Privatized Water Supplies: Residents Speak Out for Fair Rates!
Aqua NC’s Customers Lead the Charge for Affordable Water, Sewer

This spring, CWFNC’s Water Justice Campaign has taken us around the state, reaching out to communities who have one thing in common – they’re customers of private water company Aqua North Carolina, and they’re angry. The cause? The company has requested its second substantial rate increase in two years, and the cost of water and sewer was already through the roof.

Aqua NC is a subsidiary of Pennsylvania-based Aqua America and the largest private water company operating in NC. Their business model is based on aggressive acquisition of water systems combined with frequent rate increases. Aqua NC’s 2011 rate case has customers very worried as average water bills could climb to $50/month and sewer bills to a flat rate of more than $70 if the NC Utilities Commission allows the company the increases they requested.

In April, dozens of customers attended Commission hearings from Wilmington to Hickory. They asked the Commission to reign in the proposed rates, complained of serious customer service and water quality problems, and asked the Public Staff to truly advocate for consumers. The Public Staff is charged to represent the “using and consuming public,” but for the last few years they have appeared deaf to public concerns when determining water and sewer rates for Aqua NC.

This time, probably thanks to hundreds of letters, e-mails and high attendance at the hearings, the Public Staff actually recommended significant reductions to Aqua NC’s proposed rate increases: a 2% water rate increase instead of the 19% increase the company requested, and a metered rate for sewer instead of a flat $70 fee each month (see box). At the “evidentiary hearing” in early June, Aqua NC president Tom Roberts indicated that the company was alarmed by Public Staff’s “unexpected” response to their proposed rate increases, as Public Staff raised detailed questions about the company’s justifications for excessive rates that only lead to profits for the company.

While it remains to be seen what the Utilities Commission will decide, the determination and organization shown by many communities during the hearings is an inspiring example of how individuals and communities can make a difference through public participation. Congratulations to all those who have made their voices heard, and our kudos to Public Staff for what appears to be a big step toward representing the public!

Read our new report, “Privatizing NC’s Water, Undermining Justice” (http://www.cwfn.org/documents/privatizingwater-undermining-justice.pdf) to learn more about privatization of NC’s water.

The economics of water profit – what was Aqua requesting?

The Public Staff of the Utilities Commission took a close look at Aqua NC’s application to increase their water and sewer rates statewide. Because the Commission allows “rate consolidation,” almost all customers across NC, whether their neighborhood’s water system is newly constructed or old and in disrepair, pay the same rates. Thus Aqua NC customers end up with high (often $100+) monthly bills but, without oversight of actual system expenses, very few see system improvement benefits.

In their recommendations to the Commission, Public Staff accountants said that the company’s request included tens of millions of dollars worth of erroneous expenses, including:

- $246,500 for plant costs related to future customers, not current customers;
- $20,000 in dental insurance premiums accounted for by employee contributions;
- $130,000 in pay increases for 4 top Aqua America executives (the 4 top executives have averaged a 48.2% salary increase over 2007 salaries, and the CEO makes $3.5 million).
Clean Water for North Carolina

Clean Water for North Carolina is a private, non-profit organization based in Asheville, NC. CWFNC works to ensure that all people have a right to live, work, and play in clean and safe communities. Together, we have the power and responsibility to work for a healthy and sustainable environment. Our staff works with an active and diverse board of directors, as well as members to increase grassroots involvement in environmental decisions. CWFNC spearheads action statewide and helps grassroots and environmental groups, individuals, and local governments develop strategies to address threats to the environment.

Our Mission

Clean Water for North Carolina promotes clean, safe water and environments and empowered, just communities for all North Carolinians through organizing, education, advocacy, and technical assistance.

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CWFNC’s Newest Board Member: Tina Motley-Pearson

Tina joined our Board in March of 2011, just in time for our annual planning retreat at the Civil Rights Museum in Greensboro. As an artist and clean water advocate living on a farm east of Durham, Tina has focused for years on efforts to hold upstream polluters, both cities and developers, accountable for water quality degradation in Falls and Jordan Lakes. Her outstanding research and presentations caught the attention of legislators, civic groups and local governments. A member of Clean Water for NC since 2008, Tina recently worked with videographer Don Yonavjack to produce the short video “Hydraulic Fracturing in NC—Can it Happen Here?” for CWFNC. We are very grateful for Tina’s support and willingness to help guide CWFNC’s future work.

Welcome to our Board, Tina!

Welcome to Tabitha, 2011 Duke Stanback Intern on Hydraulic Fracturing

Tabitha Vigliotti has joined us for a busy and challenging summer to work with staff to strengthen the ability of NC communities to understand and protect themselves from potential impacts of hydraulic fracturing or “fracking. She is an incoming Master of Environmental Management/Public Policy student at Duke. Tabitha’s work will include updating our outreach materials, surveying the media for recent gas-related events in other states and working with us on outreach to communities in the 14 counties with likely gas shale deposits.

Tabitha is a multiple award-winning 2006 graduate of the University of Florida’s Wildlife Ecology and Conservation program, having researched marine life (including bull sharks, see photo) at the Florida Museum of Natural History from 2004 to 2007. More recently, she worked as a game biologist in Texas, and volunteered at several Triangle area non-profits, currently serving as a Board member for the Neuse River Foundation. We are very glad to have Tabitha’s energy, creativity and collaborative spirit to work with us on the critical issue of fracturing!
What’s Cracking with Fracking in NC—Things are Moving Too Fast!

NC General Assembly rushes through two bills to “study” fracking

House Bill 242 (Natural Gas/ Bonds/ Fees/ Studies), sponsored by Reps. Stone and Gillespie, passed the House in May with a vote of 117 to 2, and the Senate in mid-June. The deadline for the study has been moved back to May 1st, 2012 but it still lacks important protections including landowner protections to protect residents who are being approached to sign bad leases, and a reasonable bond requirement to cover liability for possible contamination of water or property damage. Despite Rep. Gillespie’s claims that changing regulations could take 2 years, there’s no requirement in the bill that regulatory changes will wait until the EPA’s study on impacts on drinking water is completed. Senate Bill 709 (Energy Jobs Act), sponsored by Sens. Rucho, Brown and Tucker, aggressively promotes offshore oil drilling and bad energy policy, in addition to a “study” on fracking that focuses on recommending regulatory changes to “get cracking with fracking,” as one of the sponsors said in the final floor debate. S709 easily passed the Senate, then the House, with amendments. S709 would open our coasts and piedmont to massive degradation to extract fossil fuels. CWFNC was asking Gov. Perdue to VETO this terrible bill as we go to press—and we hope that both House and Senate votes will be able to sustain a veto!

What’s the latest science related to fracking?

A just-released Duke University Study has linked methane in PA & NY drinking water wells to nearby shale fracking operations. Methane levels in most wells within 3000 feet of fracking operations most were above “hazard mitigation action levels.” Several lines of evidence show that the gas is actually from the deep shales being fracked, NOT from shallower biologically produced methane, as earlier claimed by the gas industry. Industry has strongly criticized the study, claiming that without pre-drilling data, there’s no proof that water was methane-free before fracking began. However, water sampled from drinking water wells over shale formations further from fracking operations, was almost completely free of methane.

Cornell University’s R. Horwath and other scientist reported that greenhouse gas (climate changing) emissions from fracking may make shale gas more damaging than mining and burning coal. The study showed that larger percentages of natural gas escape during shale gas fracking than from conventional drilling, and that previous estimates of relative impact of methane on climate vs. carbon dioxide only looked at 100 year projections, underestimating substantially the long-term impacts. Shale gas may be 20-100% more damaging than coal in the first 20 years after the releases occur.

Dr. Susan Christopherson, also of Cornell explores the economic consequences of Marcellus shale gas drilling. Her preliminary findings indicate that there are large costs to local governments, including roads, healthcare, and public safety. A boom and bust system often occurs resulting in a depressed local economy after the drilling companies complete their extraction. Furthermore, no matter where the physical gas well is located, most of the jobs associated with new drilling, especially the higher paid jobs, end up in Texas.
Focus on Communities

“Economic Development” Through a Rockingham Landfill—at What Cost to the Region?

A Rockingham County developer, whose business partner is under investigation by Securities and Exchange Commission, filed in May for a special use permit for a landfill and recycling center on 350 acres just outside Eden. After local meetings scheduled in late June, the planning board will meet again on July 18th. The landfill is to be built on the Whitt property on NC 135 just SW of Eden. The proposed landfill would process household and industrial waste, but supposedly no toxic waste.

Tommy Flynt, who represents Eden on the Rockingham County Board, said “the amount earned [by landfill] is not significant enough for [me] to support the project.” William Osborne, a local political party leader and construction company owner, believes the landfill will, “adversely affect the economy of the county” and that he, “would not build another piece of property in Eden if the landfill goes through.” Controversial statements have indicated that the landfill will accept coal ash from the nearby Duke Energy plant and captured methane gas; Coal ash is currently not designated as toxic waste, though it contains metals such as lead and is known to pollute water and air. However, residents are generally uneasy with the potential economic and quality of life issues associated with a landfill next to the Dan River in a floodplain wetland.

Residents have also learned that waste may be shipped from the northeast, raising further questions about toxicity and the potential to contaminate the river, the source of Eden’s drinking water. For more information contact: Dan River Basin Association, Tiffany Haworth, thaworth@danriver.org, 336-627-6270, William Osborne, wosborne321@gmail.com, or Jeffrey Sykes, local resident jeffreyhsykes@gmail.com

Cleanup May Be on the Horizon for Buncombe CTS Site

Residents in south Buncombe County have been struggling for years to draw attention to the contamination of their well water, springs and soil with trichloroethylene (TCE) and other toxic volatile organic chemicals, to fully characterize the “plume” of contamination and to begin cleanup of the area around the abandoned CTS electroplating facility. Last year, progress toward these goals was stalled by a health assessment study that failed to link high levels of TCE to health risks. Also, CTS, which is still a large corporation based in Indiana, appeared to be trying to avoid cleanup costs by deflecting blame for the toxic contamination onto residents or nearby businesses, despite plentiful documentation of TCE by the company.

Now, community members are feeling optimistic, thanks to their continued efforts to push for cleanup. The site is being considered for the Superfund National Priority List, which would bring Environmental Protection Agency action for hazardous site “remedial action.” Meanwhile, community activist Lee Ann Smith has organized a petition to conduct a concurrent emergency removal action to deal with the worst of the toxic, potentially carcinogenic pollution. As a first step toward determining the extent of TCE in the groundwater and soil, EPA is designing a plan to sample a number of sites both on and off the CTS property.

Lee Ann, the mother of two whose sons have both been diagnosed with tumors, feels it’s important for community members to work together toward cleanup. “I don’t want what happened to my family to happen to others,” she said. “I’m optimistic that with all of our efforts together, we can see our neighborhood cleaned up.”

The Other Side of the Fence: Claremont Neighborhood Split by Water Privatization

If you ask one group of residents in Country Valley Mobile Home Park in Catawba County about their drinking water, they say it’s great-tasting well water and they don’t pay a bill for it. Go a few doors down, however, and you’ll hear a different story.

Aqua NC (see page 1) has a deal with the developer which allows the private company to sell water and wastewater to customers in one portion of the development. These residences are connected to a different well than the one serving the remainder of the neighborhood, and they pay Aqua NC’s statewide rate of $15.18 per month plus a usage fee. “We can’t even drink the water; it smells like chemicals,” said Susan, a longtime resident. “Plus we pay a $63 flat fee each month for sewer. Bills are often over $100, and once I was charged $300 before anyone figured out there was a leak!”

A glance at the neighborhood’s water quality report indicates that lead, copper, and some organic contaminants like ethylbenzene and xylenes have been detected in the water supply at low levels. Susan and her neighbors feel it’s unfair that they pay high bills for low-quality water. Most of them were unable to attend the recent hearings on Aqua NC’s proposed rate increase, but CWFNC will continue to be in touch to ensure they get a response from the NC Utilities Commission and state drinking water regulators.

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Lifting Ban on Uranium Mining in VA Could Threaten NC Water Supplies

In the 1970s, geologists found a large deposit of uranium at the “Coles Hill” farm in Pittsylvania County, Virginia. The state had no regulations for such mining, however, and the legislature even passed a ban in 1982. Now that uranium prices are rising, Virginia Uranium, Inc. (VUI) wants to extract uranium ore at the site, which would use large volumes of water and leave huge heaps of radioactive and chemically contaminated “tailings.”

Most uranium mining takes place in arid conditions. However, with Virginia’s wet climate, severe storm events and population density, VUI’s proposed operations would create risks for folks even far downstream in the Roanoke River Basin. Workers and residents near mines would be subject to exposure to uranium and mining chemicals, which has resulted in elevated lung cancer, bone cancer, leukemia, birth defects, weakened immune systems, hormone disruption, and kidney and liver damage.

Industry pressure is mounting

Two state-sponsored studies are underway, with results due by December 2011. A study commissioned by the city of Virginia Beach found that if a heavy storm event washed mill tailings into a nearby tributary of the Roanoke River, substantial radioactive contamination could wash into two major reservoirs, Kerr Lake and Lake Gaston, that supply drinking water to both VA and NC towns. Many towns and counties in both states have passed resolutions calling on VA to keep its ban on uranium mining, as have river commissions in both states.

Company spokesmen have stated publicly they’ll introduce legislation in the 2012 session legislation to lift the ban. They have lobbied both state and federal legislators extensively to support their proposal.

Just as in NC, as permitting and enforcement costs continue to rise, environmental departments are compelled to slash budgets. A uranium industry would generate pollution in Virginia and downstream for generations, with little oversight by regulators.

Keeping the ban on uranium mining, milling and waste disposal is critical to protect clean drinking water and healthy fisheries, and to sustain the regional agricultural heritage, tourism and quality of life. Thousands potentially impacted downstream in NC will need to ensure their town and water supplier are on record in opposition to the mining, in order to keep pressure on VA officials and be ready for action if the ban is dropped. Please visit www.keeptheban.org for more information and to join in supporting this effort!

What is “Backflow” and What Should Your Community Do to Prevent It?

When normal water supply pipe pressure is reduced, contaminated water (called backflow) may be drawn into the distribution system. To protect water supplies, a device called a backflow preventer is used. The EPA requires water suppliers, supported by states and local municipalities, to test backflow prevention devices annually. Each city or county receives state drinking water revolving fund money; thus, backflow prevention programs are financially supported and required by law. Annual testing for homeowners costs ~$100 annually.

Larry Turbyfill, a principal at DLI Services in Lincoln County, states backflow prevention is an issue of “waste, fraud, abuse and a serious matter of public health.” As a certified backflow prevention tester, he has visited 25 NC counties and found over ½ to have no testing program at all. Some areas, including Cary, Greensboro and Asheville implement the testing program with a strong regulatory structure and annual testing. Other areas, like Caldwell County, have no ordinances.

According to Larry, the Public Works Director and County Manager in Lincoln County are both involved in the misappropriation of funds, which has led to a lack of backflow testing. County commissioners approved an ordinance limiting required testing to every 3 years, though no testing is currently being supported. One example is a Lincolnton drug manufacturing plant using municipal water through a 6” (ie, big!) water main with no backflow preventer! In late June, Larry will present his concerns to the County Board. CWFNC will follow this issue closely and keep you up to date!

Larry Turbyfill can be reached at larrydliservicesinc@yahoo.com or 704-5340106. For more information on backflow (or to wake them up!) contact your local water department or your regional DENR office.
State Budget and Regulatory “Reform” Bills Gut Protections for Water and Communities

The NC General Assembly's 2011-2012 budget is a huge step backward, impairing our state's environmental laws and regulatory agencies. In June, Gov. Perdue became the first NC governor to veto a budget. Sadly, it was quickly overridden by the Senate, and in the House, 5 conservative Democrats joined with Republicans to quash the veto.

The budget cuts the Department of Environment and Natural Resources’ (DENR) budget by almost 35% in the next two years, cuts positions that support the county well testing programs, established with strong support from CWFNC in 2008. County well programs have been a critical resource for the more than 2.5 million private well users in NC.

A budget provision also prevents state air and water regulations from being stronger than minimum federal standards, thus weakening some existing more protective state rules.

Meanwhile, the Regulatory Reform Act of 2011 (Senate Bill 781) buries agencies in cost-benefit analyses to eliminate existing protections, and rulemaking snarls that would almost never lead to badly needed protective new rules!

Nukes after the Fukushima Disaster—World Waking Up to Risks, US Snoozes

Since March, when a massive earthquake shook northeastern Japan, followed by a tsunami, the four fueled reactors at Tokyo Electric Power’s Fukushima installation have provided evidence of regulatory failure and inadequate design. The impact on populations near the plant was compounded by poor emergency preparation and lack of disclosures by industry and government. After the initial natural disasters caused over 20,000 deaths, dozens of workers sacrificed their health in the struggle to control the reactors, and tens of thousands of residents experienced ongoing exposures that could doom them to disease and early death. Parents have been enraged by the government’s 20 fold increase in allowed radiation exposure of school children.

Releases of radioactive steam have continued for months, as the hot reactor cores are cooled by spraying with millions of gallons of seawater. Recently admitted “melt-throughs” of several reactor cores through containment vessels have now more than doubled the acknowledged releases of gaseous and “hot particle” radiation to land, air, seawater and almost certainly ground water as well.

In the U.S., 23 reactors, including two at Brunswick in southeast NC, have the same General Electric design as the failed Japanese reactors. An emergency petition filed with the Nuclear Regulatory Commission by several advocacy groups calls on the agency to stop all licensing until a full evaluation of the “lessons of Fukushima” has been completed. Japan’s government has done an about-face on its plan to build more nuclear plants, and, in May, Germany and Switzerland committed to phase out nuclear energy. Polls in France and the U.S. indicate major shifts in public support away from nuclear energy, but government subsidies continue. Energy companies have deep tentacles in both US political parties, so a large grassroots movement will be needed to shift US policy away from both fossil fuels (including shale gas) and nuclear energy. Read CWFNC’s statement opposing nuclear power at www.cwfnc.org.

The NC Pollution Action Pipeline: Join Today to Strengthen Wastewater Permits!

As many of you know, some pollution of our rivers, lakes, and streams is legal if the polluter has a permit under the Clean Water Act’s National Pollutant Discharge Elimination System (NPDES). As the name implies, the Clean Water Act aimed to eliminate pollution of our rivers and streams by 1983. Unfortunately, we’re still far from this goal, as anyone who spends time downstream of a power plant, paper-mill, or sewage treatment plant knows all too well.

North Carolina has more than 1200 permitted facilities dumping everything from toxic metals to biological contaminants to hot water from cooling towers into our rivers. Each facility’s permit has to be renewed every five years. The Pollution Action Pipeline is designed to empower residents like you to participate in decisions about Clean Water Act “permits to pollute.”

The Pollution Action Pipeline is a bi-weekly e-mail summarizing all the permits open for public comment, sorted by county. We flag any facilities that we identify as “chronic polluters” due to particularly toxic discharges or a record of permit violations. It’s an easy way to volunteer from home and get more involved in decisions affecting your natural resources and your community!

If you’d like to join, or if you’re interested in a webinar tutorial or workshop to train you as a Pipeline volunteer, e-mail katie@cwfnc.org.
New Group Says “End Water Fluoridation in North Carolina” by CiCi Reed, Asheville

Water fluoridation was quietly approved in 1950 by the Public Health Service. With no rigorous testing, no long term studies and only the “hope” that nothing harmful could happen over time, consumption of fluoride in water was promoted as a benefit to children’s teeth.

Now, a group forming in western NC wants water fluoridation to be halted. Moms Against Fluoridation co-founder Mrs. Cici Reed says, “fluoride, a known contaminant and poison, has no place in the water supply”. She continues, “the dose can not be controlled when any substance, even if intended as medication, is put into the water. Our littlest are at greatest risk.”

MomsAgainstFluoridation.org, the group’s website, will soon be launched. Fluoride is now implicated in hundreds of scientific, peer reviewed studies in doing harm to the brain, thyroid, and bones, and affecting early development. This group of mothers, fighting for their children’s basic health and well being, want fluoride out of the public water supply.

The National Research Council’s 2006 report “Fluoride in Drinking Water” is laced with concerns about health risks: “The chief endocrine effects of fluoride exposure in experimental animals and in humans include decreased thyroid function, increased calcitonin activity, increased parathyroid hormone activity, secondary hyperthyroidism, impaired glucose tolerance, and possible effects on timing of sexual maturity.”

The drumbeat to end fluoridation is growing louder and more citizens want to end the practice industrial fluoridated waste from being dumped into the public water supply. Contact the group by emailing: Info@MomsAgainstFluoridation.org

References:
1) The Fluoride Deception by Christopher Bryson
2) The Case Against Fluoride by Paul Connett, James Beck, HS Micklem

Join Clean Water for North Carolina (or renew your membership)

Here is my donation to join or renew my CWFNC membership:
☐ $25  ☐ $35  ☐ $100  ☐ Other  ☐ I would like to volunteer

Contact Information: Name: ________________________________
Address: _______________________________________________
City: __________________________________ State: _____ Zip: _______
Email: __________________________________________________

(Email is a faster & cheaper way for us to reach you)

Make your check payable to: Clean Water for North Carolina, 29 1/2 Page Avenue, Asheville, NC 28801
Thanks to Our Wonderful Volunteers

Cori Maas and Bill Fisk at Asheville Earth Day Cori, an artist and long time clean water and clean air activist, has been a member and volunteer of CWFNC. Bill Fisk, a former Chair of the Pisgah Group of the Sierra Club has been an active volunteer since 2003 and a strong ally in the effort to clean up the Pigeon River. Bill and Cori are always among the first enthusiastic volunteers for any local event. The enthusiasm of both volunteers is contagious, and they are knowledgeable and engaging advocates for CWFNC. Hearty thanks to both of you!!

Exciting News for WNC Streams—EQT is Back in New Location!

The Environmental Quality Institute, formerly at UNC Asheville, is up and running in the hands of Ann Marie Traylor! When EIQ’s lab space was turned into classrooms two years ago, Ann Marie (who was then the lab’s head chemist) decided to take a chance and start the lab up as an independent nonprofit! EIQ is currently a project of the WNC Alliance, but will be an independent nonprofit soon.

Two valuable projects make this lab an important resource for data on WNC streams and rivers. The first, the Volunteer Water Information Network, has volunteers gathering water samples once a month to be analyzed for basic chemical parameters like pH, turbidity, alkalinity, suspended solids, and nutrients. The Stream Monitoring Information Exchange, formerly a program of Clean Water for NC, has also found a home at EQI. The program has received funding for the coming year to train local volunteers to identify aquatic macro invertebrates and use them to measure stream health. A new video “webinar” will also help experienced volunteers brush up on the methods and keep the program going strong.

We congratulate Ann Marie and all those who have worked hard to find a new location and fresh funding for this great resource of water quality information! To reach Ann Marie and EQI, you can email amt@environmentalqualityinstitute.org.

UPCOMING CLEAN WATER AND ENVIRONMENTAL JUSTICE EVENTS!

August 6th, Durham, Latino Festival, 1PM to 6PM @ Rock Quarry Park

GASLAND SHOWINGS

July 7th at 7pm, Raleigh Documentary Night, Unitarian Univ. Fellowship. Jeffrey Evenson at 919-917-7818 or docu@healthprotector.com

July 19th 7 PM, Fearrington Village Barn, Chatham County. Colleen Kendrick at deeprivercleanwater@gmail.com or 919-210-4418

STATEWIDE MEETINGS


October 14-15th, NC Environmental Justice Summit, Franklinton Center at Bricks, Whitakers, NC. For registration, visit www.ncejn.org