

House of Representative Subcommittee on Energy and Environment
Testimony of Robyn Pierce
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In 2001 our local utility company Dominion Virginia Power, orchestrated an aggressive campaign convincing area residents and local city council that a golf course constructed with coal ash was not only safe but a great benefit for our neighborhood. Residents and local govt. were assured on numerous occasions and in various forums that the use of such material posed no threat to our community, that any and all safeguards would be ad heard to, and quote fly ash in this specific use was "safe as dirt."

We now know differently thanks to the diligent work of a local newspaper reporter Robert McCabe. Mr. McCabe reported tests of monitoring wells on a golf course sculpted from 1.5 million tons of fly ash yielded alarmingly high levels of toxins in ground water. All of the homes in the immediate area rely on private wells as our water source.

Immediately the local city government ordered area wells tested and requested the EPA's help in discerning the potential risks to our community.

19 months later, my home has been tested multiple times by 3 different agencies including the EPA and results are inconsistent and confusing. Lead levels have been detected in excess of 3x the EPA action standard. On one such occasion water tests were done on the same day by 3 firms. Two of the three detected elevated lead levels yet a call from the EPA representative said "good news" no lead was detected in your water.

You can imagine my alarm as a Mom, when the EPA representative asked about young children in my home and their ages. Later that day, I received a call from a doctor at the CDC office in Pennsylvania urging me to get the children's lead levels tested. The EPA continues to test my water EVERY few months and I get the results but they are confusing and I'm as in the dark now as I was when this started.

How did this happen? For 5 years hundreds of truckloads of coal ash were dumped daily in our community. We've since learned those same truck drivers and were required to have haz-mat licenses, and wore masks and protective clothing yet our children unknowingly played outside amongst this dangerous dust. Neighbors recall coming home and finding layers of gray chalky residue on vehicles and pool surfaces. None of my neighbors had any inkling of the dangers were being exposed to.

We now know that experts warn of the dangers of heavy metal toxins leaching from coal ash when exposed to water. Yet coal ash was spread over a 220 acre site in our backyards in a region with a notoriously high water table. Our streets and yards are

underwater when storms come, but even after Dominion commissioned feasibility studies that discouraged using fly ash as construction material they pushed on. Permits for a septic system on the golf course location were denied by the health department due to the high water table, yet 1.5 million tons of coal ash was dumped on the same site, Dominion pushed on.

Just 50 miles from Chesapeake between 1957 and 1974 fly ash from Dominion's Yorktown Power generating station was disposed of in 4 abandoned sand and gravel borrow pits. This area was designated as the Chisman Creek superfund site by the EPA. Even in light of this previously egregious debacle, Dominion pushed on in Chesapeake.

The reverberation from this lack of regulation has been enormous.

Numerous families have recently been diagnosed with cancer, asthma and autoimmune diseases. Not to mention our fear for our children's future health. Are these illnesses related to dust and water exposure? It may take years for the effects of our exposure to this toxic waste dump to manifest themselves.

Since May 2008, my family and other families in this community have not used their tap water to cook or drink. We have been reduced to traveling to a municipal cistern where we 2-3 times per week fill empty gallon jugs with water to bring back home for use. Most of us still bathe and brush our teeth with the tap water. What other choice do we have? Who is there to provide for our safety?

The financial ramifications are devastating. As a professional realtor, I can assure you as long as the specter of fly ash looms over our community our houses will not sell. We are literally held hostage in our homes not at the barrel of a gun but by the cesspool of poisons in our back yards.

We have retired military veterans who have proudly served our country for 20 plus years, and want to move back home, but they cannot because no one will buy their home. Elderly couples who have lost a spouse and cannot keep up with their homes want and need to downsize but cannot move. My husband has been a self employed electrical contractor for 25 years, the equity in our home is our retirement. We've been wiped out--there is no equity in a home no one will buy. How will we put our boys through college? What will happen to us if he passes away? One family in our neighborhood cannot qualify for financial aid for their son's education because they own a home--- but it's worthless.

My children are afraid. Their friends' parents are concerned about their children's exposure when visiting my house. An 11 year old who was at our house for a sleep over asked me "Miss Robyn, I just washed my hands do I need to do anything about the poison water?"

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Virginia's health department has been no help. Virginia's DEQ let this happen again and has been a colossal disappointment. The EPA is out to lunch. We certainly cannot expect the local power company to operate in a conscientious manner, if government doesn't help.

We the public are stunned to find there is no regulation in place to protect us. The current definition of "beneficial use" is quite frankly an oxymoron. As long as coal ash remains unregulated-we the people have no protection from the companies who use beneficial use as a cover for corporate malfeasance.

In our opinion, the only hope we have is for the far reaching hand of our federal government to mandate the EPA to designate coal ash a hazardous waste, regulate its use with the strictest of protocols, and order that this tumor in our community be removed. And until that is done the inmates are running the asylum.