

June 26, 2006

Dr. Frank Shaw
Chairman, NPDES Committee
202 DeVane Street
Fayetteville, NC 28305

Dear Dr. Shaw:

By introduction, I am Dr. David Bristol, a resident of New Hill, North Carolina and Vice President of the New Hill Community Association. I am employed as Associate Dean at the College of Veterinary Medicine at North Carolina State University. I am writing to you about what I consider to be a grave injustice to the unincorporated town of New Hill. As I am sure you know, the towns of Cary (lead agency), Apex, Holly Springs and Morrisville formed the "Western Wake Partners" (WWP) to work on an integrated plan for sewage disposal. In part they need to meet a demand that certain of these towns that take drinking water from the Cape Fear River Basin return treated wastewater to the same river basin by 2011.

There is no argument that they need to comply with interbasin transfer regulations, and that an integrated planning approach to sewage treatment is best when dealing with multiple municipalities in a common portion of the county. However, the site they have chosen ignores the most basic premises of environmental justice, as determined by the Environmental Protection Agency. The WWP also made errors in their cost analysis, and serious errors in their site selection process. These errors are detailed on the enclosed CD which lists the New Hill Community's objections to the WWP's draft Environmental Impact Statement.

The site selected is a low income, predominantly minority community (approximately 50% African American, 12% Hispanic, 5% Native American and 17 % over the age of 65). The WWP's tried to hide this fact by using an entire 48 square mile census node, one that did not even include the whole piece of land condemned for the project, to compare the population of the selected site with the populations of the towns. It is in close proximity to two churches, playgrounds and retirement homes. It was not the top site on any preliminary studies, yet it is being targeted for this plant.

The last few days there have been numerous articles in the News and Observer and local television stations of a multimillion gallon sewage spill in Cary. Fortunately, the citizens who live there still have access to municipal drinking water. When such a spill occurs in New Hill it will endanger the wells we rely on for drinking water for people and agricultural production. An environmentally safer alternative to the current plan is to treat the sewage locally, and have longer effluent pipes to the Cape Fear River.

I am writing with two very specific requests. It is my understanding that the NPDES Committee that you chair deals with point sources of pollution. I am hoping that includes sewage treatment plants and the pipes leading to and from them. I am asking that:

1. You urge the appropriate people in the Division of Water Quality to reject the current draft EIS for the multitude of reasons included on the CD.
2. You consider that Cary's current multimillion gallon spill and the numerous other serious spills, as listed on the enclosure, are an accurate reflection of the past, and a reasonable indicator of the future. Thus more spills are inevitable, and if they occur in a community that relies on well water for themselves, their animals and crop production, the health consequences will be much more serious. Provision of drinking water alone after such a disaster will be extremely costly. Therefore, local treatment with coordinated piping to discharge is the preferred method of dealing with future growth needs, rather than a plan with 10 miles of large diameter, highly pressurized raw sewage pipes. Please use your position of influence to push for a safer alternative.

I am making the second request because I feel sure the WWP's will indicate they can't consider another alternative and still meet the 2011 deadline, and that doing so will incur additional costs. However, their initial studies didn't indicate financial savings with a new plant vs. towns managing their own plants separately (the "independent option"). They stated "Note that all of the costs are within about 10 percent of the Independent Option." (For additional information see appendix B of the phase one study, available on the WWP's website) Also, the WWP's have indicated to the public they have to go forward with a new plant because of pressure from DENR to do so. However, in their own phase one study, page 4-2, they stated "The representatives from NCDENR indicated that it was not their expectation, nor their requirement, that this planning study result in a wastewater management solution that proposed one large water reclamation facility to serve all the local governments in western Wake County. Rather, the representatives from NCDENR indicated that their desire is to see a cooperative planning effort undertaken by the Project Partners that would result in a wastewater management program that would address the long-range wastewater management needs of the entire group."

DENR request an integrated plan, not integrated use of a single plant.

One final point. I realize that environmental justice is a federal issue, as directed by President Bill Clinton under Executive Order 12898, on Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations. North Carolina does not have its own environmental justice statutes, so the WWP's may state that environmental justice rules do not apply. However, the construction loans being provided to the towns are 80% federal money, so environmental justice applies.

Sincerely,

David G. Bristol
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