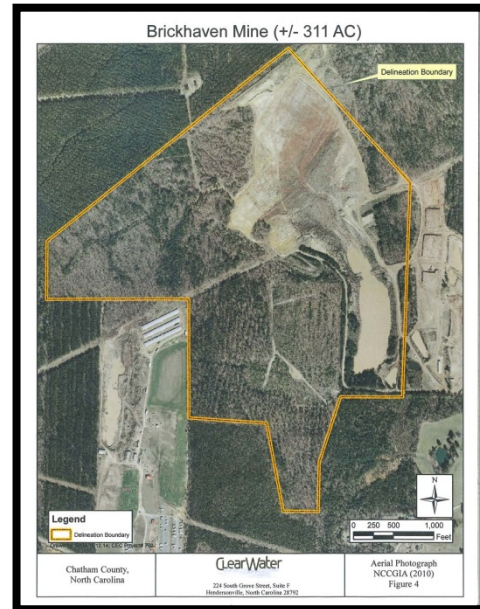




**US Army Corps
of Engineers**
Wilmington District

Brickhaven and Colon Clay Mines Proposed Coal Ash Repositories Chatham & Lee Counties, NC (Regulatory)

- **Proposed Coal Ash Repository**
- **Section 404/401 permit application forthcoming**
- **Corps in process of performing jurisdictional determinations for Brickhaven and Colon Clay Mines**



CONGRESSIONAL DISTRICT: NC-02, NC-04

DATE: 23 February 2015

1. PURPOSE:

To provide information concerning the two proposed coal ash repositories. The Brickhaven Coal Mine property is located 4.5 miles southeast of Moncure, Chatham County, North Carolina; the Colon Mine is located 5 miles north of Sanford, Lee County. Corps Action ID: SAW-2014-02254 & SAW-2015-00107.

2. BACKGROUND:

a. Duke Energy Progress is seeking to relocate coal ash from their Sutton (Wilmington) and Riverbend (Mount Holly) power plants to the Brickhaven and Colon Clay Mines. Duke Energy Progress chose these two locations for the permanent storage of coal ash because of the low permeability of the clay layer, and their upland locations removed from major river systems.

b. The Lee and Chatham County Commissioners and a number of private citizens have come out in opposition to the use of these mines as coal ash repositories. Among the concerns are the potential toxicity of the coal ash, the potential for stream and groundwater pollution and the perception that these two counties are waste repositories.

PROJECT INFORMATION – Brickhaven and Colon Clay Mines, Proposed Coal Ash Repositories, Chatham & Lee Counties, NC (Regulatory) – Continued

3. **CURRENT STATUS:**

- a. On December 9, 2014, the Corps visited the Brickhaven property to verify the delineation performed by the Clearwater consulting firm. There are some issues concerning the jurisdiction of three streams on the Brickhaven property. These streams will be revisited in January.
- b. A site visit verifying the wetland delineation of the Colon Mine property took place on January 16, 2015.
- c. A pre-application meeting was held at the Brickhaven Mine on January 27th, with the Corps and other federal and state agencies. According to the Clearwater consulting firm, they would like to submit a combined (both mine properties) standard permit in February 2015 (but has not been received as of this date). Among the issues discussed was the permitting process (including if a single application is appropriate), and the jurisdiction of streams and wetlands on the two properties.
- d. In December 2014, the EPA classified coal ash as a non-hazardous solid waste.