



APPALACHIAN
CITIZENS'
Law Center



2020 IMPACT REPORT

ENVIRONMENTAL JUSTICE

Water infrastructure and water quality are major issues in Eastern Kentucky that have been ignored for far too long. This year, we launched the East Kentucky

Appalachian Citizens' Law Center director Mary Cromer said she is not in favor of filing a lawsuit against the water system because it would divert money from improving the system. "This is the community's water system," Cromer said. "This water system belongs to Martin County. It doesn't belong to the water board. It doesn't belong to Alliance (the company running the water district). It belongs to everyone."

~ Lexington Herald-Leader, August 4, 2020

Water Network in coalition with aligned groups with the goal of sharing strategies and information across the region to better advocate for safe, clean, affordable drinking water throughout the Kentucky coalfields.

In Martin County, we continue our work to ensure access to information and legal services for the Martin County Concerned Citizens (MCCC) so that they have the opportunity to participate in decision-making processes that impact their lives and communities.

COAL BANKRUPTCY PROJECT

Mounting coal bankruptcies are resulting in the abandonment of coal sites despite the severe environmental degradation that is left behind. We launched our coal bankruptcy

project in January in order to hold coal companies accountable through bankruptcy proceedings, hold

relevant state and federal agencies accountable, make tangible recommendations for policy change, strengthen our regional and national environmental coalition on this issue, and share what we learn with other coal communities across the nation.

HERALD-LEADER



BY MARY VARDON CROMER

Blackjewel should clean up its east Kentucky environmental disasters

COVID-19 RESPONSE

- Switched to remote work in March
- Distributed masks & resources to miners
- Collaborated on radio PSAs about COVID-19 risks
- Advocated for increased federal aid with aligned organizations & in Lexington-Herald Op-Eds
- Revived 1970s Black Lung Bulletin
- Demanded transparency on behalf of citizens' groups

"There's a lot of concern," said Rebecca Shelton, of the Appalachian Citizens' Law Center, in Whitesburg, Ky., which advocates on behalf of black lung sufferers. "Our main focus right now is how we can get the best information out there - what they can look out for, and how they can protect themselves."

~ Washington Post, March 24, 2020: "Coal Miners told to keep working during the outbreak despite close quarters, damaged lungs"



Staff Attorney Mike Amburgey delivers packages of masks and informational resources to black lung clients.

BLACK LUNG

Our black lung organizer has worked diligently to ensure that Black Lung Associations (BLAs) can continue to meet virtually during the pandemic. Since many members face barriers to participating from home, we've developed creative ways to stay in touch. This year, ACLC helped revive the Black Lung Bulletin, a publication first distributed in the early 1970s. The first issue was mailed in August and the second will be distributed later this month.

The pandemic has led to absurd situations for everybody, including one ACLC client being forced to have his telephonic black lung hearing held on his front porch. Due to our vulnerable client population, we have not reopened our doors for in-person meetings, but our black lung litigation and advocacy work continues. One thing is clear: the pandemic has placed a heavy burden on the sick and elderly in Central Appalachia.



200+
NEW BLACK LUNG
CLIENTS

425
ACTIVE BLACK LUNG
CLAIMS

MILLIONS
WON IN MONTHLY BLACK LUNG BENEFITS
& MEDICAL CARE FOR SICK COAL MINERS



Black Lung Organizer Courtney Rhoades helps miners and widows call in at the Black Lung Association drive-in meeting.

CLIENT TESTIMONIAL

"My husband Rocky had been trying to get benefits for 12 years before he came to see ACLC. The coal company was one of the hardest to win against and fought us every step of the way, but in the end, Wes won our case. The monthly benefits we've received have been a huge help to our family. Rocky tells everybody about Wes and ACLC, and he's sent at least 3 guys down there to file for benefits. Wes is for the coal miner and will do everything to help you if you need a black lung attorney. He simplified the black lung process for us and made it easy to understand. ACLC gets things done and they always return your phone calls. Wes has done a wonderful job with our case."

- Ruth Madden, wife of Allen Rocky Madden, whose award of black lung benefits was affirmed by the U.S. Court of Appeals for the Sixth Circuit in October 2020

MINE SAFETY

We continue to represent whistleblowers who have been unlawfully discharged or discriminated against for raising safety issues at their mines. Because of massive job loss in the coal industry, the miners that remain working will be under increasing pressure to cut corners on safety. This year, we have secured reinstatements for three miners who were terminated for identifying unsafe working conditions.

Miner who flagged safety concerns reinstated to job

BY DYLAN LOVAN
ASSOCIATED PRESS

B Bloomberg Law

Virginia Coal Mine Owner Gets Prison For False Dust Sampling

After an ACLC client blew the whistle on unlawful dust exposure at a Virginia coal mine, federal prosecutors indicted mine management for tampering with dust sampling equipment and generating fraudulent dust samples. A federal investigator told us that without our client speaking out, these prosecutions would not have occurred.

POLICY, ADVOCACY, AND RESEARCH

This year, we helped organize a national-sign on letter to Congress in support of the RECLAIM Act, the Reauthorization of the Abandoned Mine Land Fund, and the extension of the black lung excise tax. Over 100 organizations signed on.

The US House passed the RECLAIM Act & AML Fund legislation as part of HR 2, the Moving Forward Together Act. The Senate is yet to act.

We celebrated the release of the National Economic Transition (NET) Platform, which is a federal policy platform that articulates important priorities for coal communities.

Even as we prepare for the 117th congress and a new presidential administration in 2021, we are working hard to push through an extension of the black lung excise tax by the end of the year.



In early February, Black Lung Associations, ACLC and KFTC met with Kentucky Governor Andy Beshear in Frankfort.

WHAT'S NEXT

We continue to meet the evolving needs of our clients and our region. In 2021, our staff and board will complete a five-year strategic plan that will guide the ongoing work of the organization. This work includes comprehensive racial justice training for our staff and board, which is one of the commitments we outlined in our solidarity statement this June.

In addition, we are preparing for ACLC's 20th Anniversary, which will culminate in a celebration in early 2022! We're hopeful that we'll be able to celebrate in person by then. Wishing you all a healthy & hopeful holiday season and a brighter year in 2021.

We would like to thank Oh Boy Records, Bitter Southerner, and Kelsey Waldon for their generous support of our work. We would also like to thank the Public Theater's "Coal Country" by Jessica Blank and Erik Jensen for directing attendees to donate to ACLC in their program notes. Proceeds and donations of this kind are immensely helpful for furthering our work, and we are grateful for the generosity of so many donors and supporters near and far.



Lastly, we want to thank the late John Prine for his support over the last two years. You are sorely missed by countless Kentuckians.

Rest in Peace, Mr. Prine.



*To order Kelsey Waldon's blue vinyl edition of "They'll Never Keep Us Down," please visit: <https://store.johnprine.com/collections/kelsey-waldon>



**WE CONTINUE TO FIGHT FOR JUSTICE IN THE COALFIELDS.
PLEASE CONSIDER DONATING TODAY.**

APPALACHIAN CITIZENS' LAW CENTER

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