



THE WEST VIRGINIA VOTER

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League supports stronger air pollution regulations

By Helen Gibbins

The LWVUS is joining eight other clean air advocacy groups to support new air pollution regulations that will protect clean air and public health. *Scientists and public health experts have recommended to the EPA these regulations to safeguard our air quality.*

There were more than 800,000 comments to the Environmental Protection Agency (EPA) supporting protections for children's health and reduced air pollution by curbing dangerous mercury and other toxic pollution from coal-fired power plants, the most ever received in support of an EPA proposed rule. The EPA action is in response to federal laws and court orders.

The two new sets of regulations the League supports are:

➤ The Cross State Air Pollution Rule, which would limit carbon pollution from new and existing power plants, was withdrawn by the Obama administration. The rule would have required a 73% reduction of sulfur dioxide and 54% reduction of nitrogen oxides emissions from coal plants and other sources by 2014. Such reductions would have reduced smog and soot and would have saved between 13,000-34,000 lives per year. The regulations would have relieved asthmatics and others with respiratory problems, heart attack episodes, days lost on the job, and emergency room visits. The LWVUS and coalition groups sent a letter to the White House expressing deep concern that the Environmental Protection Agency will not meet its commitment to propose long overdue Clean Air Act standards limiting dangerous carbon pollution from new and existing power plants. The groups also asked the President to reaffirm the administration's commitment to issue such standards.

➤ The other air pollution regulation establishes stringent

new regulations for the emission of mercury and other hazardous air pollutants (HAP) from coal plants. Mercury is a potent neurotoxin that is especially dangerous to children and pregnant women. It is a particularly harmful pollutant because it builds up in the environment and the food we eat. Mercury exposure affects a child's ability to walk, talk, read, write and learn. The health benefits associated with these updated standards are \$59 billion to \$140 billion in 2016. This means that for every dollar spent to reduce pollution from power plants, we get \$5 to \$13 in health benefits. When finalized in November, these regulations will prevent 6,800 to 17,000 premature deaths per year.

For the first time in the 40-year history of the Clean Air Act, a majority of the House of Representatives voted to block EPA from implementing and enforcing standards to sharply reduce mercury and other toxic air emissions from a polluting industry. The action was amended to the Republican budget.

Elizabeth McNamara, LWVUS president, states "We are deeply concerned about attacks on EPA and health protections. Any action to block the EPA from updating Clean Air Act protections, or any delay on behalf of the Administration to avoid implementing new clean air and industrial pollution requirements, is an attack on the health of our children and families, plain and simple."

The LWVUS is calling on members and other citizens to contact our elected officials, asking them to support the protection of the health of our children and families from air pollution. To learn more about the Clean Air Promise, visit <http://peoplenotpolluters.org/>.

Voting Rights Act Impacts Redistricting

By Susan Watkins

Redistricting is an issue that goes to the heart of our democratic system of government. Representative democracy depends on voters freely choosing their elected officials. When, instead, officials choose their voters, our system does not work as intended.

The League of Women Voters has worked for many decades to promote transparent and accountable redistricting processes and has fought to put an end to the hyper-partisan practices that too often directly benefit those charged with drawing the lines.

The redistricting process was fairly uneventful in West Virginia with the exception of the single-member vs. multi-member district issue. The Legislature passed redistricting legislation in early August. However, the issue has generated controversy in other areas of the country.

The League of Women Voters of the United States recently joined the League of Women Voters of Texas in urging Attorney General Eric Holder to reject the congressional redistricting plan submitted by the state of Texas on the grounds that it would disenfranchise minority voters and is in clear violation of the landmark Voting Rights Act.

“The Texas plan is by far the most extreme example of racial gerrymandering among all the redistricting proposals passed by lawmakers so far this year. This plan is blatantly designed to stifle the voices of minority voters in favor of locking in partisan gains,” said national League president Elisabeth MacNamara. “The Department of Justice needs to unequivocally object to this plan and tell the state to start over.”

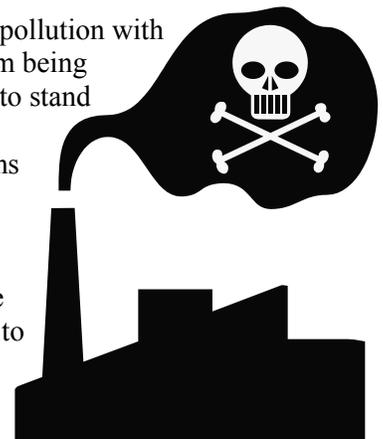
The Voting Rights Act requires states with a history of voter suppression to seek approval from the U.S. Department of Justice before making changes to their voting and redistricting laws (known as preclearance). The VRA was reauthorized in 2006, and recently a federal judge ruled again that it is constitutional. Therefore, several states, such as Texas and South Carolina, will have to prove that their new laws are not discriminatory. (For more information, see ACLU’s Blog of Rights website.)

U.S. House passes TRAIN Act

The LWVUS was one of many leading environmental and public health groups that called on President Obama to veto the TRAIN Act that was passed by the House of Representatives on September 23. The Act blocks standards that would curb mercury emissions from power plants and reduce pollution that travels across state lines and endangers communities. The groups issued the following statement after the House vote:

“We are heartened by the President’s strong stand against the TRAIN Act and against pollution with his promise to veto this dangerous legislation. His leadership will keep Americans from being forced to breathe smog and other dangerous air pollutants. We call on the U.S. Senate to stand strong and reject the TRAIN Act and its deadly impacts on public health. Hundreds of thousands of asthma attacks and heart attacks and tens of thousands of premature deaths can be prevented with common sense clean air safeguards proposed by the Environmental Protection Agency.

“The House today showed they have bought the false argument that we need to choose between protecting lives and creating jobs. Now we need the Senate and the President to protect our right to breathe.”



Voter protection continues to be a priority

By Helen Gibbins and Susan Watkins

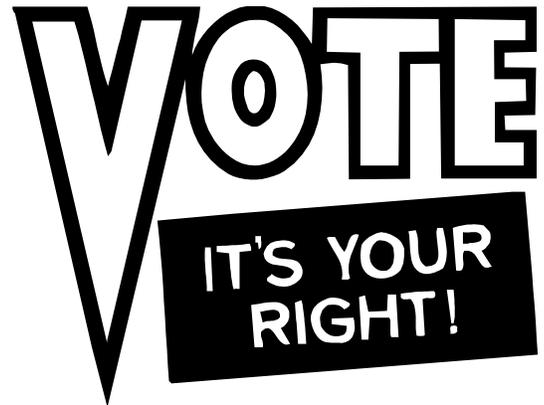
The Huntington League presented a program on the U.S. Constitution to Huntington High School students on September 16. The focus was the progress of the constitutional right to vote.

The first voters in the U.S. were white, propertied men. The 15th Amendment of 1870 said that voting could not be denied a man because of race, color or former servitude, but unfortunately some southern states used subterfuge to block African-Americans from voting. It took the Voting Rights Act of 1965 to enforce the 15th Amendment. In 1920, women finally were allowed to vote; in 1961, DC Citizens were given the right to vote for president; and 18 year olds were permitted to vote in 1971.

Laws have helped us enable more citizens to register to vote. But we must continually be vigilant! Some states are passing laws that are making it harder to register and to vote. Kansas, South Carolina, Tennessee, Texas and Wisconsin have passed laws this year that allow voters without the required photo ID to cast provisional ballots, but the voters must return to a specific location with that ID within a certain time limit for their ballots to count. Indiana and Georgia already had such laws. Other states have photo ID laws too, but provide different ways to verify a voter's identity without a photo ID.

According to research by the Brennan Center for Justice, out of 250 cases cited in a legal challenge to the Indiana law, only nine involved a person allegedly voting in someone else's name, possibly fraudulently or possibly because of an error when the person signed in at the voting booth. Little that was cited as fraud could have been prevented by identification at the polls. Most of the cited cases involved vote buying, ballot-box stuffing, problems with absentee ballots, or ex-convicts voting even though laws barred them from doing so. Over the same seven-year time period covered by the cases, 400 million votes were cast in general elections.

The League of Women Voters supports full voting participation by all eligible American citizens and opposes efforts to create new barriers that block citizens from voting.



Sources: Brennan Center for Justice; Sept. 25, 2011 Sunday Gazette-Mail

State Grants Available

The LWVWV received a generous contribution of \$2,536 from the estate of Betty Lloyd. Betty was a long-time member of the Charleston League, but had moved to Ohio many years ago. We received these funds through the LWVUS Education Fund.

The state board has decided to use these funds to offer grants of up to \$500 to local Leagues for projects of their choice. Because this money came through the Education Fund, it cannot be used for projects that involve lobbying and/or advocacy. Examples of ways to use the money: events such as an informational meetings on issues; activities/materials relating to Voters Service; publication of local officials directories; and membership development activities.

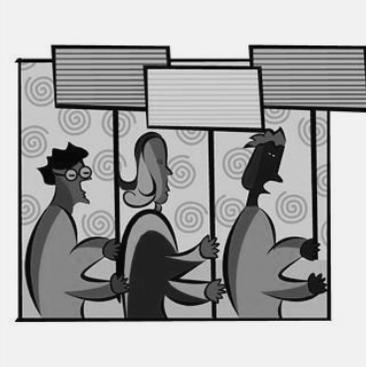
Leagues may apply by sending an email with the following information to Teresa Koon, Treasurer, at

tbyler@suddenlink.net:

Name of League
 Contact Person
 Phone number
 Email address
 Amount requested
 Description of the project
 Estimated completion date

The LWVWV board will evaluate proposals as they come in and fund them as quickly as possible. The Board will expect a brief report at the end of the project to tell us how the money was spent. We hope local Leagues will be creative and come up with some exciting ideas!

Take Action Now!



The Environmental Protection Agency proposes new rules.

EPA recently proposed new rules to reduce air pollution from hydraulically fractured gas wells and is seeking public input on its proposal. It is accepting written comments on the proposed rules through October 24. (See details below on where and how to send them.) If you care about improving air quality and protecting our health, please voice your support.

These new regulations are based upon proven technology and best practices that the oil and gas industry already uses in some states. They include the first federal air standards for hydraulic fracturing, along with requirements for several other sources of pollution in the oil and gas industry that currently are not regulated at the federal level. EPA estimates a 25% reduction in volatile organic compound and methane emissions and a 30% reduction in toxic air pollutants

such as benzene. The new standards would generate a net savings of \$30 million annually for industry due to increased recovery of methane.

LWVWV has already submitted the following comments:

The League of Women Voters of West Virginia applauds the US EPA for issuing regulations on air emissions from fracking to drill for natural gas and oil. At present West Virginia residents are among those bearing the brunt of increased air pollution from fracking to produce natural gas from the Marcellus Shale.

We recognize the economic benefits from gas well drilling, but these benefits should not be at the expense of the health of our people. Regulation of VOCs and air toxics is necessary to protect our citizens' health.

In addition, the release of methane from gas wells contributes to the warming of the planet so we strongly support measures to eliminate fugitive methane releases.

We also support requiring existing wells to be covered by the same air pollution regulations.

We are impressed with the proposed savings to the industry when they install the necessary measures to meet the requirements of the regulations.

Thank you for your efforts to improve the public health of residents in fracking/drilling areas.

The EPA website has a very readable fact sheet on the proposed regulations: <http://epa.gov/airquality/oilandgas/pdfs/20110728factsheet.pdf>

Comments, identified by Docket ID Number EPA-HQ-OAR-2010-0505, may be submitted by one of the following methods:

www.regulations.gov: follow the on-line instructions for submitting comments.

E-mail comments to: a-and-r-Docket@epa.gov (put docket ID no. in subject line).

Fax your comments to: (202) 566-9744.

Mail your comments to: Air and Radiation Docket and Information Center, Environmental Protection Agency, Mail Code: 2822T, 1200 Pennsylvania Ave., NW, Washington, DC 20460.

Public hearing on proposed Horizontal Well Development Rule 35CSR8

On August 29, the Secretary of State approved emergency rules governing the drilling of Marcellus Shale gas wells that were filed by West Virginia Department of Environmental Protection on August 22. The new rules will remain in effect for 15 months, unless the Legislature intervenes and passes additional legislation during that time period. The new rules only apply to horizontally drilled wells. They do not apply to conventional (shallow) vertically drilled wells, including vertically drilled Marcellus Shale wells.

The DEP will hold a public hearing on the emergency rules on Tuesday, October 11, at 6 p.m. in the Coopers Rock Conference Room at the WVDEP office located at 601 57th Street, SE, Charleston, WV.

Any person wishing to comment on the proposed rule is invited to be present or represented at the hearing. In addition to oral comments provided at the hearing, the agency will accept written comments at any time up to the conclusion of the public hearing.

Written comments may be submitted to the following address:

Public Information Office

WV Department of Environmental Protection

601 57th Street SE

Charleston, WV 25304

Comments may also be e-mailed to dep.comments@wv.gov

For a copy of the proposed rule go to: <http://www.dep.wv.gov/oil-and-gas/Pages/default.aspx>

Donald Garvin, WV Environmental Council Legislative Coordinator, has a good explanation of the emergency rules on the Council's website, wvecouncil.org.

Local League Activities

The **Huntington** League held meetings in September on the history of redistricting in WV and patterns of redistricting in other states and a consensus meeting on the LWVUS study of the role of the federal government in public education. There will be a second consensus meeting on October 17.

Jefferson County is also participating in the education study.

The **Morgantown** League is holding a general membership meeting in October and will have its consensus meeting on education in November.

On September 26, Jean Ambrose, Program Coordinator of the WV Civics Literacy Council, presented a workshop called Civility in Practice to the **Wood County** League. The workshop offered practical ideas for how to deal with differences of opinion in a way that builds tolerance and mutual respect. The LWVWV is a member of the Civics Literacy Council.

The **Wood County** League, together with the local chapter of AARP, will sponsor a presentation by West Virginians for Affordable Health Care (WVAHC) on October 7. League member Judy Peascoe attended a training session to learn about the Affordable Health Care Act and will lead the session along with a speaker from WVAHC.

October 24 is the date for **Wood County's** consensus meeting on the role of the federal government in public education.

Check out these websites

healthreformwv.org - Health Reform West Virginia is a coalition of organizations across West Virginia committed to working towards efficient and timely implementation of the national Affordable Care Act in West Virginia. LWVWV is a member.

wvahc.org - West Virginians for Affordable Health Care

wvecouncil.org - West Virginia Environmental Council facilitates communication and cooperation among citizens in promoting environmental protection in WV and corresponds with all appropriate local, state, and federal agencies local, state, and federal agencies involved in the management of WV's environment.

wvhighlands.org - WV Highlands works to promote the conservation and appreciation of our natural resources.

wvde.state.wv.us - WV Dept. of Education site provides numerous resources for children and parents as well as interested citizens.

brennancenter.org - Brennan Center for Justice site has a wealth of information on voting rights, redistricting, and campaign finance reform, et al.

And, of course, **lwvww.org** and **lwv.org**.

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Susan Watkins
President and Editor



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Calendar

- October 11 Public hearing on DEP’s emergency rules governing the drilling of Marcellus Shale gas wells (see p. 4)
- October 11-13 Legislative Interim Meetings
- October 24 Deadline for comments on EPA’s proposed rules re: hydraulically fractured gas wells (see p. 4)
- United Nations Day
- November 12 LWVWV Board Meeting
- November 14-16 Legislative Interim Meetings
- December 12-14 Legislative Interim Meetings
- January 11, 2012 Legislature convenes
- January 28 LWVWV Board Meeting

JOIN THE LEAGUE! The League of Women Voters is a nonpartisan organization that encourages the informed and active participation of citizens in government, works to increase understanding of major public policy issues, and influences public policy through education and advocacy. **If you live in Cabell, Jefferson, Monongalia, or Wood County, please contact the local League in those counties.** To join at the state level, send a check or money order payable to LWVWV to: Teresa Koon, Treasurer, LWVWV, 4112 Coopers Creek Rd., Charleston WV 25312. Dues are \$40 for individuals, \$60 for a household, and \$20 for students. Because we are a lobbying organization, membership dues are not tax-deductible.

Name(s) _____ Phone _____

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