Moral Monday Calls Thousands Working for Justice to Raleigh

While the 2011-2012 NC legislative session began to roll back environmental protections and social safety nets, the new supermajorities in both houses and a new Governor have brought unprecedented changes this year. The state NAACP, under the leadership of Dr. William Barber, responded by calling folks to come to Raleigh for Moral Monday rallies each week since April 29. Thousands have protested a growing range of injustices, with crowds reaching 5,000 and dozens arrested in the Legislative Building each week.

NC was one of few states to turn away federal funding to expand Medicaid to struggling residents; the legislature has repealed the Racial Justice Act that prevented racially motivated death sentences, slashed unemployment and education funding, and, in the final days of the session, passed the nation’s most restrictive voting requirements.

On fracking, only a public outcry, a few determined Representatives of both parties from key districts, and squabbles between House and Senate leadership prevented a rush to pre-approve bad regulations, including the weakest frack fluid chemical disclosure requirements in the nation. But environmental justice advocates weren’t able to stop the gutting of landfill protections, a further delay of Jordan Lake cleanup, the expansion of boundaries for groundwater contamination, or the stuffing of important environmental Commissions with new anti-regulatory appointees.

Faced with this damage, Moral Monday rallies have inspired determination and hope that, with hard work and organizing, we CAN recover the NC we have known and loved. Now that we’ve bid the General Assembly a relieved farewell, watch for local/regional Moral Monday activities in your area, starting with Asheville in early August!

General Assembly Tries to Grab Control of Local Public Water Supplies

Asheville – House Bill 488 became law in May without the Governor’s signature, removing control of the Asheville drinking water system from the City with no compensation, and transferring it to the unelected regional sewer authority. Asheville officials filed suit to in Wake County Superior Court, saying the bill is unconstitutional, and got an injunction to temporarily stop the transfer.

Greenville – The City of Greenville became vulnerable to a forced transfer of its water system after an unrelated bill was amended to re-define what public water system is. Pitt County legislators and local officials successfully fought this “water grab.” An editorial in the Greenville Reflector roared, “Something is rotten in Raleigh when lawmakers overreach their authority and claim municipal resources for the state without recompense.”

Durham – Senate Bill 315 passed in July, forcing the City of Durham to annex and provide city water to the controversial 751 South “megadevelopment” close to Jordan Lake. The project was a threat to this water supply for over 300,000 NC residents, and Durham had refused water and sewer service.
**Clean Water for North Carolina**

**Who We Are**

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 power and responsibility to work for a healthy and safe communities. Together, we have the hope of expanding our knowledge of gas infrastructure and deepening our understanding of the shortcomings of U.S. policies on shale gas development. Cleaning our environment must include strategies to address threats to the environment.

**Our Mission**

Clean Water for North Carolina promotes clean, safe water and environments and empowers, just communities for all North Carolinians through organizing, education, advocacy, and technical assistance.

**Board of Directors**

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Andrea Emanuel • Garner
Belinda Joyner, Northeast Organizer

**Who to Contact**

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Grant Mincy, Energy & Environmental Justice Organizer, grant@cwfnc.org

**Durham**

919-401-9600
Hope Taylor, Executive Director hope@cwfnc.org

**Garysburg**

252-537-1078
Belinda Joyner, Northeast Organizer

Welcome back to Ada Inda, 2013 Duke Stanback Intern on Hydraulic Fracturing and Environmental Justice for her second summer working with us in the Durham office! Ada, an engineer who moved with her family from Mexico several years ago, came from Michigan to the Triangle area in 2012 to begin her Master’s program in environmental management at the Nicholas Schools for the Environment at Duke. Ada is deeply interested in energy issues and last summer investigated impacts of natural gas development, including deep injection and other methods of fracting wastewater disposal, as well as resulting contamination and accidents. This summer, Ada has been able to examine other impacts from natural gas development, including gas pipeline infrastructure and regulations, spills, and other “Frack-cidents” around the U.S. Thinking beyond national issues, Ada embarked on a virtual tour of the world by looking into fracking issues in other countries, including Spain, South Africa, and Germany, which have taken a more cautionary approach to this technology than the US. Overall, her findings have expanded our knowledge of failing fracking regulations in other states and broadened Clean Water for NC’s perspective on how fracking is dealt with globally. Thanks to Ada for expanding our knowledge of gas infrastructure and deepening our understanding of the shortcomings of U.S. policies on shale gas extraction and development.

**Hank Zhang**

Hank Zhang is a Master’s degree candidate at Duke University who is a Stanback Intern with CWFNC this summer, working on drinking water supply, usage and privatization issues. Her favorite part of the job has been doing things she could not do in her academic program - her first video shoot, first editing job, first outreach to American communities. She is a native of Hankou, China and has studied in a variety of different places, including Shanghai. She will graduate from Duke next year and would like to pursue a career in environmental sciences, as an analyst, researcher or GIS mapper, focusing on water resources.

Hank has always been interested in the environment as she and her family have been suffering from sand storms, poor quality drinking water and food safety issues all her life. She wants to make a difference, contributing to nature conservation and protection. This is also what motivated her to come to the U. S. to learn the most advanced techniques, ideas and management methods to protect the environment. Hank is fascinated by UFO’s and science fiction. She also spends her time playing Wushu (Chinese traditional dance), guitar, bamboo flute, painting and calligraphy. Our thanks to Han for her outstanding contributions to CWFNC’s work to help communities impacted by privatized water and sewer systems.

Cleaning water is a must, not an option. For us, we can’t afford to fail. For our communities, they can’t afford to fail. In the open market, companies claim that the automatic surcharges will fund infrastructure improvements, but without stricter oversight, they may simply bolster corporate profits and inflate customer bills, with no guarantee of improvements beyond those utilities are legally required to make. Aqua America’s CEO helped invent the mechanism in the 1990s, and its NC subsidiary stands to be the first to benefit from this law (see article on Aqua rate hikes, above)! Most states with similar laws let companies recover the cost of repair and replacement of existing water lines, but NC’s covers almost any project, including pipeline extensions that could promote development and sprawl. We’ve heard from several legislators that they weren’t aware of the unintended consequences of House Bill 710, and they are eager to learn more about protecting North Carolinians with private water/sewer service from future unnecessary rate hikes! Water customers need funding for public solutions to meet water needs, and increased accountability for water and sewer utilities — not more corporate handouts.
Community Updates

Uncover County in CTS Contamination Fight

BUNCOMBE COUNTY—In July, the U.S. Fourth Circuit Court of Appeals ruled in favor of residents plagued by TCE contamination at the CTS of Asheville Superfund Site. Residents contend that the toxin is what caused cancer for many of them. The defendant, CTS Corporation, is alleged to have dumped electroplating solvents at its Asheville factory during three decades of operation, with contaminants continuing to migrate from the site. The community’s suit asked for cleanup of the 1,000,000 pounds of contaminants, and monetary compensation for damages suffered by residents. The ruling is good news to communities across the country struggling for corporate accountability. The decision reads: “Our decision here will likely raise the ire of corporations and other entities that wish to rest in the security of statutes of repose, free from the threat of being called to account for their contaminating acts.”

The EPA is conducting a Remedial Investigation at the site as part of the Superfund process, with many “delays.” Residents hope the outcome of the lawsuit will help propel a full-scale cleanup. Buncombe County is extending water lines to well users in the area later this year.

Gabe Dunsmith of P.O.W.E.R. community action group contributed to this article.

Swift local action, Emergency Drinking Water Fund help Henderson County Well Users

HENDERSON COUNTY—When pesticides were found in Dana, NC wells in December 2012, local and state governments took swift action to protect public health! The NC Rural Center awarded $300,000 to Henderson County and the City of Hendersonville to extend water lines to impacted households. The Bernard Allen Emergency Drinking Water Fund to continue testing dozens of homes for pesticides, using the Bernard Allen Emergency Drinking Water Fund to cover costs.

Brown Summit residents seek answers on benzene contamination

GUILFORD COUNTY—The Monticello neighborhood receives drinking water from two Aqua NC-owned wells. Residents have complained to Aqua NC, state and local agencies for years about discoloration and other water quality problems. Then, in 2012, benzene was detected at .0012 mg/L (below the drinking water limit but still worrisome). Residents are working with the Underground Storage Tank Section of the NC Division of Waste Management to look for the source of benzene, concerned it could continue seeping into their water supply. When Aqua NC claimed they had installed new filters at the wellhead, the community demanded more details and eventually documented that no filters had actually been installed.

Residents have many unanswered questions. Their situation demonstrates the failings of accountability that festers when private companies take a bare-minimum approach to service, under the authority of a patchwork of regulatory agencies with limited staff and funding. With CWFNC’s support, residents will continue to demand better notification and accountability from both Aqua NC and government officials!

Raleigh—In March, residents of the Neuse Woods community in east Raleigh got notice that their water supply well had violated an annual average limit for toxaphene, a persistent, long-banned pesticide. Reporter Charlotte Huffman of WUNC-WXII interviewed residents about their water, and found that Spanish-speaking residents couldn’t read the notification. CWFNC traced the notice and spoke with worried and confused residents.

Toxaphene had shown up for years in quarterly contamination reports, but CWS Systems (part of private water corporation Utilities, Incorporated), hadn’t taken action to protect the community’s health. In fact, in March, they requested a full year after the official notice to fix the problem! CWS should have installed a carbon filter without waiting for a formal violation given the long history of contamination. The NC Dept. of Health and Human Services’ health assessment called for immediate action to protect public health. CWS installed a filter system on the contaminated well in May. Toxaphene dropped quickly to a safe level, but the company president complained in a letter to customers, arguing with the health assessment!

Private, investor-owned companies often resist protective action until pressure is applied—one reason we support CWFNC’s Water Justice Campaign (katie@cfwnfnc.org) and the media!

“Donut Hole“ Neighborhood with Contaminated Wells Seeks Safe Water

Raleigh—Last fall, after revelations about TCE contamination in a Wake Forest development, a resident near Bond St. and Trawick Rd. asked Wake County to test his well water. It contained pesticides, initially thought to come from a nearby nursery, but later found in the well water of scattered homes in the neighborhood. Two neighborhoods surrounded by the City of Raleigh, residents in the area have not annexed into the City, so don’t have city services (referred to as a “donut hole”) and depend on private wells. Wake County tested nearby homes, then called in EPA to continue investigating. The NC Div. of Water Quality continued testing dozens of homes for pesticides, using the Bernard Allen Emergency Drinking Water Fund to cover costs.

CWFNC visited door-to-door to encourage residents to work together for a permanent solution. The City has offered staff time to manage a project for water line extensions, but can’t fund a project in an area where residents don’t pay Wake County (an urban county) for Rural Center funds, so the City has found a way to fund the project in a City City. Some residents for a filter or hookup from the Bernard Allen Fund, but even middle class residents can’t afford the high projected costs for water lines and hookups to City water. CWFNC is working with residents and supportive City, County and state officials to work for funding solutions to ensure permanent, safe water.

Pressure Speeds Filter for Neuse Woods Toxaphene Contaminated Water

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Community Updates

Enviva Wood Pellet Mills Face Opposition in Ahoskie, Garysburg and Faison

Nearly two years ago, the first massive Enviva Corporation wood pellet mill in NC opened in Ahoskie (Herford Co.). To supply European power plants with supposedly “green” fuel, nearby residents, long accustomed to daily industrial noise from the former Georgia Pacific mill, found themselves in a nightmare of 24 hour noise, dust and bright lights, as well as truck traffic. Complaints to Enviva got no results, but repeated and documented dust complaints from nearby residents to the NC Division of Air Quality brought new officials to the mill, resulting in notices of violation and requirements for more dust control.

CWFNC’s Northeast Organizer Belinda Joyner learned that Enviva was building a huge new wood pellet plant close to Garysburg, her hometown. As soon as the plant opened, folks saw the need to start organizing with Belinda and the Concerned Citizens of Northampton County. They travelled to Ahoskie to meet with residents there and document conditions. State and local officials who recruited the Garysburg plant are still calling the 80 jobs they’ve brought, but face increasing anger from those impacted by the plant’s operations, including speeding heavy truck traffic.

Recently, folks in Faison, on the border of Duplin and Sampson Counties, learned that local officials wanted to permit an Enviva pellet plant there! They’ve started organizing to resist that permit and met with opponents of the other plants. CWFNC will bring all these communities together to share their experiences and strategy. We’re glad to collaborate with Dogwood Alliance and Blue Ridge Environmental Defense League in this fight to protect communities’ air, safety and quality of life.
Duke Energy Progress, headquartered in Charlotte, is now the largest power utility in the U.S., holding an absolute monopoly in most of our state. The utility’s long-term “Integrated Resource Plan” reveals a commitment to high-cost fossil energy, big nuclear plants and repowering some plants to gas—all used to justify a rise in rates. The hike would hit residential and small business consumers the hardest, as industry has cut several deals to save on their rates. Many people cannot afford an increase in rates, especially low income families.

In May Duke held its annual shareholder meeting. As the meeting began, CEO Jim Rogers spoke about how well the corporation was doing, in a room that included grassroots activists receiving some good news. Thanks to all the organizing and turnout at Utilities Commission hearings for both the IRP and the rate hikes, Duke has been ordered by regulators to provide details on their projected plans and take another look at efficiency and conservation programs. The PUBLIC deserves a big round of applause – stay tuned for more opportunities to be involved!

Alcoa Dam Re-licensing Hits Growing Resistance – Protect the Yadkin River and its People!

The Yadkin River, the state’s second largest river system, is at risk of continued pollution and degradation by Alcoa, an international aluminum producer which operated a smelter plant in Badin. Alcoa’s operations contaminated water, wildlife habitats, and surrounding communities. Toxins like PCBs (polychlorinated biphenyls), cyanide, and fluoride have been found in the soil and surface waters. Alcoa’s 401 Water Quality certificate for operating its hydroelectric dams was revoked in 2010. Alcoa applied for a new 401 certification for its Yadkin hydro dams and seeks another 50 year federal license for them. CWFNC and many other groups submitted comments opposing Alcoa’s certification request, saying it must be denied in order to protect people living near toxic waste sites and the River system. Just as we headed to press, on Aug. 2, the NC Department of State filed suit against Alcoa to dispute ownership of ‘submerged lands’ under the Yadkin, and DENR has denied the company’s 401 certification, a requirement before federal re-licensing of the dams. The Yadkin RiverKeeper has been leading the fight to return the River and dams to public control. For more info, visit www.yadkinriverkeeper.org.

Clean Water for North Carolina

Here is my donation to join or renew my CWFNC membership:

$25 $35 $100 Other

I would like to volunteer

Thank you!

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

Here is my donation to join or renew my CWFNC membership:

$25 $35 $100 Other

I would like to volunteer

Contact Information: Name:

Address:

City: State: Zip:

Email: (email is a faster & cheaper way for us to reach you)

Make your check payable to: Clean Water for North Carolina, 29 1/2 Page Avenue, Asheville, NC 28801

Thanks to Our Recent New and Renewing Members!


Clean Water for North Carolina

Weisler Family Fund—Richard and Shawney Weisler

Nathalie Worthington and maxEmero Corporation

Anonymous Donor

Thank You!

Skip Wynn, Urban Community Streams intern for Spring of 2013, worked with Clean Water for NC, Green Opportunities and other community partners in urban Asheville to create a “Take Action on Pollution!” video that will show other neighborhoods the steps to monitor and improve urban water quality. Big thanks to Skip for his work, as well as Lucas Gregg of Farside Productions for editing the video and the Lovett Foundation for supporting this work! Look for the video link soon on www.cwfnc.org.

Clean Water for North Carolina

Ann Batchelder & Henri Keiffer

Renee Ron & Nancy Bryant

Stan Coleman

Liz Cullington

Davie Environmental Awareness League

Martha Girolami

Little Acorn Fund of the Community Foundation of Western NC

Lovett Foundation

Elaine McNeill & Ann Louise Barrick

Tina Motley-Pearson & Scott Pearson

Norcross Wildlife Foundation

Park Foundation

Patagonia, Inc.

Julian Price Family Foundation—Pracey Harrison

Raleigh Friends Meeting

Z. Smith Reynolds Foundation

Scaife-Gustavson Fund of the Triangle Community Foundation

David Schwartz

Sierra Club—NC Chapter

Social Justice Committee of the Community United Church of Christ

Katherine Sparrow and Donald Tyson

Brad Starbank and Shellie Lodge—Starbank

Fred and Alice Stanback

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Shaler and Carolyn Stidham Fund

Family of Betty and Winston Taylor

Mark Trustain and Marcie Angle

Van Davis Aveda Salon

Weisler Family Fund—Richard and Shawney Weisler

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Thank You!

Thanks to Our Foundation Partners and Major Donors for their Generous Support!

Polluter Accountability

Activism on Dirty Duke Gets Results: Regulators Say “Look Again at Efficiency and Conservation”
THANKS FOR PUSHING BACK TO STOP THE FRACK!!

The original NC Senate Bill 76 would have 1) preapproved fracking regulations, lifting the moratorium on fracking permits early in 2015, 2) ended the registry of “landmen” who push folks to lease mineral rights for drilling, 3) allowed deep injection of fracking wastewater, probably into coastal aquifers, and 4) prevented any local taxes to cover the cost of repairing roads or added services needed during a “gas rush.”

Thanks to you and allies in the NC House, ALL of those provisions were removed from SB 76 or became studies!

In House Bill 74, bad fracking provisions would have forced the Mining and Energy Commission to pass the weakest chemical disclosure standards in the US by Dec., 2013 and required a local government wanting to pass a protective ordinance to justify why they needed more protection than state regs—with little chance of success . After strong public advocacy, the chemical disclosure standards language was removed, and local governments will be able to pass protective ordinances with a unanimous vote. We know it can be done—Anson County unanimously passed an ordinance calling for 5 year moratorium on fracking in May!

Cecilia Jimenez of Lee County-based Workers for Clean Water at Frack Free NC rally.

Action Alert! Call Gov. McCrory (919-814-2000) to veto House Bill 74 and Senate Bill 515! HB 74 has many dangerous provisions: it guts landfill protections, allows groundwater contamination out to property boundaries, excludes farmworkers from labor protections and more! SB 515 slows down the long-overdue cleanup of Jordan Lake!

More ways to connect with Clean Water for NC
www.facebook.com/CWFNC
www.twitter.com/CleanWaterforNC