

Public Official Comment from CWEET on the NC Triennial Review

Clean Water Expected in East TN
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Connie Brower
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Dear DENR and Ms. Connie Brower,

Clean Water Expected in East TN, a non profit organization formed by river guides to address pollution on the Pigeon River, is writing to submit comments based on the Triennial Review for water quality standards in North Carolina.

CWEET members are directly affected by pollution on the Pigeon. During summer months river guides are subjected to the Pigeon's toxic waters on a daily basis. Cocke County, TN has now endured 104 years of pollution from Blue Ridge Paper Products mill in Canton, NC.

The state of North Carolina had determined that Blue Ridge Paper Products mill is still not meeting narrative water quality standards for color, odor, foam, fish palatability, and full body contact to allow for recreation, a public right, on the Pigeon River.

The Pigeon's waters still remain, on many days, brown, foamy, smelly, and foul. River guides experience itchy rashes and other ill health effects that may be contributed to the mill's effluent.

A health impacts study of the Pigeon, to have been carried as specified in the 1998 Settlement Agreement between Champion, EPA and NC DENR, out under oversight of the EPA, is long overdue, and should include a study of rashes and other health effects patterns observed by raft guides, who are frequently immersed in the waters downstream of Blue Ridge Paper.

Blue Ridge Paper Products has advocated that the color variance for the mill's effluent be dropped based on the fact that the mill would like to be in compliance with water quality standards. EPA Region 4 has recently determined that the mill's Color Perception Study was not effective in determining a basis for removal of the color variance. While color variance's are an agreement to accept the continued impairment of a water body they are not intended to be granted for perpetuity. The Blue Ridge Paper Products color variance has now been granted since 1988, a total of 26 years.

While CWEET would like to see the Variance dropped, its members will not accept removal of the Variance until Blue Ridge Paper Products shows significant improvements to pollution reduction in each permitting cycle. Additionally, Blue Ridge Paper Products should be required to include a review of all technologies able to reduce pollutants from discharges and a schedule for progress of that implementation. If there is failure to make such improvements the variance should be removed and permit revoked.

Additionally, the narrative standards by which NC measures water quality are ineffective and ambiguous. Dr. David Moreau, Chair of the EMC, repeatedly pointed out during the October, 2001 variance hearing for Blue Ridge Paper Products, that it is functionally impossible to judge the need for a variance, or progress toward its removal, without a numerical standard for color.

CWEET would like for NC to adopt a numerical color standard that complies with the EPA's Gold Book standard to not exceed 25 color units, a number far smaller than true color units seen at the NC/TN State line today.

CWEET is tired of NC permit writers abject abandon to make significant improvements in water quality through each permitting cycle. Mr. Sergei Chernikov's 2009 permit essentially allowed the mill to put more effluent into the Pigeon River

than is the current average for the industrial facility. This makes no sense and does not follow along with the goals of the Clean Water Act or NPDES permitting system.

For the sake of all downstream users, river guides, drinkers of water, and the future of all humanity (including your own children and grandchildren) who will need drinkable, fishable, swimmable water to maintain life on the planet, CWEET implores the NC DWQ to implement a numerical color standard for the State before addressing removal of the color variance. Once the numerical standard is in place, the mill should be required to implement available technologies including oxygen based bleaching processes that would significantly reduce toxic effluent to the Pigeon's waters.

Thank You,

Clean Water Expected in East TN

Deborah Bahr, Director
Amelia Taylor, Community Organizer
Katy McCracken, Treasurer
Maria Guzman, Board Chair
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