



Clean Water for North Carolina

Clean Currents

Winter 2017-2018

A newsletter of clean water and community environmental justice issues

Groups force Duke Energy to release coal ash disaster plans!

The 2014 Dan River spill released over 35 million gallons of coal ash slurry into the Dan River at Duke Energy's Eden plant. Duke paid criminal fines in North Carolina and Virginia for the toxic pollution caused by the spill. In NC, Duke continues to store over 110 million tons of coal ash in unlined basins.

What would a spill look like at Duke's other coal ash basins? In 2015, the Environmental Protection Agency adopted a Coal Combustion Residuals (CCR) rule that requires all utilities to file Emergency Action Plans for a coal ash disaster and post this information on a public site. However, Duke, our nation's largest utility, claimed it had to review how utilities in other states handled the release of this information. Duke is the only utility in the country that withheld parts of its emergency plans from the public. Duke required local emergency managers to sign a confidentiality agreement before they could see the documents.

Thus, the public did not have access to this information until recent litigation threats by the Southern Environmental Law Center and community and environmental groups forced Duke to release Emergency Action Plans and Inundation (flood) Maps! The plans and maps revealed that hundreds of folks for many miles downstream would be impacted by a coal ash basin failure. Businesses, highways, and whole neighborhoods are at risk. Experts warn the maps only show estimates, but the potential damage extends far downstream and has increased concerns about the utility's plan to cap 6 of its 14 coal ash basins unlined in place. Simply placing a cap on top of the unlined pits will not prevent unpredictable and catastrophic failures.

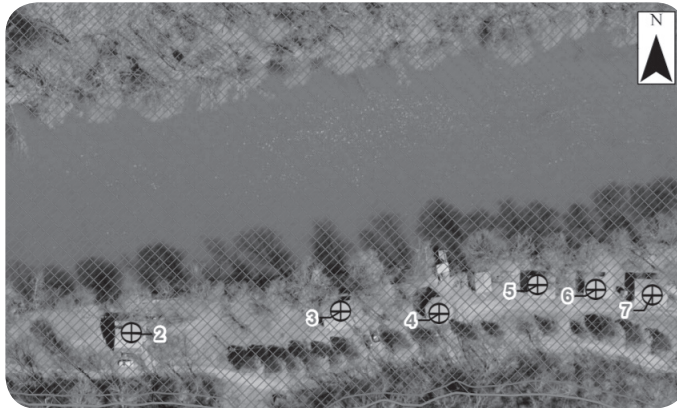
Downstream communities – many of them rural, low income, or minorities - could have only minutes to evacuate. For example, in less than 3 minutes, water

filled with debris and toxic contaminants could reach

homes in Arden. The water could be more than 12 feet deep in the neighborhood. And help wouldn't arrive quickly - Stokes County officials have urged potentially impacted folks in Belews Creek to prepare enough supplies for three days before state resources would arrive.

The release of these maps to the public has shown that a coal ash disaster would affect many people who may not have previously considered the impacts. You can view the maps

at: <https://www.duke-energy.com/our-company/environment/compliance-and-reporting/ccr-rule-compliance-data>.



An inundation map for the Cliffside plant (Rogers Energy Complex) shows the Broad River and multiple homes or other structures that would be flooded if a spill occurred.

1,000 Days on Bottled Water

Nearly 1000 days after the first well-using families had to switch to bottled water after finding their wells were contaminated by coal ash, residents near coal ash pits across the state are STILL trying to get a permanent source of safe replacement water!

A.C.T. Against Coal Ash is organizing an action in mid-January to let Duke Energy know enough is enough - it's time to end residents' reliance on bottled water and hook them up to permanent safe replacement sources of household water. Plastic bottles are wasteful and difficult for residents to carry into their homes for daily use. They're also asking DEQ to order a clean-up of the coal ash that is affecting groundwater wells and to set groundwater standards that protect the health of all well water users.

Stand with community members by printing the petition and getting it signed: <http://cwfnc.org/1000-days-petition-coal-ash>. Plus, stay tuned for details about the action in January!



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.

Board of Directors

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Garysburg

252-537-1078

Belinda Joyner, Northeast Organizer

CWFNC Relocates to New Asheville Office

Clean Water for NC's Asheville office HAS MOVED east of downtown to a cozy new space, where we're sharing a suite with a small builder of earth-friendly homes. We hope you'll come see us soon at our new, fully accessible location – call (828) 251-1291 to arrange to drop by during business hours!



Thanks to all of our members and allies for your patience during October while our staff focused on the move, including going through old files and packing up boxes. And a special thank you to volunteers Silvia Vega and Michael Savage for helping with moving tasks.

It's the end of an era and the beginning of a new one as we say goodbye to our Asheville office of 25 years at 29 1/2

Page Avenue. The building was a real estate project of philanthropist Julian Price, and for years it hosted nonprofit organizations like CWFNC, Clean Air Community Trust, Quality Forward (now Asheville Greenworks) and others for very affordable rents. Dozens of CWFNC staffers and volunteers through the years have fond memories of the work that was accomplished there!

We look forward to continuing to work with communities for Environmental Justice and clean, safe water from our new location.

Please be sure to update your records to reflect our new address:

Clean Water for North Carolina
1070 Tunnel Road
Building 4, Suite 1
Asheville, NC 28805



1992: CWFNC staff and volunteers moving into the downtown office space.



Left: 2017 Asheville staff members Katie Hicks and Xavier Boatright with Executive Director, Hope Taylor. Right: our new home!



Drinking Water Justice

Lead Violations Impact Vulnerable NC Communities *by Rachel Velez*



Rachel Velez has dedicated her academic and professional career to studying and implementing safe water solutions in resource-poor communities throughout Kenya. She hopes to contribute the knowledge she has gained from these experiences to promote safe drinking water rights in her new home of North Carolina through volunteering with CWFNC.

Clean Water for North Carolina recently obtained a dataset from the North Carolina Public Water Supply section detailing almost 1,000 violations of the Lead and Copper Rule (LCR) across the state since 2013. We wanted to find out if lead and copper exposure disproportionately affects certain communities.

Across the board, mobile home parks – which tend to be home to low-income residents - reported the highest number of LCR violations. Water systems serving mobile home parks were responsible for approximately 30% of the total reported LCR violations during this time frame. Even more concerning is that over 50% of the violating water systems did not provide a Lead Consumer Notice form to the mobile home residents, which defines key terms, provides sampling results, and explains health threats associated with lead and copper exposure.

Water systems serving educational institutions, including schools and daycares, accounted for about 16% of the total LCR violations. Approximately 30% of these infractions were reported in the most economically distressed counties, primarily in southern Columbus county. Greenglo Daycare Center in Vance County reported the most violations among all public water systems serving educational institutions, with 13 violations since 2013; the Daycare remains out of compliance for 5 of these violations.

To stay informed, consumers of public drinking water can contact their providers and ask about lead sampling dates and results. Private well users may contact their local health department for information on how to test for lead, or contact Clean Water for NC at info@cwfn.org.

It's not just in the Cape Fear River: GenX threatens hundreds of private wells

GenX may be a new issue to some, but concerns go back more than a decade for neighbors of the facility responsible for the discharge of GenX and related “perfluorinated” compounds into the Cape Fear River. Cumberland and Bladen County residents near the Fayetteville Works site (formerly operated by DuPont, now by Chemours) asked environmental regulators about their well water’s safety years ago, but at the time, Dupont tested just two residential wells (one of which was more than a mile from the plant) for C8, the toxic compound that GenX replaced. The local community was told there was no cause for concern.

But after news broke of GenX contamination downstream this year, NC DEQ and Chemours began testing wells within a 2-mile radius. GenX above the NC health advisory level of 140 parts per trillion has been found in 1/3 of about 100 samples so far, and hundreds more households are being offered testing. Affected families are temporarily cooking with and drinking bottled water while DEQ looks into permanent solutions such as municipal water lines or filtration systems. Regulators have launched an investigation into whether leaking pipes or even air emissions may be the source of widespread groundwater contamination.

Plant neighbor Laura Booth says the advisory level is not protective enough, and that any level of GenX in drinking water could be unsafe. A local children’s camp and elementary school tested positive for GenX but didn’t exceed the threshold, and she worries the children are still at risk. Neighbor Randa Dunn adds that she is angry, and fearful of how emissions from the plant have affected her family’s health.

In many countries in Europe, commercial scale production of a chemical couldn’t begin until it is actually PROVEN safe—that’s the Precautionary Principle! Rather than waiting for folks to get sick or die, we should demand the shutdown of production of this little studied but toxic compound!

Lead in Water “Myths” Persist

Violations of the Lead and Copper Rule are clearly a danger to public health. However, the threat doesn’t end there, according to a recently published article by Dr. Yanna Lambrinidou of Virginia Tech, the “Top Ten Myths about Lead in Drinking Water.” As one example, it’s a myth that water containing lead under the action threshold of 15 parts per billion is safe to drink - this is a regulatory standard, not a truly health-protective level. To read the other myths, visit tinyurl.com/leadtruth. Learn more about the work of Dr. Lambrinidou and her colleagues at campaignforleadfreewater.org.



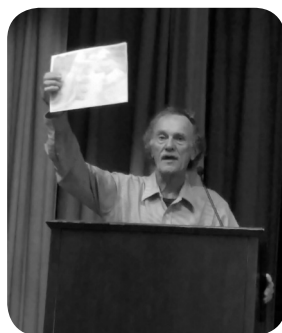
Key Messages from Our Regional Summit on the ACP's Impacts:

Saturday, October 7th, 2017 ~ Wilson Community College

Cathy Kunkel, an Energy Analyst at the Institute for Energy Economics and Financial Analysis, was our keynote speaker. She presented a well-documented case that the building of the ACP was unjustified—the rising energy demand that ACP's owners, Duke Energy and Dominion Resources, keep talking about simply doesn't exist. Energy demand from gas or other fossil fuels is projected to be nearly flat or declining for many years to come, due to increasing efficiency and availability of growing renewable sources. Cathy also emphasized that, unlike some other pipeline projects, because the ACP would be built by utility owned companies, they would be certain to raise the rates of gas-fired electricity for consumers in VA and NC, so WE would be paying for the pipeline construction plus profit.



Marvin Winstead, Nash County Landowner and President of Nash Stop the Pipeline, spoke about the widespread impacts of the ACP on landowners and even on residents who don't own land within the pipeline corridor. Knowing that the approval of the pipeline by FERC could lead quickly to eminent domain being used to force the pipeline on unwilling landowners, Marvin urged us to stand with landowners and residents to oppose the ACP.



Jorden Revels, UNC-Pembroke Student, and **Ericka Faircloth**, CWFNC's Water and Energy Justice Organizer, are both proud members of the highly diverse EcoRobeson group (see next page). They are both Lumbee, and spoke about the impacts of the proposed pipeline on Native American communities and ancestral lands. About 25% of all Native Americans in NC, from several tribes, would be impacted by the ACP!



Therese Vick, Organizer with the Blue Ridge Environmental Defense League, alerted the audience to the substantial health impacts of living near a natural gas compressor station like the one proposed for Northampton County (see next page). Compressor stations have the highest ongoing emissions along the pipeline, and also the greatest safety

risk, due to the high gas pressures and potential for equipment to leak and cause fires and explosions.

Oshin Paranjape, Duke University Environmental Management graduate student, studied the range of safety hazards for those living or working along the ACP during her summer internship with CWFNC. While the “blast” or “incineration” zone of 943 feet stretches all along the pipeline, potentially affecting everyone within that zone, areas that have more concentrated populations within the blast zone are called “high consequence areas,” and there are at least 24 of them in NC. Her skillful GIS mapping shows neighborhoods and even individual homes within the blast zone.



John Runkle, an environmental attorney, has worked with many groups in NC to hold polluters and regulators accountable. He is working principally with NC WARN, but also with many other groups, to prepare a challenge to the Federal Energy Regulatory Commission approval of the ACP. He also summarized the state permits that can help prevent the start of pipeline construction, and urged everyone to stay in close communication and prepare to act to support efforts to prevent state permits, fight FERC approval, and protect landowners.



Xavier Boatright and **Hope Taylor** of CWFNC gave an upbeat summary of the many efforts underway, both nationally and within NC, to bring about a new and more just energy future—a future based on rising efficiency and renewables, with the many jobs they will create, and one that turns away from big, costly and unjustified projects like the ACP!



Speaker presentations from the Summit can be found on our website, www.cwfnc.org.



Atlantic Coast Pipeline Updates

Atlantic Coast Pipeline--Greed, Injustice, Damage! Communities and DEQ Are Resisting!

Just four days after our Regional Summit on Impacts of the ACP (see page 4), the Federal Energy Regulatory Commission issued a "Certificate" for the pipeline, infuriating landowners, environmental justice advocates, and those fighting for affordable utility rates.

HARMS - Despite a massive public relations campaign by ACP's lead owners Duke Energy and Dominion Resources, the facts are all against the pipeline:

- the massive \$5.6 billion project is NOT needed to meet energy needs in the Southeast US;
- the cost of building the pipeline, and the huge profit offered by FERC, will be paid for by NC and VA utility customers through increased electric rates because the pipeline will increase the cost of burning natural gas;
- the ACP will disproportionately impact people of color and low income in at least 7 of the 8 eastern NC counties it would cross;
- the ACP would irreversibly impact hundreds of streams, wetlands, rivers and the species who depend on them, and even hundreds of well owners who depend on groundwater near the pipeline route;
- safety risks would increase for people living or working near the pipeline, as hastily built pipelines since 2010 have documented much higher accident rates.

Fighting the Huge Compressor Station in Northampton County

The ACP's proposed compressor station, which would drive gas 186 miles down to the supposed terminus near Pembroke, would be in Northampton County, one of NC's poorest, smallest and highest % African American counties. We now know that ACP knew all along that VA and NC didn't need the gas, and intended to continue to SC, probably to compress and ship it overseas from Savannah or another port for higher profit.

The people near Little Pleasant Hill, a town on the VA border with a nearly 80% African American population, would be exposed to toxic fumes and particulates from the compressor station, added to emissions from other major polluters nearby: another compressor station, the huge Georgia Pacific mill just north of the VA line, and one of the largest Enviva wood pellet production plants in the US. All of these release volatile organic compounds, respiratory and cardiovascular damaging particulates, and high levels of strong irritant and likely carcinogen formaldehyde. We expect a good turnout of concerned local folks as well as folks from across the state, angered by the extreme unfairness of locating such a large polluter in this low income, minority county, at the hearing on Nov. 15.

And the thousands of new jobs promised are the biggest "bait and switch" of all—there will be only 18 permanent jobs created. Hundreds of temporary construction jobs will be mostly filled by out-of-state workers. Any "indirect" jobs will bypass poor, rural communities, as the \$1+ million cost of taps for business or industry is out of reach.

RESISTANCE - Folks from ACP impacted communities, landowners, and environmental justice activists - including Clean Water for NC - have been researching the pipeline, reaching out door to door, holding local "peoples' hearings," rallies, and walks, and educating regulators and the media. In recent months, the NC Dept. of Environmental Quality has turned down permit applications for Stormwater and Erosion and Sedimentation Control, and repeatedly demanded more information for the critical "401 Water Quality Certification." One more key permit (*below, left*) is up for review in November, and the public is mobilizing! On Nov. 13, lawyers for 43 organizations filed challenges to FERC's approval of the ACP, and dozens of activists rallied outside the Governor's office to call on him to do the right thing: **DENY ALL OF THE PERMITS FOR THE ACP! Call Gov. Cooper to tell him the ACP will do far too much damage to too many people, and to our land and waters, with almost no benefits.**

Robeson County--Fighting a Pipeline & Recovering From a Climate Fueled Storm

The diverse community group EcoRobeson has been working to inform residents near the terminus of the proposed ACP about the project's dangers. Robeson County's population is 38% Native American and 25% African American. EcoRobeson members have met with the Lumbee Tribe about the ACP, reached out to threatened landowners, and kept pressure on county commissioners. Adrienne Kennedy, a south Lumberton resident, has publicly shared her story about how Hurricane Matthew devastated her mostly African American community in Lumberton. The storm struck in October 2016, leaving the county without drinking water for about 3 weeks and destroying many homes, including Adrienne's. Adrienne now says she is a climate refugee, like others across the country who have survived abnormal, powerful storms in the last year.

Jorden Revels, a UNC-Pembroke student extraordinaire, is keeping local youth involved and successfully urging the UNCP Student Government Association to pass a resolution against the ACP. He is featured in a short documentary, "Robeson Rises", about the impact of the pipeline on Robeson County.



Polluter Accountability

Huge turnouts in opposition to Duke Energy's rate hikes for dirty energy

Massive crowds joined forces at five public hearings held by the North Carolina Utilities Commission last month regarding the Duke Energy Progress request for a 16.7 percent rate increase for residential customers. That's about an extra \$18 per month for the typical household. The requested increase would have extreme economic impacts on low-income and minority communities. Environmental groups, lawyers representing underserved communities, and ratepayers from across the state attended to voice opposition to paying for coal ash cleanup, abandoned nuclear construction projects, Hurricane Matthew damage repairs, and fracked gas plant infrastructure. Each hearing went late into the night as dozens of speakers touched on various points in opposition to the rate hikes.



Duke Energy Progress is asking ratepayers to pay for its own legacy of coal ash negligence and mismanagement, and to write a blank check for coal ash expenses that the company has not even paid yet. After more than two years, impacted residents near Duke's coal ash basins still rely on bottled water daily. Many coal ash neighbors spoke passionately about ongoing contamination,

property value loss, and the urgent need for clean water.

New fracked gas plants were the largest portion of the Duke Energy Progress rate hikes. New gas plants have been used to justify the Atlantic Coast Pipeline, an unneeded fracked gas pipeline co-owned by Duke that ratepayers will also be asked to pay for in the future (see pages 4 and 5). Many ratepayers spoke against Duke's transition to fracked gas and continued reliance on dirty fossil fuels.

In an encouraging move, the Public Staff, which is tasked with representing the public in Utilities Commission proceedings, has recommended that the Commission only approve a 0.01 percent increase, or about an extra \$0.94 per month for the average residential customer. The Public Staff also asserted that customers should not pay for coal ash cleanup, since strict regulations were put in place as a direct result of Duke's own bad behavior. Duke has responded by threatening to sue regulators if the company is not allowed to pass its coal ash cleanup costs to ratepayers.

The Commission will hold three public hearings for ratepayers in the Duke Energy Carolinas coverage areas in January! Public hearing locations and times can be found at tinyurl.com/dechearings.

New Science Advisory Panel to study standards for dangerous unregulated contaminants

As controversies about unregulated contaminants like GenX unfolded earlier this year, the Cooper administration announced an expansion of an existing advisory board to examine these substances. The Board was appointed by the secretaries of DEQ and the Department of Health and Human Services. After two months of waiting, DEQ finally released the list of appointees in October.

An impressive panel of toxicologists, ecologists, air quality experts and public health officials will have the initial task to study ways to better protect public health and the environment from chemicals of concern in the state, including GenX and hexavalent chromium. Hexavalent chromium is one of the cancer causing chemicals found in wells near coal ash basins in the state. GenX is a harmful chemical that was recently discovered in drinking water along the Cape Fear River (see page 3). The presence of contamination in the

drinking water of the Cape Fear river basin and unlined coal ash pits around the state has resulted from reckless polluters who haven't been held accountable. The Board will help to provide guidance on limits for industrial discharges and in drinking water.

Jamie Bartram, a professor and founding director of The Water Institute at UNC Chapel Hill, will serve as Chairman of the Board. Detlef Knappe, one of the scientists who originally discovered GenX in the Cape Fear River, is also on the Board.

Meetings are held in Raleigh and are open to the public by in person visit or by phone. The Board had its first meeting on Monday, October 23rd. The next meet is on Monday, January 29th. List of appointees and meeting audio can be found at deq.nc.gov/news/hot-topics/genx-investigation/secretaries-science-advisory-board/secretaries-science-advisory.



Clean Water for North Carolina

Thanks to Our Generous Foundations and Major Donors!

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Glenn Bozorth
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Clif Bar Family Foundation
Stan Coleman
Covenant Community Church
Jennifer Frank
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*Supporters of the Frack Free NC Alliance (Clean Water for NC is the "fiscal agent" for this Alliance).

Monthly or quarterly donations from these individuals make a huge difference in sustaining our work with communities. It's easy to set up a recurring donation at donatenow.networkforgood.org/CWFNC.

Join Clean Water for North Carolina (or renew your membership):

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



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NC Calls on Governor and DEQ to “Do the Right Thing” and DENY all ACP permits

A month after the Federal Energy Regulatory Commission (FERC) issued a “conditional” approval for the Atlantic Coast Pipeline, 43 groups working with several attorneys announced challenges to the ACP, and dozens gathered in front of the Governor’s office to ask that all permits for the ACP be DENIED! The ACP legal challenges said that federal regulators took Dominion and Duke information with no critical analysis, usurped state authority, and ignored lack of need for the pipeline, environmental injustice and climate impacts. The groups, including NC WARN, Clean Water for NC, Blue Ridge Environmental Defense League and many others, called for the Atlantic Coast Pipeline’s federal approval to be suspended until the courts consider the case and three North Carolina state agencies rule.



Action: Call Governor Cooper at 919-814-2000 and tell him how harmful the ACP would be to health, safety, our priceless waters and our economy!