



Clean Water for North Carolina

Clean Currents

Spring 2021

A newsletter of clean water and community environmental justice issues

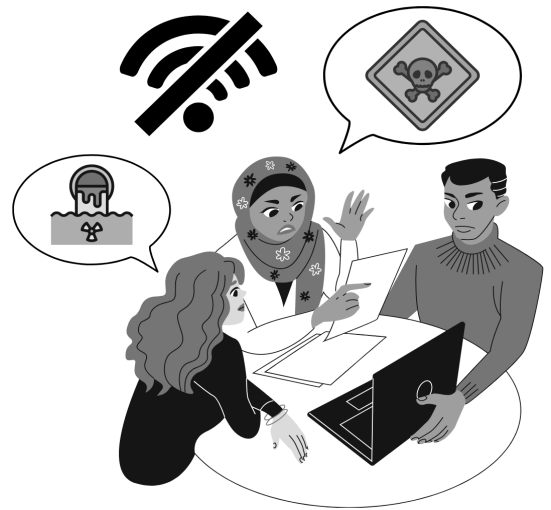
DEQ's Virtual Hearings For Pollution Permits Thwart Public Participation

While industries continue to roll out plans to build toxic facilities, North Carolinians are expected to show up for virtual public hearings to speak out, a process that is ineffective, poorly noticed, and excludes the voices of many, especially our most rural neighbors with poor internet access.

Many across the state are already facing economic, health, and social damage during this global pandemic. This is no time to burden people with threats of increased air and water pollution. Community members deserve ample opportunity to learn about and speak out about facilities that may pollute the water they drink and the air they breathe, or hold off until in person hearings are possible. The NC Dept of Environmental Quality's practice of sharing information virtually is totally insufficient, and does not reflect the agency's stated goal of implementing best practices to hear from communities.

Data from the American Community Survey highlights that rural and low-income households have the lowest internet access rates across the state. Despite only 51% of households in Robeson County having internet access, a virtual hearing for a proposed black wood pellet plant in Lumberton was held in June. The only "community outreach" conducted by DEQ officials was uploading a technical PowerPoint on their website, and sending email notices about the hearing to subscribers to DEQ notifications.

CWFNC continues to call on DEQ to implement appropriate methods to hear from ALL community members who may be impacted by the agency's permitting decisions, or stop permitting until in person hearings are possible!



Disconnect: Recent DEQ Meeting Fails Community

From the perspective of impacted community members, there is a huge difference between public participation and MEANINGFUL public participation. At a recent public meeting for the Align RNG Biogas project in Sampson and Duplin Counties, that contrast was painfully clear. What participants witnessed was a process that left them feeling outraged and disempowered.



The most obvious problems were technical issues, as many folks in the impacted community lacked internet access to attend the online meeting. Those who tried to phone in had been given the wrong password. Several people who signed up for comments were simply not there when their name was called or the facilitator was unable to identify them to give comments. This resulted in an unknown number of voices who were not heard.

Worse than the technical issues, however, was DEQ's dismissal of concerns that were raised during the Q&A session. Questions were asked about the lack of transparency of this project, EJ concerns and cumulative impacts on the community, as well as concerns about health and environmental impacts of the overall project. Time and again, DEQ responded that such questions were "beyond the scope" of the meeting. In fact participants were told that DEQ wasn't obligated to hold this public meeting in the first place. It left people wondering just where and when IS the appropriate place for people to have these extremely valid questions answered?

In order for EJ communities to be empowered and believe that DEQ is listening and acting on their behalf, the agency needs to end this model of "information sessions" featuring what the INDUSTRY wants the public to know, and having input at actual "hearings" any time there is an introduced risk to that community. The voice of the people deserves to be heard and heeded by the agencies who are tasked to protect them.

WHO WE ARE

Clean Water for North Carolina

Clean Water for North Carolina is a private, non-profit organization based in Asheville, NC. CWFNC works to ensure that all people have a right to live, work, and play in clean and safe communities. Together, we have the power and responsibility to work for a healthy and sustainable environment. Our staff works with an active and diverse board of directors, as well as members, to increase grassroots involvement in environmental decisions.

CWFNC spearheads action statewide and helps grassroots and environmental groups, individuals, and local governments develop strategies to address threats to the environment.

Our Mission

CWFNC promotes clean, safe water and environments and empowered, just communities for all North Carolinians through organizing, education, advocacy, and technical assistance.

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Please Contact Us

Asheville

828-251-1291 • 1-800-929-4480

Veronica Oakler, Executive Director
veronica@cwfn.org

Amanda Strawderman, Polluter
Accountability Program & Office Manager
amanda@cwfn.org

Shelby Cline, Environmental Justice
Organizer and Reseacher
shelby@cwfn.org

Durham

919-401-9600

Rachel Velez, Communications & Water
Justice Campaign Manager
rachel@cwfn.org

Christine Diaz, Environmental Justice
Organizer and Reseacher
chritine@cwfn.org

Garysburg

252-537-1078

Belinda Joyner, Northeast Organizer

CWFNC Welcomes Our New Executive Director!

Veronica (Saavedra) Oakler is our new CWFNC Executive Director, after spending a month working with Hope on transition tasks and getting to know our staff! She grew up speaking both English and Spanish in a highly diverse South Florida, and earned a degree in Wildlife Ecology from the University of Florida while volunteering on a range of environmental issues before earning her LLM from Lewis and Clark University in Portland, Oregon. While her greatest passion is for water quality and quantity protection, she worked on Environmental Justice and air quality issues in Oregon, and ensured state agencies met their legal and regulatory environmental duties as a government attorney in Florida. While working in the FL Governor's office, she drafted legislation that required pollution notification in the oil and gas sector and comprehensive spring watershed safeguards.



With family in western NC and a deep love for communities and waters in our beautiful state, Veronica's energy, wide ranging skills, creative strategizing and high expectations will help CWFNC grow and build our leadership as we emerge from over a year of pandemic to renewed community engagement! Our Board and Staff welcome Veronica heartily, and Hope is delighted to be handing direction over to a wonderful leader for CWFNC's future.

Christine Diaz--Our New EJ Organizer and Researcher



We're also pleased to welcome Chris Diaz, who joined our Durham office staff in December and has already been hard at work reviewing and commenting on air pollution permits that pose substantial health risks to EJ communities in Duplin, Sampson and Richmond Counties. She grew up in Harlem and came to NC to earn a degree in Environmental Studies and Anthropology at Davidson College. While at Davidson, she worked with Sustain Charlotte to research and advocate for transportation accessibility issues for the public in both English and Spanish. Her experience as a college advisor to low income, under-represented students at a high school in Monroe, in Union County, gave her experience building the capacity of students facing academic challenges. Her leadership experience includes serving as Chair and Student Equity Advisor to Davidson's Student Initiative for Academic Diversity, evaluating Professor level faculty and promoting inclusion throughout Davidson's programs. We are grateful for the skills, passion and commitment to justice that Chris brings to our NC staff and look forward to working with her!

Covid, Climate, & Clean Water

Covid, Climate & Clean Water—Moving CWFNC Forward for Environmental Justice! *Hope Taylor, retiring Executive Director*

The Covid-19 pandemic has dramatically revealed the massive social, economic and environmental injustices still throttling our nation's ability to ensure we can ALL thrive and be a part of building a just society in the 21st century. We all have seen that Black and Brown, Indigenous and poor people have taken the brunt of severe illness and death at far greater rates than their proportion in our population. Disproportionately stuck in jobs that force them to be essential front line workers, unable to work remotely, and often not provided with personal protective equipment or able to socially distance in crowded workplaces, these communities also have fewer resources to obtain health care and less job flexibility to stay home even when sick. Along with a greater likelihood of large, multi-generational households, the result has been that Covid-19 has often ravaged entire extended families, and hurt those who've taken the biggest risks to care for, transport and feed others during the pandemic.



Within a few years of CWFNC's founding in 1984, staff member Nan Freeland (photo left) participated in the 1991 First International People of Color Environmental Leadership Summit. She brought the shared values of the "Principles of Environmental Justice" back to our organization, and helped to

found the NC Environmental Justice Network. Before she left CWFNC to work at NC State University and as a consultant, those values had deeply influenced our organization, and continue to do so more profoundly in our work with communities, striving for more protective policies, while engaging the leadership of those most adversely impacted.



Climate change, as author-activist Naomi Klein has written, "changes everything," and connects the likelihood of increased disease prevalence with the unequal impacts of disease on People of Color and low income, with the siting and weak permitting of polluting facilities in communities already impacted by health disparities and less access to safe, affordable water. As I step down as Executive Director (but I will stay around in a transition advisory role for a few months), I believe that all of our members, donors and allies will support CWFNC as we become ever more deeply involved in climate activism as linked to our Environmental Justice mission.

Thanks and much love and appreciation to you all,
-Hope

Learning About Water Injustice in a Climate of Extremes—Lessons from Jackson, MS

The extreme cold that descended on Gulf Coast states for nearly a week in mid-February was due to a wide-ranging "polar vortex" that carried Arctic air into the deep South, a phenomenon scientists clearly link to the changing climate. Frigid conditions revealed not only the vulnerability of electric power production as coal and gas plants tripped off and outages affected millions in TX, LA, MS, but also the fragility of long neglected water and wastewater infrastructure. With no power to heat water in homes or businesses, or to keep water treatment plants operating, pipes froze and burst, and equipment was damaged. Even as repairs slowly began, the water flowing was still contaminated and unsafe to drink. The residents of Jackson, MS, with an 80% Black



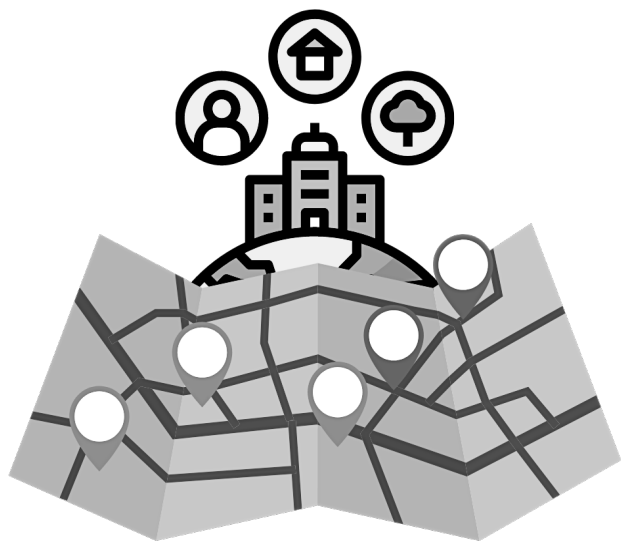
population, face an even slower and more difficult path to recovery than most. It's been over a month since the Polar Vortex struck, but many homes still don't have running water, and repairs are lagging in this deeply under-resourced city. Even those who do have flowing water have to boil it before drinking, due to the lack of treatment to remove contamination. Thousands of residents are forced to bathe in a few bottles of water from a distribution point, or to travel to friends or relatives, sometimes far from the city.

Jackson was the victim of a "perfect storm": climate change, underfunded city governments and racism have left residents struggling to meet the most basic needs for health and sanitation. Funding to rebuild and strengthen water infrastructure MUST be a national priority as we recover from the Covid-19 epidemic. Just as road building projects helped to recover our economy and jobs after the 2008 housing and Wall Street crash, rebuilding the nation's water and wastewater systems, especially for poorer communities, would be a major job creator with substantial benefits to our waters and health!



Community Outreach & Empowerment

Introducing the “Community Tools” Project—Making Environmental Research Easier



In today's digital world, online tools or web applications are a convenient way for public agencies like the EPA to share information about polluting industries and their potential harm to the environment. For communities, these tools may be particularly useful to investigate and challenge environmental injustice. By mapping important information about facilities, pollutants, water sources and other publicly available information, users can gain the knowledge they need to better understand and prevent public health concerns in their communities. But these applications can be difficult for the general public to find and use, especially for less tech-savvy community members who are simply concerned with their health and their neighborhood's well-being.

CWFNC's "Community Tools" project aims to fill this gap by making information on these applications more accessible to everyday folks who want to investigate their own areas. Currently, there are a total of eight tools we've identified, built by both national and state agencies, with environmental and community data that may be helpful to community members. Our goal is to create a fact sheet and video tutorial for each tool, including captions in English and Spanish.

You can stay up-to-date with this project by checking out the "Tools" webpage on www.CWFNC.org, which contains links to a selection of online tools—including the two featured below—already existing instructions and guides, and our own helpful resources!

SWAPInfo 2.0 Tool—Investigating the Source of Your Drinking Water

The Source Water Assessment Program (SWAP) mapping tool provides information about the sources of North Carolina's public drinking water, including surface water sources (lakes, rivers and streams), groundwater sources, and wellhead protection areas. This tool, developed by NC's Department of Environmental Quality, helps users visualize their drinking water source alongside environmental hazards, which are known as "Potential Contaminant Sources" (PCS).

Animal operations, toxic waste sites, and landfills are just some of the types of PCS that you can select through the "Layers" icon (located on the upper righthand corner of the tool). Interested in information on a specific place? You can use the search bar to identify street addresses

or public water systems. Need to make a list of concerns in your area? The proximity search feature filters SWAP and PCS data by location to create several spreadsheets of relevant information that you can download.

The links available on the SWAP application take you to detailed reports on water sources, background information on the tool's data, an instruction guide, and contacts for NC Source Water programs. To access SWAPInfo 2.0, go to www.CWFNC.org, where we have a link to the application, a fact sheet for the tool, and a tutorial video that is coming soon! Or access the tool directly by typing this link into your browser!

<https://tinyurl.com/swap-tool>

TRI Tool—Exploring Major Sources of Toxic Releases

The EPA's Toxic Release Inventory (TRI) Program tracks how larger industries manage their toxic chemicals and pollution prevention plans. The chemicals that companies have to report are those that cause cancer, acute human health effects, or environmental harm. The TRI Search tool allows users to search the inventory and filter the results by location, watershed, tribal land, and facility name.

You can look up an address and find out what facilities are nearby. Then you can view the demographics data for people who live in the area, along with the potential health effects nearby residents might experience due to the chemicals released. More interested in seeing

how facilities deal with their pollution? You can explore the amount of chemicals released, the methods used for their waste management, and data on any pollution reduction activities. The past three years of compliance records for facilities are also available.

To get started with the TRI Search tool, simply type this link into your browser! tinyurl.com/epatri-search. You can also visit our website for a link to the application, an easy-to-follow fact sheet, and a compilation of EPA how-to videos, fotonovelas, and other resources!

También, hay una versión completa de esta herramienta de búsqueda en español.

Vision for Environmental Accountability

Reversing the Rollbacks: Working for Stronger Protections Under the New Administration

With over 100 regulatory rollbacks initiated or completed, it's no secret that environmental protections took a massive hit under the Trump administration. Rules were weakened for environmental oversight and permitting, extraction of resources, pollution controls, and energy byproducts and emissions. While the legacy of these stripped protections runs deep, there is some positive news and hope on the horizon.

Although many of Trump's rollbacks have already gone into effect, some are now frozen in the process. This is due in part to a sloppy last-minute effort to ram changes through just before power shifted to the Biden administration. According to a report by Public Citizen, in an attempt to shield some of these rollbacks from potential "freezes", the Trump administration violated the Congressional Review Act (CRA), neglecting to file some of them in the Federal Register and properly submit them to both sides of Congress. At present, dozens of rollbacks are being held in limbo by such filing blunders.

Many environmental rollbacks will take more time to reverse, but steps toward getting back on track have already begun through executive action. On day one, President Biden signed executive orders to cancel the Keystone XL Pipeline and re-enter the Paris Climate agreement, along with a promise to review each environmental rule weakened under the previous

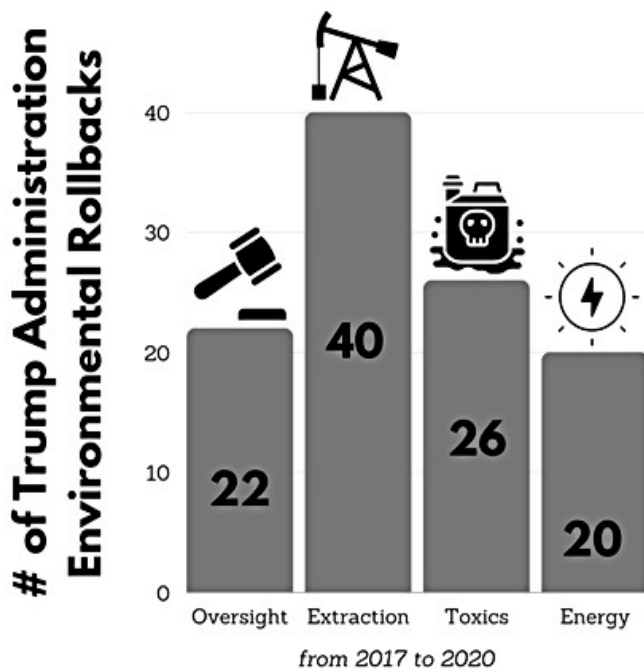


administration. One of the most important rules under review is NEPA, the National Environmental Policy Act, which has long been the bedrock of community empowerment as part of federal decision-making. Whereas NEPA historically provided a means to analyze impacts of new facilities through environmental review and identification of risks to Environmental Justice (EJ) communities, the gutted version strips the environmental assessment process and severely limits opportunity for public input.

In addition to reversing some of the rollbacks, Biden has appointed a much more progressive and EJ-minded EPA administrator - NC's very own Michael Regan. A leap forward from the industry lobbyists who led EPA in the recent past, some groups are hopeful that Regan's previous position as Secretary of the NC Dept. of Environmental Quality (DEQ) and his familiarity with EJ issues will help achieve more accountable, more inclusive, and just policies on the federal level.

Governor Cooper has nominated Dionne Delli-Gatti to take Regan's place at the agency. There is much work that needs to be done on the state level for Environmental Justice and polluter accountability. It is our hope that, if Delli-Gatti is confirmed as the new DEQ Secretary, she will take this opportunity to strengthen the public participation process and bolster her agency's authority under state law to fully consider EJ impacts that new and existing facilities pose to our neighbors across the state.

Bold actions will be required to address the myriad issues facing communities across the country - climate change, health impacts, poor quality of life - due to so many extracting and polluting industries that lack sufficient oversight. There is momentum to move environmental policy in a more positive direction, and there is no better time than the present to speak up for justice and safe, healthy environments for all.



Preventing Harm to Communities

Deemed Essential: The Costs Paid by Meat Processing Workers

While the rest of the country went into lockdown, meatpacking and processing centers were ordered to stay open. The demand to keep meat products in stock at grocery stores superseded workers' health and safety. Since the start of the pandemic, at least 57,000 meatpacking workers have tested positive for COVID-19. In North Carolina alone, there have been over 4,500 cases and 23 deaths in meatpacking facilities. And those are just the reported figures.

At the same time, profit drove the industry to push for increased line speeds at poultry slaughterhouses, with a proposal by the USDA to change the limit from 140 to 175 birds per minute, despite the current speeds and working environment already having a dangerous track record. In fact, just this past January, a liquid nitrogen leak at a Gainesville, GA poultry plant killed 6 employees and hospitalized at least 11 others. Worker injuries are even more common, ranging from amputations and other traumatic accidents, to arthritis and muscle strain from the job's repetitive motions.

Now, as a result of the persistent efforts by advocates and the arrival of a new presidential administration, things have started to look up. Many meatpacking workers have been prioritized for getting the COVID vaccine, the proposed increase for poultry line speeds was dropped,

and awareness of this worker justice issue has increased among the general public. We must strive to continue improving these working conditions, even when the pandemic is not at the forefront of our minds. Meat and poultry workers have been ignored for too long, but there's no time like the present to bring those injustices to light and require safer, more equitable workplaces.



Statistics on COVID-19 outbreaks courtesy of the Food & Environment Reporting Network.

Proposed Creosote-treated Railroad Tie Cooking Facility Brings Health, EJ Concerns

International Tie Disposal (ITD) wants to build a "biochar" manufacturing facility in Hamlet, Richmond County. The company's plans to cook creosote-treated railroad ties in the absence of oxygen (pyrolysis) pose serious Environmental Justice and community health risks to an area already overburdened by polluting industries.

Creosote is considered a probable human carcinogen by the EPA, and human exposure has caused considerable community health concerns in recent years. The Georgia legislature unanimously banned the practice of burning creosote in response to both air and drinking water contamination, and two predominantly African American communities in Houston, TX, are experiencing high rates of respiratory cancers and leukemia due to their proximity to a creosote storage yard. We cannot allow ITD to bring the same pollution and environmental injustices to North Carolina.

Should this biochar facility be permitted, the operation would release carbon monoxide, nitrogen oxides and particulate matter – all of which pose serious human health risks – in a county that consistently ranks lowest in terms of health for North Carolina. Inhalation of fine particulate matter has been linked to a person's vulnerability to more serious COVID-19 illness.

Hamlet and the nearby Dobbins Heights community already host many industrial facilities, including Enviva wood

pellet plant, chemical companies, a plastics manufacturer and more. The communities near the proposed site are predominantly low-income and African American, and Richmond County consistently ranks among the lowest in terms of health outcomes.

Clean Water for NC continues to work with community members and Hamlet City officials to speak out against this toxic industry, submit official comments, and share messaging on how both impacted neighbors and the general public can get involved. We are urging the NC Dept. of Air Quality to deny the facility's air permit, and halt all permitting processes for industries that impact the air we breathe during this global pandemic.



Thanks to Our Generous Foundations and Major Donors!

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☐ \$25 ☐ \$50 ☐ \$100 ☐ Other ☐ I would like to volunteer ☐ I'll give online at www.cwfnc.org/donate-now



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1070 Tunnel Rd., Bldg. 4, Ste. 1
Asheville, NC 28805
www.cwfnc.org

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Millions of NC Residents Get Their Water from a Well—Are You a Well User?

**If so, please help us advocate for better policies to help ensure safe well water
and funding for testing of wells near contaminated sites!**

Since 2003, Clean Water for NC has connected with well users in areas where we've learned about contamination, and advocated to state regulators and the NC General Assembly for more protections for well users and funding to help test wells close to contamination or to get safe replacement water for lower income households. NC has one of the highest proportions in the nation of our population who depend on private wells, nearly 30%!

We succeeded in getting a small annual appropriation to the Bernard Allen Emergency Drinking Water Fund, named for a SE Raleigh state representative whose well was contaminated and died after a strong effort to help other well users. A real breakthrough in 2008 was expansion of county level well programs to all 100 counties to assist with assuring wells were safely installed and well water was tested for common contaminants.

If you are a well user, and would like to work with us to help inform your state legislators about the need to strengthen well water protections statewide, we'd love to hear from you! Join the NC Well Users Network by signing up at tinyurl.com/welluser or on our website, and we'll be in touch soon about how you can help!

More and more folks are getting involved in well protection issues. A new group of academic researchers, other nonprofits and folks from our health agency are meeting regularly as the **NC Well Water Working Group**, and we'll be sharing information from this group in future Clean Currents issues!

Visit us at CWFNC.ORG