

**“DEEP DOWN”**  
**FINAL CUT 3/13/10**

**SCENE: TEASER**

Miner speaker 1: I know strip mining ain't perfect. But it's a good thing.

Woman speaker 1: that's our heritage here.

Carly: Mining is our economy.

Barb: Merciful God, look at that.

Teri Blanton: Why is coal the only job that we have?

Man speaker 1: Mountaintop removal is a crime of geologic proportions.

Terry: Right now I feel like I'm straddling the fence on the subject.

Beverly: The decision that Terry is trying to make right now I made thirty years ago.

Beverly: You have a price. I don't have a price.

Terry: Bev, I'm gonna be in that strip job.

Beverly: Not in my lifetime. This is not gonna happen.

**SCENE: BEVERLY SPEAKING AT RALLY**

Beverly: You're not supposed to blow the top off of a mountain and dump the rock and the rubble into the nearest creek. Mountaintop removal was supposed to be something that happened very rarely, now it's business as usual in eastern Kentucky. All it takes is a handful of workers, and some real big equipment, and a whole lot of dynamite and by golly you're in business, you could make a lot of money.

**SCENE: TERRY CHOPS AND LISTENS TO RADIO**

News Anchor: Welcome to Kentucky tonight, Good Evening, I'm Bill Goodman. Tonight, we'll discuss mountaintop mining.

Radio Speaker: The economy is very dependent on a healthy coal industry. And if we take that away it literally will shut down Appalachia. Most people in this country do not realize where their electricity comes from. In Kentucky, we get 92% of our electricity from coal. Nationally we get 50% comes from coal.

Terry: It's not just a matter of somebody putting in a bunch of men in a hole and getting coal out anymore. There's a whole industry built around this. The extractive industry, the coal industry is what runs this area.

### **SCENE: BEVERLY FIDDLES ON PORCH**

Beverly: I was born and raised here on Wilson Creek, and I would be the fourth generation of May's to get raised here. The May family actually came in here in the early 1800's and was among the first settling families for the area, so there's a lot of Mays around in Maytown.

### **SCENE: BEVERLY WORKS AT CLINIC**

Beverly: I've never been married which makes me a little unusual in my culture. So I think to think ok what can I make a stable living at and support myself because the coal industry is always boom and bust, and it's not stable.

Beverly to patient: Hey, how are you doin'?

Patient: I'm kinda wheezy this morning.

Beverly: The nice thing about work is that I don't even think about that stuff when I'm working, its like a totally separate universe. I'm just dealing with the plight of the uninsured but not the plight of my communities.

### **SCENE: BEVERLY DRIVES UP HOLLER**

Beverly: November of last year my mom, and my brother came home from church, and they said that the coal company had leased the right to mine on the holler here, and it was extremely bad news.

### **SCENE: BEVERLY INTRODUCES MILLER BROTHERS COAL COMPANY**

Beverly: Miller Brothers coal company started as a local company. Their office is just down the road. And they've done some very big jobs.

### **SCENE: TERRY'S HOUSE**

Terry: I was quite a dreamer in my younger days and i dreamed up that i would like to have a log house. I wanted it to look like you might find it here in the woods and it just kinda grew here like the rocks or the trees and all. When you go around the corner out here. That's built for carpenters. There's nothing straight, true or level in that corner. And that's my way of being a little bit rebellious to carpenters folks so if you wanna call me a carpenter I say, 'well look at this over here, nothing straight, plum or level.' I think it was William Blake that said i could either create my own system or be a slave to another man's system. And I only discovered that little quote there in the past few years and I like that quote real well, that stuck.

### **SCENE: TERRY MAKES A CHAIR FROM SCRATCH/ INTRO**

Terry: I'm a small business owner. At different points in my career I have had low spots, financial low spots, where I'm not makin the money that I feel like I should make. I try to have a little cushion. I had a interruption of cash flow, and in December right before Christmas I found myself kinda hopin and wishin that I could come into some more – you know- get some more money- I was workin hard meetin the orders, and I was making monthly bills and expenses, but that's all.

Terry: The land agent came here in January. Pulled up into the yard, honked the horn, 'How're you doin' there, Mr. Ratliffe?' and before long he was George, and I'm Terry and we were patten' each other on the back and you know, he's pulling out maps and diagrams and showing me what he had in mind. Out west you call it a canyon. We call it a holler around here. And they're gonna take the peaks off, put em in the head of the holler. Fill that up. When they take the peak off there's a level spot more or less, they fill this up to a level spot more or less. He wanted to get the deal done in two weeks. First visit told me that when I sign that contract he'd write a check. And the only figure that he named was \$75,000 for six acres. Not sale. Lease.

### **SCENE: BEVERLY SHOWS MAP OF COAL MINE**

Beverly: This is the draft map that Miller Brothers coal company submitted to the state, is the first part of their permitting process... The dark grey part here is the area that they want to mine. Here is the very head of Wilson Creek, right here. Its just going to be devastating.

Beverly: Miller Brothers intends to take the hill down to 1200 feet. Terry's house is at 1100 feet. He's in a really, really vulnerable situation there, where I can not imagine how his house is going to survive the blasting. He's got a lot at stake there

### **SCENE: BEVERLY AND TERRY AT SMALL NIGHTTIME JAM SESSION**

**00:08:41**

Beverly: I've known Terry a good long while. If you were to go up to the big fork of Wilson Creek and just walk up the mountain, you'd come out at Terry's back yard.

Terry: Around here you know people because you know their family. One of the first questions you'll get is who's your daddy? Bev and I have that kind of a history. Our friendship's based on our ancestors. We have a history that goes back years and years. So I speak highly of Bev.

### **SCENE: TERRY CALLS MILLER BROTHERS COAL**

Terry: Good afternoon. I was curious and it didn't come from you, but could you give me the number for Miller Brothers Coal? Thanks a bunch. This is Terry Ratliff buddy. I would be disappointed if you were not away from your desk today on a Friday afternoon. So I was just tryin to get a hold of you in your official capacity there, just tryin to talk to you about some things goin on in my neighborhood a little bit.

### **SCENE GARY OUSLEY, MINING ENGINEER AT OFFICE**

Gary: Terry and I have been friends for probably 25, 30 years. Years ago, we were doing a land survey for him and we would go over to this house and the kids would play and he'd come to our house in Prestonburg and, we were close friends for a long time.

Gary: I grew up, right next door to the office here, pretty much lived here all my life. When i was a kid, there wasn't that much of a mining impact but as time has past mining cost have gotten cheaper simply because they use bigger equipment, you know, and fewer people and the landscape has changed. I'm actually a member of the Sierra Club believe it or not, you know, but a strip mining advocate at the same time. And I understand the concept of having to extract resources to drive the economic engines that run the country.

Gary: Okay, that's it.

Gary: Essentially a hillside starts out as something like this around here, and your coal seams lay something like this, say there's a coal seam here, and they essentially go in and take a layer off at a time, kinda like peeling an onion almost, I guess you could say but uh.

Gary: This first cut or so goes generally into a fill situation like - let's say that the hollers like this and they actually fill it in and actually create an engineered fill here. Essentially, they'll take successive cuts until they take the top of the mountain off... That's it in a nutshell.

### **SCENE: FLOYD COUNTY CHAPTER MEETING**

Kevin: I guess I'll, start off with introductions, Bev you want to talk a little bit about what's going on in Maytown at this point?

Beverly: Were preparing to do the Lands Unsuitable for Mining petition to declare the watershed of Wilson Creek unsuitable for coal mining because of potential for flooding, and damage to

cultural heritage. What I'd like to do is ask the KFTC Floyd county chapter to be the petitioner, so I guess that's a motion.

Kevin: If you're looking to tie up a mining operation, this could really tie up the mining operation.

Beverly: The lands unsuitable petition is an option under the Federal Strip-Mine Act where they acknowledge that there are other uses for land besides mining, and that other uses should be given consideration.

Kevin: Any other question?

Beverly: No objections?

Kevin: All in favor?

Kevin: Sure, we could do that.

(laughter)

Speaker: All opposed. All right, that's the first motion we've had as a chapter. That's cool.

Beverly: Whether the mining happens or not, we need to be ready. When a coal company comes in it's like a thief, you know they're looking for the house that's unprotected, lights are off, nobody's home, it looks like it's an easy target. We want to let Miller Brothers coal company know, there's somebody home and the lights are on, we're watching.

### **SCENE: BEVERLY AT HAZARD HEARING**

**00:18:08**

Woman: If you're here for the public hearing I need for you to sign in. Beverly May, is that your name?

Beverly: uhuh. B-E-V-E-R-L-Y, M-A-Y.

Woman: Was there an 'E' in there? Beverly?

Beverly: Nope.

Rick: Hey Beverly

Beverly: Hey! You going to speak?

Rick: Try to.

Speaker: Good evening, welcome to the public hearing of the Department of Interior Office of Surface Mining Reclamation and Enforcements proposed rule to amend the excess pole and string buffer zone regulatory requirements. We're here to receive your comments.

Miner speaker 1: Am I ready?

Speaker: You're going. Go for it.

Miner speaker 1: I know strip mining ain't perfect. But it's a good thing. We can stop stripping we can do away with the coal, we can go to the western part of Kentucky, build us a nuclear plant, and blow everybody in here all into pieces.

Truman Hurt: We've buried, 1208 miles of stream in southern Appalachia from '92 to '02. 1603 more valley fields between '01 and '05.

Rick: For my children, and my grandchildren, if these other hollow fills are permitted, for my home there will be no mountain I can see that will not be affected.

Woman speaker: My dad's a coal miner, my grandpa was a coal miner, my husband's a coal miner, and that's our heritage here. And eventually, I'm sure that there'll be homes built on top of these mountains where they're being cleared off. God gave us resources to use and coal is one of them and we get to it how we can. I mean Texas has oil, Idaho has potatoes, and we have coal.

Miner speaker 2: These guys go out and work hard for you, provide you with a good luxury when you go home tonight and turn your heat on, think about them. Think about the lives that they gave. The way you look at us, it's pretty bad. You don't look at both sides. You're mad cause you want one thing. All these coal miners they start protesting everything that you do. Go on down there to your place, and hold up signs cause we might not like 'cause you smoke. So you look at me the way you want to. But you know that deep down in the back of you're hearts, you're wrong.

Barb: You know, I realize that some people are scared because their husbands, and family members works in the mines, and they're afraid to speak out. If people would just pull together and love one and each other and love these mountains, love the mountains, that's my life, that's my heart. Right here is the lord's work, do something for God, cause God puts these mountains here.

Beverly: Right now there's a coal company trying to gain leases for what I can see as only the final assault on the place that my family has called home for the past four generations. In the language of mine operators, everything that lies above the coal is overburden. Waste is to be blown out of the way and dumped into another valley as quickly and cheaply as possible to get in what really matters, which is the coal and the money it represents.

That means I'm overburden, and it means my neighbors are overburden, and the people of Appalachia are overburden. To a coal operator, we are simply in the way for the quality of our water, the safety of our homes, the peace of our communities doesn't matter. I have 60 seconds and I would like to address the miners. I want you to know that I work in a small clinic that takes care of people who are poor and who don't have insurance, and I see everyday many of your brothers. You are not my enemy, and I'm not yours. We're all victims of the same coal companies, it's just that you're at the top of the mountain and I'm down at the bottom.

Miner in crowd 1: I don't agree with that.

Miner in crowd 2: I don't either.

### **SCENE: BEVERLY'S BACK STORY/ HIKES TO HIGH ROCKS**

Beverly: Before we had the broad form deed amendment, the coal company could come in and mine against the will of the landowner. And in 1962 and 63 the coal company came in and auger mined the whole length of Wilson Creek. The very first thing I can remember as a kid is seeing them blasting at night from my bedroom window, I could see the blast, it just lit up the whole sky. I knew, growing up, we had been done wrong. We had suffered a horrible injustice I could look and see the mudslides coming down the hill. I just wanted to have some place to come home to and I knew I could call mine and say 'No, this will never be mined again, this is mine and I'm going to protect it.'

Beverly: There's a document at the courthouse that says I own 21 acres on Wilson Creek. But I don't think I own it. Not in the sense that I can dispose of it the way I want to. It's not a refrigerator; it's not a pair of socks. It's not mine to dispose of, it is mine to take care of, and to protect, and to enjoy, and then to pass on to the next generation, hopefully in better shape than I got it.

### **SCENE: TERRY AND CARLY WALK TO GRAVEYARD**

Terry: Over the years, I've had to deal with strip mining every so often. And I could see this stuff happening like a giant amoeba or somethin, just eatin the mountaintops off. My dad was a coal miner, and I know that I'm standin on a hill that's full of coal, and it was a matter of time.

Terry: So what do you think, let up come through my front door there?

Carly: No, I don't want em anywhere near me. I wanna have a--

Terry: They're gonna be near. They're going to be near.

Terry : I'm not sold a hundred percent against strip mining and I'm not totally for it either. Right now I feel like I'm straddling the fence on the subject.

Carly: Will my house fall down?

Terry: No, your house won't fall down, I don't think. I don't think it'll fall down.

Carly: Aw, that's an old pot.

Terry: mmhmm, pottery shards.

Carly: Much better, thank you Daddy.

Terry: Yeah.

Terry: I feel like I have a lot in common with my ancestors. I have very limited control of what happens when I have a deed to, and that's been happening for a hundred years here.

Terry: Oh it's warmin up now ain't it?

Carly: Mmhm.

Terry: Look we're gonna buy your farm off you, we're gonna pay you for your farm but you get to live here and you get to control the surface. And we're gonna mine it, and when I sign, he writes a check.

Terry: I'm thinking five years of noise, and at least a matter of months of that'll be right there. Right there! My peace and quiet. Just listen. Don't hear a lot. That's worth a lot to me.

#### **SCENE: TERRY 4-WHEELING ON RECLAIMED MINE**

Terry: I've always been a little bit of a risk taker. I do like dangerous adventure. I mean shoot man, why would you just seal yourself up, and park yourself in front of the tube, and let life go by when you can decide how your life's going to be. Dream up dreams and go up and make them real.

Terry: That was high wall mined probably 20 30 feet down to what's there right now.

That's about the most promising reclamation I've seen, over there. And most of this job looks about like that. And this was all devastated, you know, this was all just dirt and rocks and what they call destruction and all, not long ago.

30 years ago that was devastated. That was peeled like an onion. That was just a big dirt pile. But as far as wildlife, it's just real good, real good habitat for most things. Sycamore, a lot of the hard woods are comin back on that.

Terry: This place is resilient. In geological time we're not hurtin the earth. No matter how bad we screw it up, it'll come back . This whole area is the bible belt, they say we're fatalistic, well what the hell? We're realistic.

### **SCENE: BEVERLY AND TERRY AT CARCASSONE SQUARE DANCE**

Terry: Bev and I have talked about this and she's very passionate about her hillside. If it were a body back there if it was Bev back there it would be her little fingernail. She really looks at this as a personal violation She really values the hills just the way they are. As I do, I do value the hills the way they are. I feel like I'm a little more pragmatic, a little more realistic. Oh I'm sure she thinks I'm just a little bit foolish in my whole outlook.

Beverly: There's something that happens, where guys around here think they can still keep a sense of control. You know what, once you sign, you ain't got no more control. You're dealing with outlaws if you're dealing with a coal company.

Beverly: Ultimately, whatever Miller brothers does, we're still neighbors. We're going to have to figure out how to get along, in spite of this thing that could really make it very difficult.

### **SCENE: CARLY DRIVING AROUND HOLLER**

Carly: You know that book The Giving Tree? That's what the land is for us. I hate strip mining but I love all my friends that have jobs because of it. We get so much bad press for welfare, and look around—we're not lazy. It's good hard workin people that live here. But what are they gonna do? Mining is our economy. Everybody here at some point is dealing with the coal mines.

Carly: I'm trying to be positive about it and say that they're there- you know, but how positive is it if the foundation of my house gets busted? And what leg do I have to stand on besides poor little old me saying hey you did this?

Carly: When it's happening in everybody else's backyard, who am I, you know? What makes me any different than anybody else? And it seems odd that I'm so shocked that you know it's happening at house, you know like I should've expected that, but when I was young I thought my daddy owned everything you could see you know, like it was all ours. And I really hope that

dad doesn't sign but I wouldn't put that between my dad and I. And I really do believe daddy knows best.

Carly: Hey Dad!

Terry: Hi baby Mwah.

Carly: Can we bum some coffee Daddy?

Terry; Certainly certainly, coffee for everyone.

### **SCENE: TERRY WALKS UP ON HILL**

Terry: Of that whole five miles from point A to point B, I own about 100 yards. And as I see it right now I'm going to have a thumbnail stickin up, and that's what I'd have left if I don't do this.

Terry: They're going to take, at least down to that flat, and back around to the left, back to south of that. You know, in five years, this will be the top of the hill. If you look over that direction there'll be sky, and this will be a big, leveled out spot.

### **SCENE: TERRY SHOWS MINE MAP**

Terry: In this five-mile loop, I own this much, my mother owns that much. I can cover it with my thumbnails. So those two sections right there are what I have. I can say no don't strip-mine it or strip mine it.

Terry: I'm dealing with all that stuff, in addition to keeping the wheels turning and keeping the roof over my head and the light bill paid. This is not an easy thing.

Beverly: I'm really sad for him. I'm really sad and scared for him. This morning I called him and I feel like I, I worry that I come across as I'm trying to influence his decision and I'm not, I'm trying to get him information that might help and that he might need, but I called to reinforce one more time, I'm not trying to tell you what to do...

Terry: Part of the deal is they're going to pay me money up front. A tactic that's been used in the past is that the company will come in and do all of their business and when it comes time near the end of the works, they file for bankruptcy. That company is dissolved, that corporation no longer exists. So, if they had destroyed my home, or have done thousands of dollars damage to it, that corporation is not even there anymore.

Terry: And I've caught the land agent up in some misleading information about how much coal is on my land, cause part of the deal is I get paid by the ton that is hauled out here and sold. And his

first representation was that there was \$75,000 worth of coal, for me. it turns out that's not exactly how it is. There's probably not \$20,000 tons of coal back there, mineable coal.

Terry: It's like dealing with a used car dealer, or a unscrupulous horse trader. The methods that I've had—they come in here, promise you a big buck. Get you dreamin, get you scheming, get you spending that money—what appears to be big money to poor people. The next time they come back it's not quite the same offer.

Terry: I mean there's just not many words for it other than to be misleading and deceptive in their bargaining with me. This is just right on the urge of stirring up an anger inside me that'll be a long time resolving.

Beverly: The attitude of the coal company is we'll just do what we need to do to get the coal out as quickly and possible and then let em sue us. A lot of people of course don't have the wherewithal to sue them it doesn't really take much away from the coal company even if they sue successfully. The value of your house is nothing compared to the value of the coal they took out.

#### **SCENE: RICK VISITS TERRY**

Terry: A five-year lease is what they're offering me. They're saying in five years I'll be in that but I can't believe that. Cause when he first come here he made me a big offer man, look like a big pie in the sky. And he said I'll write you a check as soon as you sign. Next time he come back he offered me \$10,000, and he said when they start mining the coal you'll get the rest of your money, and I said well that aint what you said last time. He said oh well you misunderstood. But--

Rick: Well they need to do...

Terry: Something in writing. Well I got them on that too 'cause I'll say George, it's what's on this paper's what counts.

Rick: Yeah. Did Beverly May show you that one sheet that's in their lease, if you initial that, what you're initialing, no matter what that guy told you, just what is in that contract.

Terry: On that paper, I know that.

Terry: Well, I feel like I ain't really in a place to negotiate a whole lot with them. Because I do just, you want to walk in? Have a cup of coffee? I've got some chocolate bread in here.

Rick: Well that Groundhog Jones told me that most people are getting about 5,000. Most I've seen in our holler is 12,000; they gave to Lowell Shepherd because they needed his hollow fill.

Terry: That first seam is what, uh, three inches. The figure he said 'we got 62 inches of coal back there and it's worth \$75,000 and you're going to get \$75,000 for you.

Rick: Well they can't scratch it off and get an inch of coal.

Terry: No they can't. I said 'How long you been in the business hoss? So, misleading.

Rick: Yeah.

Terry: Stuff like this, makes me question everything, all of it.

Rick: Yeah But this, this is a big section of coal, right here.

Terry: That little block is a nice block of coal.

Rick: Yeah. And if you don't lease to them, they can mine up to this line but it's going to be a straight up and down high walk.

Terry: On the backside.

Rick: On the backside, and down this way too.

Terry; Right.

Rick: 'Cause they, they'll have to cut this straight down instead of just take a dozer and scrape this all over in this hollow fill. They need you bad. Okay?

Terry: Well, I've had that feeling.

Rick: You know, I'm not saying just don't lease, 'cause everybody needs some money. Just get what you deserve.

Terry: I'm with ya.

Rick: Okay? When they're done with this mountaintop removal, and they take all this big sponge off of here, when we get one of these absolute ten year floods that you've seen here many times, what is going to happen to this area?

Terry: Man...

Terry: I ain't looking forward to it.

**SCENE: COAL HAUL ROAD HEARING**

Beverly: The Miller Brothers have put in their permit application, and to everyone's horror, they realized that they want to take the coal out along Wilson Creek which is a little one lane paved road. Oh my God, that can't happen.

Beverly: There's one lane, how in the world are you going to get an 18 wheeler and a school bus to pass each other, on Wilson Creek? It's too narrow a road, and it's in poor condition, and there's too many people that live on that holler, and if this happens somebody's gonna get killed! You don't regulate an abomination you stop it.

Beverly: And that would be separate from strip mining permit process, it would be just a petition.

Woman: That might be a little close.

Beverly: Kevin said to make it close

Woman: Yeah? Okay.

Beverly: So as to put you know, a little more, you know, umph on the judge there, a little more pressure.

Beverly: I believe our judge is here.

Beverly: If you live on Wilson Creek and haven't got a chance to sign the petition yet. Mary Jane has got the petition.

Beverly: January of this year, Miller Brothers applied for a permit to the Department of Surface Mining. We were able to get a hold of that map and realized, Oh, they're gonna take the coal out on Wilson Creek, we're in trouble!

Beverly: For Miller Brothers or for any coal company to haul coal they have to get a waiver from the county judge which would allow them to exceed the normal weight limits of that road. We did real good with the petitions so that's what we're asking the county judge to do, is to not give Miller Brothers that waiver.

Melvin May: The Kentucky Department of Transportation- 85% of all fatalities in the state of Kentucky are caused by heavy trucks. 300 come down a road in a week. What's your odds on that road? Think about that.

Woman 1: We don't want any more traffic, it's hard to cross the road right now.

Woman 2: What we're up against is a lot, a lot of money. If they do start pullin that coal out of Wilson. It's not big enough for truck hardware to even go up there because that road's right in front of your house Beverly, The road's fallen in.

Beverly. Yup.

Woman 4: OK. You're our leader, why can't you organize us as a group to fight to continuously take care of the roads.

Judge: Yeah.

Woman 3: We need some information and some organization on this.

Judge: You know, this has always been our lifeline, pulling coal, out of these mountains. Then, came along the mountaintop removal, and the trucks got bigger, and bigger, and bigger. We're given pennies, when major dollars, are taken out of here. So yes, I'm with you, I'm for you I'm behind you 100%. I'm trying my best to make this coal company own up, to what they should.

Barb: Amen.

Woman 4: I promise to not give a waiver to any coal company to exceed the weight limits on Wilson Creek.

Judge: I have no problem with that.

Beverly: Alright! Great. Go ahead and sign! We want it in writing now! We're going to hold you to it.

Beverly: I feel silly standing up there in front of my, all my school teachers and Sunday school teachers.

Beverly: The community really worked together to pull off something that was our first major victory. Right now I feel like 'Wow, maybe we can fight it and maybe we can win'. I think of it as Sisyphus rolling up the big rock up the hill just so that the Gods could chuck it back down and then he has to go back and roll the ball back up the hill again, and this goes on for all eternity.

### **SCENE: TERRY VISITS BEV**

Terry: I was ready to sign this cat. You know, if he was going to give me 6,000 dollars and my mother 6,000 dollars to pay her water bill. They say for 20 years but I know that won't do it.

Beverly: Well that's cause it costs more money to take all the mine sediment out of the water to make it drinkable!

Terry: All they're takin out is live agents, they're not foolin with the PCB's. Look into it.

Beverly: Num num num.

Terry: And mercuries and selenium, and these— It's in the city water.

Beverly: Oh yeah.

Terry: It's in the Louisville water and it's in everybody else's water.

Beverly: Mmhm.

Terry: The permit went in Tuesday.

Beverly: They filed it on Tuesday?

Terry: That was the plan, was to, I talked to an engineer; it was to be filed the day before yesterday.

Beverly: Yeah, well, we got the lands unsuitable the Tuesday before. So.

Terry: It won't amount to a hill of beans.

Beverly: Yeah I know. They'll flick it off like a fly but still, we did it.

Terry: If the land's suitable for everywhere you look around, why's this not suitable?

Beverly: Those pesky citizens won't be there to bother you if you don't live there. They won't report your infractions--

Terry: Everybody needs money and everybody got a price--

Beverly: Well that's not true, not everybody has a price.

Terry: Maybe not.

Beverly: Well that is only because you have a price. I don't have a price, so that means not everybody has a price.

Terry: Yes you do. When they come and offer you four or five times your annual salary.

Beverly: Not everybody has a price. I know you believe that.

Beverly: There's things you can't put a dollar value on.

Terry: As long as you have plenty of dollars, and enough dollars to get you through the week, and through the month, and through the year.

Beverly: Mmhmm

Terry: Yeah, that's right. But when you don't, when you don't see the light of the end of the tunnel so clearly.

Beverly: Yeah.

Terry: I'm in that position of not having currency. Not havin a 401K. Not havin retirement. Not havin health insurance. And I could go through other things that I don't have.

Beverly: The decision that Terry is trying to make right now I made thirty years ago. You don't put a price on community and family.

Terry: If it were a body back there- if it were Bev back there it'd be her little fingernail. She really looks at this as a personal violation.

**SCENE: BEVERLY IN GARDEN/ TERRY AT FEED STORE- RE: CAPITALISM**

Beverly: One of the things that we have here that I love is that we still have that little vestige of the way people lived before there were ever mines. When this was a farming community people had to work together and a man's handshake was as good as any document. They lived by their word, that's how I liked to approach people. That's how you live in a community. The problem is that's not the rules that the coal industry lives by. They're caught up in this machine that is built to mine coal. Do whatever it takes to get that coal out of the ground and make as much profit as is possible for their stockholders.

Terry: There's a boom. Prices has tripled, the companies are making a killing now. I don't see it much different than Coca-Cola, or GM, or any other large corporation in America. And their job is to maximize profits, that's the name of the game, that's the system we're working under. Make the money.

Beverly: All of us that live in coal producing communities, we know what the real cost of electricity is.

**SCENE: BEVERLY HAS THANKSGIVING**

Beverly: Good morning, how are you doing brother? How's it goin? And have you got the Turkey in?

Beverly: Alright.

Man: What might this be?

Beverly: Um, That is Butternut Squash with chunky's of Gorgonzola blue cheese.

Beverly: You can hack around on the Lamb if you want to.

Man 2: Oh, I'm a Lamb hacker now.

Beverly: Mhm, yeah.

Man 2: Thank you, Blessed Heavenly Father for this day and for this time together and we thank you for the bounty of this meal. We thank you for the many blessings that you give us and we praise you for them. In Jesus' name we praise you when we pray. Amen.

All: Amen.

Woman: Happy Thanksgivin Everybody.

All: Happy Thanksgivin.

Beverly: Food is purttyfull.

### **SCENE: BEVERLY MAKES CALLS TO PREP FOR LANDS UNSUITABLE**

**00:47:19**

Beverly: Really? Oh my, Okay. Oh, I'm sorry, bless your heart.

Beverly: Right now, we are working on getting prepared for the Lands Unsuitable for Mining hearing, which is going to be December 1<sup>st</sup>.

Beverly: I urge you to grant the petition to clear the Wilson Creek watershed unsuitable for strip mining. Does that sound...

Beverly: A lot of the discussion about the mine has been paranoid, concern about is so and so going to sign? If they sign, do I have to sign? And neighbors usually don't feel real comfortable just calling up each other and saying 'So what're you thing about leasing to Miller Brothers? Are you going to do that?' you know, you wouldn't do that, really, because you wouldn't because it's getting into their business.

Beverly: As a resident of Wilson Creek I'm writing in support for the lands unsuitable for mining petition number yadda yadda yadda. I'm worried the blasting could damage my home the same way the Baker's strip mining damaged so many houses on Wilson Creek in the late nineties. Did I get the date right on that?

Beverly: If any pretty little hollow in Eastern Kentucky could organize and say 'well we don't want there to be mining here, ever' and that be taken is the force of law, you know, lands unsuitable for mining designation, then woah, the cow is out of the barn, you know. Because the whole coal industry works under the assumption that the coal industry ultimately has the power. So this would really, really shake things up.

**SCENE: BEV VISITS HELEN BOYD**

Beverly: You can write out what you say before hand, that's what I do, 'cause I get, I get stuck with stage fright real bad, 'cause that's uncomfortable for a lot of people.

Helen: There's no asking me to do that.

Beverly: Oh, Helen, you got to.

Helen: No I'm not!

Beverly: You've got to, really, really.

Helen: No no no no no.

Beverly: I'm sorry, well, just be thinking 'cause it's..

Helen: I'll help in anyway I can, other than that. Please don't ask me to stand up.

Beverly: Oh dear, okay.

Helen: I would love to help you on that, but I can't.

**SCENE: BEV WITH LAWYERS BEFORE MEETING**

Beverly: This might be a good time to go over the allegations. Flooding?

Woman: Yes, flooding.

Beverly: This is a flood prone area. So we need residents to have been flooded. Denise. Allegation number two, cedar cliffs. Okay that would be the landowner Steven Boyd who is going to be very articulate, Oh, and Terry Ratliff's daughter.

Beverly: Okay, water supply. Elizabeth, Terry has a hand dug well, I don't know for sure what his opinion on his water, I don't know what he'll say. Can you think of anybody else that we could? (laughs) I actually haven't had one single person tell me yet that they're willing to speak. Oh God, absolutely no idea what's going to happen.

### **SCENE: LANDS UNSUITABLE FOR MINING HEARING**

**00:51:11**

Greeter: Address, over on the right hand side if you wish to speak.

Beverly: Alright, looking sharp. Thank you all so much.

Beverly: Ahhh, thanks for coming. (sighs) Thank you brother Rick.

Rick: That's alright.

Beverly: I am so glad you're here. Okay, and you got your ribbon, that's good. Miller Brothers is here in force. Your friends.

Beverly: I've created a big mess here, I mean a big stink here. (laughs)

Rick: That's the vice president.

Beverly: Oh, really. Wow, we brought out the big guns.

Gene Campbell: Miller Brothers strongly opposes the granting of this petition, we feel this petition does not have merit. Our relationship with communities that adjoin our mining operations is very important to us. I don't believe that this is the forum or the process for resolving the issues between us and I ask that the cabinet deny this petition.

Beverly: Obviously I have a lot at stake in this petition, as do my neighbors. In our culture, it is difficult to compare human values to economic values. Who knows what a ton of neighborly goodwill is going for on the spot market this week, but I do know it's infinitely more valuable than a ton of coal. I want you to know I will not ever allow my land on Wilson Creek to be mined- I will not ever sell my land to any coal company for its destruction. I suspect that you figure every landowner has some price for which they will allow their home place to be destroyed, but I, my family and quite a few of my neighbors know, you're wrong.

Bill Caylor: We strongly feel the applicant is abusing the lands unsuitable for mining petition process in a willful attempt to slow or impede the mine permit application process. Mountaintop removal impacts less than 7% of the coal fields of Appalachia.

Melvin: My family has lived in Maytown and Wilson Creek for 225 years. And the thought of someone else destroying the land, it makes me sick. And I hope that all mighty God also holds those same people responsible. And I think he will.

Samuel Maggard: Folks, if people think our economy is bad now, just realize how bad it would be without the mining industry in this area. I feel God put coal and other natural resources on this earth for a purpose. That purpose is to be used for energy requirements and jobs.

Teri Blanton: It's Wilson Creek. We identify who we are and the places that we live by the creek or the watersheds that we live on. When does the time come that employment does not always have to pit communities and workers against each other. And when we say why is coal the only job that we have, why, is coal the only job that we have? After 100 years you would think it would have brought some prosperity to this region instead of destruction.

Woman Speaker: I am a single mother, I'm not a victim in any way shape or form. I'm very proud of living in Eastern Kentucky. My Momma used to work on a surface mine. Coal has always put bread on my families table and still does and I'm very passionate about feeding my children.

Rick: To the miners, we're not against you, I've got family working in the mines, but you know what's going on in my neighborhood.

Randall Short: If everybody had the same attitude that they didn't want their community disturbed because of strip mining where would be tonight? I tell you we'd be in the dark. Because the truth of the matter is it is a dirty thing sometimes, it's not very clean sometimes, but it's the best product we have and until something better comes along we have to use what we got.

Silas House: As Americans, Kentuckians, and Appalachians, we are all Wilson Creekers. As Appalachians, this land is in our blood, in our bones, and muscles, and brains. It's who we are. Everywhere we go, we have to defend this place. Everywhere we go they say we're ignorant, and that we're sorry, and we're worthless, and were not worth anything, we should just be thrown away. But we know, that as Appalachians, we have something special in this place. It's not something we can put a name to. We can't articulate it, but it's something that we, every one know, it's in the face of every little country child on Wilson Creek. And now, we're having to defend it right here at home too, and that's not right.

Man: Just imagine a society that is dependent economically, dependent on blowing up mountain after mountain after mountain. That there was a group of people who decided to stand up against it. That is exceptional.

### **SCENE: BEVERLY AND BETTY DEBRIEF AFTER HEARING**

Beverly: We just stood down a coal company. And they all know what we look like, and where we live now.

Betty: Well I don't know who it was up there talking I don't remember his name but when he said he knew God intended for them to get that coal out of there I thought I would fall off my seat.

Beverly: I wonder which God he's talking about there.

Betty: I wonder who that God was.

Beverly: Cali, the Goddess of destruction.

Betty: It must've been.

Beverly: There are those Gods, they're just not recognized in this culture.

Betty: Nope, I hope not.

### **SCENE: TERRY MAKES CHAIR/ DOESN'T SIGN**

Terry: It's been months since I heard from the land agent, and he used the terms that were used in their, Kentuckians for the Commonwealth hold up on the job as unsuitable for mining to describe my little piece of land up here. That he felt, my land was probably unsuitable for mining and he wouldn't be able to deal with me and we parted as friends, the best I could tell.

Terry: And part of my negotiating with the company was that this would only be valid with them. And then later I heard that they had changed hands. So had I done that, you know I would have gotten he check from either company A, and they I would have had to start negotiating from zero with company Z there. So, yeah, that's a little buyers remorse.

Terry: Oh it just plays right in with the ironies that I have in my life already.

Terry: To ask somebody to change their lifestyle, to not turn on their lights so much, that's a bit much, you know, from the time they were babies, they were raised on this great big tit that says, you know, hey, here I am, take all you want. And, it's pretty tough to ask people to do different than that. They don't care about what's going on in these hills here. This is the side of capitalism that's not real pretty. This is America.

Terry: Lately I just prefer staying neutral, or staying out of the race, out of the kick, out of the fight, I have withdrawn from this rat race just living the simple life, that's good for me.

Terry: In the big picture, the strip mining is not what to worry about, it's what to do with this coal when it goes down the road. What it's doing to the ozone level when they're burning this stuff. That's where hell should be raised. The coal that they put in the air that co2 is still going to be up there and the planet is still going to be warming and to me, that's a much bigger fight than what's going to happen to this holler here.

### **SCENE: TERRY AT CARLY'S WEDDING**

Carly: I love you

Terry: You're the only little girl I'll ever have Carly, and you're going to be my little girl, all the time, you know that. I'm proud to be here with you.

Carly: Me too.

Minister: Do you Carly, take Steve, to be your husband?

Carly: I do.

Minister 2: Do you, Steve, take Carly to be your wife?

Steve: I do.

Minister 2: We now pronounce you, husband and wife.

Steve: I love you baby.

Terry: I just wanted to say to Steve and Carly that everybody's created different, and keep that in mind, you know about patterning yourself after somebody else or something don't worry about that because they're very independent, both of them are, try to hang on to that, and remember each other. To Steve and Carly.

Terry: Sometimes I envy these fellows that have a check. But I do what I can.

Terry: I took the path I can live with is the easiest, the one that I can wake up in the morning and think I did the right thing.

Terry: I try to keep the family close, keep friends close, and just try to keep it simple.

Terry: I turn trees into gold. And that works for me so far.

**SCENE: BEVERLY WALKS UP HOLLOW/ CONCLUSION**

Beverly: We got our decision from the Lands Unsuitable petition; they said that Wilson Creek is suitable for mining. But, they gave us some concessions. They cannot use Wilson Creek as a haul road and best of all, they will not give any waivers for the approximate original contour language, and that means no mountaintop removal.

Beverly: The concessions mean that that price of mining on Wilson Creek has really gone up. So they're in big financial trouble. If they want to mine, they can but they have to do it in a way that's not quick in and out destruction. That was it. That was the words I wanted to hear. I was-- I was so happy and so proud because that told me right there, we made a difference. Floyd county is a little more democratic than it was 2 days ago. Even though it's a really radical thing to challenge a coal company. We did it.