



Building people power for climate & energy justice

NC WARN PRINCIPLES FOR COAL ASH CLEANUP IN NORTH CAROLINA

Since the Duke Energy coal ash spill into Dan River on February 2, 2014, very little has actually been done to eliminate the serious threats to our health, our families, our property, and our environment. Duke Energy estimates there are 107 million tons of coal ash in the pits at its coal-fired power plants, and it recently disclosed that another 43 million tons sit uncovered in piles at those plants – representing uncontrolled sources of air and water pollution.

The NC General Assembly passed a bill in 2014 but ignored crucial questions, such as how to safely clean up the current sites, where the ash is to go, and who pays for the cleanup. Duke Energy's present proposal to put coal ash in clay mines in Lee and Chatham County simply leads to more toxic landfills around the state, threatening more families and more communities.

The people of North Carolina are guaranteed constitutional rights to protect our health, our families, our property, and our environment. We have the right to petition our government and the right of free speech in order to express our heartfelt concerns.

THEREFORE, NC WARN issues an update of the principles we first issued last February:

1. The existing coal ash dumps across the state need to be cleaned up now. We cannot allow decades of inaction while contamination spreads and violations continue.
2. All of the coal ash dumps need immediate attention and cleanup. State environmental officials have stated that all of the coal ash dumps are leaking into our rivers and streams, our groundwater and, in far too many instances, our drinking water wells. We cannot turn a blind eye on anyone.
3. Cleanup plans need to protect families and communities around the present coal ash dumps, the waters of our state, and communities downstream. Equally important are the communities Duke targets to take the coal ash and communities along transportation routes. The current toxic waste injustice should not be spread onto even more communities.
4. Duke Energy's shareholders – not customers – must be required to pay for all of the statewide cleanups, as this corporation created the toxic waste problem over decades of both indifference and willful neglect.
5. Duke Energy should retain the liability for the coal ash forever and should not be allowed to pass on the risk to other parties or limited-liability, shell corporations.

6. All alternative means of safe coal ash storage and protection of our communities should be investigated. Duke Energy has the resources to explore and compare several alternatives, and its efforts to date to find the fastest or cheapest cleanup are unlikely to prove the best option for the people of North Carolina. Until the safest management approach is determined, coal ash should be stored on Duke Energy property such that it is able to be monitored and retrieved – but well away from ground and surface water.
7. The entire process of cleanup, transportation, and long-term storage should be far more open and transparent than the process over the past year.
8. Public voices should be respected at every instance, and should be heard before the General Assembly, the Coal Ash Management Commission, all other state boards, and local governments.
9. Local governments and the impacted communities they represent should have a role in deciding the fate of coal ash dumps.