

# Blue Ridge Environmental Defense League

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**FOR IMMEDIATE RELEASE**

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**In Big Win for Communities,**

**Coal Ash Disposal Company Drops Appeal of Chatham, Lee County Cases**

*Case Settled After Five Years of Litigation*

RALEIGH—Almost a year to the day that Administrative Law Judge Melissa Owens-Lassiter reversed her decision which had allowed coal ash to be disposed of in Chatham and Lee Counties, the communities are announcing another victory. Charah, Inc.— the company that owns the two sites, has dropped their appeal of the 2019 ruling and has agreed that no coal ash will go to the Colon site in Lee County. The Brickhaven site will be closed as required by the permit issued by the Department of Environmental Quality (DEQ).

Judy Hogan, President of Chatham Citizens Against Coal Ash Dump (CCACAD) said, “I am delighted that Brickhaven dump will be closed now.” Speaking about the ongoing groundwater contamination at the Brickhaven landfill Hogan continued “There is pollution left behind in groundwater and no telling where else.” The settlement also requires enhanced groundwater monitoring for five years, including additional wells and more frequent sampling.

EnvironmentalLEE (ELEE) members Debbie Hall and Keely Wood issued a joint statement: “We have always been committed to the truth. We knew we were on the right side of environmental justice. We wish we could celebrate with all our members, especially those who live on Colon Rd, who would have been directly affected. Winning this 5-year court case just proves that community involvement and Lee County residents’ voices, CAN and DO make a difference.”

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Therese Vick, Coal Ash Campaign Coordinator for Blue Ridge Environmental Defense League (BREDL) remarked on the six-year campaign which included a five-year legal battle. “We knew it was wrong from the very beginning. The permits erroneously issued by DEQ allowed Duke Energy’s coal ash to be used as “mine reclamation”—even though most of the sites had never been mined.”

The permits for the two facilities were issued in less than seven months. Vick continued, “It is long past time that the DEQ develop regulations that are specific to coal ash, and not rely on a mish-mash of rules.”

Attorney Cathy Cralle-Jones of the Bryan Brice firm in Raleigh represented the groups after John Runkle retired. Cralle-Jones said “2020 has been a tough year in so many ways, but this settlement is a true bright spot. After more than 5 years of litigation to challenge the use of coal ash to “reclaim” old mines in Chatham County and Lee County, we can finally rest knowing no coal ash will ever go to the Colon mine and that no more coal ash will ever go to Brickhaven. These citizens fought to protect their communities and did not give up. It’s an honor to be able to follow in the footsteps of John Runkle, who started this journey as counsel for BREDL, CCACAD, and ELEE, and to advocate alongside these citizens for the protection of their communities and our natural resources.”

The original lawsuit was brought in 2015 by Blue Ridge Environmental Defense League (BREDL), Chatham Citizens Against Coal Ash Dump (CCACAD), and EnvironmentalLEE (ELEE) in response to permits issued by the North Carolina Department of Environmental Quality (DEQ) to Green Meadow, a subsidiary of Charah, Inc. in June of that year.



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