

U.S. Commission on Civil Rights
Notes for Oral Testimony
By Rhiannon Fionn-Bowman of Coal Ash Chronicles
February 5, 2015

Introduction:

Thank you for inviting me to testify today. As my written testimony attests, I am a journalist who has researched and reported on coal ash waste since 2009 primarily in Charlotte, North Carolina. For my upcoming documentary film and non-fiction book, however, I visited many communities affected by coal ash waste. During my travels I interviewed individuals who live in those communities along with academics, government officials, and workers in both the coal- and the beneficial reuse industries.

I believe I was invited to testify because I can share additional stories from citizens in communities that are effected in some way by coal ash waste, though I will also comment on government transparency as a member of the press. I will refrain from telling stories from industry, government, environmental groups, or academia as they have employees who can do that for them while citizens do not.

Presentation notes:

In my written testimony I share stories from Uniontown, Alabama; Fairbanks, Alaska; Walnut Cove, North Carolina; and LaBelle, Pennsylvania, as examples of the public's struggle with government, industry, and even each other when it comes to coal ash. I also included a letter to President Obama from a citizen of Belmont, North Carolina – one of the communities near coal ash impoundments that was issued a “do not drink” order from the state when it discovered the residents’ drinking water wells were contaminated. The bulk of that letter makes up my last slide.

In my presentation you will see some of the faces of the citizens and government officials included in my written presentation.

In my oral presentation I wish to summarize what I’ve learned as I’ve worked to collect and share the coal-ash story as a member of the media.

(SLIDE)

Citizens do not feel heard, particularly minority citizens.

They look to their government to watch out for situations such as these only to lament the fact that the large companies managing coal ash waste in their communities seem to always have the upper hand, getting their way regardless of what citizens want. In community after community – in some for more than a decade – people speak up and say they want more protections and that they don’t want coal ash near their homes or too near their drinking water. And time after time

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governments in those communities lean toward the wishes of industry more eagerly than they do toward just protections for public health and sustainable environmental management that would benefit all for generations to come.

While industry's bottom line seems to be of interest to government, I am told, repeatedly, the citizen's "pursuit of life, liberty, and happiness" and their health and the viability of their communities and their natural resources, for which they depend on to survive, do not seem to be regarded with the same protectiveness afforded those who profit from coal ash waste in some way.

(SLIDE)

Coal ash is a major health concern nationwide.

The citizens tell me they not only feel unheard but that they feel as though they do not matter to industry or government, that they are viewed as disposable. This sense of hopelessness lends itself to psychological distress, especially since too many people in those same communities are ill, or know someone who has died, they believe because of coal-ash related air- and water pollution.

Unfortunately it is impossible to prove their claims, and so I urge the federal government to fund research that can help us all better understand how coal ash waste impacts human health.

In positive news, in the past few days a report has emerged crediting the dissipation of contamination in South Carolina after coal ash waste was moved away from waterways. So this is one environmental situation that can have a positive ending when those in power take corrective action.

Government seems to side with industry over The People.

Time and time again I'm told that citizens look to their governments for projection and guidance on the coal ash issue only to be left disappointed, disenfranchised, and feeling hopeless. Please keep in mind that these people didn't seek this fight, coal ash came to them and, they believe, is severely harming their health, their communities, and even their property through lowered property values and even tangible damage.

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Yet the main thing government seems concerned with are limited economic concerns, namely those of industry. Why aren't we paying as much attention to the economic devastation that descends upon those negatively affected? I can tell you too many stories of people who can't sell their homes or land, who have had to face extremely high medical bills, and who have even become so depressed by this situation that they have lost jobs and even income-earning family members to suicide.

The People are vulnerable. Their state governments are not protecting them. They need to feel the support of the U.S. Government by way of strengthened EPA regulations and oversight and by Congress agreeing to cease and desist on its near-constant attacks on such efforts.

Government transparency is a problem.

Even as I encourage the government to take better care of her people, I would be remiss if I didn't also demand that it be more transparent about coal ash and all government activities. If I as a journalist struggle to obtain documents how can we possibly expect citizens to obtain them? Not only does government information need to be made more readily available, it should be in plain language so citizens of all educational backgrounds can understand it. And in the case of places like Uniontown, Alabama, where many residents are illiterate, I urge the government to go to the people and talk to them about what's going on with their community's pollution issues. In places like LaBelle, Pennsylvania, I encourage the government to remember that even imprisoned citizens have rights.

(SLIDE)

There is no one coal-ash solution, and there is the possibility of a great upside to clean ups.

When considering solutions keep in mind that some coal ash could and should be reused in products where it's encapsulated and thus prevented from being carried away by air and water. There is also coal ash that should be landfilled, but in doing so we must be careful to managed it well and monitor it often. The dangerous idea that coal ash should be left in unlined pits near drinking water sources – as industry would prefer since that's the cheap option – should be dropped and replaced with options that create jobs, like complete cleanups, proper landfilling, frequent monitoring, and the reuse of the waste whenever possible.

We must also consider the communities these landfills will be located in and ask for public input with genuine interest. It's my observation that many of these public meetings where citizens are encouraged to speak their peace are more for show than anything else; it seems that both government and industry have their minds made up before such meetings can take place.

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(SLIDE)

Too many people are living on bottled water in this country.

In Town of Pines, Indiana, approximately half of the town has been managing their lives on bottled water because of coal ash contamination for going on 15 years. In North Carolina there are more than 400 households who've been doing the same for going on a year.

What we know for sure is that where there are unlined coal-ash pits or dumps and there is also well-water monitoring there is contamination. I urge EPA to test more wells post haste.

Again, I thank the Commission for hosting this briefing and am glad to know that you all will soon travel to some affected communities to investigate this important issue first-hand.

I wish you speed and wisdom as this is one human rights and environmental issue that we can do something about, and I believe this body can help our government err on the right side of history.