

Talking Points for Asheville Steam Station, NPDES Permit: NC0000396

The Division of Water Quality is hosting a public hearing for the Draft Asheville Steam Station NPDES permit and Special Order by Consent (SOC). The hearing will be held at 6 p.m. on Wednesday, Aug. 22nd at the Skyland/South Buncombe Library, 260 Overlook Road, Asheville, NC. Speaker registration begins at 5 p.m. The Division is accepting written comments until August 23rd. Public comments may be submitted by email to: publiccomments@ncdenr.gov. Please be sure to include "Asheville Steam Station" in the email's subject line.

More protection is needed from Duke Energy's massive wastewater discharges:

In 2011, Duke Energy stopped dumping ash in both of its unlined coal ash basins at the Asheville Steam Station after noticing serious dam stability issues. Two lined coal ash holding basins were constructed for wastewater treatment and receiving new ash. Dewatering and decanting are critical components of coal ash basin closure. Decanting removes the water sitting up to three feet above the coal ash in the basin. Dewatering removes the water in the pond sitting closer to and intermixed with the ash. The 1982 unlined coal ash basin has been completely excavated and the 1964 unlined coal ash basin has been dewatered and is currently being excavated. DEQ has taken some steps in the right direction, but must do much more to hold Duke Energy accountable for illegal releases and wastewater discharge events.



- We commend DEQ for changing the effluent monitoring frequency from monthly to weekly, but DEQ must require Duke Energy to monitor ALL toxic coal ash contaminants of concern during any decanting, dewatering, and wastewater discharges from the ash holding basins, instead of just a few!
- DEQ is misguided in its attempt to remove monitoring and effluent limits for thallium in this permit. Thallium has been a contaminant of concern in Duke's onsite monitoring wells and neighboring private wells. Thallium can be colorless, odorless, and tasteless. High exposure to thallium can be linked to serious health issues affecting the nervous system.
- The permit fails to include effluent limits for mercury at three constructed seeps (toe-drains) listed in the permit for unlined ash basin 1964 (Outfall 101). This is illegal and DEQ must require Duke to comply with the NC Total Maximum Daily Load (TMDL) of mercury (47.0 ng/L).
- This permit acknowledges that arsenic, selenium, nickel, and lead pose health threats and states that discharge should be discontinued if one of them reaches 85% or more of its effluent limit. This is very misleading since DEQ has not placed any effluent limits on these metals for wastewater discharges from the lined ash holding basins (Outfall 001).

- This draft permit will allow Duke Energy to use “physical and chemical treatment” on discharged wastewater during dewatering/decanting only when deemed necessary! Given the huge lack of effluent limits for the many toxic constituents of coal ash (arsenic, selenium, chromium), DEQ must require specific physical and chemical treatment during all discharges from the lined ash holding basins to safeguard the French Broad River Basin.
- The current draft of this permit requires Duke Energy to submit a plan for fish tissue monitoring near the lined ash holding basin discharge (Outfall 001) to DEQ within 180 days of the permit being issued. Transparency and public inclusion is most important during the submission and acceptance of a fish tissue monitoring plan. Impacted neighbors and local fishermen should be given the opportunity to weigh in on the final plan.

Keep the French Broad River safe from illegal coal ash leaks and toxic discharges:

The neighboring community has been overburdened by coal ash contamination from the Asheville Steam Station for many years. Duke Energy has not been a good neighbor and continues to deny contamination of private wells in the community without providing proper evidence. Furthermore, the company recently ran two gas pipelines through the community during Duke’s conversion to a fracked gas plant, which further impacts property values and public health. Well users in the community have relied on bottled water for more than 3 years and some are still waiting on a reliable solution! DEQ has now drafted a Special Order by Consent (SOC #WQ S17-010) that would grant Duke Energy amnesty to allow **illegal** flows of contaminated water into the French Broad River and neighboring communities. In 2015, Duke Energy pleaded guilty to Clean Water Act Crimes for the same seeps at Asheville and many other sites in North Carolina.

- DEQ is issuing Duke Energy a paltry fine of \$135,000 for the 18 illegal seeps at the Asheville site. This fine is inadequate for a company that generates more than \$22 billion in operating revenue and pays its CEO more than \$20 million dollars a year. DEQ must do more to hold Duke accountable and protect the public from future illegal toxic discharges that threaten the health of the communities neighboring and downstream the Asheville Steam Station.
- Furthermore, DEQ should require Duke Energy to do more in preparation for irregular and unexpected weather events that could cause further toxic threats to the neighboring community.

Duke Energy must be required to develop a contingency plan to address any future impacts of coal ash contamination at the Asheville Steam Station and provide the neighboring community with continuous monitoring data following the complete excavation of the site. Cleanups in SC have shown contamination to be reduced by more than 95% following complete excavation. Duke Energy should be required to share the results of the coal ash cleanup with the impacted and neighboring communities.

For questions and more information contact:

Xavier Boatright - Environmental Justice Organizer and Researcher
828-251-1291 / 1-800-929-4480 , xavier@cwfn.org

