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North Carolina Chapter

How can you be sure that the lot you are looking at buying is not a coal ash site?

You can't. Only 56 percent of the closed structural fill sites that held 1,000 cubic yards or more of coal ash had complied with the state requirement to record the presence of potentially hazardous coal ash on the property deed, according to a 2002 interim report.

It's time for a change

The Perdue Administration should act to:

1) discontinue the practice of allowing coal ash to be used for land development and require instead that coal ash be disposed of in landfills that comply with state regulations requiring liners and other precautions to prevent pollutants from leaching into ground or surface water. [Note: Exceptions may be considered where the ash is fully encapsulated.]

2) require groundwater monitoring at existing active structural fill sites and for at least 30 years after a structural fill is closed, and make this groundwater monitoring data available to the public.

3) require cleanup by developers if monitoring data reveal that groundwater or surface water has been contaminated by coal ash.

4) identify a funding source to enable adequate oversight and enforcement of closed sites.

5) require that the use of coal ash as structural fill be permanently recorded on the deed for the affected property.

Each year, millions of tons of coal ash waste is generated in North Carolina. The ash is produced by large utilities, small independent power producers and coal burning boilers at manufacturers and industry facilities. Much of the coal ash goes into unlined, unmonitored structural fills. More than 800,000 tons went into structural fills last year.

Quick Facts

1. Counties that have structural fills include Brunswick, Cabarrus, Catawba, Columbus, Craven, Cumberland, Duplin, Edgecombe, Forsyth, Gaston, Halifax, Iredell, Mecklenburg, Nash, Northampton, Person, Robeson, Rowan, Stokes and Washington.

2. Five counties have more than five sites including: Halifax County, which has nine sites; Nash County which has 10; and Iredell County which has 17 sites.

3. While some processes may bind the dangerous contaminants in coal ash into a solid structure and therefore reduce the potential for exposure to toxic chemicals, such as use as an additive in concrete, North Carolina's current practice of allowing coal ash to be placed on the ground as fill material for land development with minimal oversight has led to numerous problems. These problems include groundwater contamination, surface water contamination, sham landfills, environmental violations and failure to track locations of coal ash fills.

4. Here are some of the biggest differences in how North Carolina manages coal ash for beneficial fill from how other potentially harmful wastes are managed:

- No groundwater monitoring required, even for the largest sites.
- No regular inspections.
- No permit required, even for the largest sites.
- No liners required for large sites
- State can only comment, not deny, site.
- No limit on how long sites remain open.

5. In recent months, following heightened public scrutiny of coal ash, state solid waste personnel have stepped up inspections of structural fill sites. In 2009, they visited 48 structural fill sites and found violations at 28 sites (about 60% of the sites), prompting the state to start enforcement actions.

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