

Coal ash spill in North Carolina threatens population

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Last weekend, North Carolina authorities detected a major leak at an inactive coal ash disposal site near the Dan River, a major tributary in the region. According to reports, at least one ash pond located at a disposal area owned by Charlotte-based Duke Energy has leaked an approximated 82,000 tons of coal ash, which has been known to contain toxins deadly to human and animal life, into the water.

According to Duke Energy specialists, initial tests of the water taken from a downstream area returned traces of arsenic. However, the company has attested that the levels remain safe both for drinking and for the environment. These claims have been contested by a lab team hired by the Waterkeeper Alliance, which found arsenic levels nearly 10 times higher than the amount reported by the company.

Coal ash—which can consist of fly ash, bottom ash, coal slag, as well as flue gas desulphurization residue—is the waste material produced at many coal-powered energy plants. Currently, the substance is not regulated by federal authorities, who leave its containment and disposal to the states. In 2012, more than 110 million tons of the substance were produced at the nearly 2,000 coal-powered sites in the US.

Many recycling companies incorporate the substance into the making of concrete, pavement, and other such materials. The remaining coal ash is either stored or dumped at landfill or swamp containment sites, the latter known as a “coal pond.” There are more than 400 dry landfills and 676 wet ash ponds located in the country. The US Environmental Protection Agency (EPA) has classified 45 such ash ponds as “high hazard,” meaning that should a rupture occur to their structure, it would most certainly result in human death in the nearby population.

A report put out on the condition of coal ash

containment areas by the environmentalist group Earthjustice, entitled “In Harm’s Way,” found 207 sites that were subject to either spills or contamination. Of those, 11 were owned by Duke Energy, including the Dan River facilities, which the report cited as having people living nearby. In a similar fashion, the Dan River site appears on the EPA’s list of 45 high-hazard sites for two different ash ponds.

In 2011, GenOn Energy, a Houston-based utility, was forced to pay \$1.9 million to Maryland residents due to the leakage of coal ash from three separate disposal facilities in the Baltimore area. The improper storage and lack of oversight placed upon chemicals related to the coal industry are also behind the massive leak detected at the West Virginia Etowah River Terminal, which contaminated the drinking water of nearly 300,000 people last month (see: “Lack of regulation behind West Virginia water disaster”).

The largest-ever instance of a coal ash spill occurred in 2008 at the Tennessee Valley Authorities’ Kingston dam, which leaked over 1 billion gallons of wet coal ash over a 300-acre area, including homes and properties. The occurrences of such incidents are the byproduct of deregulation and of companies’ attempts to avert paying higher costs for proper disposal of dangerous substances (see: “Worst coal ash spill in US history ruins huge area in Tennessee”).

Duke Energy is a major donor to both the Democratic and Republican parties, having most notably been a sponsor of the 2012 Democratic National Convention. It is a former member of the pro-business lobbying group American Legislative Exchange Council, which specializes in lobbying for lax standards on corporate practices, including environmental safety and protections benefiting the work force (see “US study details destruction of labor rights in wake of the 2008

financial crisis”).

In 2011, the nonpartisan policy group Public Campaign released a report that named Duke Energy along with more than 260 other major corporate entities that from 2008 to 2010 had paid more for lobbying efforts to deregulate their respective industries than they paid in corporate income taxes. The report found that entities like Duke Energy, including Boeing, Wells Fargo, and Verizon Communications, had paid roughly half the 6.2 percent statute income taxes on corporations, with some paying nearly nothing.

The EPA, the main federal agency charged with handling hazardous substances, has stalled on providing any sort of oversight of coal ash. A 2010 proposal that would have classified the material as “solid waste,” making it eligible for stiffer regulations, would notably leave the storage and disposal of coal ash in the hands of states and would not apply to inactive sites such as the Dan River facility. A separate proposal of the EPA, which would have given it direct control over the disposal of the substance, has been heavily opposed by the coal industry. Both proposals have been stalled for several years.

The Obama administration has remained supportive of the coal industry, preferring not to comment upon the proliferation of hazardous waste pools across the US. Instead, the president has overseen budget cuts to the EPA of several hundred million dollars in the most recent period. The 2014 budget of the EPA expects to see the agency limiting its number of compliance and civil enforcement inspections by 20 percent in comparison to 2012 levels.

In 2011, Barack Obama ordered a review of environmental regulations affecting big businesses, producing a package of nearly \$10 billion in proposed cuts to business operating costs. The cuts included numerous concessions to corporate demands for the deregulation of significant portions of the economy.



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