

# **NCDEQ Coal Ash Impoundment Closure Plan Decision**

## **Attachment 2: Public Comments**

**April 29, 2020**



**From:** [Lori Beaver](#)  
**To:** [Marshallcomments](#)  
**Subject:** [External]  
**Date:** Wednesday, February 26, 2020 11:26:19 AM

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Where is the new lined coal ash basin going to be? I hope not on Little Mountain Road.  
Please let me know.

**From:** [Edgar Mueller](#)  
**To:** [Marshallcomments](#)  
**Subject:** [External] Another Marshall Steam Plant Coal Ash Comment Submittal  
**Date:** Sunday, March 15, 2020 12:33:25 PM

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Please add zip code 28682 to any and all cancer study areas related to coal ash.

Thank you,

Edgar Mueller MS, MBA  
edgarmueller@alum.mit.edu  
+1.703.623.8168 (c)  
Terrell, NC

On Feb 26, 2020, at 5:56 PM, Edgar Mueller <edgarmueller@hotmail.com> wrote:

The owner of Good Samaritan Funeral Home in Denver, NC and his Cooke Funeral Home counterpart in Mooresville have both noted a trend over the past years of “a lot more children dying around here because of the lake, with cancers and leukemia’s,” as the Good Samaritan owner personally told me.

Edgar Mueller MS, MBA  
edgarmueller@alum.mit.edu  
+1.703.623.8168 (c)

Terrell, NC

On Feb 25, 2020, at 12:57 PM, Edgar Mueller <edgarmueller@hotmail.com> wrote:

We need Duke Energy to pay to extend the county water lines down Gordon Street in Terrell! See below:

- Edgar Mueller

Hello,

Our neighborhood of well over 100 homes is on the same peninsula as the largest coal ash pond (Marshall Steam Plant) in the nation, and downstream. They have

not yet run the county water down from the top section of Greenwood Rd. Sherry Butler provided a quote from the county, (ask me for copy, if needed). \$450,000 is not much for Duke Energy, with county support/pressure. Some neighbors have moved away with cancer, and a woman across the street from me died in her 50s with stomach cancer a day after being diagnosed last October...hard to prove cause, but I had my well water tested in 2015 around the time that Raleigh raised the limits for what was deemed 'safe.' My results were not safe under the old limits. I trusted the county when they permitted our homes to be built here. Most were built about 16 years ago. Now, county water is so close, yet not accessible. There is another public meeting about how Duke agreed to do the cleanup at Marshall [on February 26, 2020: https://deq.nc.gov/news/press-releases/2020/01/15/public-hearings-closure-plans-coal-ash-impoundments-be-held-february](https://deq.nc.gov/news/press-releases/2020/01/15/public-hearings-closure-plans-coal-ash-impoundments-be-held-february) [\[nam11.safelinks.protection.outlook.com\]](https://nam11.safelinks.protection.outlook.com) At Marshall, not all will be cleaned up...the ash that was built upon will remain in the unlined soil. I should not have to get 80-year-old neighbors to sign a petition for clean drinking water. Some of them may be fine with heavy metals in their well water simply not have a water bill, but those with children, etc., are not OK with it. Those who don't want water lines don't have to tap into them.

Best regards,

Edgar Mueller MS, MBA  
[edgarmueller@alum.mit.edu](mailto:edgarmueller@alum.mit.edu)  
[+1.828.478.9160](tel:+18284789160) (h)  
[+1.703.623.8168](tel:+17036238168) (mobile)  
[3747 Gordon St.](https://www.google.com/maps/place/3747+Gordon+St,+Terrell,+NC+28682)  
[Terrell, NC 28682 USA](https://www.google.com/maps/place/3747+Gordon+St,+Terrell,+NC+28682)  
(16 year resident)

**From:** [Jerry Ayers](#)  
**To:** [Marshallcomments](#)  
**Subject:** [External] Ash excavation question  
**Date:** Wednesday, February 26, 2020 9:03:01 PM

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I missed the entire presentation of the closure plan because I, along with numerous other people, showed up at Bandy's High School for the meeting that was announced several weeks ago to be held there. None of us were aware that the location had been changed. By the time we all drove to Maiden, the question and answer period was ending.

Here is my question: **Is coal ash being excavated from all the creek channels feeding into Lake Norman that were filled with coal ash starting back in the 60's after the plant opened?**

I recall seeing the outline of filled-in creek channels from a map displayed at the public hearing last year. Those channels all led directly into Lake Norman. If the coal ash is left in them, it seems like a very obvious pathway for ash to continue leaching toxins in lake water.

Jerry Ayers  
8341 Long Island Rd  
Catawba, NC 28609  
828-241-3738

**From:** [Tamara Bodford](#)  
**To:** [Marshallcomments](#)  
**Subject:** [External] Closure Plan  
**Date:** Thursday, February 27, 2020 10:09:46 AM

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The 200 ft high ash mountains by Island Point Road are not acceptable. We have already seen homeowners sell their homes as the present hills appeared and believe it will continue to have a negative effect on our home values, not to mention the concerns about groundwater. Do we really have no say so in this as residents and as taxpayers?

Duke seems to not be doing anything along Island Point Road in an effort to block the ash hills from view. Is there a future plan in place to hide them?

Tamara Bodford  
2771 Camden Pointe Drive  
Sherrills Ford, NC 28673  
336-682-1793

--

**Tamara Bodford**  
Senior Account Executive | [Forsyth Woman](#) and [Forsyth Family](#)

[Tamara@ForsythMags.com](mailto:Tamara@ForsythMags.com) | [336.682.1793](tel:336.682.1793)

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**From:** [Ava's World](#)  
**To:** [Marshallcomments](#)  
**Subject:** [External] Coal Ash Water  
**Date:** Thursday, February 27, 2020 12:48:20 PM

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I was told that over a million gallons of water from the coal ash basins at Marshall have been dumped (untreated and untested) directly into Lake Norman, our local drinking water supply in preparation for the excavation. Is this true? Are the town's filtration systems even able to remove those toxins from our drinking water? What about swimming and boating in the lake and the aquatic life? How can this possibly be allowed? Considered safe? I thought DEQ is supposed to protect our community's environment, not further harm it. Every time I wash my face or take a shower I am wondering what contamination is left over after the filtering process. Will I die of cancer thanks to having moved here unaware of the disastrous pollution situation here?

Concerned citizen,  
Rachel Di Re - Huntersville

**From:** [Moore, Brian](#)  
**To:** [Marshallcomments](#)  
**Subject:** [External] Comments for Wednesday  
**Date:** Wednesday, February 26, 2020 7:23:11 AM

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When will the results of Lake Norman water tests be conducted to ensure no Hexavalent Chromium?

This email is subject to certain disclaimers, which may be reviewed via the following link.  
<http://www.compass-usa.com/disclaimer/>

**From:** [Fleur-Di-Re](#)  
**To:** [Marshallcomments](#)  
**Subject:** [External] Marshall Closure Plan  
**Date:** Saturday, March 7, 2020 7:17:05 PM

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Commenting on the closure plan for Marshall Steam station. Let it be known as a Lake Norman resident I want the coal ash gone. Not capped in place as it will continue to contaminate the area. The Boron plume should also be treated/addressed and not left. We have had enough cancers here in Lake Norman. Do the right thing.

Rachel Y. Di Re - Huntersville, NC

Sent from my iPhone

**From:** [Sheila Hebert](#)  
**To:** [Marshallcomments](#)  
**Subject:** [External] Marshall Steam Plant Closure  
**Date:** Wednesday, February 19, 2020 7:23:42 AM

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As a resident of the Lake Norman area I am devastated to learn about the coal ash pollution in the area. It has sickened so many residents and caused numerous cancer diagnosis'. If Duke and the State plan to preserve the area they better shut the plant now!

Stop spewing toxic pollution all over the towns nearby. Everyday we watch that smoke stack send plumes of waste into the air. Everyday we drive by the plant and watch all the waste being dumped on the land and seep into the waters of Lake Norman.

We know this is not a healthy situation to live in and to insult us all by claiming it is safe will only come back and bite the State and Duke Energy in the butt.

We the residents are wise to what is happening. You can no longer cover up this despicable mess up that has been created by Duke Energy. The Media has finally taken notice. Values will start to plummet and the Lake Norman Cash Cow will disappear. What then???

Shut the plant now and remove the toxic waste now! That is the only solution.

Respectfully,  
Sheila Hebert  
Mooresville, NC

**From:** [Edgar Mueller](#)  
**To:** [Marshallcomments](#)  
**Subject:** [External] Marshall Steam Plant Coal Ash Comments Submittal  
**Date:** Tuesday, February 25, 2020 12:50:39 PM

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Hello,

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Best regards,

Edgar Mueller MS, MBA  
[edgarmueller@alum.mit.edu](mailto:edgarmueller@alum.mit.edu)  
[+1.828.478.9160](tel:+18284789160) (h)  
[+1.703.623.8168](tel:+17036238168) (mobile)  
[3747 Gordon St.](#)  
[Terrell, NC 28682 USA](#)  
(16 year resident)

**From:** [Edgar Mueller](#)  
**To:** [Marshallcomments](#)  
**Subject:** [External] Re: Marshall Steam Plant Coal Ash Comments Submittal  
**Date:** Tuesday, February 25, 2020 12:57:50 PM

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We need Duke Energy to pay to extend the county water lines down Gordon Street in Terrell!  
See below:

- Edgar Mueller

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[Terrell, NC 28682 USA](#)

(16 year resident)

**From:** [Edgar Mueller](#)  
**To:** [Marshallcomments](#)  
**Subject:** [External] Re: Marshall Steam Plant Coal Ash Comments Submittal  
**Date:** Wednesday, February 26, 2020 5:56:32 PM

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edgarmueller@alum.mit.edu  
+1.703.623.8168 (c)

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[3747 Gordon St.](#)

[Terrell, NC 28682 USA](#)

(16 year resident)

**From:** [Jennifer Doucette](#)  
**To:** [Marshallcomments](#)  
**Cc:** [Nick Torrey](#); [Holman, Sheila](#); [Lane, Bill F](#)  
**Subject:** [External] SELC Comments - Marshall Power Station  
**Date:** Tuesday, March 17, 2020 2:06:16 PM  
**Attachments:** [2020-03-17 Comment Letter - Marshall.pdf](#)

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Good afternoon Ms. Hughes,

Please find attached comments on the Marshall Power Station closure plans, on behalf of Catawba Riverkeeper Foundation, the Sierra Club, and Waterkeeper Alliance.

Sincerely,

Jennifer Doucette  
Legal Administrative Assistant  
North Carolina State Bar Certified Paralegal | [Southern Environmental Law Center \[southernenvironment.org\]](http://Southern Environmental Law Center [southernenvironment.org])  
601 West Rosemary Street, Suite 220 | Chapel Hill, NC 27516-2356  
T: 919-967-1450 | F: 919-929-9421 | Email: [jdoucette@selcnc.org](mailto:jdoucette@selcnc.org)

# SOUTHERN ENVIRONMENTAL LAW CENTER

Telephone 919-967-1450

601 WEST ROSEMARY STREET, SUITE 220  
CHAPEL HILL, NC 27516-2356

Facsimile 919-929-9421

---

March 17, 2020

## VIA EMAIL

N.C. Department of Environmental Quality  
Louise Hughes  
1601 Mail Service Center  
Raleigh, NC 27699-1601  
*marshallcomments@ncdenr.gov*

### **Re: Comments on Closure Plan – Marshall Steam Station**

Dear Ms. Hughes:

On behalf of Catawba Riverkeeper Foundation, the Sierra Club, and Waterkeeper Alliance, we support Duke Energy's plan to excavate the unlined coal ash basin at its Marshall Steam Station on Lake Norman.

This result is required by the North Carolina Coal Ash Management Act. As the Department set out in its April 1, 2019 Closure Determination, the ongoing contamination and the risks associated with leaving millions of tons of coal ash saturated in groundwater are too great, and full excavation is the right solution to ensure that groundwater and downstream surface waters are protected.

The closure plan removes approximately 16.8 million tons of coal ash from the leaking, unlined ash basin at Marshall, and disposes of it onsite in lined, dry storage. This cleanup represents an enormous victory for Lake Norman and the community.

We have two requests for the Department:

Each of Duke Energy's coal ash sites contain millions of tons that are saturated in groundwater, and DEQ must ensure Duke Energy removes all of this ash. Appendix E of the closure plan states that if Duke encounters ash saturated in groundwater, "[a] plan will be submitted to NC DEQ by Duke Energy pertaining to the removal of ash if these conditions or other restricting factors occur." Closure Plan, Appendix E, Section 4.3. Because we already know that millions of tons of ash are saturated in groundwater at every one of these sites, DEQ should require Duke Energy to submit its plan for fully removing saturated ash now, to ensure the plan is adequate and all saturated ash will be removed.

In addition, DEQ must continue to protect North Carolinians by ensuring the safety of the workers who are cleaning up the coal ash. DEQ should require Duke Energy to protect its workers *and* contractors by creating a safe work environment with protective equipment.

We are grateful to Secretary Regan and the whole Department of Environmental Quality for your work to implement CAMA and ensure these sites will be cleaned up once and for all. We fully support this closure plan.

Thank you for your consideration of these comments.

Sincerely,

A handwritten signature in black ink, appearing to read "Nicholas S. Torrey". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Nicholas S. Torrey  
Senior Attorney

cc: Sheila Holman, Assistant Secretary for the Environment  
Bill Lane, General Counsel

**From:** [Edgar Mueller](#)  
**To:** [Marshallcomments](#)  
**Subject:** [External] Still Another Marshall Steam Plant Coal Ash Comment Submittal  
**Date:** Monday, March 16, 2020 8:49:59 AM

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Please monitor the well water of the residents of Gordon Street in Terrell, NC with third party oversight for the next 20 years, or until the county water lines are extended through the neighborhood, if they ever are.

Thank you,

Edgar Mueller MS, MBA  
[edgarmueller@alum.mit.edu](mailto:edgarmueller@alum.mit.edu)  
+1.703.623.8168 (c)  
3747 Gordon St  
Terrell, NC 28682

On Mar 15, 2020, at 12:33 PM, Edgar Mueller <[edgarmueller@hotmail.com](mailto:edgarmueller@hotmail.com)> wrote:

Please add zip code 28682 to any and all cancer study areas related to coal ash.

Thank you,

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Edgar Mueller MS, MBA

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[+1.703.623.8168](tel:+17036238168) (mobile)

[3747 Gordon St.](#)

[Terrell, NC 28682 USA](#)

(16 year resident)

**From:** [Steven Welch](#)  
**To:** [Marshallcomments](#)  
**Subject:** [External] Tonight's meeting  
**Date:** Wednesday, February 26, 2020 9:49:16 AM

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Do i need to sign up to attend this meeting? If so please let me know what I'll need to do to be a part of the community meeting.thank you and God bless

**From:** [T Knutsen](#)  
**To:** [Marshallcomments](#)  
**Subject:** [External] Wells  
**Date:** Wednesday, February 26, 2020 1:08:17 PM

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Will this affect residential wells??

Ms. Teresa Knutsen  
[tknutsen7@gmail.com](mailto:tknutsen7@gmail.com)  
704-662-2295

RECEIVED  
1/24/19  
JH

January 19, 2019

I attended the Marshall meeting and am submitting my comments as requested.

As you know, the participants in attendance (except one) by show of hands overwhelmingly voted for the EXCAVATION option.

The Drinking Water Protection/Coal Ash Clean Up Act of 2016 Section 130A-309.214(3) outlines how and when Marshall (designated low-risk) shall be closed.

Section 130A-309.214(3)(iii) provides **AT THE ELECTION OF THE DEPARTMENT** the owner of the impoundment shall **either...**

Section 130A-309.214(3)(iii)(a) provides that the department has the option to "Close in any manner allowed pursuant to subdivision (1) of this subsection known as Section 130A-309.214(1) for High-risk impoundments.

Section 130A-309.214(1) High Risk impoundments requires excavation.

DEQ continues to quote "the law" in response to Q&A. However, the law clearly provides DEQ with the option to **EXCAVATE** Marshall which clearly is the will of the people you represent.

While excavation is mandatory for high-risk impoundments, it is an option for low-risk impoundments as well.

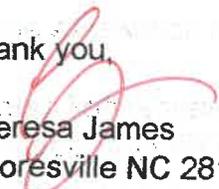
And don't even get me started on how the CAMA law of 2014 was revised subsequently forcing Marshall into a low-risk rating when it would have clearly been rated higher prior to the CAMA laws revision.

Ultimately the people will be footing the bill for cleanup. You clearly heard that the cost and timeline is not an overriding issue other than the belief that both have been purposefully overstated. We the people are willing to share or bear the cost if that's what it takes to excavate.

This community has come together to ensure our voices are heard and many many more will be at the next meeting when the Marshall closure plan is presented.

We expect this closure plan to be nothing less than excavation.

Thank you,

  
Theresa James  
Mooresville NC 28117

CHRIS AND THERESA JAMES  
429 GRASSHOPPER CIR  
MOORESVILLE NC 28117-6616

CHARLOTTE NC 282

21 JAN 2019 PM 3 L



NC DE Q  
c/o Louise Hughes  
1601 West Jones St  
Raleigh NC 27699-1601

2769999999

