandem,
Leave the spoil; The Stripper's gone.

A million years to make a mountain,
A hundred years to grow a tree;
A few short days with a Big Bulldozer,
Will send it all down to the sea.

They say that man must have Black Diamonds,
To make the steam that makes the "juice";
But strippers harken unto wisdom,
To get an egg, Don't kill the goose.

Chorus:

Stripper, Stripper! Spare that tree,
Alas, he did not heed;

perhaps a tree shall grow again,
But a mountain has no seed.