



*Building People Power for Climate & Energy Justice*

---

January 12, 2017

Dr. Richard Brodhead, President  
Duke University  
Durham, North Carolina

Subject: Duke Energy's sidestepping of air pollution controls for the proposed campus CHP plant is grounds to cancel the Duke University – Duke Energy partnership

Dear President Brodhead,

In our previous letters to you and in our October 24<sup>th</sup> report on an alternate path to Duke Energy's proposed fracked gas-fired CHP power plant, we noted that utility executives chose not to control nitrogen oxide (NOx) pollution. Thus, NOx emissions from your plant would be ten times greater than those from comparable plants at other universities that use best-in-class catalytic control systems.

As discussed earlier, Duke Energy executives are taking advantage of a regulatory loophole to avoid minimizing NOx emissions. As reflected in the attached analysis from our technical expert, engineer Bill Powers, that decision saved Duke Energy from spending approximately \$2.4 million over the original \$55 million price tag for the project. We must infer that this savings is deemed important to the utility's plans to build similar gas-CHP plants on many other campuses.

Other key points from Mr. Powers' memo include:

- Duke Energy is taking advantage of North Carolina's weak regulatory system. Many other states, including Virginia, require use of best available air emission controls for sources with the NOx emissions level of the proposed CHP plant. North Carolina does not.
- Duke Energy employs best-in-class catalytic control systems for NOx on its larger gas-fired power plants in North Carolina.
- Duke Energy also plans to use best-in-class NOx controls at gas turbine compressor stations along the proposed Atlantic Coast Pipeline route, including at a compressor station in North Carolina, even though those gas-fired turbines are smaller than the turbine that would be used at Duke University.

Duke Energy could have voluntarily chosen to minimize NOx pollution on campus. Instead, its choice to allow ten times more NOx emissions at the University would subject students and workers at the school, and members of the Durham community, to greater risks of respiratory damage, among other harms.

The wellbeing of the University community is clearly not a priority for Duke Energy executives. NC WARN believes the use of this air pollution loophole is an act of bad faith by corporate officials.

To be clear, we are *not* suggesting that you require Duke Energy to upgrade its plan by switching to the more advanced air emission controls used at comparable university CHP plants with the same type of gas turbine. As you know, NC WARN has already cited several important aspects of this project where Duke Energy executives have misled the University or otherwise abused its trust.

We urge you to end the partnership now. By doing so, you can avoid dragging the campus and community through months or years of escalating controversy, and instead help lead the open discussion toward making Duke University the clean energy leader sought by so many voices in recent months.

Sincerely,

A handwritten signature in black ink that reads "Jim Warren". The signature is written in a cursive, slightly slanted style.

Jim Warren  
Executive Director