



## **NEWS RELEASE**

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***STATE ERRS IN LIFTING DO NOT DRINK ORDERS AS WELLS HAVE 10S TO 100S TIMES METALS LEVELS COMPARED TO PUBLIC WATER SYSTEMS; CONTAMINATION HAS RENDERED WELLS NOT "SUITABLE FOR CONSUMPTION" BY STATE'S OWN DEFINITION***

For Immediate Release: March 21, 2016

(Charlotte, N.C.) The N.C. Department of Health and Human Services has lifted 'do not drink' orders for people with wells near coal ash ponds. While DHHS insists public water systems have the same contaminants (i.e., vanadium and hexavalent chromium) found in the drinking water wells neighboring unlined coal ash ponds, the wells have one to two orders of magnitude (approximately 10s to 100s of times) more metals.

"This is dangerous and unacceptable abandonment of protecting the citizens of this state," said Catawba Riverkeeper Sam Perkins. "These decisions are baffling and appear based not on science but rather the interests of a reckless polluter with a criminal history of negligence. It is an abandonment of a protective role that we have seen all too often, from Flint, Michigan, now to the entire state of North Carolina around its unlined, leaking coal ash ponds."

"The facts are simple – the state is telling people to drink water it defines as unsuitable for drinking. Even if these chemicals are found in public water systems, they are found at a fraction of what is found near the unlined, leaking coal ash ponds. Around Allen, the *average* drinking water well has 21 times as much hexavalent chromium as the average Charlotte Water sample. The highest concentration from a well near Allen is 76 times greater than Charlotte's average. How is that comparable?"

The current screening levels, which triggered 'do not drink' letters in April 2015, are 0.07 µg/L for hexavalent chromium and 0.3 µg/L for vanadium. Those levels are based on an EPA-recommended formula based on the chance that drinking water with those levels of metals will cause an incremental one in one million chance of cancer. In North Carolina's groundwater standards, while calculations for vanadium and hexavalent chromium have not been made and formally integrated into the administrative code, the regulations provide the following definition for water "suitable for drinking" in 15A 02L .0102(24) of the N.C. Administrative Code:

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*"Suitable for drinking" means a quality of water which does not contain substances in concentrations which, either singularly or in combination if ingested into the human body, may cause death, disease, behavioral abnormalities, congenital defects, genetic mutations, or result in an incremental lifetime cancer risk in excess of  $1 \times 10^{-6}$ , or render the water unacceptable due to aesthetic qualities, including taste, odor or appearance.*

DHHS Secretary Randall Williams, in conjunction with N.C. Department of Environmental Quality Assistant Secretary Tom Reeder, noted two weeks ago that hexavalent chromium and vanadium were also found in public water supplies, using that as the justification to lift the 'do not drink' orders. However, a review of the test data reveals orders of magnitude difference.

Hexavalent chromium results for drinking water wells tested within 1,500 feet of Duke Energy coal ash sites:	Hexavalent chromium results reported under EPA's unregulated contaminant monitoring program by nearby municipal systems, 2013-2015:
<b>Allen Steam Station, Belmont (Lake Wylie on Catawba River)</b> Mean: 1.44 µg/L (110 samples) Highest: 5.30 µg/L (76 times the health screening level)	<b>Charlotte Water (withdraws from Mountain Island Lake and Lake Norman on Catawba River)</b> Mean: 0.067 µg/L (24 samples) Highest: 0.12 µg/L
<b>Marshall Steam Station, Sherrills Ford and Terrell (Lake Norman on Catawba River)</b> Mean: 0.76 µg/L (33 samples) Highest: 2.74 µg/L (39 times the health screening level)	
<b>Buck Steam Station, Salisbury</b> Mean: 1.73 µg/L (89 samples) Highest: 21.20 µg/L (303 times the health screening level)	<b>Salisbury-Rowan Utilities</b> Mean: 0.073 µg/L (8 samples) Highest: 0.13 µg/L

*These calculations do not include sample results with flags or that were part of initial sampling with detection limits that were too high.*

On August 3, 2015, the City of Belmont, which also has its own drinking water intake but is not required to perform testing as frequently as much larger utilities like Charlotte Water, performed its own testing, which revealed no hexavalent chromium in neither the Catawba River (where it withdraws water) nor its treated drinking water. Vanadium was detected in Belmont waters but was approximately one-tenth of what has been found in drinking water wells.

“DHHS’ decision is not just a stretch. This is orders of magnitude difference. And deferral to a lack of federal regulations is no excuse and is in fact surprising given constant complaints of federal overreach. While there is no EPA maximum contaminant level (MCL) for hexavalent chromium, EPA regulations set a low floor and can take years or even decades to develop. The EPA depends on states to keep up with advanced scientific knowledge. If states like North Carolina want the EPA to be making decisions for them, decisions like what we’re seeing here from DHHS are the actions that encourage federal intervention.”

At 6 p.m. on Tuesday, March 22<sup>nd</sup>, at Gaston College’s Dallas campus, DEQ will hold a hearing on regulatory classifications and cleanup requirements for unlined, leaking coal ash at Allen.

“While Riverbend has been slated for cleanup, it is sandwiched upstream and downstream between two larger sites – Allen on Lake Wylie and Marshall on Lake Norman – with worse problems,” said Perkins. “These are our drinking water reservoirs. Citizens need to speak at the hearings and submit comments to let DEQ know that the other two sites on the Catawba River also merit intermediate or high risk classifications, which would require actual cleanups. Otherwise, with a low risk classification, the sites could be left in place in a dangerous, toxic game of coal ash Jenga. A collapse into the Catawba would leave the region with not just an environmental catastrophe but a drinking water crisis.”

Three coal ash sites lie in a 29-mile span of the Catawba River around the Charlotte region. Tuesday night’s hearing will pertain to the two ponds at Riverbend Steam Station, where two ponds are piled 80 feet high on the banks of Mountain Island Lake – the drinking water reservoir for one million people in Mecklenburg and Gaston counties.

A hearing for Allen Steam Station will occur at 6 p.m. on March 22, 2016, at the Gaston College’s Dallas campus. Allen – with one mile of perimeter along Lake Wylie – is upstream of Rock Hill’s drinking water intake and multiple others in South Carolina below Lake Wylie’s dam.

The hearing for Marshall Steam Station will be at 6 p.m. on March 29, 2016, at Catawba Valley Community College in Hickory. Marshall – the largest coal ash site in the state – lies on Lake Norman, which provides drinking water to Mooresville, Lincoln County and northern parts of Mecklenburg County.

Around Allen and Marshall, hundreds of neighbors around the unlined coal ash lagoons have been living off of bottled water since April 2015, when well testing revealed high levels of toxic metals associated with coal ash. Unlike with Riverbend, whose closest neighbors are not on groundwater wells, Allen and Marshall expanded toward neighbors over the years. All 14 coal ash sites in the state have unlined wet ponds documented to be violating groundwater standards.

“The right thing – an actual excavation cleanup – is being done at Riverbend, which did not even have neighbors on drinking water wells to impact. Especially given the hundreds of neighbors around Allen and Marshall impacted, unlined coal ash pits propped on the banks of Lake Wylie and Lake Norman



also need to be cleaned up so they cannot continue to leach, contaminate groundwater and threaten regional drinking water supplies.”

The Catawba Riverkeeper Foundation reported illegal discharges at Riverbend in 2012 and filed state and federal lawsuits in 2013. The Coal Ash Management Act (2014) required cleanups of Riverbend and three other sites classified as high risk – Asheville, Sutton (Wilmington) and Dan River.

Comments can also be submitted by mail and email until 20 days after the public hearings. Information is available at the Catawba Riverkeeper Foundation website ([www.CatawbaRiverkeeper.org](http://www.CatawbaRiverkeeper.org)).

**Allen Steam Station (Lake Wylie on Catawba River)**

Email: [allencomments@ncdenr.gov](mailto:allencomments@ncdenr.gov)

Mail: N.C. DEQ, Attn: Ed Mussler, 1646 Mail Service Center, Raleigh, NC 27699-1646

Public Hearing: 6 p.m. March 22, 2016, at the Gaston College's Dallas campus in the Myers Center Multipurpose Auditorium, 201 Highway U.S. 321 South, Dallas, N.C. 28034

**Marshall Steam Station (Lake Norman on Catawba River)**

Email: [marshallcomments@ncdenr.gov](mailto:marshallcomments@ncdenr.gov)

Mail: N.C. DEQ, Attn: Debra Watts, 1636 Mail Service Center, Raleigh, NC 27699-1611

Public Hearing: 6 p.m. March 29, 2016, at Catawba Valley Community College Auditorium, 2550 US-70, Hickory, NC 28602

**Buck Steam Station (Yadkin River)**

Email: [buckcomments@ncdenr.gov](mailto:buckcomments@ncdenr.gov)

Mail: N.C. DEQ, Attn: Debra Watts, 1636 Mail Service Center, Raleigh, NC 27699-1611

Public Hearing: 6 p.m., March 22, 2016, at Catawba College Room 300, 2300 W Innes St, Salisbury, NC 28144