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PREPARE YOUR WELL FOR THE NEXT STORM

The Atlantic hurricane season continues to take a devastating toll on low-lying and flood-prone regions, with the most recent case of Hurricane Florence dumping more than 50 inches of rain across the Carolinas.

As we enter the Atlantic hurricane season, Clean Water for NC wants to ensure NC's almost 3 million private well users are prepared and informed! Explore NC Dept. of Health and Human Service's pamphlet to learn what you can do to safeguard the quality of your drinking water for you and your family. Scan the code below or visit tinyurl.com/well-flood to learn more:



TAKE CHARGE THIS ATLANTIC HURRICANE SEASON

North Carolinians are no stranger to the Atlantic hurricane season. The National Oceanic and Atmospheric Administration is predicting an above average 2022 season, with an expected range of 14 to 21 named storms and potentially 3 to 6 major hurricanes. Flooding events like from Hurricane Florence can cause animal waste, toxic chemicals, and other harmful debris to spill out of containment structures and into surrounding waters.

With hurricane season well under way, now is the time to make preparations to help protect yourself, safeguard your drinking water supply, and build community resilience – especially as climate change-induced disasters become more prevalent.

Most of us receive our drinking water from a public water system. Be sure you are signed up to receive alerts from your utility if this is offered, and keep an eye out for boil water or “do not drink” advisories that your town or municipality may announce following a storm. If you have questions about the potability of your drinking water after a hurricane, contact your water system directly, or call the NC Public Water Supply Section to discuss any concerns or questions: (919) 707-9100.

You can also create a disaster supply kit stocked with water, food, a flashlight and first aid, and research your local shelters and evacuations plans.

It's not too late! Let's work together to stay safe this hurricane season. Visit our website for a full list of community resources: tinyurl.com/cwfnc-storm

WHO WE ARE

Clean Water for NC is a 501(c)3 non-profit organization with a mission to promote clean, safe water and environments and empowered, just communities for all North Carolinians through organizing, education, advocacy, and technical assistance.

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ABOUT US



MEET OUR WATER JUSTICE SUMMER INTERN

We are excited to introduce our Water Justice summer intern, Zoe Saum! Zoe is studying Sustainable Development and Spanish at Appalachian State University and will be earning her Bachelor's degree in December. Her passion for nonprofit management began while enjoying courses on the subject in school, and she is now hoping to turn this passion into a career following graduation.



Zoe is heading our Consumer Confidence Report campaign this summer, as well as contributing to our Equitable Infrastructure and Well User Protection activities. Zoe joined our internship program to gain a deeper understanding of Environmental Justice in North Carolina, drinking water access and affordability issues, and a general sense of how nonprofits operate behind the scenes. When she's not at school or working, Zoe enjoys spending time with friends, roller blading, and playing on her Nintendo Switch. Read on to learn more about how Zoe has contributed to our Water Justice program!

WELCOME TO OUR NEW BOARD MEMBER!

In our last Clean Currents newsletter, we introduced you to Lee Barnes who has been volunteering with Clean Water for NC for years. Well, we are pleased to announce that Lee has stepped into a bigger role and has joined our Board of Directors! A North Carolina native and avid environmentalist, they have been actively involved in a number of environmental and land use issues throughout the state.

Lee is a recent graduate from UNC Chapel Hill this year with a focus on Geography and minor in Environmental Science. We are excited to have Lee onboard as a member on our Board of Directors, bringing unique insight and invaluable perspectives to our work at Clean Water for NC. Welcome aboard, Lee!



WATER JUSTICE

KNOW YOUR RIGHTS AS A DRINKING WATER CUSTOMER



Every water customer has the right to know what is in their drinking water, and educated consumers are more likely to help protect their drinking water sources and understand the true costs of safe drinking water. As established under the Safe Drinking Water Act, community drinking water systems, like your town or county water utility, are required to distribute or make available Consumer Confidence Reports (CCRs), also called Annual Water Quality Reports, to you by July 1st each year.

These reports outline the source of your drinking water, a list of contaminants and the levels detected, potential health effects from consuming the water, and how the quality of your water compares to national standards. The report also contains information about water treatment methods, educational materials for common water contaminants, and how to contact your drinking water utility.

Your utility will distribute or publish their CCR based on the size of the customer base. For example, if you receive your drinking water from a larger county-wide water system, it is likely that your annual water quality report will be found on your county's website under their utilities or public works webpage. Smaller system community members must be notified about the availability of their report and can request a copy, or review the CCR in a local newspaper.

Regardless of these required distribution methods, if you have not received or been made aware of your drinking water report by July 1st, contact your water provider and request a copy - it's your right! Unfortunately, the language within the federal CCR rule is very vague when it comes to translation requirements for non-English speaking drinking water customers. You can learn more about the experience of non-English speaking drinking water customers in accessing and understanding their drinking water reports over at our website under the "Reports" tab.

¡Hablamos español! Póngase en contacto con shelby@cwfn.org si tiene alguna pregunta sobre su Informe de la Calidad del Agua.

Please contact our Water Justice Director with any questions you have about accessing or understanding your water system's Consumer Confidence Report at 919-401-9600 or rachel@cwfn.org

ANNUAL WATER QUALITY REPORTS VIDEO GUIDE

Did you know that Clean Water for NC has a Youtube channel with awesome video tutorials to help you become an Environmental Justice leader in your own community? Our visual how-to guides are designed to assist you with exploring environmental hazards and potential health impacts in your area, how to access information about your drinking water source, and much more!

We're excited to share a new video tutorial with community members that provides an in-depth overview of Consumer Confidence Reports (aka Annual Water Quality Reports) and the rights of drinking water customers. Knowing what's coming from the tap is essential to making informed decisions about the water you drink!

Our newest video breaks down the Annual Water Quality Reports in simple terms, how you can access yours, and where to go if you have questions.

Visit our Youtube channel at tinyurl.com/cwfn-youtube to get started today!

SOLIDARITY FOR KINGSTON

Wearing masks has become so commonplace for everyday use, that it seems absurd that any worker seeking to protect themselves from breathing in a dangerous substance would be denied. But for workers who were contracted to clean up Tennessee Valley Authority's (TVA) coal ash disaster in Kingston, that is exactly what happened.

Under TVA's direction, contractor Jacob's Engineering, more concerned about public image than worker safety, not only denied protective equipment during coal ash cleanup, but threatened to fire any worker who wore their own masks on the job. Since then, nearly 50 workers have died and over 200 are suffering from related illnesses, and they and their families want justice.

In June, the Kingston worker case rose to the TN Supreme Court, which will set precedent for how workers in TN and even other states could respond to such injustices. Recently in regard to the 828 MLK Chapel Hill project, NC DEQ has stated that worker protections will be left to the individual contractors for coal ash remediation. Clean Water for NC and ACT Against Coal Ash hosted an online show of solidarity lighting candles for the Kingston workers with #rememberkingston on social media. We stand for worker justice at every coal ash cleanup site!



COAL ASH



CHAPEL HILL'S COAL ASH PROBLEM

Coal ash, or coal combustion products (CCPs), is the residue that remains from burning coal. Coal ash typically contains substances which are harmful to human health including arsenic, chromium, lead and mercury. Exposure poses health risks to workers and residents near coal-fired power plants and coal ash disposal sites. Short term exposure can cause irritation of nose and throat, dizziness, nausea, vomiting, and shortness of breath while long term exposure can include liver damage, kidney damage, cardiac arrhythmia, and different forms of cancers.

Despite these health risks, the EPA has not designated coal ash waste as hazardous waste, instead placing it in the same category as household waste. While a settlement agreement was reached in the case of Duke Energy's coal ash pollution in NC, other smaller coal ash waste sites that are not regulated under the Coal Ash Management Act (CAMA) have been left without plans for cleanup. The property of 828 Martin Luther King Jr. Blvd in the Town of Chapel Hill (Town) is one such location.

Historically, the property of 828 MLK was used as a borrow pit, later becoming a fill and dumping site. The Town acquired the 10-acre property and constructed the current police building in the early 1980s. In 2013, the Town discovered coal ash waste and since then has performed several assessments to evaluate the location, amount, and risks of the coal ash. In 2020, the Town conducted an interim cleanup to eliminate the immediate hazards by removing 1,000 tons of coal ash and soil along Bolin Creek Trail and providing erosion resistance to the embankment, but a significant amount of coal ash remained on site.

According to the Town's environmental consultants, there are 60,000 cubic yards of coal ash located at the site. These CCPs were observed to depths of approximately 29 ft below ground surface (bgs). There is evidence of "perched water" with higher concentrations of metals identified in the fill material, which are separated from and would not be easily transported to the underlying aquifer. Drinking water is supplied to Chapel Hill by the Orange Water and Sewer Authority (OWASA).

CONCERNS



Proposed plans for remediation are a cap and contain method, which includes removing the exposed coal ash on the surface and to cover it with 3-4ft of soil and build a retention wall to prevent runoff into Bolin Creek. The Town decided against a full excavation and clean up of the coal ash because of cost and potential exposure for other communities in transporting the waste, which would be taken to Uwharrie Landfill in Mt Gilead.

Current proposed concept plans for development after remediation include municipal offices and new police station as well as multifamily housing units. Community members and other advocates familiar with health impacts from exposure to coal ash waste have highlighted several concerns relating to the proposed concept plan.

The greatest and most unified concern relates to residential units being built atop the coal ash waste without additional cleanup. The decision to build residential units rather than retail and additional office space was made based on a [business street market analysis](#), which concluded that it would not be a good site for retail and office space because of lack of visibility and freeway access. However, this analysis did not consider potential exposure through activities that would differ in nature and duration among various users.

Other concerns relate to ongoing monitoring of the site as well as worker justice and lessons learned from the Kingston disaster and cleanup (see sidebar). Among the list of protections being sought for future cleanup projects are respirators and skin protection, enclosed vehicles & equipment with air filtration systems, and measures to ensure coal ash is not tracked offsite or into workers' homes. DEQ and the Town of Chapel Hill have claimed that they would not be taking responsibility for worker safety, leaving it to individual contractors to make those determinations.

Decisions made on this project could set precedent for other coal ash redevelopment sites in NC. For anyone who'd like to take action, there is still time. DEQ is currently reviewing the proposed concept plan before making recommendations through its Brownfield program. While no further meetings have been scheduled, there will be opportunity to comment at various stages of the process.

For more information or to get involved, contact Christine Diaz at christine@cwfn.org.

WHEN IT COMES TO COAL ASH, WE HAVE OUR "ACT" TOGETHER!

In 2015, after the catastrophic Dan River coal ash spill, a group of dedicated individuals formed the Alliance of Carolinians Together (ACT) Against Coal Ash. Up against an industry giant, ACT members met weekly bringing together impacted community members, advocacy organizations, and experts in law, policy, science & health to strategize how best to protect NC coal ash communities.

ACT coordinated to push our state to hold Duke Energy accountable for the millions of tons of coal ash they generated and stored improperly, contaminating the drinking water of untold numbers in NC. In 2019, ACT turned out to hearings all over the state to push NCDEQ to order full cleanup and safe, lined storage of coal ash at every Duke site in NC. And we WON!

ACT unifying principles state "We believe that all people, regardless of race and socio-economic class, have a right to healthy communities, clean water, clean air, and safe food and soil... living in close proximity to coal ash infringes on these basic rights." In light of the recent proposal to build residential housing atop a coal ash site in Chapel Hill, ACT was again stirred to action to question the Town and DEQ to demand transparency. Read our comments at tinyurl.com/ACTQuestions & email amanda@cwfn.org to get involved in more ACTions!

NCRP & THE CASE FOR PUBLIC OPINION

Despite significant pushback from advocacy organizations and community members, the North Carolina Department of Air Quality (NC DAQ) issued an air permit to North Carolina Renewable Power (NCRP). The facility, which burns poultry litter and wood, has an impressively long history of violations. All 50 comments submitted by members of the public were in opposition to the air permit.

Comments about Environmental Justice impacts were effectively ignored within the hearing officer's report, with NC DAQ remarking that they do not have the statutory authority to deny an air permit based on EJ considerations.

Following the permitting of NCRP's controversial air permit, EPA and NC DAQ hosted a joint webinar on air permitting and public participation. Toward the end of the event, the speaker bluntly stated, "if the permit is found to be legal and enforceable, they must approve it."

In essence, comments about Environmental Justice, health concerns, or personal experiences will not lead to an environmental permit getting denied or even modified. If people's experiences aren't considered important, then how can the public truly be involved? Environmental Justice must be accounted for in decision making, allowing for involvement to be truly meaningful.

MEANINGFUL PUBLIC PARTICIPATION



WORK REMAINS FOR MEANINGFUL PARTICIPATION

Since our Spring 2022 newsletter article on this topic, the NC Dept. of Environmental Quality (DEQ) revised its Public Participation Plan (Plan) and released its draft on June 1st. The Plan is intended to ensure meaningful public participation by impacted and concerned community members during environmental permitting processes, and to provide ample time and opportunity for folks to submit concerns, questions, and formal comments.

While we appreciate that DEQ took heed of some of our public comment recommendations, particularly efforts to reduce language and accessibility barriers for permit hearings and meetings, the draft Plan leaves much to be desired for actual meaningful participation by, and for, communities. Specifically, we are concerned with inadequate public notice and comment periods of just 30 days, limited transparency and tools for determining when to use "enhanced" engagement, and community disempowerment during decision-making processes that ignore Environmental Justice (EJ) and community concerns.

The Plan provides a process for distributing and posting Title VI material, which explains prohibitions on discrimination on the basis of race and ethnicity under the Civil Rights Act of 1964, including disparities in racial and ethnic outcomes. Yet, it simultaneously ignores EJ and community voice considerations about disparate, health, or cumulative impacts. DEQ has time and again stated that its authority is limited and cannot weigh these EJ concerns without explicit statutory authority- alluding to this very issue in its Plan.

Nonetheless, we will not rest until policy has been changed at the agency, executive, and legislative levels to ensure robust and meaningful public participation is a reality. Clean Water joined a coalition to push for legislative overhaul last year to amend state laws to explicitly authorize the very considerations our communities require for a just and equitably safe environment. Come election season, make sure your voice is heard and elevate the discussion of meaningful public participation.

Meaningful public participation should mean that people have an opportunity to be heard and that their concerns carry weight! Please visit [cwfnc.org/public-participation](https://www.cwfnc.org/public-participation) for a detailed analysis of our major concerns and additional resources.

THANK YOU FOR YOUR SUPPORT 7

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THANKS TO OUR LISTENING SESSION PARTICIPANTS!

Clean Water for NC is revamping our Community Toolkit to provide resources you can use to advocate for your neighborhood, learn about Environmental Justice, and protect your rights for a clean environment – regardless of time or previous knowledge. Developing this resource for folks addressing environmental injustice starts with YOU!

Thank you to everyone who came out and participated in our Durham and Garysburg events, as well as our virtual session! We loved connecting with community members and hearing about their concerns, ideas, and motivations. If you missed those listening sessions but still want to give us feedback, please email us at info@cwfn.org.

