October 31, 2007

Donald Van der Vaart
North Carolina Department of Air Quality
Attn: Air Permit Section
1641 Mail Service Center
Raleigh, NC 27699-1641

via electronic mail

Subject: Comments on the Duke Energy Cliffside Draft Air Emissions Permit

Dear Mr. Van der Vaart:

This letter constitutes comments on behalf of the Riverkeeper® and Coastkeeper® programs of North Carolina from the Cape Fear, Cape Hatteras, Cape Lookout, Catawba, New, Neuse (upper and lower), Tar-Pamlico, Waccamaw and Watauga watersheds.

We are opposed to the construction of any new coal-fired power plants within the state of North Carolina without Best Available Technology (BACT). North Carolina is already suffering from the impacts of elevated, harmful levels of mercury in our state waterways. We specifically oppose the Cliffside plant expansion proposed by Duke Energy because it:

1) does not have BACT;
2) will add more mercury; and
3) will add significant amounts of other harmful pollutants

to the environment of North Carolina.

The U.S. has 1,100 coal-fired power plants that release 48 tons of mercury into the air every year, accounting for more than 40 percent of airborne mercury emissions in the nation.[1] Coal-fired electric power plants are the largest source of anthropogenic, or human-caused, mercury air emissions in the United States.[2]

For years the coal-fired electric utility industry and the United States Environmental Protection Agency have argued that mercury deposition from these facilities is a global, long-range issue. For example, EPA's recent cap-and-trade "Clean Air Mercury Rule" is falsely premised on the notion that only 17 percent of mercury from these units deposits

[1] United States Federal Register. 2004. 65 Fed. Reg. at 79,827.
[2] United States Environmental Protection Agency. 2005. Frequently asked questions about mercury. Washington, D.C.

locally. However, several studies in recent years have proven the outright falsehood of these assertions. While some long-range deposition of mercury does occur, EPA-sponsored studies have shown that up to 70 percent of mercury is deposited locally.[3] Studies conducted in the Florida Everglades show that when local airborne sources are controlled by nearly 99 percent, scientists documented a 70 percent decline in mercury in bird feathers and a 60 percent decrease in fish tissue.[4] In other words, airborne mercury from coal-fired power plants is having a devastating effect on local waterways, resulting in mercury "hotspots" wherever these facilities spew out this dangerous neurotoxin.

This pattern of local deposition is being repeated in the state. According to the NC DAQ Toxic Air Pollutant Point Source Emission Reports from 2001 to 2005, more than 22,797 lbs of mercury were emitted from known point sources. The major source of such mercury is our own coal-fired power plants, which in North Carolina accounts for 70% of man-made airborne emissions of mercury, well above the national average. North Carolina ranks among the top 12 states with the highest mercury emissions from power plants. They have been polluting North Carolina with mercury and other harmful pollutants for decades.

North Carolina and its citizens are being seriously impacted by mercury:

Mercury is deposited onto the ground or directly into waterbodies as fall out from the air emissions of coal-fired power plants. It can be washed from the land and carried to rivers, streams, and lakes by stormwater. When elemental mercury lands in water, it is transformed to methylmercury, the most toxic form of mercury, by microorganisms found in water and sediment. Small aquatic organisms consume mercury as they feed, and then they are eaten by larger and larger animals, with the mercury accumulating at each step; this is called bioaccumulation. Fish that are higher in the food chain, such as largemouth bass, sharks, and swordfish have much higher mercury concentrations than fish that are lower on the food chain. Organic mercury concentrations can be more than 1,000 times greater in the fish than in the surrounding water. Humans become exposed when they eat fish that are contaminated with mercury.[5]

In March of 2006, the NC Department of Health and Human Services revised the mercury fish consumption advisory and greatly expanded the number of species that woman of childbearing age and children under 15 should not consume. The advisory

[3] Keeler, J. et al; Sources of Mercury Wet Deposition University of Michigan September 2006
[4] Integrating Atmospheric Mercury Deposition with Aquatic Cycling in South Florida, Florida Department of Environmental Protection, October, 2002, Revised November, 2003
[5] Toxicological Effects of Methylmercury, National Research Council, National Academy of Sciences, 2000

currently lists 22 freshwater and saltwater species found to have elevated levels of methylmercury in waters east and south of Interstate 85. Another significant change is that largemouth bass is now listed statewide, the first ever such statewide listing for any contaminant.

The North Carolina Division of Public Health Occupational & Environmental Epidemiology issued fish consumption advisories recommending that women of childbearing age, pregnant women, nursing mothers, and children under age 15 should not eat any of the following fish due to mercury contamination:

Ocean fish:

The fish consumption advisory affects the following fish in all the coastal waters of NC:

Almaco jack
Banded rudderfish
Canned white tuna (albacore tuna)
Cobia
Crevalle jack
Greater amberjack
South Atlantic grouper (gag, scamp, red and snowy)
Swordfish
Tuna (fresh or frozen)**
King Mackerel
Ladyfish
Little tunny
Marlin
Orange roughy
Shark
Spanish mackerel
Tilefish

Freshwater fish:

Blackfish (bowfin)*
Catfish (caught wild)*
Jack fish (chain pickerel)*
Largemouth bass (statewide)
Warmouth*

*High mercury levels have been found in blackfish (bowfin), catfish, jack fish (chain pickerel), and warmouth caught south and east of Interstate 85.

High levels of mercury in developing fetuses and young children can irrevocably effect their neurological development leading to development delays and learning disabilities.[6] Babies are exposed to mercury from their mothers' blood in the womb, as well as from breast milk. Mercury poisoning can also cause lung, kidney, heart, and

[6] Toxicological Effects of Methylmercury, National Research Council, National Academy of Sciences, 2000

immune system damage. An estimated eight percent of women of childbearing age have unsafe levels of mercury and the leading mercury researcher at the United States Environmental Protection Agency estimates that 410,000 babies born each year in the U.S. have unsafe levels of mercury.[7] Based on Centers for Disease Control data, the North Carolina Dept of Health and Human Services recently estimated that "at least 13,677 children per year" are born in NC with blood mercury levels that place them at risk for lifelong learning disabilities, fine motor and attention deficits, and lowered IQ.

North Carolina Water Bodies are already overburdened by Mercury:

Just 1/70th of a teaspoon of mercury can contaminate a 25-acre lake.[8] According to the most recent listing of impaired waters in NC, the following river basins contain fish with mercury levels that exceed safe levels for consumption:

> "Basins under the mercury advice are the Cape Fear, Chowan, Lumber, Neuse, Pasquotank, Roanoke, White Oak and Yadkin-Pee Dee. All waters in these basins are Impaired in the fish consumption category, even when there is a site-specific advisory."[9]

The last basinwide plan for the Tar-Pamilico River found that 54 % of largemouth bass tested in the basin had greater than 0.4 mg/kg of mercury, the threshold for mercury fish consumption advisories in North Carolina.

Partial testing of less than 60% of North Carolina waters by the Department of Environment and Natural Resources determined that 1000 miles of North Carolina rivers[10] plus an additional 29,522 acres of freshwater lakes, reservoirs and impoundments are impaired for mercury.[11] For example, the entire length of the Waccamaw River is impaired by mercury contamination from its source to the South Carolina line.[12] The Cashie River from the Thoroughfare (the Gut between Cashie and

[7] Mahaffey, K.R., et al. Blood organic mercury and dietary mercury intake: national health and nutrition examination survey, 1999 and 2000. Environmental Health Perspectives. 2004. Page 112.
[8] Vermont Public Interest Group, Fishing for Trouble. Montpelier, Vermont. 2004.
[9] 2006 Final North Carolina Water Quality Assessment and Impaired Waters List (2006 Integrated 305(b) and 303(d) Report) approved on May 17, 2007; page 30
[10] 2006 Final North Carolina Water Quality Assessment and Impaired Waters List (2006 Integrated 305(b) and 303(d) Report) approved on May 17, 2007; page 46
[11] 2006 Final North Carolina Water Quality Assessment and Impaired Waters List (2006 Integrated 305(b) and 303(d) Report) approved on May 17, 2007; page 47
[12] 2006 Final North Carolina Water Quality Assessment and Impaired Waters List (2006 Integrated 305(b) and 303(d) Report) approved on May 17, 2007; page 54

Roanoke Rivers) to Albemarle Sound (Batchelor Bay) is also impaired for mercury.[13] The State of North Carolina is scheduled to spend thousands of dollars to develop the Waccamaw and Cashie River TMDL's in 2008 in an attempt to clean up the toxic pollutant.

The NC Division of Water Quality (DWQ) has taken fish tissue samples of several species in the Tar River since the early 1990's (data available on DWQ website). The 2004 Tar-Pamlico Basinwide Water Quality plan stated that 19/33 largemouth bass caught in the Tar River exceeded the NC mercury threshold of 0.4mg/kg. Data on largemouth bass collected from 1997-2000 revealed that approximately 54% of bass caught in Tar and Pamlico portion of the river exceeded the 0.4 mg/kg level. Almost 70% of bowfin exceeded the level as well. From 1997-2000, of the 18 species sampled, 12 of those species had at least one fish exceed the 0.4 mg/kg threshold. Those species include: warmouth, largemouth bass, bowfin, redbreast sunfish, redear sunfish, white catfish, chain pickerel, black crappie, black redhorse, bluegill, redhorse, and yellow perch.

A good case study is to look at the largemouth bass data from all sites and from Lake Mattamuskeet from 1991-1994 and 1997-2000 (Table 1a & 1b). Largemouth bass is the species most frequently sampled by DWQ. This information suggests that the mercury contamination maybe worsening. It is important to note that the sample size for 1997-2000 data is smaller.

Lake Mattamuskeet	1991-1997	1997-2000
Mean Mercury Level (mg/kg)	0.285	0.551
Median	0.250	0.525
Geometric mean	0.258	0.532
% Exceeded 0.4mg/kg	20.7 %	87.5%

Table 1a: Data on largemouth bass caught in Lake Mattamuskeet from pre and post 1997.

All Sites	1991-1997	1997-2000
Mean Mercury Level (mg/kg)	0.356	0.457
Median	0.28	0.415
Geometric mean	0.295	0.416
% Exceeded 0.4mg/kg	28.7%	53.3%

Table 1b: Data on largemouth bass caught at all sites along the Tar-Pamlico River basin from pre and post 1997.

[13] 2006 Final North Carolina Water Quality Assessment and Impaired Waters List (2006 Integrated 305(b) and 303(d) Report) approved on May 17, 2007; page 55

The NC Division of Water Quality (DWQ) has taken fish tissue samples of several species in the Catawba River basin since the early 1990's. Results show that largemouth bass, smallmouth bass, silver red horse and carp collected in Lake James, Lake Rhodhiss, Lake Lookout Shoals, Lake Norman, the John's River, the South Fork Catawba River, and/or Mackey Creek had elevated mercury levels that exceed the 0.4 mg/kg threshold.

Mercury impaired more acres of water in North Carolina lakes than any other source including Chlorophyll *a*, turbidity, high pH, dioxin, nutrients, low pH and aquatic weeds.[14]

North Carolina has an obligation under the Clean Water Act to control mercury emissions into our state waterways:

The CWA is a comprehensive environmental protection statute designed to "restore and maintain the chemical, physical, and biological integrity" of U.S. waters.[15] To attain these goals, the CWA employs various tools and regulatory provisions to monitor pollution, control discharges, protect water quality and reduce degradation of water bodies from both point and nonpoint sources of pollutants.

The principal mechanism for control of all point sources of pollutants under the CWA is the *National Pollutant Discharge Elimination System* (NPDES), a permitting scheme created under s. 402 of the Act. Controls of nonpoint sources of pollutants, on the other hand, are primarily delegated by the federal government to the individual states and attained through a complex interplay of Water Quality Standards (WQS) pursuant to s. 303 of the Act. These standards provide for the preservation of water uses such as swimming and fishing and the protection and propagation of fish and wildlife. Among the main components of state WQS are the following:

> a. The state must describe the "**designated uses**," for all water bodies located within its borders. Designated uses must account for the "use and value of the water for public water supplies, propagation of fish and wildlife, recreational purposes, and agricultural, industrial, and other purposes" including navigation. 33 U.S.C. s. 1313 (c)(2)(A). With designated uses, the state is required to look at

[14] 2006 Final North Carolina Water Quality Assessment and Impaired Waters List (2006 Integrated 305(b) and 303(d) Report) approved on May 17, 2007; page 47

[15] 33 U.S.C. § 1251(a) says the goal of the Act is "to restore and maintain the chemical, physical, and biological integrity of the Nation's waters."[15]

each water body within its borders and assign existing and desired uses for that waterway. Uses may include both human uses, such as fish consumption, primary contact recreation, or drinking and aquatic uses such as "fishable", "swimmable", etc. Many states implement designated uses by assigning specific "water quality classifications" to each water body in the state.

Designated uses under the CWA also embrace the notion of "existing uses." Existing uses are "those uses actually attained in the water body on or after November 28, 1975, whether or not they are included in the water quality standards," while designated uses are "those uses specified in water quality standards for each water body or segment whether or not they are being attained." 40 C.F.R. 131(e-f). Furthermore, "existing instream water uses and the level of water quality necessary to protect the existing use shall be maintained and protected." 40 C.F.R. 131.12(a)(1). **"**Where an existing use is established, it must be protected even if it is not listed in the water quality standards as a designated use."[16] **In other words, if a waterway in the U.S. was being used as a source for fish consumption on or after November 28, 1975, the CWA makes it clear that both point and nonpoint sources of pollutants must be controlled to allow this existing use to continue.**

b. States must also develop **water quality criteria** "based on sound scientific rationale" that is designed to protect each designated use. 40 C.F.R. s. 131.11(a)(1). Water quality criteria may be expressed in numeric standards, such as "concentrations of arsenic may not exceed 18 micrograms of arsenic per liter," or in narrative form, such as "produce objectionable color, odor, taste, or turbidity," or both. 40 C.F.R. s. 131.11(b)(1), (2). Simply put, water quality criteria are descriptions of the chemical, physical, and biological conditions necessary to achieve and protect designated and existing uses of waterways.

> States must adopt those water quality criteria that protect the designated use. Such criteria must be based on sound scientific rationale and must contain sufficient parameters or constituents to protect the designated use. For waters with multiple use designations, the criteria shall support the most sensitive use. 40 C.F.R. 131.11(a)(1)

[16] http://www.epa.gov/waterscience/standards/about/adeg.htm

A state's water quality criteria must include specific "numeric criteria," that contain concrete, objective, measurable benchmarks, and "narrative criteria" which more generally describe desired biologic conditions.

c. Lastly, WQS provide for an **antidegradation policy** as established by s. 303 of the Act (USC 1313(d)(4)(B)). This policy, which is subject to EPA approval, must be at least as strong as the federal policy and must be included in the WQS of each state. The purpose of the antidegradation policy is to ensure that existing water uses and the level of water quality to protect those uses are maintained and protected.

Among other things and as is mentioned above, this policy provides that "existing instream water uses and the level of water quality necessary to protect the existing use shall be maintained and protected." That is, standards or permits such as the WQS or NPDES permits cannot be revised unless there will be no loss of a beneficial use of that water body. The CWA's antidegradation provisions require that controls of both point and nonpoint sources of water pollution be maintained to protect designated and existing uses of all waterways in the U.S.

The federal anti-degradation policy establishes a three-tier approach to protecting water quality. An existing use can be established by demonstrating that fishing, swimming, or other uses have actually occurred since November 28, 1975, or that the water quality is suitable to allow such uses to occur.

Tier I applies to all waters, and requires that existing uses of waters, such as fishing, be protected. This standard provides "the absolute floor of water quality in all waters" of the U.S.

Tier II applies to high quality waters, requiring that where the quality exceeds levels necessary to support propagation of fish, shellfish, and wildlife and recreation in and on the water, that quality shall be maintained and protected. A state can obtain an exemption from this requirement but only if it finds that allowing lower water quality (as opposed to water uses) is necessary to accommodate important economic or social development in the area. The state must nonetheless assure that water quality remains adequate to protect existing uses fully. Finally the state must assure the achievement of the highest statutory

and regulatory requirements for all new and existing point sources and all cost-effective and reasonable best management practices (BMPs) for nonpoint source control.

Tier III applies to high quality waters that constitute an outstanding national resource, such as waters of National and State parks and wildlife refuges. For all Tier III waters, "water quality shall be maintained and protected," with no exception for economic or social necessity.

The EPA implemented CWA s. 303's antidegradation mandates by requiring that states "develop and adopt a statewide antidegradation policy and identify the methods for implementing such policy..." State antidegradation policies must, at a minimum, be equally protective of water quality standards as the federal antidegradation policy.

It is important to note that the primary responsibility for control of nonpoint source pollutant like atmospheric deposition of mercury from power plants lies with the individual states. Standards, including a state's antidegradation policy, must be submitted to the federal EPA for approval. If state proposed standards do not meet the minimum federal guidelines then the state is given the opportunity to amend its WQS to meet federal requirements. If the state fails to do so, the EPA is required to promulgate and implement state WQS that do meet the minimum criteria. The EPA, therefore, must ensure that all state controls on nonpoint sources of water pollutants are properly adopted and implemented to meet the strict mandates of the CWA and preserve water quality.

Waterways in North Carolina are obviously suffering from a steady process of degradation as evidenced by the dramatic increase in mercury fish advisories across the state. Each of these tiered state waterways is, at the very least, subject to Tier I safeguards and their existing and designated uses must be protected. For Tier II water bodies, the Federal government must insure that Best Management Practices (BMPs) are employed for nonpoint sources of pollution such as mercury emissions from coal-fired power plants. Finally, as stated earlier, Tier III waterways must be protected from any type of water quality degradation.

By permitting a new source of mercury in a state that suffers from statewide mercury impairment of its streams, lakes and rivers, the state is failing to live up to its obligation to protect state waterways under the CWA's water quality standards provisions. Since mercury pollution in water is largely from atmospheric deposition, and since the overwhelmingly largest domestic source of mercury air emissions is coal-fired power plants like the one proposed here, it is difficult to envision how the state can even contemplate additional sources of mercury in the state.

North Carolina needs to reduce sources of mercury not add new ones:

Units 1-4 at the Duke Energy Cliffside power plant emitted nearly 140 lbs of mercury into the environment in 2005:

UNIT 1: 5.77 lbs
UNIT 2: 5.95 lbs
UNIT 3: 8.05 lbs
UNIT 4: 8.95 lbs
UNIT 5: 111.23 lbs
TOTAL: 139.95 lbs of mercury[17]

The Draft Air Quality permit proposes to allow Duke Energy to retire Units 1-4, keep unit 5 and build a new unit 6. The proposed expansion is projected to produce over 400 pounds annually in mercury emissions:

Unit 5: 111.23 lbs[18]
Unit 6: 294.34 lbs[19]
TOTAL: 405.57 lbs from new facility

Even if new emission controls installed on unit 5 reduce mercury by half, the proposed expanded facility would still produce more mercury than the existing facility produces:

Unit 5: 55.15 lbs (historical emissions cut in half)
Unit 6: 294.34 lbs
TOTAL: 349.49 lbs from new facility if Unit 5 emissions were cut in half

[17] North Carolina Division of Air Quality Toxic Air Pollutant Point Source Emission Reports
[18] The Draft Air Quality permit does not indicate how much pollution will be released from Unit 5 making it impossible for the public to determine total pollutant load. Since the BACT for mercury is activated carbon injection and that proven technology has not been required for this facility nor any other Duke Energy facility upgrades in North Carolina, 2005 mercury emissions were used for this calculation.
[19] *Duke Energy. Form B – PSD Construction Permit Application Additional Information. March 31, 2007*

When compared to historic mercury emissions, the projected new Cliffside permit will allow an additional 209.54 to 265.62 pounds of mercury to contaminate North Carolina air and water.

The Cliffside expansion is projected to release more than 12,882 pounds of other dangerous chemicals annually:

Arsenic: 1,503 lbs/yr
Chromium: 953 lbs/yr
Lead : 14 lbs/yr
Manganese: 1,796 lbs/yr
Nickel: 1,026 lbs/yr
Benzene: 4,767 lbs/yr
Formaldehyde: 880 lbs/yr
Methylene chloride: 1,943 lbs/yr

The Cliffside expansion will also emit gases that contribute to acid rain and global warming.
Sulfuric acid: 412,596 lbs/yr
Sulfur dioxide (SOx): 5,157 lbs/yr
Nitrogen dioxide (NOx): 2,406 lbs/yr

Acid rain is a huge problem in forest ecosystems of the Appalachian mountains and in our trout steams. Additional pollution from the construction of Unit 6 which is much larger than the Units 1-4 will result in harmful impacts to these irreplaceable, wild and scenic areas of the state.

We would be better off if Unit 6 never got built. The North Carolina Clean Smokestacks law will require Unit 5 to be upgraded with cleaner air emission controls regardless of whether Unit 6 gets built. The upgrade of Unit 5 will result in a decrease in air emissions. Trading Units 1-4 for Unit 6 is a detrimental trade that adds even greater harm to the environment of North Carolina. Because Units 1-4 are so small and their pollution load is negligible compared to Unit 6, the end result is that there will be greater total pollution from the proposed construction of Unit 6. Thus, the draft air quality permit represents a substantial increase in total mercury load to the air and water of North Carolina. It doesn't help solve the mercury problem it makes it worse.

The North Carolina Mercury rule states (15A NCAC 02D .2511 MERCURY EMISSION LIMITS)**:**

> "(f) New sources. Any coal-fired electric steam generating unit to which this Rule applies and which begins construction after the effective date of this Rule shall install and operate best available control technology for mercury. For purposes of this Rule, "best available control technology" means an emissions limitation based on the maximum degree of reduction of mercury from coal-fired electric steam generating units that is achievable for such units taking into account energy, environmental, and economic impacts and other costs."

A comprehensive report published by Environment Maine Research & Policy Center determined:

> "Effective technology already exists to substantially reduce mercury emissions from power plants using all major types of coal. Numerous full-scale tests of activated carbon injection (ACI), a control technology that has reduced mercury emissions from medical and municipal waste incinerators by more than 90% since the mid-90s, have shown similar success in reducing power plant mercury emissions.
>
> Examples include Alabama Power's multiunit Gaston plant, which obtained up to 90% reductions for a boiler burning bituminous coal; Sunflower Electric's Holcomb Station in Kansas, which reported reductions in excess of 90% on subbituminous coal; and Great River Energy's Stanton Station in North Dakota, which reported up to 81% control with untreated carbon and up to 96% control with brominated carbon on a boiler burning lignite coal.
>
> Mercury control technology for power plants is commercially available today. Several power plants have already agreed to install such technology to reduce mercury emissions. For example, in August 2005, ADA-ES announced a contract to install ACI at a 790-megawatt power plant being built in the Midwest that is expected to burn subbituminous Powder River Basin coal. A few months earlier, in May, Rocky Mountain Power agreed to install either ACI or a similar technology approved by Montana's Department of Environmental Quality for a new power plant, the Hardin Generating Station. And in March, the San Juan Generating Station, a 1600-megawatt power plant located in Farmington, New Mexico that emits hundreds of pounds of mercury per year, agreed to install ACI and expects reductions of up to 80%. Moreover, a power plant under construction in Iowa is installing ACI to meet the terms of a state air pollution permit, and one in Michigan has begun to install a multipollutant control that will use sorbent injection to reduce mercury.[20]

[20] Power Plants and Mercury Pollution Across the Country; Environment Maine Research & Policy Center; September 2005

It is abundantly clear from substantial mercury reductions achieved in power plants, medical and municipal waste incinerators that activated carbon injection is the best available control for mercury. The complete and utter failure of the Draft Air Quality permit to require the proven best available control technology for mercury pursuant to the NC Mercury Rule and the Clean Water Act makes the draft air quality permit unacceptable and possibly illegal. It is reprehensible for the Cliffside Power plant expansion to make North Carolina's widespread mercury problem even worse.

Health threat and implications to public (and economy):

Recreational, commercial, and subsistence fishing is important for North Carolina's culture and economy. In 2001, commercial fishing contributed $144 million dollars to North Carolina's economy.[21] Recreational fishing contributed over $2.2 billion to the economy in 2001. Non-resident anglers contribute approximately $7 million to the state's economy each year.

Conclusion:

From the existing data and the location of fish consumption advisories, it is clear that North Carolina is receiving the worst of the mercury pollution from our own coal-fired power plants. There is a documented public health problem associated with methylmercury and contamination from coal-fired power plants. There is documented evidence by DWQ of serious methylmercury contamination in our waters and in fish across the state. It is documented that 90% controls are available and affordable today. With all of this evidence, the Division of Air Quality should require all coal-fired power plants to reduce mercury by 90% as soon as possible with no trading or banking of credits. Any permitting decision that results in increased mercury emissions means the Division of Air Quality fails to fulfill its mandate to protect the state's natural resources and the health of the citizens of North Carolina.

In light of the current mercury toxicity of North Carolina children, fish and water bodies, the NC Riverkeeper® and Coastkeeper® programs respectfully request that the North Carolina Division of Air Quality deny the air permit for the Cliffside Expansion. We further request a moratorium on the permitting of new coal-fired power plants and the expansion of existing ones without best available control mercury until mercury

[21] Bianchi, Alan. An economic profile analysis of the commercial fishing industry of North Carolina including profiles for the coastal fishing counties. Report to NCDMF. 2003

toxicity across the state of North Carolina improves and there are no longer any fish too toxic to eat.

Thank you for this opportunity to comment on the proposed Cliffside expansion plant.

Sincerely,

Donna Lisenby, Catawba Riverkeeper®
Mike Giles, Cape Fear Coastkeeper®
Doug Springer, Cape Fear Riverkeeper®
Jan DeBlieu, Cape Hatteras Coastkeeper ®
Frank Tursi, Cape Lookout Coastkeeper ®
Larry Baldwin, Lower Neuse Riverkeeper®
Brian Wheat, New Riverkeeper®
Heather Jacobs Tar-Pamlico Riverkeeper®,
Dean Naujoks, Upper Neuse Riverkeeper®
Christine Ellis, Waccamaw Riverkeeper®
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Rick Dove, Waterkeeper® Alliance

Cc: Scott Edwards, Senior Attorney, Waterkeeper® Alliance
Gudrun Thompson, Southern Environmental Law Center