NCDEQ Coal Ash Impoundment Closure Plan
Decision

Attachment 2: Public Comments

April 29, 2020
Good afternoon Ms. Hughes,

Please find attached comments on the Cliffside/Rogers Power Station closure plans, on behalf of MountainTrue.

Sincerely,

Jennifer Doucette
Legal Administrative Assistant
North Carolina State Bar Certified Paralegal | Southern Environmental Law Center [southernenvironment.org]
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March 17, 2020

VIA EMAIL

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

Re: Comments on Closure Plan – Cliffside/Rogers Power Plant

Dear Ms. Hughes:

On behalf of MountainTrue, we support Duke Energy’s plan to fully excavate the unlined coal ash basins at its Cliffside power plant.

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 7.6 million tons of coal ash from the leaking, unlined ash basins at Cliffside, and disposes of it onsite in lined, dry storage. This cleanup protects Suck Creek and the Broad River from further coal ash contamination and represents an enormous victory for the community and these waterways.

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,

Nicholas S. Torrey
Senior Attorney

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