

Appalachian Energy Summit Poster Competition Abstract Submission

- The Dan River Coal Ash Spill: An Orientation to the Current Politics between Duke Energy, the State of North Carolina, and the EPA
- Research
- Rachel Blackburn
- Political Science/Spanish double major
- Advisor: Dr. Susan J. Buck
- Undergraduate Senior
- rblackb@uncg.edu (828)-702-0629
- sjbuck@uncg.edu (336)-334-5989
- Abstract:

Coal ash is the largest type of industrial waste generated in the United States and contains toxic chemicals such as lead, arsenic, mercury, and radioactive uranium (Dodge 2014). The issue of coal ash disposal spans over fifty years; however recent events surrounding the Dan River spill have drawn national attention. This waste comes from coal-fired power plants and in the state of North Carolina Duke Energy is responsible for 14 of these plants both retired and operational as well as 33 coal ash “ponds” (Catanoso 2014). As citizens have noticed, Duke has not been particularly responsible with the safety of its impoundments and the full extent of their potential hazard to the public. This presentation is a review of the available literature aimed at orienting those new to the dilemma of coal ash disposal in North Carolina. This information is presented through a timeline of recent events surrounding the Dan River spill, followed by a brief introduction to the Clean Water Act, then an overview of the current state and federal legislation regulating coal ash, concluding with the possibility of reusing coal ash rather than storing it. This review determined Duke Energy ignored the needs of its aging ash pond infrastructure until irreparable catastrophe affected a large segment of the population. Under intense public scrutiny, the North Carolina Department of Environment and Natural Resources (NCDENR) and Duke Energy attempted to publicly address the causes associated with the failure: poorly engineered infrastructure, lack of adequate inspection, threats to groundwater, and organizational accountability. Duke was able to purchase the closure of a federal investigation into the background situation that allowed such irresponsibility for \$102.1 million. The media has acknowledged the connections between North Carolina’s private and public

sector that allow the potential for collusion between the state and Duke Energy. At the very least, the public should be aware that the ideologies of their state representatives cause them to favor business interests over enforcing regulations. Legislative reform passed on the federal and state level, though not to its ideal extent. The Environmental Protection Agency's (EPA) new regulations are hopeful but the public will have to stay alert to see how well enforcement obligations are kept and must also stay aware of new legislation to further the excavation and lining of the remaining 10 ash facilities in the state. Environmental groups continue to put necessary pressure on DENR and Duke to step up their responsibilities and to cease putting public health in danger. Although the issue of coal ash storage has been around for decades, it seems it now has the attention and political momentum needed to create some reform; however, the past eighteen months since the Dan River spill is surely only the beginning in a long road to ensuring safe, uncontaminated water for all.

Sources:

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The Coal Ash Management Act of 2014. North Carolina General Statutes §130A-309.200. An online copy can be found at:
<http://www.ncleg.net/Sessions/2013/Bills/Senate/PDF/S729v6.pdf>