



CHATHAM COUNTY COMMISSIONERS

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COUNTY MANAGER

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Resolution of the Chatham County Board of Commissioners

RESOLUTION OPPOSING COAL ASH DISPOSAL IN CHATHAM COUNTY

WHEREAS, on November 13, 2014, Duke Energy announced plans to permanently close coal ash basins and store the coal ash in structurally lined excavated sites around the state, including sending up to 2.9 million tons of coal ash to the Brickhaven Mine in Moncure and the Sanford Mine in Sanford in Phase One; and

WHEREAS, coal ash is the nation's second largest waste stream and contains high levels of heavy metals such as arsenic, lead, mercury, and other toxic substance, which requires the utmost precautions and protections for handling, transporting and disposal; and

WHEREAS, hosting the disposal of coal ash means that Chatham County and its residents will face substantially higher risk of exposure to cancer-causing toxins during the transport, disposal and storage of coal ash; and

WHEREAS, studies by the EPA and other agencies on the impact of mine disposal of coal ash reveal potential health and environmental concerns that should be more clearly addressed by state and/or federal regulations; and

WHEREAS, the North Carolina Coal Ash Management Act of 2014 has several key shortcomings that fail to adequately protect public health and vital natural resources, including:

- Insufficient oversight and regulation of the entire disposal, transit and storage process;
- A prohibition on any local ordinances related to coal ash, including disposal, storage or transport within their jurisdictions;
- Limitations on local land use or zoning ordinance provisions that might apply to coal ash facilities, with the NC Environmental Management Commission serving as the final decision maker on any appeals; and
- Limitations on fees collected from the utility to offset local impacts, so that any revenues are collected by the State of North Carolina for specific coal ash entities.

WHEREAS, the US Environmental Protection Agency will release its regulations on coal ash management by December, 19, 2014 and may define coal ash as a hazardous waste, which could change how coal ash waste disposal is handled and where it could be stored.

THEREFORE, BE IT RESOLVED, that the Chatham County Board of Commissioners opposes Duke Energy's disposal of coal ash in Chatham County due to the substantial health and environmental risks represented by the current disposal plan and governmental regulations.

Adopted this 15th day of December, 2014.

Jim Crawford, Chairman
Chatham County Board of Commissioners

ATTEST:

Lindsay K. Ray, Clerk to the Board
Chatham County Board of Commissioners