

**Orange County  
Commission for the Environment**

**Meeting Summary**

**June 9, 2014**

**Orange County West Campus Office Building, Hillsborough**

---

PRESENT: Jan Sassaman (Chair), May Becker, Peter Cada, Loren Hintz, Donna Lee Jones, William Newby, Jeanette O'Connor, Lydia Wegman

ABSENT: David Neal, Steve Niezgod, Rebecca Ray, Gary Saunders, David Welch

STAFF: Rich Shaw, Tom Davis      GUESTS: Indira Everett and Mark McIntire (Duke Energy)

---

- I.     **Call to Order** – Sassaman called the meeting to order at 7:38 pm.
- II.    **Additions or Changes to Agenda** – No changes or additions.
- III.   **Minutes** – Sassaman asked for comments on the minutes for May 12. Hintz motioned to approve as written; Cada seconded. Approved unanimously.
- IV.    **CFE Appointments** – Sassaman welcomed Newby to the CFE. Newby introduced himself, and CFE members followed with brief introductions. Sassaman said the other new members (Leath and Miller) would attend the August meeting.
- V.     **Coal Ash site remediation by Duke Energy** – Sassaman welcomed Indira Everett and Mark McIntire from Duke Energy, who had asked to present an update on the Dan River coal ash spill and Duke Energy's strategy for addressing 33 coal ash sites that they manage throughout North Carolina.

Everett said she is Duke Energy's District Manager for Government and Community Relations for Orange, Durham, Lee, and Chatham counties. She thanked Commissioner Barry Jacobs and the CFE for arranging this opportunity to speak on these issues. Everett said she and McIntire were here to talk about any matters and answer any questions about coal ash. Both are actively engaged in addressing the Dan River spill and are working hard to talk to the community in that area and near any of their plants.

Everett referred CFE members to handouts in their meeting materials: 1) an update on the company's response to the Feb. 2 coal ash spill, and 2) a background sheet about coal ash in NC. She handed out a summary of Duke Energy's ash management plan from the company's website: [www.duke-energy.com/ash-management](http://www.duke-energy.com/ash-management). She said Duke Energy has 33 coal ash basins in NC—14 of which are near current or former coal-powered power plants. Everett said Duke Energy hired an independent engineering firm to assess the conditions of all 33 sites. Duke Energy is reviewing the findings they received on May 31 and will develop a strategy to address each site on a case-by-case basis. A report will be out by the end of 2014. McIntire noted that considerable work is going on at many sites prior to that report coming out.

McIntire said he is Director of Environmental Affairs for Duke Energy in NC. He provided background on his previous work experiences, including NCDENR and Progress

Energy. He said Duke Energy has taken ownership for the Dan River spill and for all of its coal ash sites. He encouraged CFE members to contact him with any questions. CFE members provided feedback and asked several questions.

McIntire described Duke Energy's energy production facilities in North Carolina. He noted they had shut down seven coal-powered plants and in the near future may be announcing plans to shut down some of the remaining seven coal-powered plants in NC. He said Duke Energy's energy production in NC is currently 1/3 nuclear, 1/3 coal, and 1/3 natural gas – with the percentage of natural gas generated facilities on the rise. He said Duke operates 20 hydroelectric facilities and has a growing number of renewable energy facilities operated by third parties.

McIntire said Duke Energy's emissions of greenhouse gases has reduced by 30 percent since 1995, but is still the second largest emitter of greenhouse gases in the US. He then described some of the ground and surface water monitoring and toxicity testing that occurs at each facility, and the excellent compliance rate with state regulations.

McIntire discussed Duke Energy's plans to excavate and remove coal ash from the site next to the Dan River. He said this is one of five high-risk sites located near water resources. In each case they try to find markets to re-use the ash, such as for an airport runway in Asheville. He discussed the extensive sampling that has been done in the Dan River, the results showing compliance with drinking water standards, and the 39,000 tons of ash that was released into the river. McIntire said the USEPA wants Duke Energy to remove a portion of that material, although the US Fish & Wildlife Service feels it may be more harmful to aquatic wildlife by removing the ash.

McIntire responded to questions from CFE members on the following subjects:

- Becker asked questions about surface water monitoring. McIntire explained the difference between discharge monitoring versus ambient water quality monitoring— noting that Duke Energy provides monthly reports on its effluent discharge monitoring in order to remain in compliance with its federal permits.
- Hintz asked about the testing for selenium and thallium. McIntire explained testing that occurs both upstream (for background data) and down gradient. He noted there have been no verified cases of well contamination from coal ash.
- Wegman asked when the reports from the independent assessment would be released. Everett said it may be coming out in July 2014. McIntire identified several separate reports being completed and released on separate timeframes.
- Newby asked if coal ash is used for paving roadways. McIntire said yes, coal ash can be used for interstate highway construction, although NCDOT has recently expressed reluctance due to the recent bad publicity.
- O'Connor asked why Duke Energy and other utilities feel it's too expensive to relocate coal ash from river corridors. McIntire said Duke shareholders will pay to relocate coal ash from the Dan River facility, but he is unsure who will pay to relocate from other sites. He said in some cases there is no clear benefit to the environment from relocating the ash. Also, some sites are so large that the truck traffic could be more detrimental to air quality than may be worthwhile.
- Sassaman asked if Duke Energy prioritized its sites for remediation. McIntire said they have done so at the macro level, and have identified five sites in locations

associated with drinking water as top priority: Asheville, Cliffside ( Mooresville), Riverbend (Mount Holly/retired plant), Sutton (Wilmington/retired plant), and Dan River (Eden/retired plant). Other sites have yet to be prioritized.

- Sassaman asked if Duke Energy monitors for radionuclides. McIntire said this is not a significant issue for coal ash.

Sassaman thanked Everett and McIntire for their information. Everett will provide their contact information for the staff to provide CFE members if they had further questions.

- VI. **State of the Environment 2014** – Shaw reported on the status of the report, and thanked Sassaman, Wegman, and Davis for their help with the Air and Energy section. He reported that Niezgoda had reported back on dead or inactive links in the report, which Shaw will address. Sassaman reviewed the list of tasks needed to complete each section (from the May meeting) and identified who was working on each task. Becker and Cada said they would meet to decide on the status and trends for the Water section.

Sassaman asked Shaw to provide a revised draft of the Air and Energy section to him and Wegman on or before June 27.

- VII. **Environmental Summit** – Shaw reported that the following dates have been identified for holding the summit: September 13, September 20, and October 11. He said there are no UNC home football games on either of those dates, nor have any major events or festivals been identified thus far. Shaw stated a preference of October 11.

CFE members agreed on October 11 as first choice and September 20 as back-up date. Shaw said staff will confirm the availability of the Maple View venue.

Sassaman asked the summit subcommittee members to communicate with staff over the next two months on potential speakers for the panel discussion. Hintz noted that the May meeting summary included three suggested speakers: Don Francisco (UNC Chapel Hill/water issues), Avner Vengosh (Duke/fracking), Mike Kunz (NC Botanical Garden/invasive plant species, and Judd Edeburn (Duke/forest management).

Sassaman asked staff and CFE members to report back at the August meeting.

- VIII. **Updates and Information Items** – Information on the following subjects was provided and selected items were summarized by staff: a) Nature of Orange photo contest, b) funding for Orange County rural curbside recycling programs, c) coal ash found on Town of Chapel Hill property, d) other coal ash sites in the Triangle and rural NC, e) solar farm planned off Mt. Sinai Road, f) widening of I-40, g) NC law allows fracking, h) proposed reduction of air quality monitors, i) Chatham Park development (Pittsboro), j) Jordan Lake water circulators on hold, k) USEPA sets limits on

- IX. **Adjournment** – Sassaman adjourned the meeting at 9:30 pm.

Summary by Rich Shaw, DEAPR Staff