

Blue Ridge Paper Products, History of Polluting the Pigeon River—Comment by Fri, April 30!
Email publiccomments@ncdenr.gov, include “Blue Ridge Paper Products” in the subject line!

For over 113 years, since Champion started its operations in Canton in 1908, downstream residents and TN officials have been struggling to hold the company accountable for major degradation of the River for many miles into Tennessee, while Haywood County, NC with \$15,000 higher household income, benefits from over 1,000 high paying jobs and high tax revenues. One of the largest pulp and paper mills in the southeast US, discharging over 30 million gallons/day into the tiny Pigeon River, the Canton Mill impacts a key resource for both NC and TN. The 40 miles downstream of the Canton Mill in NC have been written off for any recreational uses for over 110 years, but the stretch just over the TN border is being used for rafting—but the most frequent users of the River—professional raft guides—still big problems remain when compared to other Appalachian rivers!

That rise of recreational use could only happen after TN and environmental groups sued NC for issuing a weak 1996 permit. A Settlement Agreement finalized in 1998 between TN, NC, Champion and the environmental groups that were part of the suit brought about major water quality improvements. That Agreement required that NC continue to require improvements in the Mill’s discharge to clean up the Pigeon River “at the quickest possible pace.” Instead, NC regulators have, since 2001, drafted permits that don’t require further improvements in the River. Often components of their “fact sheets,” drafted by NC regulators have served as PR statements for the Mill, painting a misleading picture of continuing improvement, while the actual improvements in its discharge have stalled out since 2001. In 1999, the Mill was sold to a combination of the union workforce and a private equity firm, and renamed Blue Ridge Paper Products.

In 2010, Clean Water for NC and several TN and western NC groups and TN officials filed a “contested case” challenge to demand further improvements in the Mill’s discharge to the River. One of those improvements, a tighter temperature requirement, was implemented thanks to EPA involvement, but the Mill and NC regulators still deny that “color” is a problem for the River.

Raft guides on the Pigeon, who are immersed in the River hundreds of times each season, continue to report discoloration, smells, stinging eyes, respiratory problems and rashes. It’s clear that the River is nowhere near as clean as it could be. NC regulators are proposing removing the color variance and other changes, NONE of which will help clean up the Pigeon River, and even loosening regulatory requirements for the Mill! While color at low levels isn’t toxic, it IS an indicator of the level of contaminants, many of which ARE toxic, irritants and cause bad taste and odor.

When NC regulators tout the Canton Mill as being one of the top performing mills in the world, that statement is entirely based on the amount of pollutants discharged PER TON OF PRODUCTION, but the enormous production of this mill should never have been allowed on a tiny mountain river.

PLEASE EMAIL COMMENTS IN YOUR OWN WORDS, TO: publiccomments@ncdenr.gov , by 5:00 PM on FRIDAY, APRIL 30th! Be sure to include “Blue Ridge Paper Products” in the subject line!

Key Problems with Draft Permit NC0000272 for NC Blue Ridge Paper

- 1. The color variance must not be removed.** _NC regulators want to drop the long-standing Color Variance from this permit, which is the acknowledgment that the Canton Mill is NOT meeting North Carolina's narrative standard for "acceptable" color. If there had been significant progress in cleaning up their discharge to the Pigeon River, it might be reasonable to consider removing the variance. But essentially NO progress has been made in 20 years, except that the Mill's discharge doesn't vary as widely (fewer spikes). But the weak limit to the amount of colored waste the Mill is allowed to release hasn't improved in 20 years, and they've still violated that limit! The variance must remain in place and the limits of color the mill can release MUST be cranked down by at least 20% to 30,000 pounds of color per day to make up for lost decades in cleaning the River, and reduced another 20% in the next permit. When the Mill can meet stricter standards DAILY, not just 90% of the time, then it will be time to consider removing the variance!
- 2. A Settlement Agreement finalized in 1998 between EPA, the former Champion Mill, NC and TN officials and Environmental Groups that committed ALL parties to cleaning up the River 'at the quickest possible pace.'** Instead, **NC DWR has actually facilitated the stalling out of any progress in cleaning the River with permits that don't require any improvements and administrative processes taking twice as long as the federally mandated 5 year renewal period!** Both the EPA's "Tech Team" and a 2001 joint study on chlorine-free production at the Mill, pointed to several feasible process changes for pulping and bleaching that would improve environmental performance, but NC permits have failed to require those improvements.
- 3. The failure to clean up the River is an Environmental Justice issue,** as downstream Coker County's economy and health have been impaired for over 100 years, while the Canton Mill has enriched Haywood County, NC. EPA must call for justice in this permit!
- 4. The proposed instream color standard is weaker than the standard that EPA proposed in the 1980's and must be sampled and enforced DAILY.** When EPA interpreted North Carolina's narrative color standard as 50 platinum cobalt color units in the 1980's, it would have been a big improvement over the 80 years of black and foamy water in the Pigeon. But since we've seen the improvements made by EPA and the 1997 Settlement Agreement, the River deserves better. The EPA Tech Team and a Joint Study on Chlorine Free Bleaching at the Mill showed more improvements at the mill are feasible and can be implemented while still earning a profit. There are no more excuses. Further,

the 50 color units proposed over 30 years ago was to be the TOTAL color level in the River, and this permit proposes adding the upstream color level to the 50 color units. Which is unacceptable. Instream color must be sampled DAILY at the closest downstream sampling point (Fibreville), and enforcement must be based on daily, not monthly average color measurements.

5. **The permit must not allow for increased levels of chloroform to be discharged to the River simply because of the Mill's production level, and the production level must not be allowed to increase.** The federal rules for many components of a mill's discharge are limited by the amount PER TONS OF PRODUCTION. This fails to take into account the size of the water body into which a mill discharges. Blue Ridge Paper Products is one of the largest mills in the region on a very small river, so its discharge has a far greater effect. NC Div. of Water Resources shouldn't allow increased levels of toxic releases, but must decrease these amounts with each permit. This was the whole point of the Clean Water Act's National Pollutant Discharge ELIMINATION System.
6. **The Temperature Variance should be further tightened, based on evidence the Mill is still impacting the biological health of the River immediately downstream.** EPA's objection to the temperature variance in the draft 2010 permit resulted in a reduced temperature limit and more rigorous studies of the biological impacts of the Mill's discharge in the Pigeon River. While the studies carried out show improvement in most sections downstream of the Mill, and survival of introduced native fish species, the stretch just downstream of the Mill still shows evidence of biological impairment, likely due to the elevated temperature. The summer temperature limit of 32 degrees C must be reduced by at least 2 degrees C and enforced DAILY, rather than as monthly average.
7. **Dioxin monitoring must be maintained at the level in the previous permit, and fish studies carried out.** In addition a full study of sediments in Waterville Lake for dioxins and furans must be carried out to ensure protection of downstream water supplies and edible fish populations. EPA has also failed to carry out a comprehensive ecological study on the Pigeon River and Waterville Reservoir that the agency agreed to in 1998.
8. **The permit announces a new "mixing zone" of 0.4 miles downstream of the discharge pipe, without providing analysis and justification of protection of the resource or aquatic life as required by regulation (15A NCAC 2B.0204).**
9. **Always include any personal experiences and observations of the River with your comments!! Thank you for caring about the Pigeon River and folks downstream!**