

## Serious environmental problems the Yadkin Riverkeeper hasn't paid attention to – so's you'd notice

Shortly after Dean Naujoks became the Yadkin Riverkeeper, I futilely suggested that he find out what and where all the sites of previous contamination and possible sources of pollution to the river were, so we'd know what the entire picture is. Focusing on one company, with blinders excluding all others, is meaningless.

There are two brownfields immediately on the banks of the river in the Trading Ford area. The Duke Energy Buck Steam plant is considered a brownfield by the state Utilities Commission, and ranks much higher as a pollution source than Alcoa ever did, when its Badin Works was still operating. Duke Energy's eight Carolinas coal-fired plants disgorge 2.2 million tons of ash a year. Two-thirds is dumped in landfills and ponds at the plants, an old practice which has only recently begun to be monitored and regulated. Water flows from Buck's three ash basins into the Yadkin River. State records show that arsenic, boron and selenium – all toxic substances in high concentrations – have been found at potentially unsafe levels in groundwater under Duke's ash basins. All three Buck Steam plant coal ash ponds are listed on the EPA's list of 44 “high hazard potential” impoundments as posing a serious risk to life and property should a rupture occur, as it did in Tennessee. The Catawba Riverkeeper is seriously concerned about Duke coal ash ponds on the Catawba River, yet we have not heard a peep out of the Yadkin Riverkeeper about the risks to the Yadkin River other than an off-hand mention in his “Tour de Yadkin” Journal. (see <http://www.catawbariverkeeper.org/issues/coal-ash>)

Records show that the second Trading Ford brownfield, at the old NC Finishing plant site, contains arsenic, benzene and other benzo compounds, naphthalene, lead, mercury, barium, chromium, and other chemicals at multiple locations throughout the property. This land was being developed in spite of admonitions from state environmental agencies. In vain, I asked the Yadkin Riverkeeper to take action regarding this and other environmental problems on the property. (see email below)

I was a charter member of the Yadkin Riverkeeper organization, but, for a number of reasons, Dean Naujoks is the WRONG RIVERKEEPER!

----- Original Message -----

**From:** [Dean Naujoks, Yadkin Riverkeeper](#)

**To:** 'Ann Brownlee'

**Sent:** Monday, January 26, 2009 4:35 PM

**Subject:** RE: Your Attention Please - Trading Ford & Highrock Raceway

Ann,

Thanks for the info and all your work on these issues. Not sure what I can do but keep me posted. Take care  
Dean

**From:** Ann Brownlee [mailto:[whigkid@bellsouth.net](mailto:whigkid@bellsouth.net)]

**Sent:** Saturday, January 24, 2009 5:27 PM

**To:** Dean Naujoks

**Subject:** Fw: Your Attention Please - Trading Ford & Highrock Raceway

Dean,

FYI, this was what I was trying to get YRK to pay attention to. Go figure. Racetrack still doesn't have a soil erosion and sedimentation permit from the county.

Ann

----- Original Message -----

**From:** [Melba](#)

**To:** [John Cardarelli](#) ; [Rick Chatham](#) ; [Pat Colwell](#) ; [Montie Hamby](#) ; [Zoe Hanes](#) ; [Steve Hannah](#) ; [Anita Harrington](#) ; [Edward Hill](#) ; [Melba Melton](#) ; [Velvet Motsinger](#) ; [Shona Simpson](#) ; [Marti UTTER](#)

**Cc:** [whigkid@bellsouth.net](mailto:whigkid@bellsouth.net) ; [kgcarle@aol.com](mailto:kgcarle@aol.com)

**Sent:** Sunday, May 25, 2008 8:01 AM

**Subject:** Your Attention Please - Trading Ford & Highrock Raceway

<http://www.salisburypost.com/Area/052308-Highrock-raceway-5-000-fine>

Please read this article... FYI.

As you cross the Yadkin River Bridge on I-85 into Rowan from Davidson Co., you will see the backwaters in the photo...

This is the Historic Trading Ford area on the which two of our members, Ann Brownlee & Kevin Carle have been fighting to protect. It has been an on-going battle with little success.

The raceway is going forward, the problems clearly visible, and impact is devastating.

I have cc both Kevin and Ann who would be in a position to inform the board of the details.

Thank you for your consideration.

Melba

----- Original Message -----

**From:** [Ann Brownlee](#)

**To:** [Marti UTTER](#) ; [Shona Simpson](#) ; [Velvet Motsinger](#) ; [Melba Melton](#) ; [Edward Hill](#) ; [Anita Harrington](#) ; [Steve Hannah](#) ; [Zoe Hanes](#) ; [Montie Hamby](#) ; [Pat Colwell](#) ; [Rick Chatham](#) ; [John Cardarelli](#)

**Cc:** [Debra Rookard](#) ; [Kevin Carle](#)

**Sent:** Sunday, May 25, 2008 9:31 PM

**Subject:** Re: Your Attention Please - Trading Ford & Highrock Raceway

Hey Yadkin Riverkeepers!

I appreciate Melba bringing this to your attention. It was on my "to do" list.

This is a long story. I've been dealing with it mainly from the perspective that it will destroy 200 acres of the heart of a Civil War battlefield. The national Civil War Preservation Trust has placed it on their list of America's 25 most endangered battlefields for 2008. There was an article about it last weekend you may have seen that I wasn't at all happy about. Believe me, I've done extensive research, and have much more than one pitiful eye-witness account. The reporter took the developer's word for too much. There's no doubt in any credible historian's mind that this is a Civil War battlefield. The Charlotte Observer did the article, but it was picked up all over the southeast. [Article here](#)

I'm the only person paying attention to all the details, and it's also an environmental nightmare.

This was originally in Rowan County's jurisdiction, and they would have done a good job in making sure everything was done by the book. The developer, David Risdon, subsequently got the property annexed by the Town of Spencer. They've got dollar signs in their eyes, and are letting the developer get away with anything. They gave the racetrack a Conditional Use Permit (CUP) in August 2007. They gave it a "variance that does not constitute a variance" to eliminate 300' setbacks on the sides and rear, 150' on the front, down to allowing building property line to property line. A required 80' vegetative buffer went in the process. The approved plans have noise buffering walls on the sides toward residences, but none on the river side. The developer has always acted like the river doesn't matter. He's said that the prevailing winds from the south would blow noise and air pollution out to the river and out of Rowan county, so that's okay. Basically, the racetrack would produce noise, dust, air pollution (and we're a non-attainment area), stuff that drips from cars, traffic congestion, all abutting up to Alcoa's shoreline property. Race cars use special high octane leaded fuel. We tried to get Spencer to put in a condition requiring non-leaded fuel, but they rolled on the floor laughing.

This property is listed with DENR as a brownfield. Most of the contamination is on the mill side of Hwy 29, but there are two closed debris landfills with high levels of benzo compounds on the racetrack side of Hwy 29. When this was under the county's jurisdiction, the county made Risdon start to enter into a brownfield agreement. After he got annexed by Spencer, he never followed through, and the draft agreement has aged out. Risdon has repeatedly denied that there's any contamination on the racetrack side of the property. There's a Salisbury Post article [here](#), and the inactive draft brownfield agreement [here](#). This property is on the south/Rowan county side of the Yadkin River. It is bisected by Hwy 29. The 70 acre parcel is the side where the old Yadkin Finishing company mill was (Risdon's almost completely demolished it). The racetrack would be on the 130 acre parcel side of Hwy 29. The racetrack complex would cover the entire property. Spencer's going to require a "no further action" letter from DENR for future development of the mill area, but they didn't require anything for the racetrack area. The brownfield agreement also would have required additional testing and pesky precautions. I've talked to DENR. They think he's a fool, but they don't have the staff to pro-actively monitor activity where there's not a brownfield agreement. They did send the email mentioned in the article, although I don't think anyone's paying attention to it.

Then there's the sludge spill. In December 2006, Risdon spilled nearly 4 million gallons of sludge from retaining ponds down into the stream behind the ponds and the backwater/wetland area. He didn't report it. DWQ issued a violation. He had a deadline to have all of it cleaned up and restored. DWQ let him off the hook. He did some of the cleanup, but he's never cleaned up the backwater/wetland area, and still hasn't done the stream restoration. The Army Corps has a violation out on the wetland area, but I have to request it through freedom of information.

Okay, Rowan County's problems with soil erosion and sedimentation. I think you can tell from the photo in the article Melba gave you the link to, sedimentation has run down into the backwater/wetland area. BTW, this is Alcoa's property, and falls within FERC's regulated project area. If you look at the racetrack plans [here](#), there's a finger of Alcoa's land that extends up into the racetrack property, part of the stream. River's to the bottom. There are more aerial photos [here](#). Risdon knew he has to have a permit. He was fined for some work behind the mill February '07. After he got his CUP from Spencer, he started grading on the racetrack side in August. The county told him to stop. He waited until everyone went home for the weekend, then rolled the bulldozers out. Article on that [here](#). Well, he never really did stop, and the county got a court injunction. [Article](#). He eventually got a plan approved to work on the stream restoration from the sludge spill and removing the rest of the sludge from the sludge ponds. In February, the County gave him permission to do some bushhogging, and he cut down trees all over the property. [Article](#). He's since belatedly gotten permission to do what he'd already done, but then did some more timbering, which brings us up to the current article. He still has not submitted a complete soil erosion and sedimentation control application!

Condition #1 of Spencer's CUP is: "All other applicable county, state, and federal regulations must be adhered to, and all applicable permits must be obtained." Spencer should have revoked the CUP for all these violations.

Let's see, what else. Risdon is going to need an Army Corps permit for a bunch of stream crossings. He hasn't applied yet. That would trigger Section 106 (historic resources) review, but I'm afraid he's already done a lot of damage. You can restore the stream and wetland, but once the historic site has been damaged/destroyed, it's lost its National Register eligibility forever.

I'm cc'ing Debra Rookard on this, she's been involved in some of it. She and I went down and looked at the sludge spill a few days before the cleanup deadline. The sludge is black stinky non-toxic semi-solid waste. I've got a small baggie of it, if anyone wants to see.

I've got an entire file box full of papers, ask if you want anything else. This could, at the very least, use some

screaming. I think Rowan county is doing all they can, but they aren't preventing the violations. Poor Lloyd Pace, the county's erosion control officer, has been out there at least once a week since the sludge spill. I don't know if legal action to get the CUP revoked would be possible. If the CUP were revoked, it would take him a while to reapply. And he hasn't gotten one yet that would stand up to a legal appeal. We filed an appeal to the first two (one from Rowan county which was revoked when Spencer annexed the property, one from Spencer that was revoked because there hadn't been adequate public notice), but we couldn't afford to appeal the last one. The racetrack is also financially a house of cards. He's got a new partner trying to shore it up with financing, but otherwise, it's bound to collapse sooner or later. There are nearly \$4 mil in liens against the property.

Oh, BTW, the racetrack is now claiming to be the nation's first "green" racetrack, if anyone wants to buy that oxymoron. I think they're promising to use green building materials for the townhouses, but that's a long shot from being a green racetrack.

And please do me a favor and run over here and [sign our petition](#) - and tell everyone you know!

Ann

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Ann Brownlee, President

Trading Ford Historic District Preservation Association

400 Lantz Avenue

Salisbury, NC 28144

(704) 633-3125

[www.trading-ford.org](http://www.trading-ford.org)

Links:

[http://www.trading-ford.org/CO\\_5\\_18\\_08.html](http://www.trading-ford.org/CO_5_18_08.html)

<http://tinyurl.com/23rz9nw>

<http://www.trading-ford.org/ColorTexBrownfields.pdf>

<http://www.racehighrock.com/ClientResources/Documents/Map.pdf>

<http://tinyurl.com/27bupv8>

<http://tinyurl.com/2728les>

<http://tinyurl.com/27gtf3a>

<http://tinyurl.com/35pts8g>

<http://www.salisburypost.com/Area/052308-Highrock-raceway-5-000-fine>