

<u>www.nawriver.org</u> P.O. Box 187 Bynum NC 27228 (919) 542-5790 Into@na

February 12, 2014

Comments to the Environmental Review Commission:

Burlington's 3.5 million gallon Sewage Spill

The massive 3.5 million gallon raw sewage spill from Burlington into the Haw River from January 27, 2014 to January 29, 2014 was the largest such spill in recent history in North Carolina. The fact that it occurred in winter is the only thing that kept this from being a major public health disaster. Cold water temperatures and dilution from winter river levels limit the growth of pathogens from human waste. Data from the USGS gauge in downstream Bynum showed flows at about 400 mgd at the time of the spill, whereas summertime flows are lower, about 200 mgd (40 year average). A spill of this magnitude in the warm season would have resulted in major health threats to the large number of recreational users of the river including swimmers, paddlers, fishermen and anyone else in contact with the water. The Haw River is the Piedmont's most popular white water river and draws paddlers from across the state, in all but the coldest weather. In addition, this much untreated wastewater in the river in warmer temperatures, and in the lower flow common in summer, would have certainly resulted in fish kills. There would also have been a much greater risk to Pittsboro's drinking water. What would be the impact to local businesses and eco-tourism downstream, who depend on a healthy river for their own economic health?

Future Impacts?

Despite forgiving weather conditions, there is no way to remove this sewage pollution once it has entered the river. Downstream impacts on algae growth, and threats to drinking water and aquatic life will need to be monitored for some time. The public and the state need to know the details, and they need to know them quickly. How much nutrient load was added to the already impaired Haw River arm of Jordan Lake? Has total untreated nitrogen and phosphorus in this 3.5 million gallon spill been calculated? In addition, wastewater from a city such as Burlington, with significant industrial waste streams, contains many chemicals and heavy metals that poured into the river untreated. Specifically, which chemicals and metals were in the sewage spilled by Burlington, and what impacts will these pollutants have?

Delayed Notification

The public was not informed about the spill until Thursday (print media reports did not appear until Friday). Although the state and the Town of Pittsboro, which takes its drinking water from the Haw, were notified sooner, the public was not. Anyone who was boating, fishing, walking dogs along the river or otherwise had contact with the polluted water, despite the cold, was at great risk. We're told this was a decision made by the DENR, not Burlington. This committee should be asking "Why?" Doesn't the state of North Carolina agree that we need to put public notification and safety first when it comes to water pollution events? Reports from Burlington say that the spill from the East Burlington WWTP broken force main reached the Haw River surface waters at 6:20 p.m. Monday, and didn't stop until 3:40 p.m. Wednesday. We are told that the delay was because North Carolina DENR officials wanted to wait until the leak was stopped before it was disclosed.

Public notice of the spill was not issued until Thursday, nearly four days after the leak was identified. State law requires wastewater utilities to report any spill of more than 1,000 gallons of untreated wastewater to media outlets in the affected area within 48 hours of sewage reaching a river, stream or lake. Is this not a violation of North Carolina's law?

A History of Sewage Spills

The 3.5 million gallon spill came from a broken 55 year-old force main leading into Burlington's wastewater treatment plant. **This was not the first raw sewage spill in Burlington in January 2014 -- there were three in one month.** A spill of 28,600 gallons occurred on Friday, January 24 from a broken pipe at East Burlington WWTP, just three days earlier, at the same location as the massive 3.5 million gallon spill. 50,400 gallons of raw sewage spilled into Servis Creek, a tributary of the Haw, on Friday, January 11, 2014, blamed on inflow and infiltration.

In addition, there were several spills into Servis Creek from Burlington's wastewater collection system in 2013 that totaled 211,988 gallons of untreated wastewater. These included the March 8, 2013, event where 133,825 gallons of raw sewage overflowed from the city's sanitary collection system and reached surface waters of a tributary to Servis Creek, near the 2000 block of Morningside Drive. A fish kill was reported as a result of this spill. On July 4, 2013, 71,250 gallons spilled into Servis Creek and reached surface waters, ending in Friday, July 5. It was caused by a failure of a 78 year-old pipe from Mayfair Mills Outlet.

Aging Infrastucture – a Statewide Problem

This pattern of significant spills raises serious concerns about Burlington's aging infrastructure. Is it being inspected, repaired and replaced before any further disasters to our public waters occur? This question needs to be answered beyond Burlington, to address the safety of wastewater systems throughout the state. Across North Carolina, local governments have fallen behind on upkeep of old water and sewer infrastructure. Where will the next massive **spill be?** The pattern of spills due to pipe breakage, and neglect resulting in infiltration and inflow (exchanges between leaky pipes and groundwater) that we are seeing in Burlington is occurring in other systems throughout the state. As long as we have aging infrastructure and insufficient inspections, repairs, and funding for replacement, we can expect the pollution of our waters by raw sewage to continue. Work must be done to assess the state of local wastewater collection infrastructures, prioritize risk, and prevent the next failure. The state needs to allocate adequate funds in the Clean Water State Revolving Fund, the Clean Water Management Trust Fund, and/or other funds to help local governments update their wastewater treatment and collection systems.

Thank you for your consideration of this information.

Elaine Chiosso, Haw Riverkeeper