

BLUE RIDGE ENVIRONMENTAL DEFENSE LEAGUE

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March 12, 2009

Ms. Dina Sprinkle
North Carolina Division of Water Quality
1636 Mail Service Center
Raleigh, North Carolina 27699-1636
dina.sprinkle@ncmail.net

Re: Request for public hearing re: Belews Creek Steam Station permit # NC0024406

To the Division of Water Quality:

I write to you on behalf of the Blue Ridge Environmental Defense League NC Healthy Communities Program. The League is a regional, community-based, non-profit environmental organization with more than 2,500 members and 40 chapters in North Carolina and the Southeast. Our founding principles are earth stewardship, environmental democracy, social justice, and community empowerment (www.bredl.org).

We would like to request that the Division of Water Quality (DWQ) hold a **public hearing** regarding the renewal of Duke Energy's application for a permit renewal for the Belews Creek Steam Station's discharges into Belews Lake.

It is important that the public has an opportunity to weigh in on this facility's renewed permit considering that the life of a lake is at stake: The DWQ is proposing to allow the facility to discharge hot water without a thermal variance as required by the Clean Water Act to prevent thermal pollution.

Section 316b would require a facility that cannot meet the limit of temperature change required by the Clean Water Act for all "waters of the state" to justify why it is not feasible to reduce the temperature of its discharge to come into compliance. Belews Lake should be considered "waters of the state," formed by the damming of Belews Creek, and subject to regulation under the federal Clean Water Act.

The ecosystems of Belews Lake, as well as Belews Creek, may be at risk for irreparable damage as a result of discharges from the Belews Creek Steam Station, should temperatures from the facility exceed those which are deemed normal for the lake.

Please notify me when a decision on the date for the public hearing had been made. Thank you for your consideration.

Sincerely yours,

Sue Dayton, Statewide Coordinator
NC Healthy Communities Program
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