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## Consol to Discharge Soon Into Va. River

By SUE LINDSEY  
Associated Press Writer

ROANOKE, Va. (AP) -- By early next week, equipment will be in place to enable Consol Energy to pump water with a high chloride content from an underground mine into a southwest Virginia river that is home to an endangered fish species.

State regulators have signed off on the plan, which the company says is necessary to keep one of the region's largest mines open. But opponents fear further harm to a river that has just begun to recover from mining's earlier damage.

Buchanan County officials and others are challenging the Department of Mines, Minerals and Energy's decision in court.

Consol crews were in Grundy this week to install a diffuser, a device that will speed up dispersal of the high-chloride water in the 50-foot-wide stream. Consol spokesman Joe Cerenzia said Thursday that the discharge could begin by the end of next week.

Consol says it has run out of storage space in abandoned shafts where it had been putting the water.

The project is a first for Pittsburgh-based Consol and for Virginia.

The company and the state will conduct a battery of tests on the mine water for various metals, PCBs and even petroleum before the discharge can begin, according to DMME spokesman Mike Abbott.

Still, local officials are nervous.

"This is going to have such a major effect on the community down here," said Mickey McGlothlin, county attorney for Buchanan. "We feel the company can afford to treat this water."

Cerenzia said the water will be treated for a high iron content, but not chloride.

"There's not an easy way to remove the chloride," he said.

Instead, the mine water will flow into the river at a rate of 1,000-1,500 gallons a minute, Cerenzia said, and be dispersed in the river's 135,000-gallon-a-minute flow over a three-quarter mile "mixing zone."

"A mixing zone is a place where animals will die," said Don Orth, a Virginia Tech professor of fisheries and wildlife science who was asked by county officials to review Consol's proposal.

The Levisa is already contaminated with PCBs.

"It's a river that was once a beautiful river teeming with fish that had its fish and wildlife destroyed by mining activity," McGlothlin said last month before the Virginia Marine Resources Commission. "But today it's on the rebound."

The Levisa is a popular place for catch-and-release smallmouth bass fishing, according to residents. It also is home to the variegated darter, which is on Virginia's endangered list.

Examinations of the mine water's likely impact have assumed that chloride is the only problem, Orth said. The effect of a mixture of high chloride with metals such as iron haven't been calculated.

The discharged water must meet Environmental Protection Agency drinking water standards, according to Abbott of the DMME.

High concentrations of metals and minerals in water often result from mining because it accelerates the natural process of rock breakdown, according to Hermann Pfefferkorn, a geologist and professor with the University of Pennsylvania.

The chloride alone will be a problem for the Levisa fish, Orth said, because they aren't equipped to handle salt in their water.

The water discharged into the Levisa will not be nearly as salty as ocean water, according to Orth. The highest concentration in the company's tests of the mine water was a little over 18,000 milligrams per liter, vs. about 33,000 in the ocean.

The Levisa flows into a lake about 14 miles from the discharge pipe that supplies drinking water to Pike County, Ky. Officials in that state threatened legal action last year to protect the water supply, but have since dropped their objections.

No date has been set yet to hear opponents' appeal in Buchanan County Circuit Court.

Chuck Crabtree, head of Grundy's Industrial Development Authority, said he didn't see any reason why Consol shouldn't proceed.

"They've done everything that the state and the federal government requires," he said. "Until they break the law, what do you do?"

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# APPALACHIAN News - Express

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<http://www.news-expressky.com/articles/2007/04/07/news/01consol.txt>

CONSOL to dump sludge into Levisa River; Mine water discharge site is upstream of Pikeville's sole drinking water intake

BY SUE LINDSEY *Some Author, New Spin*

AP WRITER

ROANOKE, Va. (AP) - By early next week, equipment will be in place to enable CONSOL Energy to pump water with a high chloride content from an underground mine into a southwest Virginia river that is home to an endangered fish species.

State regulators have signed off on the plan, which the company says is necessary to keep one of the region's largest mines open. But project opponents fear further harm to a river that has just begun to recover from mining's earlier damage.

Buchanan County officials and others are challenging the Department of Mines, Minerals and Energy's decision in court, but there is no order stopping CONSOL from beginning its operation.

CONSOL crews worked in the Levisa River in Grundy this week to install a diffuser, a device that will speed up dispersal of the high-chloride water in the 50-foot-wide stream. CONSOL spokesman Joe Cerenzia said Thursday that the discharge could begin by the end of next week.

"It pretty much releases water through a valve system," he said.

The Levisa flows into a lake about 14 miles from the discharge pipe that supplies drinking water to Pike County. Officials in Kentucky threatened legal action last year to protect the water supply, but have since dropped their objections.

The water released into the Levisa, just downstream from a town redevelopment project, will originate in CONSOL's Buchanan No. 1 mine. The company has been transferring that water into an abandoned mine, and now will pump it from there through a 19-mile pipeline to the Levisa. The discharge is necessary, the company has said, because it has run out of storage space in abandoned shafts.

The project is a first for Pittsburgh-based CONSOL and for Virginia.

The company and the state will conduct a battery of tests on the mine water for various metals, PCBs and even petroleum before the discharge can begin, according to DMME spokesman Mike Abbott. The extensive testing is designed to quell fears of contamination from old equipment in the abandoned mine, and follow-up monitoring is required.

Still, local officials are nervous.

"This is going to have such a major effect on the community down here," said Mickey McGlothlin, county attorney for Buchanan. "We feel the company can afford to treat this water."

Cerenzia said the water will be treated for a high iron content, but not chloride.

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Instead, the mine water will flow into the river at a rate of 1,000-1,500 gallons a minute, Cerenzia said, and be dispersed in the river's 135,000-gallon-a-minute flow over a three-quarter mile “mixing zone.”

“A mixing zone is a place where animals will die,” said Don Orth, a Virginia Tech professor of fisheries and wildlife science who was asked by county officials to review CONSOL's proposal.

The zone that state officials will allow in the Levisa is <sup>≈ 3/4 mile ?</sup> 10 times the usual length, he said, adding that such zones are permitted in bodies of water that are already impaired. The Levisa is contaminated with PCBs.

“It's a river that was once a beautiful river teeming with fish that had its fish and wildlife destroyed by mining activity,” McGlothlin said in an audio transcript of deliberations last month by the Virginia Marine Resources Commission, which had to approve installation of the diffuser. “But today it's on the rebound.”

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The discharged water must meet Environmental Protection Agency drinking water standards, according to Abbott of the DMME. They permit various metals at certain levels.

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# The Roanoke Times

## Roanoke.com

Tuesday, April 10, 2007

### Legally polluting the Levisa

Even with its permit to pollute, CONSOL Energy must not shirk its environmental responsibility.

CONSOL Energy is convinced it needs to pump untreated, high-chloride mine wastewater -- at a rate of thousands of gallons a minute -- into the Levisa Fork river to keep its mining operations in Buchanan County afloat.

"There's not an easy way to remove the chloride," CONSOL spokesman Joe Cerenzia told The Associated Press.

No easy way, or no inexpensive way? **???**

The Pittsburgh-based company considered treating the mine water but decided not to in part because of the high costs. That was OK with regulators, who have signed off on CONSOL's plan to conduct what amounts to legalized pollution.

But regulators' approval of CONSOL's discharge permit illustrates what project opponents have maintained for months: that the project puts corporate profit ahead of public health and the environment.

Government regulators say CONSOL's project isn't likely to substantially damage the river's aquatic life, including the variegate darter, a fish on the state's endangered species list.

But monitoring chloride levels is largely left up to CONSOL. The permitting system allows companies to test their own discharge waters -- self-monitoring, if you will.

That, as one coal miner said last year, is akin to the fox watching the henhouse. An independent testing system might ease public concerns about a less-than-above-board process.

CONSOL construction crews were in the Levisa in Grundy last week, installing a diffuser. The discharge could begin by the end of this week.

Buchanan County officials and others can continue to cry foul and seek legal redress, but the fact is, water quality standards allow a balance between environmental protection and the local economy. CONSOL's coal and gas operations contribute jobs, tax revenue and other economic benefits in Southwest Virginia.

But CONSOL's economic upper hand should not give the company a pass on ensuring that when it must

pollute, it does so in the safest and most responsible manner possible -- regardless of cost.

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- Keep Monitoring Area
  - "The mixing zone is where fish will die"
    - ↳ Could mixing zone be a chemical barrier of up/down stream migration?
- How is the quality of water monitored?
  - ↳ other fish communities
- if PCB's + higher Cl<sup>-</sup> Levels have any effect