

RESOLUTION 19-07

RESOLUTION REGARDING NCDEQ ISSUANCE OF NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) PERMITS TO CPI

LET IT BE KNOWN THAT:

WHEREAS, the Town of Holden Beach, NC is a barrier island community located in Brunswick County; and

WHEREAS, the Town of Holden Beach barrier island is a west to east oriented island, bounded by the Atlantic Intracoastal Waterway (AIWW) on the north, the Atlantic Ocean on the south facing the Long Bay region of Brunswick County, the Shallotte Inlet to the west and the Lockwood Folly (LWF) Inlet to the east; and

WHEREAS, Oak Island is a west to east oriented barrier island bounded by the Atlantic Intracoastal Waterway (AIWW) on the north, the Atlantic Ocean on the south facing the Long Bay region of Brunswick County, the LWF Inlet to the west and the mouth of the Cape Fear river to the east; and

WHEREAS, the Town of Caswell Beach is located near the mouth of the Cape Fear River, occupying the east end of Oak Island in Brunswick County; and

WHEREAS, CPI USA North Carolina LLC (CPI), a cogeneration power plant located at 1281 Powerhouse Drive, Southport NC, burns a mixture of coal, wood, and used tires to generate steam and electricity for sale; and

WHEREAS, all wastewater and stormwater discharge from CPI goes to the effluent channel used by Duke Energy Progress at their Southport power station, which discharges into the Atlantic Ocean approximately 2000 feet offshore of Caswell Beach; and

WHEREAS, CPI has applied to North Carolina Department of Environmental Quality (NCDEQ) for a renewal of its National Pollutant Discharge Elimination System (NPDES) permits for wastewater (Draft Permit NC0065099) and stormwater (Draft Permit NCS000348); and

WHEREAS, NCDEQ has issued draft permits with conditions that would allow increased volume of permitted discharges from the site.

FURTHERMORE, LET IT BE KNOWN THAT:

WHEREAS, given the uncertain makeup of the CPI burn mixture, a consistent waste stream is difficult to envision; and

WHEREAS, bottom ash transport water and stormwater have been added to the allowed discharge; and

WHEREAS, longer term historical data on the specific components and their concentrations in various CPI discharges does not appear readily available on the NCDEQ website for the permit applications; and

WHEREAS, NCDEQ states that “compliance with the limitations for 126 Priority Pollutants shall be determined by engineering calculations which demonstrated that the regulated pollutants are not detectable in the final discharge by analytical methods in 40 CFR part 136 (in accord with 40 CFR 423.23 (d)(3))”; and

WHEREAS, given the uncertainties, monitoring frequency of once per permit cycle, i.e., once in 5 years, for Priority Pollutants of concern does not appear adequate; and

WHEREAS, given the uncertainties, quarterly monitoring frequency of pollutants of concern, which include copper and chromium, does not appear adequate; and

WHEREAS, said proposed CPI discharges have the potential to adversely impact ocean water and onshore and offshore sand quality, with potential safety ramifications for local and migratory marine species as well as humans; and

WHEREAS, natural nearshore transport of sand via littoral drift occurs from east to west in Long Bay; and

WHEREAS, the Town of Holden Beach receives shoreline sand from the east to west littoral drift and increasingly relies on offshore sand dredging for beach re-nourishment; and

WHEREAS, the Town of Holden Beach relies on its reputation as a safe and pristine beach community to attract tourism, the main economic driver for the town.

NOW THEREFORE BE IT RESOLVED by the Board of Commissioners of the Town of Holden Beach that, in the best interest of environmental and public safety of the public in general, the Town of Holden Beach and other Brunswick County beach communities, the NC DEQ, before issuing a final permit, shall make available to the public all modelling, existing individual component historical monitoring data, and risk assessments, whether provided by CPI or performed by NCDEQ or other scientifically qualified entities, which can be used to understand the level of risk associated with the proposed discharge streams.

BE IT ALSO RESOLVED that before any decision is taken by NCDEQ on granting the two permits in question to CPI, additional public hearings shall be held and an additional period of public comment on the applications and proposed/draft permits shall be offered.

This the 17th day of December, 2019.

J. Alan Holden, Mayor

ATTEST:

Heather Finnell, Town Clerk