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**US Commission on Civil Rights  
Examining Health and Environmental Issues  
Related to Coal Ash Disposal in NC**

April 2016 Public Hearing, Walnut Cove, North Carolina

May 2016 Comment Submission

c/o Mr. Jeff Hinton, Atlanta Southern Regional Office

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**COMMENT SUBMISSION**

**UNC-CH IRB 15-2371 STUDY  
+ BREAST CANCER ACTION**

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*Made in partnership with Walnut Cove residents facing cancers and illnesses while living in close proximity to coal ash; persons whose creative leadership for health rights benefits many.*

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**\*Note:** Community Perspectives (CP) are inserted throughout, with pictures (taken by author unless noted). Three oral histories, transcribed in full, are included in addenda, with special thanks to transcription partner Pat Clark of NC NAACP.

**\*Location names:** Many who live near the ***Belews Creek Steam Station in Stokes County, NC*** refer to their homeplace by the nearest municipality, Walnut Cove, even if they are not yet annexed. “Stokes County” is often too broad to speak for specificities of neighborhoods nearest to coal ash waste and steam station air releases. The ***Walnut Cove area*** can refer not only to the ***Town of Walnut Cove***, but to the unannexed communities in nearest proximity to coal ash waste, including The ***Walnut Tree*** neighborhood, and an area called ***Pine Hall***.

## RECOMMENDATIONS

As revealed in the content of the US Commission on Civil Rights hearing on issues of health, environment, and coal ash disposal (7 April 2016), the people of Walnut Cove, Walnut Tree, and Pine Hall, NC already *know* what health justice is, and that they deserve it. Residents know that their health rights are inextricable from pursuit of racial justice and environmental justice—a knowledge they have earned in their bodies and hearts, in their articulate community-based leadership and in their bipartisan legislative advocacy for coal ash cleanup. The people of Walnut Cove also know that there are similar other communities affected by coal ash waste across the nation, for whom their remarkable experiences can act as vital sources of insight and inspiration for policy change. Garnered from a collaborative research study (UNC IRB 15-2371) and ongoing action affiliations in the community with Breast Cancer Action and the Forward Together Moral Movement, this submission to the USCCR positions the first-hand knowledges and highlights the wisdoms of the people of Walnut Cove to make specific recommendations regarding coal ash disposal which would ensure health justice and civil rights. Residents seek current and future policy change in five interconnected areas: (1) coal ash waste disposal, (2) banning fracking, (3) healthcare access, (4) voting rights, (5) cultures of accountability.

(1) **Coal ash waste disposal** that is effective, sustainable, and responsible, to include:

- **Extraction:** technologically sound, transparent, and prompt processes of coal ash extraction from massive waste ponds and unlined landfills; and “high risk” classification at Belews Creek Steam Station and other similar sites, given the threat these waste storage tactics pose to human life and loss of property.
- **Transfer to safe storage:** complete transfer by Duke Energy to onsite, enclosed, above-ground storage with appropriate buffer from communities both from coal ash waste and from any toxic air releases from coal production.
- **Reuse:** pursuit of safety-proven, beneficial reuse potentials for permanently sealed coal ash fill in concrete and other material with already-willing industrial partners in NC.
- **No cap in place:** rejection of dangerous proposals such as “cap in place” above-ground sheeting to cover coal ash waste ponds, which by their nature affect groundwater supplies from below.
- **Investment and disinvestment:** transparent policy incentives for (a) private and public investment in already-viable renewable power production across the state (e.g., solar, not natural gas), (b) staged disinvestment from coal ash power production, to halt harmful, massive air releases and coal ash waste water, which at each steam station and satellite waste site total to millions of tons of industrial toxins with known and long-lasting dangers to human health.

- (2) **Banning fracking**, particularly in communities already affected by coal ash waste, given:
- ***Compromised coal ash ponds:*** fracking plans expedite a coal ash pond disaster in places like Stokes County, as earthquakes and tremors that spread for up to 30 miles out from fracking sites would compromise the already unstable dam at Belews Creek Steam Station.
  - ***Additional cancerous waste streams:*** together, coal production and fracking constitute layered threats to human health, as waste streams for both infiltrate water supplies and air, and contain persistent, carcinogenic toxins that disrupt hormones and genes, with known links to cancers and other illnesses. (Fracking tests were originally positioned just over the border of Walnut Cove Town land, hundreds of yards from homes in the unannexed majority-Black neighborhood Walnut Tree, already affected by coal ash health harms for decades).
  - ***Local protective policy under threat:*** seemingly unlikely and ultimately widely successful citizen-led, multi-racial, intergenerational, and openly bipartisan efforts resulted in Town and County level fracking moratoria policies in Stokes County, Walnut Cove (2015) and across NC, but have been undermined by recent policy from the current State Legislature.
  - ***Fracking as nonviable replacement to coal:*** Duke Energy and similar utility companies nationwide are shifting power production capacities from coal to natural gas, misrepresenting fracking methods as “cleaner”; yet fracked gas is twice as climate-damaging as coal when used for electricity, and emits methane releases which are proven to endanger the health of low-income areas and communities of color first and worst, locally, and transnationally.
- (3) **Healthcare access**, insurance coverage, and affordability for coal ash-affected persons via:
- ***Medicaid expansion statewide:*** Medicaid expansion which brings federal money into NC has been blockaded for years; it must be passed to reach persons in the costly “coverage gap” which totals 500,000 persons in NC, and results in at least 1,000 unnecessary deaths yearly.
  - ***Healthcare reimbursement:*** concrete plans for full reimbursement of healthcare costs, for persons made ill due to their proximity to coal ash waste, where known illnesses, cancers and neurological, respiratory and cardiovascular disorders have been caused through the lifespan—from infant deaths, childhood neurological disorders and debilitating asthmas, to young adult strokes and heart attacks, to pollution-correlated cancers in ages 8 to 80.
  - ***Psychosocial support services:*** in-kind mental healthcare from local health departments, university/hospital health systems for children, adults, and elders positioned as “collateral damage” (Monet, 2016) to coal production and waste storage processes in their communities.
  - ***Integration of responsible public health agencies:*** involvement from local and state Departments of Health to require documentation in clinical visits of correlated symptoms, cancers, and illnesses among persons within a 5 to 9 mile radius of coal ash waste ponds and steam stations; incentives for agencies to be more responsible to citizens’ health concerns in their jurisdiction than to private industry tax revenue which may act to silence or obstruct

health and safety data which citizens have the right to know—such as “Do Not Drink” letters and health-based notifications on well water contamination, currently under threat in NC.

- (4) **Voting rights** for majority Black or minority-race, and majority low-income communities near coal ash waste, through:
- ***Requested annexation:*** particularly as majority-Black and lower income communities (like Walnut Tree) remain unannexed into municipalities (such as the Town of Walnut Cove) often despite decades of citizen-led annexation requests (as in Walnut Tree); whereas white communities abutting Town lines have been annexed over time (as in Town of Walnut Cove).
  - ***Inclusion in decision-making:*** as unannexed neighborhoods which abut towns are currently excluded from holding public leaders in closest proximity to their homes accountable for decisions that have direct bearing on residents’ health rights regarding coal ash waste; and interrelated health and environmental policies on fracking, and clean drinking water access.
  - ***Redress for racially gerrymandered districts and limited voting rights:*** particularly as national attention is refocused and litigation pursued on NC-specific voting rights limitations with disproportionate obstruction to voters who are low-income, people of color, students, and elders; via Voter ID laws, early voting reductions, and racially identifiable districts for elections where citizens would have hoped to hold leaders accountable for coal ash concerns.
- (5) **Cultures of accountability** enacted by business and government leaders through:
- ***Rooting out polluted politics:*** halting many business and government leaders’ participation in what residents of all political parties have called “polluted politics”—public policy negotiated by elected officials, to consistently promote professional affiliates’ or campaign donors’ interests instead of citizens’ articulated needs regarding coal ash waste clean up.
  - ***Prioritizing affected residents’ clear requests:*** residents in Stokes County, alongside a statewide, bipartisan collective of affected communities (Alliance of Carolinians Together / A.C.T. Against Coal Ash) continue to publicly suggest policy solutions and to call for meetings with elected officials (thus far ignored); in order to redress systematically botched storage of coal ash waste and unequal toxic burdens on communities in NC, and beyond.

## 1. RESIDENTS’ PRIORITIES WHILE FACING ILLNESS

**Assets:** Research study participants in Walnut Cove are *not* interested in telling only about their woes and sicknesses, their losses and devastation, or in being “pathologized” for the toxic damages they’ve experienced (Murphy, 2016) due to coal ash waste—as significant and life-altering as these circumstances are. These citizen participants in Walnut Cove *are* interested




in being known for the uniquely vibrant and urgent community leadership they offer. Participants are interested in having their viable policy visions honored, as persons who face illness and life-

threatening cancers as patients and caregivers, often with generations of *lived expertise* about the role of coal ash waste in their lives. As a result of coal ash disposal practices in their community, the people of Walnut Cove know the experience of rights violations intimately—in their homes, workplaces, families, neighborhoods, bodies, and memories. Such clear rights violations can only *matter* to the extent that the worth, dignity, strength, and possibility held in these residents’ homes, workplaces, families, neighborhoods, bodies, and memories are engaged as ***equally actionable evidence*** alongside the damages they have known. Documentation of the violation *and* verity of these residents’ civil rights must be mobilized to create change in public governance and in private energy utilities’ practices—change that positions the well-being of communities living near coal ash as interwoven with the well-being of our democracy itself.

**Health Justice:** While living in close proximity to coal ash waste near Walnut Cove, NC, residents of unannexed majority Black neighborhoods—particularly areas called Walnut Tree and Pine Hall— have experiences traced along racial and economic lines that shape (a) voting rights, (b) healthcare access, (c) intergenerational capital held in land and home ownership (especially in the US south, amidst red-lining practices and Jim Crow legacies), (d) access to clean, breathable air, and (e) access to provably safe and affordable drinking water. I understand these circumstances, and the urgent, community-led need to address and transform them, through Breast Cancer Action’s commitments to health justice for all people living with and at risk for cancers; and to BCAction’s will dedication to “stop cancer where it starts” (BCA, 2016). As adapted from the US Office on Minority Health, **health justice** refers to:

- ***pursuit of health equity***—the attainment of the highest level of health for all people, no matter their race, ethnicity, income, gender, or educational status;
- ***addressing avoidable inequalities***—valuing everyone equally with focused, ongoing societal efforts to address avoidable inequalities that manifest in health and healthcare disparities;
- ***seeking political redress***—attending to historical and contemporary injustices through proactive policy making, more than reactive response to crises and symptoms of inequality
- ***people-centered elimination of health and healthcare disparities***—incorporating knowledges and priorities of those whose health rights are most threatened, to reform policies and cultural practices shaping physical environments, healthcare systems, social and political institutions.

*Table 1: Key Community Issues regarding Coal Ash, Health, and Civil Rights*

	<p><b>WHERE:</b> The <b>Walnut Cove</b> area of Stokes County, NC, near Duke Energy's <b>Belews Creek Steam Station</b>, with majority Black, unannexed neighborhoods <b>Walnut Tree, Pine Hall</b>.</p> <p><b>WHAT:</b> In Walnut Cove, <b>southern people of color</b> and <b>persons facing cancer</b> and <b>toxicity-related illnesses</b> are offering <b>visionary leadership</b> for <b>intergenerational, multiracial, bipartisan</b> efforts for policy and cultural change regarding their health rights. Understood at the nexus of race, environment, and economy, leadership among persons dealing with <b>coal ash exposure</b> in this community can be documented to benefit other communities with similar struggles and assets.</p> <p><b>WHY:</b> The Walnut Cove area of Stokes County, North Carolina has become “ground zero” in NC and a prime case study for</p>
	<p>citizen-led advocacy amidst <b>race- and income-based voting rights</b> and <b>health rights violations</b> for <b>persons living near coal ash waste</b>. Residents seek to address and reverse the tragic costs of unchecked influence from private industrial interests on public governance. At Town, County, and State legislative meetings, residents’ <b>creative actions and powerful stories</b> have garnered national and state media coverage, and legal attention to the need for coal ash cleanup. Residents’ <b>lived expertise</b> reveals the <b>high stakes</b> of racial, health, and environmental justice pursuits that converge around coal ash waste disposal in NC and beyond.</p>
	<p><b>HOW:</b> In collaboration with the NC NAACP Forward Together Moral Movement, Breast Cancer Action, and UNC Chapel Hill IRB Study #15-2371, I have worked closely with Walnut Cove area residents in oral history interviews and participant ethnography (2015-16), to <b>document residents’ interrelated concerns</b> about <b>coal ash</b> waste.</p>
	<p><b>WHO:</b> Long term <b>community research partners</b> include — 40 intercept interviewees at public advocacy events on health, racial, and environmental justice issues in the Walnut Cove region (short form, 2-8 minutes, with ages 18-80, identifying as Black, white, and American Indian). — 14 oral history partnerships, with persons facing toxicity-related illnesses and cancers themselves and their families; persons who act as leaders or voices of conscience in their community (long form, 1–4 hours, ages 18-77, 12 identify as Black, 2 white). <i>Oral histories: Tracey Brown Edwards, Danielle Bailey-Lash, Rev. Leslie Bray Brewer, Shuntailya Imani Graves, David Hairston, Rev. Gregory Hairston, Ada, Willie Linster, Lydia, Tony Prysock, Caroline Rutledge Armijo, James, Priscilla Smith, Rev. Alfred Warren.</i></p>

	TOPIC	INFORMATION
	Walnut Tree:  <b>longterm coal ash exposure</b>	Walnut Tree residents experienced <b>fly ash</b> falling daily onto their homes and gardens for 2 decades, coating cars and rooftops (late 1970s-1990s). Walnut Tree residents experienced toxin-laden <b>air releases</b> and <b>groundwater contamination</b> from unlined coal ash storage for 4 decades (late 1970s to 2010s), both of which continue today.  Within 5 miles of coal ash waste storage, residents experience <b>disproportionately high rates of life-threatening illness</b> , including cancers, neurological, respiratory and cardiovascular issues.
	Walnut Tree:  additional <b>imposition of fracking tests</b> and <b>voting rights</b> concerns	Walnut Tree is an <b>unannexed</b> , 95% Black neighborhood, despite 3 resident-led attempts for annexation over 40 years. Surrounding majority-white neighborhoods <b>have</b> been annexed over time by Town of Walnut Cove.  Voting rights violations are correlated with town decisions to locate <b>NC's first fracking tests</b> in land directly abutting Walnut Tree (June 2015), with <b>no notice</b> by the Town of Walnut Cove to Walnut Tree residents. Core drilling began in secret, 4 days before scheduled. Were fracking operations approved, nearby high risk coal ash pond dams could burst.
	Walnut Tree:  additional concerns on <b>contaminated water supply</b>	Walnut Tree residents have bacteria- and sewage- <b>contaminated water</b> (latest confirmation in Feb. 2016 Town of Madison test results). Run by a negligent private company for the last 20 years in lieu of a town water hookup, water bills in Walnut Tree are as much as \$180/every 2 months for water unusable to residents for drinking, cooking, cleaning or laundering. Layered with coal ash exposure, this water may correlate with additional illnesses, rashes, and documented corrosion of appliances and piping in every home. Residents desire a <b>Town water hookup</b> .
	Pine Hall: <b>longterm coal ash exposure</b>	See above re: longterm coal ash exposure patterns for Pine Hall residents in closest proximity to Belews Creek Steam Station.



	TOPIC	INFORMATION
 	<p>Pine Hall and Walnut Tree areas near coal ash:</p> <p><b>high rates of illness</b></p>	<p>Residents in Pine Hall live a distance of 1/4 mile up to 2 miles from Belews Creek Steam Station, and residents in Walnut Tree, live a distance of 3 to 5 miles from the Belews Creek Steam Station, and its nearby unlined coal ash pits and unlined coal ash ponds, as well as toxic air releases from the steam station's processing stacks. A radius of 1500 feet for well testing is inadequate to measure the extent of groundwater contamination. Stories of <b>illnesses</b> faced in this area are astounding—brain tumors, bladder, breast, ovarian, liver, and lung cancers from ages of 9 and up, early age strokes and heart attacks, partial paralysis, neurological issues and fainting, severe asthmas and COPD, GBS, infant mortality, and more symptoms known to be <b>correlated with the toxins found in coal ash waste</b>. These illnesses frequently result in disability and premature death, and are costly financially, socially, emotionally.</p>
	<p>Walnut Cove region overall:</p>	<p>At municipal, county, and state levels, residents have had to take up remarkable, often embodied tactics to get their voices and policy priorities heard on coal ash. Residents have connected with one another over the course of years to spread the word that they have had “enough.” Across NC and in Walnut Cove, <b>coal ash affected communities are activating for change</b>—people who are “first time” public speakers are placing themselves at podiums in legislative sessions, prayer vigils, and press conferences at municipal, county, and state government buildings.</p>
	<p><b>Creative Advocacy for policy change</b></p>	<p>With speeches, stories, poetry, and visual art; with the insurgencies of elders' proverbs and young people's dance performances; with the power of intergenerational, collective song, residents are coming together to narrate their urgent claims to health rights put in danger by coal ash waste. Residents have “called to the table” NC's top officials who handle coal ash cleanup, with press conferences, symbolic dinner invitations, and Maundy Thursday communion to “invite <b>right action</b>” on the part of DEQ, the Governor, and the Duke Energy C-suite.</p> <p>The Walnut Cove area of Stokes County has become a <b>model community</b> across NC for what convergent health, voting, and environmental rights violations look like—but it is also a model for creative leadership, primarily among ill persons, who identify and advance patient-centered agendas for policy change and restorative justice measures.</p>

Participants in this study (UNC IRB 15-2371) are interested in not only publicly naming, but also *claiming* their civil rights and health rights, with brave and uncompromising specificity. **Health rights** (Gruskin et al., 2005:34) are rooted in the ability to achieve:

- ***the highest attainable standard of health***—e.g., related to morbidity, mortality, disability and positive health measures for child development, reproductive health, and access to healthy lifestyle behaviors for adults;
- ***access to health systems***—health systems providing affordable, good quality care services that are preventative, curative, and palliative, as well as related psychosocial support mechanisms;
- ***social and physical environments conducive to health promotion and health protections***—access to education, information, positive expressions of rights necessary to achieve and maintain health; and protection from environmental hazards, violence, harmful cultural practices, and other factors that may directly and indirectly impact health and its preconditions.

## 2. STATEWIDE GOVERNANCE

Many people in the Walnut Cove area—and in similar other communities near coal ash waste disposal sites across North Carolina—face cancers and life-threatening illnesses linked to private industry practices. Private industry practices in disposing of coal ash—in NC’s case, led by Duke Energy—are currently allowed via loopholes, unjust regional differences, or partisan manipulations in public policy and litigation, usually occurring at the statewide level. As documented in the April 2016 USCCR hearing, and echoed in multiple submissions in May 2016, these legal confusions in NC currently include (but are not limited to):

- ***Do Not Drink Letters:*** Lifting “Do Not Drink” letters *not* because residents near coal ash waste have experienced changes ensuring safer drinking water, but because state standards were suddenly loosened after public press on the issue of contaminated water supplies (Weaver, 2016). Other states’ lax standards were adopted, but are historically inappropriate for NC’s high rates of well water users—1 in 3 statewide (Taylor, 2016).
- ***Private meetings:*** Unprecedented secret meetings for back-door policy and sweetheart legal settlements brokered between NC’s current Governor McCrory, DEQ officials like van der Vaart and Reeder, and Duke Energy officials as high up as CEO Lynn Good (Binker, 2016).
- ***CAC disbanded:*** Disbanding of the bipartisan Coal Ash Commission, as decreed by NC’s Governor McCrory in the midst of a statewide DEQ public hearing process on coal ash pond risk classification, which solicited much overdue citizen input statewide (Henderson, 2016).
- ***Health Gag Water Bill:*** HB 1005/SB 779 proposed in the NC legislature completely bans health-based notifications of water contamination in NC (2016 legislative session). The bill removes human health-based screening levels for water to switch to lax, outdated federal

drinking water standards for maximum contamination levels; standards that apply to only 60 of hundreds of documented contaminants in NC waters. Framed as “eliminating confusion” for NC residents worried about water safety, the bill in fact removes the “right to know” for communities vulnerable to toxic, carcinogenic exposures from water near coal ash waste (Taylor, 2016).

**Key questions:** Walnut Cove residents’ priorities for their health and civil rights provide stark contrast to the legislative and judicial happenings mentioned above—especially in a state where patterns of coal ash disposal reflect larger tensions about the contemporary character of North Carolina’s democratic process. I found that participant interviews in this study (UNC IRB 15-2371) raise a set of pressing questions, pertinent to the Commission’s considerations:

- (1) **Role of government:** How do people made ill by the circumstances of private business operations and public governance in the places where they live and work understand the role of government in their lives?
- (2) **Equality, amidst toxicity:** How do people understand and communicate about issues of equality and toxicity as they work themselves out on bodies and policies in places like Walnut Cove, Walnut Tree, and Pine Hall, NC?
- (3) **Intersections:** What are the correlates of health, racial, and environmental justice, as understood by persons living at a “ground zero” of their joint pursuit?

In response, this submission will now trace the following concepts, applied in the larger Walnut Cove community: 3. *Civil rights and health rights*, 4. *Claiming health rights with creative leadership*, 5. *Environmental Justice Communities of Concern*, 6. *Sacrifice Zones*, 7. *Healthy Communities*, 8. *Corporate philanthropy amidst cancer and coal ash*, 9. *Health justice recommendations*.

### 3. CIVIL RIGHTS AND HEALTH RIGHTS:

To clarify testimony for the Commission based on preliminary findings of this study, I pair Breast Cancer Action and the Forward Together Moral Movement’s commitments to health justice with applications of civil and health rights. The below considers both negative rights that protect from excesses of the state—or the state in partnership with private industrial interests—and positive rights which ensure equal conditions and treatment for all persons despite categories of difference structured by cultural, physical, and/or political circumstances (e.g., racial identity, socioeconomic status, formal education level). The stakes are high: Belews Creek Steam Station emits 20% of NC’s carbon emissions (Gutierrez, 2013); the site holds one of the largest coal ash waste ponds in the nation (larger than Kingston, TN pond that burst in 2009); as a state, North

Carolina holds 70% of Duke Energy’s total coal ash waste ponds (The Ecologist, 2015); Belews Creek is a prime part of calculations now at billions of dollars in damages to just 3 of the major NC communities with known coal ash harms (SCAW, 2015).

*Table 2: Civil Rights at Stake in Walnut Cove*

Civil Rights—Type	Issues in Walnut Cove area	Recommendations
Rights that <b>protect individuals’ freedom from infringement</b> by governments, social organizations, private individuals or entities	Such as: toxin-laden coal ash imposed on residents by the nation’s largest private energy utility, in practices supported by local and state government zoning regulations and risk classifications.	<ul style="list-style-type: none"> <li>• <b>Address zoning classifications</b> of residential/industrial areas based on health and wellness standards.</li> <li>• <b>Classify Belews Creek</b> and other similar coal ash production and disposal sites as “<b>high risk.</b>”</li> </ul>
Rights which ensure <b>ability to participate in civil, political life</b> of a society without discrimination or repression	Such as: tactics of private and public denial, and bureaucratic barriers to public participation with coal ash-related policymaking, to isolate affected residents and increase logistical burdens placed upon already-ill persons living near coal ash.	<ul style="list-style-type: none"> <li>• <b>Ensure</b> each resident’s “<b>right to know</b>” about <b>toxins</b> in their air and water is <b>protected by law.</b></li> <li>• Ensure and require <b>private-public accountability to fund clean water piped to all coal ash affected residents</b> in Belews Creek and similar sites.</li> <li>• <b>Ensure due process</b> for persons who seek policy change due to coal ash exposure, including <b>petitioning for annexation</b>, requesting water safety testing by town, county, state officials, requesting <b>pipin in of clean water.</b></li> </ul>

<p>Rights <b>protecting from</b> and <b>preventing discrimination</b> based on race or color, gender, nationality, ethnicity, disability, sexuality, religion</p>	<p>Such as: majority Black and low-income neighborhoods targeted for coal ash disposal, with majority white areas living at safer, further distances from coal ash.</p>	<ul style="list-style-type: none"> <li>• <b>Declare</b> Walnut Cove area (with Pine Hall, Walnut Tree) an <b>Environmental Justice Communities of Concern</b>.</li> <li>• Ensure <b>environmental reparations or remedies</b> for area surrounding Belews Creek Steam Station as EJCOG.</li> <li>• Ensure <b>special legal protection</b> from <b>additional adverse impact</b>, as EJCOG.</li> </ul>
<p>Rights which <b>protect freedom of thought</b>, conscience, speech, and expression; to include freedom of privacy, press, assembly, and movement</p>	<p>Such as: tactics of private and public denial of health issues correlated with coal ash exposure, especially for communities closest to the plant, and for former Duke Energy employees and their families.</p>	<ul style="list-style-type: none"> <li>• <b>Protect</b> Duke Energy <b>employees</b> who wish to <b>share their health data</b>.</li> <li>• Ensure citizens who <b>assemble to speak</b> about coal ash harms on the agenda are <b>accommodated</b> at public meetings.</li> <li>• Fund <b>targeted morbidity/mortality studies</b> on <b>cancer and health concerns closest to coal ash</b>.</li> </ul>
<p>Rights to <b>ensure physical, mental integrity</b> and to protect one's own <b>life and safety</b></p>	<p>Such as: residents' lives and safety compromised by toxic burdens of unlined coal ash ponds and mounds contaminating water supplies; and by high levels of air pollution from coal processing; and by physical illnesses related to toxins found in coal ash; compounded by lack of access to quality, affordable healthcare.</p>	<ul style="list-style-type: none"> <li>• <b>Remove coal ash waste</b> that sickens people through water contamination (unlined pits and waste ponds).</li> <li>• <b>Substantially reduce carcinogenic air emissions</b> at steam stations, even and especially in the interim as coal is phased out of production.</li> <li>• <b>Reimburse full healthcare costs from coal ash-associated illness</b>. Arrange <b>psychological care</b> for families.</li> <li>• <b>Incentivize</b> the shift to renewable energies (<b>solar, not fracking</b>) to prevent future health harms from extraction and processing of fossil fuels.</li> </ul>

Political rights including the <b>right to vote</b> , to due process, to redress and legal remedy	Such as: majority Black, low-income neighborhoods excluded from town limits and thus the right to vote most locally to their homes, for leaders whose decisions affect drinking water safety, town-gown relationships with Duke Energy, and future fracking plans (Duke Energy)	<ul style="list-style-type: none"> <li>• <b>Ensure that annexation requests</b> by residents of <b>majority Black, lower-income neighborhoods</b> (such as Walnut Tree) are respected and <b>put to vote in a timely manner</b> and with <b>full, public debate</b>.</li> <li>• <b>Ensure NC DEQ does not obstruct</b> local, state, and regional <b>legal pursuits</b> involving <b>Duke Energy</b> and <b>state of NC</b>.</li> </ul>
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Historically, when disregarded, attempts to ensure civil rights take shape in two ways:

- A ***legal, constitutional approach***—which results in law-making nationally, internationally, and at local and state levels;
- A ***necessary activist approach***—particularly in situations where rights violations are common in frequency and pervasive in scope (Karatnycky, Ackerman, 2005).

As the Commission knows well, civil rights are violated either (a) because people’s rights exist on paper but are *not* observed in practice, or (b) because they are not ensured by law in the first place (Gruskin et al., 2005). Wherever civil rights are violated the world over, opposition springs up (Karatnycky, Ackerman, 2005). As seen in Walnut Cove, similar patterns emerge from within communities on the frontline of chemical and toxic industrial exposure: “For the most part, when the local pollution problem first comes to their attention,” people have been “living private lives and raising their families,” but “when the fumes become too intense,” and “when they find their family and friends falling ill from pollution-induced disease, they shed their quiet ways and organize a protest.” (Lerner, 2010:2). Adversely affected communities begin to envision and demand a combination of legal action and critical cultural and political changes to ensure that their rights are legislated *and* respected—that their rights are made not only legible, but accessible. The people of Walnut Cove have co-created a necessary activist approach to advance legal redress in NC; understanding their approach gives more intimate, appropriate context to the stakes of *why* and *how* to shift harms they experience due to coal ash.

#### 4. CLAIMING HEALTH RIGHTS:

In recent years, extraordinary tactics of civil resistance (Karatnycky, Ackerman, 2005) and nonviolent methods have been used to advocate for residents' health and civil rights in Walnut Cove and across the state of North Carolina, through the Forward Together Moral Movement of the NC NAACP, and its many citizen/resident, legal, and organizational allies (Barber, Zelter, 2014), including members of Breast Cancer Action. In Walnut Cove, 1500 residents reside within town borders, and an approximately equal number live in surrounding unannexed areas. At Town, County, and State meetings in recent years, Walnut Cove residents attend in numbers usually between 50-100, and sometimes exceeding 170. As they articulate it, people turn out in such a high proportion because of the severity of coal ash issues, compounded with problems of water contamination, fracking threats, voting infringements, and the burning question of how to *stop* what is causing so many cancers and physical disorders among them.

**Creative Leaders:** Residents of the Walnut Cove area have *performed their rights as real* (Butler, 1993, Fanon, 1967, Robins, 2008) in and outside of government buildings, while decision-makers listen to public comments, deliberate, and legislate (or stall). Recently, Walnut Cove area residents have engaged in nonviolent resistance within government buildings where they previously “kept quiet.” Among many who are giving public comments in policy sessions for the *first* time in their lives, residents have led crowd-interactive speeches, and spoken in stories, poetry, grief- and humor-based proverbs. In settings normally marked by “southern politeness,” residents invoke standing ovations among the entire constituent audience—requesting applause both for a desired “future policy,” and to demonstrate public support for officials they implore to finally align with their interests. To register their irrepressible will and collectivity before commissioners and legislators—who may, in residents’ prior experiences, have tried to dismiss them—people have shown up to **embody** their discontent at being ignored and misled, *and* to embody their visions of the toxics-free community for which they hope. Below are profiles on performance-centered activism in Walnut Cove to achieve a short-term fracking moratorium (as fracking amplifies coal ash dangers), and to call NC’s DEQ to task on coal ash cleanup. Residents’ activism aligns with concepts of **health rights** (Gruskin et al., 2005) as **simultaneous obligations and enjoyments**, which **must be claimed to be enacted**. Profiles below engage health rights as *real to the extent that they are performed* by those claiming them.

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*Table 3: Performance Activism: Stop Cancer Where it Starts*

**Definition:** Performance-centered activism for environmental and health justice is a rich site and a vibrant method to re-present rights claims and human dignity in the public sphere.

## Part 1 — Performance Activism and Town/State Leadership: Stop Cancer Where it Starts

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### Profile on Fracking + Coal Ash:

In 2015, at a Town Commissioners meeting in Walnut Cove, NC, an intergenerational coalition embodied a tide of disobedient witness to halt fracking tests on town land that directly abuts an unannexed majority-Black neighborhood. Residents already facing life-threatening illness—while living in close proximity to toxic coal ash waste, and with contaminated local water supplies—creatively called for a stop to the joint state and town attempt to start North Carolina’s first fracking operations. Against the backdrop of a mural depicting local and national s/heroes in Black history, a (then) all-white board of five Town Commissioners was met front-on with an unrelenting sea of song by 120 residents, for nearly ten minutes. Following their stories, poetry, and proverbs to correlate patterns of existing coal ash harms and proposed fracking dangers, residents’ chorus rang: “We’re standing for our children / our ancestors / for our water / our air / our future / our health / for Black and white together / for the vote / for our lives / and We Shall Not Be Moved.” Filing outside in a ritualized mass “walk-out” to visually interrupt the Commissioners’ meeting, the residents’ large coalition was met by an equally interracial group of teenagers playing “Glory” (John Legend, *Selma*) at full-blast in the street. These young people surrounded half the building, commissioners still inside, to perform hip-hop praise and break dance for the sake of what they *wished* to see: a frack-free town, coal ash-free environment, and a community characterized by racial equality in access to health and voting rights.



L: Walnut Cove Town Commission, mass sing-in and walk-out to ban fracking, “We Shall Not Be Moved,” June 9, 2015.



R: Families and youth gather outside after walk-out and dance performance. photos: M. Garlock



After exiting the confines of the Town building, crowds lingered outdoors with these young, self-proclaimed “dancers for social justice”; the people swelled in numbers that literally turned sites of authority inside out. As residents poured into a church basement for a subsequent organizing meeting, many wore pins proclaiming: “Cancer Sucks.” Building on the momentum and lived histories invoked that evening, one resident stood before her audience to connect their longterm coal ash burdens and the imposition of future fracking harms.

In knowledges echoed in her own and her daughters’ bodies as cancer patients, she asked, “Who in here has faced cancer yourself, or in your immediate family?” Two-thirds of Walnut Cove area residents in the room raised their hands. Rather than a statistical survey, or “merely” an anecdotal count, these persons facing life-threatening illness inhabited the present space between a toxic past and a future they hoped to differentiate. Their palms hovered for a few moments, emanating an ever more fierce and loving will to *stop cancer where it starts*. And to address the life-and-death stakes of existing cancers in commitment to **health justice**: equal opportunities afforded for healthcare and wellness-based standards of health itself, for persons of every race, education level, and socioeconomic status.

	
<p>Residents fill Walnut Cove Town Commission meeting, held in former Rosenwald Colored School. Prior to Town rentals for meetings the last several years, it was a community center primarily focused on local Black history and leadership.</p>	<p>Ada Linster: “How many people here have faced cancers yourselves or in your immediate family?” Community meeting, June 9, 2015. <i>photos: M. Garlock</i></p>

## Part 2 — Performance Activism, DEQ and Duke Energy: Stop Cancer Where it Starts

### Profile on Coal Ash Testimony:

In 2016, on Maundy Thursday, residents of the Walnut Cove area and unannexed Walnut Tree and Pine Hall communities gathered for a sacred and symbolic feast outside a state Department of Environmental Quality hearing. At the Danbury County seat and courthouse, DEQ was slated to hear residents' priorities for coal ash waste cleanup, given exposures to its toxins through water and air, endured for more than 35 years. Black and white, female and male

ministers, and lay people of all and no faith traditions gathered in “moral witness” (Barber, Zelter 2014, Oliver 2001) alongside a panel of TV cameras, to reimagine well-known rituals of uniting flesh/symbol in justice-focused prayer. A cup was held up to honor blood shed—to include illnesses borne out over at least 3 generations in the community; each of the speakers whose families were affected by illnesses due to coal ash exposure sipped from communion glasses poured from it. A pitcher of water was lifted from the table—yet *no one* was invited to drink this. Systematic assurance of safe drinking water is what residents lacked and desired, and what they would not compromise in exchange for token “visits” to the community by a state agency with an as-yet lackluster record of respecting their health and civil rights.

	
<p>Communion table items: pitcher of money, pitcher of coal ash, pitcher of water, holy sacrament of bread and wine, jar and silver coins. Press Conference and Prayer Vigil outside DEQ Hearing for Belews Creek Steam Station <i>photo: Alan Brewer</i></p>	<p>Rev. Gregory Hairston speaks, beside Rev. Alfred Warren, and joined by Rev. Leslie Bray Brewer, Caroline Armijo, Tracey Brown Edwards, Sarah Kellogg Amy Adams. Maundy Thursday, March 24, 2016. <i>photo: David Dalton</i></p>

Even so, bread was ceremoniously broken, symbolizing the welcome that Stokes County residents offered to state DEQ agents, the Governor, and Duke Energy officials: join us at *our table*, to see the effects of mismanaged coal ash waste in our lives, and to dignify our visions for remediation and healthier communities. Speakers lined up and one by one began to physically drop handfuls of silver coins into a jar to close the press conference. The sound of metal on glass clinked out, as did their call: “DEQ, in your relations with Duke Energy and the Governor of NC, we call on you *not* to be a Judas to the people of our state.” On Maundy Thursday, Christians mark both Jesus’ act of invitation to a holy supper, and Judas’ act of selling his divine brother Jesus to be harmed and killed by authorities of the state. “We *cannot* resurrect the physical bodies, or the health lost by our loved ones due to coal ash exposure. But we *can* resurrect their Spirits, as we hope to honor them by making sure no others have to face the illnesses they did.” The metal pieces of change fell, handful by handful. “We call on you, DEQ, not sell your beloved sisters and brothers in NC to be harmed and killed. We call on you, DEQ, to resurrect integrity, and right action. We call on you, DEQ to *drop the silver coins*. ”

### Part 3 — Performance Activism and Racial Justice: Stop Cancer Where it Starts

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#### **Convergences:**

These performance actions unfolded within a wider effort to cultivate resources for legal redress and social solidarity led by southern people of color, supported by the Forward Together Moral Movement (a fusion coalition led by NC NAACP) and regional advocacy groups, including among many others, Breast Cancer Action. Creative action affiliations in Walnut Cove continue to be covered by state and national media tracing the politics of fracking and coal ash legislation at state-to-municipal scales, and the influence of private corporate interests in shaping public policy.

#### **Legacies:**

In southern states where sustaining historic Black land ownership is a feat, to receive from one's ancestors, or will to one's descendants, not only property, but a "way of life" seemingly ensured by "healthy" rural locations (Barber, 2014, Bailey-Lash, 2015, Brown Edwards, 2015, Lerner, 2010) is indeed a profound gift. Walnut Cove area residents invoke these lineages and desires in an ongoing, performance-centered movement at Town, County, and State meetings that have so far resulted in:

- (1) Unseating two Town Commissioners who secretly fast-tracked fracking tests, and voting in two simultaneously serving Black Town Commissioners for the first time in local history (despite the proportionally larger Black population in the area compared to other parts of the county).
  - (2) Securing two reversed votes with County and Town 3-year moratoria on fracking operations, in defiance of the state legislature's impositions to outlaw local fracking bans.
  - (3) Connection with and inspiration offered to a broader regional movement to address unequal, longterm exposure to high-risk, toxin-laden coal ash waste ponds (Alliance of Carolinians Together Against Coal Ash).
  - (4) Provision of state/regional legal and capacity-building support for residents seeking annexation, systematically denied to local Black neighborhoods for more than 40 years.
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L: Children/grandchildren gather, wearing “Cancer Sucks” stickers put on by their families in response to coal ash exposure, and carrying “No Fracking Here” signs after Walnut Cove Town Commission, June 9, 2015. *photos: M. Garlock*



R: 3 performers from *United in Christ (UIC)* youth praise / break dance prepare for a subsequent performance of “Radioactive” near Belews Creek Steam Station, and its coal ash waste ponds/mounds. ACT Against Coal Ash founding with affected communities statewide. July 25, 2015. *photo Rev. Leslie Bray Brewer*

### Terms of witness:

People who move/dance and sing, people who speak in moving narrative and verse, people who install themselves in government buildings in resistant and visionary embodiments cannot (a) be easily refused as one-dimensional demagogues, (b) be silenced as marginal victims, or (c) be abstracted as statistics. For communities who experience violence against their ways of knowing (epistemic) and violence against their physical well-being (direct), *cultural performance* becomes an open site for expression; it hosts alternative modes of knowing and embodying (Conquergood, 1998). Especially when led by communities directly affected by imperial policies and systemic injustices, *performance activism* moves beyond a will for violated groups to be “recognized” by authorities. Instead, performance activism compels re-articulation of the terms of “witness,” and shifts the focus to what Oliver (2001) calls the response-ability, and address-ability of all people involved in rights contestations. In this case, Walnut Cove elders’ and young people’s at-risk, dignified, and performing bodies were the revelatory, connecting core of layered environmental injustices *and* layered reclamations of community worth. Through embodied acts that curate diverse circles of witness, residents are *resisting* designation as passive targets of rights violations, and *envisioning* “a different future” for the town of Walnut Cove. In doing so, these performance activations become a site for political *reflection* and a *generative* means to *articulate* and *activate* tangible steps toward restorative justice.

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The issues Walnut Cove area residents have addressed through performance activations address three major conceptual categories for understanding the patterns that link health, racial, and environmental justice pursuits: *EJCOC*, *Sacrifice Zones*, and *Healthy Communities*.

## 5. ENVIRONMENTAL JUSTICE COMMUNITIES OF CONCERN (EJCOC) VS. REEDER’S COMMENTS (NC DEQ)

As many Walnut Cove area residents have named for themselves—both intuitively and through the acts of sustained self-education necessary to community advocacy on issues of health and environment (Beck, 1992)—their goal is to speak back to issues of environmental racism and classism, *in order* to ensure not only conditions for environmental equity but contextual, sustained environmental justice (NCEJN, 2016). Below are key definitions pertinent to the Commission's considerations of EJCOC, environmental racism, classism, equity, and justice, in a North Carolina context:

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### **Environmental Justice Communities of Concern**

*NC Environmental Justice Network, Educational Resources from Concerned Citizens of Tillery*

EJCOC—A neighborhood or community, composed predominantly of persons of color or a substantial proportion of persons below the poverty line, that is subjected to a disproportionate burden of environmental hazards and/or experiences a significantly reduced quality of life relative to surrounding or comparative communities. **EJCOCs provide valuable opportunities to better understand environmental justice problems. EJCOCs should be targeted by policy-makers for environmental reparations or remedies to compensate or restore environmental quality to comparable levels and should be afforded special protection from additional adverse impacts.**

> see [ncejn.org](http://ncejn.org) > EJ Toolbox > “Defining Environmental Justice”

ENVIRONMENTAL RACISM—Racial discrimination in *environmental policy-making, enforcement of regulations and laws, and targeting of communities of color for toxic waste disposal and citing of polluting industries*. According to Rev. Benjamin E. Chavis, Jr., former Chair of the NAACP, “Racial discrimination can be *intentional or unintentional* and is often a manifestation of ‘*institutional racism*.’” This acknowledges the political reality that created and continues to perpetuate environmental inequity and injustice.

ENVIRONMENTAL CLASSISM—The results of and process by which implementation of environmental policy creates intended or unintended consequences, which have *disproportionate negative impacts* (adverse or beneficial) on *lower income persons, populations, or communities*. These disparate effects occur through various decision-making processes, program administration (e.g., Superfund clean-up schedules), and the issuance of regulatory action such as compliance inspections, and other enforcement measures, such as fines and penalties, and administrative and judicial order. *Flawed policy formation processes* coupled with *agency norms, traditions, priorities, and professional biases* often make implementation subject to these disproportionate consequences.

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Addressing EJCOC status goes beyond rhetoric which may offer conceptual but not practical solace, and often occurs as “too little, too late.” At the USCCR hearing in Walnut Cove, testimony by Tom Reeder, Assistant Secretary for the Environment, NC DEQ, is a prime example of the discrepancies in “promises made” and “promises kept” by state regulators regarding coal ash EJCOC’s. An excerpt from the official transcript (Legal Media Experts, 7 April 2016):

MR. REEDER: Here's what we're gonna do. We're gonna do a complete environmental justice screen for any permit for a coal ash landfill in North Carolina. We're gonna -- we're gonna have a public meeting. We're gonna have a public hearing for all new permits for coal ash landfills, and then we're gonna do a complete environmental justice screen in accordance with the Title VI laws that Ms. Taylor talked about.

MR. REEDER: But then we're even gonna go further than that, because that's not good enough. We're gonna take our environmental justice screen and we're gonna give it to the EPA Office of Civil Rights, the US Commission on Civil Rights, and the North Carolina Advisory Commission, and we're gonna let hem review that environmental justice screen, and we will not move forward with any permitting until that screening has been reviewed and concurred with, by those authorities.

MR. REEDER: That's our promise to you. No more disproportionate impacts from coal ash in North Carolina. It stops here. It stops with this administration. It's been neglected too long.

Unfortunately, much of what Secretary Reeder suggests is not possible—the EPA’s involvement is not guaranteed, as is evidenced by their absence from the USCCR hearing itself. The communities surrounding Belews Creek Steam Station ***do not*** want environmental justice problems of coal ash spread to others—this is in fact one of the founding principles of *ACT Against Coal Ash*, a statewide, unified coalition of communities most affected by coal ash waste sites and steam stations’ practices across NC. ***Residents’ commitment to preventing future environmental injustices***—and targeted dumping practices in low-income, communities of color—is drawn from the experiences with the Kingston, Tennessee spill, with which Stokes County residents find commonality, given threats for future fracking. Coal ash was moved from the Kingston, TN site and shipped to uncovered, unlined, appallingly unregulated landfills in the predominantly Black and low-income community of Uniontown, Alabama (Evans, B., 2015). It is urgent however, for the state of North Carolina to witness to the facts of the situation in which Secretary Reeder already found himself—a present Stokes County, NC community structured to its core by past decades of environmental injustices with coal ash waste.



Walnut Cove area residents *do* want their own, *current experiences with coal ash* to be a part of the *state's process of legitimating environmental justice concerns in policy and practice*. *Currently* unlined, leaking coal ash waste ponds and dumps must be addressed and remediated, versus skimmed over conceptually—or capped in place physically. Specifically, Walnut Cove area residents seek not only “environmental equity” as an ideal, but *environmental justice* and a future characterized by public policies, deeds, and history books which address the injustices of the past and *present* state of affairs of unequally distributed and systemically mismanaged coal ash waste.

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*NC Environmental Justice Network, and Educational Resources from Concerned Citizens of Tillery*

ENVIRONMENTAL JUSTICE—The right to a *safe, healthy, productive*, and *sustainable environment* for *all*, where "environment" is considered in its *totality* to include the *ecological* (biological), *physical* (natural and built), *social, political, aesthetic*, and *economic* environments. Environmental justice refers to the conditions in which such a right can be freely exercised, whereby *individual* and *group identities, needs*, and *dignities* are *preserved, fulfilled* and *respected* in a way that provides for *self-actualization* and *personal* and *community empowerment*. This term acknowledges environmental “*injustice*” as the *past and present state of affairs* and expresses the *socio-political objectives* needed to *address* them.

> see [ncejn.org](http://ncejn.org) > EJ Toolbox, “Defining Environmental Justice”

ENVIRONMENTAL EQUITY—An ideal of equal treatment and protection for various racial, ethnic, and income groups under environmental statutes, regulations, and practices applied in a manner that *yields no substantial differential impacts* relative to the dominant group and the conditions so created. Although environmental equity implies elements of “fairness” and “rights,” it does *not* necessarily address past inequities or view the environment broadly, nor does it incorporate an understanding of the underlying causes and processes [of environmental inequity].

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Given their experiences, many residents of the unannexed neighborhoods surrounding the coal ash waste pond impoundments at Belews Creek Steam Station (Walnut Tree, Pine Hall) identify with the charged and illuminating term “sacrifice zone,” as it describes the various “frontline” of exposure to industrial toxins in the US (Lerner, 2010). The principles and palpable realities that constitute the term “sacrifice zones” may present a more grounded set of facts for Secretary Reeder, NC DEQ Secretary van der Vaart, and their mutual boss Gov. McCrory, to address regarding environmental justice and contemporary coal ash disasters in North Carolina.

<i>Community Perspectives</i>	<i>What We Value</i>
<p><b>Tracey Brown Edwards</b> sees the Walnut Cove area being restored to a place where children can play and “eat from the fruit bearing trees.” A place where her mother, Ann Brown, who passed away in 2014, can inspire policy change so no other mothers and daughters have to lose one another:</p> <p>“Everyone just wants to be <i>healthy</i> and <i>happy</i> here. That's what country living is all about. <b><i>Enjoying God’s Earth.</i></b> This is <i>human life</i>. My mom once said: “At What Cost?” At what cost are we making all this coal-fired power? <b>We value our lives.</b> ... They act like we <i>don’t exist</i>. Like “<i>Anyway...why should it matter?</i>”</p>	
<p>Well, I live in an area where I can pass 9 or 10 funeral wreaths [from last few months alone] driving by <i>everyday</i>. ... They don’t live close, <i>shareholders</i> [of Duke Energy] are in <i>another state</i>. All they <i>have</i> to care about is <i>makin’ that money</i>. No matter <i>who</i> they’re hurting—if they’re profiting. <b>Come to our community.</b> And see: we are living, <b>breathing, real people.</b> Not an <i>idea</i>.”</p> <p><i>[Above: Tracey in her home on Martin Luther King, Jr. Rd., shared with her 2 kids. Tracey experienced strokes, heart attacks in her 30s and early 40s, and neurological side effects as a child from coal ash exposure. In 2014, her mom Ann passed away from cardiovascular and neurological effects associated with coal ash exposure. RT: Tracey; above stairs, a wedding day picture of her mom and best friend, Ann Brown. ]</i></p>	



RT: Tracey speaks, ACT Against Coal Ash press conference (September 2015), NC General Assembly, Legislative Press Room:

“I love *fellowship*, getting together with the people I enjoy, just as much as the next person. You know in Walnut Cove, we *love* good food, and fellowship! But you know *what?* I just don’t want to get my fellowship from

going to *any more funerals*. **Any more.** [Tracey holds up a picture of her mother Ann's gravestone]

***This*** is where I have to go to **visit** my mother, my best friend, now. And I ***don’t like it one bit.***

I don’t want *anyone* else to have to ***go through this because of coal ash.*** We **are serious** about this. Clean it up. This is our **lives**. Serious as our lives.”



RT: Tracey speaks at the NC Environmental Justice Network (NCEJN) statewide hearing in October 2015, featured on an energy justice panel.



NCEJN is led by members of communities of color, who are often low-income, and directly affected by environmental injustices. With residents’ gifted leadership and lived expertise, scholars, activists, legal practitioners, scientists, artists, and students join to learn, as allies.

RT: ACT Against Coal Ash community founding, near Belews Creek Steam Station, 2015.



## 6. SACRIFICE ZONES

In clarifying the policy changes required to address EJCOCs, and in illuminating the creative leadership and citizen-led activism taken up by the people of Walnut Cove, the fullness of this communities’ experiences simply cannot be contained. Stories spill forth, and will


continue to do so for decades, of shocking illnesses and of profound love, of generations inhabiting beautiful “country” land, and of prophetic grief (Barber, Zelter, 2014) and of resulting life purpose to create social and political change. While conducting oral history and intercept interviews in the Walnut Cove area at community meetings, festivals, and town, county, and state hearings featuring residents, this is some of what I heard:

*“At every cookout, every funeral, every wedding, that’s what we hear—Cancer, Cancer, Cancer.” ... “Yes, just up the street, his cousin with cancer, her sister with cancer, his two brothers with cancer.” ... “Our daughter in her early 30s with eight brain tumors.” ... “Across the street, and on up the street too, her Dad with cancer, and their son at 9 years old brain cancer. The little boy died last year.” ... “Our daughter had a baby who was born last year. Yes, well, she died 10 days later—they couldn’t tell us why.” ... “My mother who kept losing use of her arm and hand due to partial paralysis—“ ... “I kept fainting so regularly and was so weak I lost the ability to walk—had to be carried into church, in my late 30s.” ... “Our grandchildren who are five and six have such have severe asthma they missed almost half the school year in kindergarten and first grade, so we homeschool them now. We took them on their first school field trip—to the County Commissioners meeting as they decide about all this [fracking and coal ash policies].” ... “His wife with rashes and he had nasal infections, had to get surgery once he moved over here.” ... “I had three strokes, a heart attack, and neurological damage in my 30s up into my early 40s. I hate seeing my 13 year old daughter worry about me.” ... “Her husband who uses a breathing machine, and she just got diagnosed with lung tumors...”*

**Defining Sacrifice Zones:** Who would *ever* want to hear the from the residents of your town, county, or state? In many fence line communities like those surrounding the Belews Creek Steam Station—variously called the Walnut Cove area, Pine Hall, Walnut Tree, and Stokes County—zoning allows residential and industrial areas to mix, in predominantly low-income communities with majority people of color. In the US historically, the term “national sacrifice zone” emerged in relation to nuclear test sites where entire communities and populations’ health were destroyed from the carcinogenic after-effects of unconfined nuclear radiation (Lerner, 2010:2-3). In Orwellian terminology, these people’s health was sacrificed on the “altar of national security,” and in a twist (or twisted sense) of nationalistic rhetoric, they were frequently lauded as “heroes” who, unfortunately, gave up their lives for discoveries that led to American progress in wars. Many of these “catastrophically polluted places” have been fenced off with warnings posted, but “others are not, and people continue to live in them and fall ill,” (Lerner, 2010:3). Today, many such areas exist, and according to Steve Lerner who has conducted awarded case study research in dozens of similar communities across the US (2010), called *sacrifice zones*—communities contending with everything from leaking nuclear waste to water contamination from underground chemical storage, air pollution from residential-industrial

zoning for petrochemical processing or municipal waste dumps, to indigenous peoples' waterways of thousands of years being poisoned by oil extraction.

By policy-based and institutionalized discrimination, areas like Walnut Cove, Walnut Tree, and Pine Hall are communities now host to culturally and politically abetted processes where “low-income and minority Americans’ health” has been “sacrificed as a result of toxic contamination.” (2010:3-10). Sacrifice zones are *not* areas we can “write off” as simply damaged beyond repair, or sites of devastation, void of humanity. Sacrifice zones *are* areas in which humanity calls out to be witnessed to and respected, from currently votive and violated lands that have *not always* been so.



<i>Community Perspectives</i>	<i>Doing Better</i>
<p><b>Rev. Alfred Warren</b> has been a lifelong civil rights leader in the Walnut Cove area, because he has experienced first-hand the injustices visited upon his community. Because of this, he ran for public office 42 years ago—and Rev. Warren says he sees “most of the same problems now, as then,” with racial divisions, and money influencing political decisions. Rev. Alfred Warren, who has faced a stroke while living in close proximity to coal ash waste, shows up to every community meeting, Town, County, state and national hearing that has been held in the Walnut Cove area to address coal ash and voting rights. He gives powerful testimonies in prayer vigils and ignites a moral call at the podium:</p>	
<p>“We can do <b>better</b> than this. I <b>know</b> we can--<b>you</b> do too. Our <b>people</b> are <b>worthy</b>—we deserve better than to have polluted water. We deserve health. Our <b>children</b> deserve <b>health</b>. We deserve the <b>right to vote</b>— To have a <b>say</b> in what happens to us— and I know this Town, this County, this State, and in this Country, <b>we can do better.</b>”</p>	

**Sacrificed for what?:** To pair together “sacrifice” and “zone” connects the happenings within them as an ongoing *process*—not a foreclosed or irrevocable death sentence—as well as the result of legal decisions that have designated specific areas rather than others, to host toxin-laden materials. In the case of the Walnut Cove area, and other parallel communities’ struggles, an urgent question arises: ***For what are the people living near coal ash waste being sacrificed?*** Indeed, any answer to this question would be unsatisfactory.

Some answers, already given by Duke Energy public relations executives or by officials in the state of North Carolina, are quite alarming. As one telling example, I submit a paraphrased interaction I witnessed (not IRB study approved) at a Stokes County Commissioners meeting in 2015. A student group succeeded in gaining an on-camera question and answer with a Duke Energy public relations employee in the lobby of the County meeting. The college documentarians asked “What do you have to say about all the cancers found in neighborhoods near the Belews Creek Steam Station?” The response sounded something like, “In our history as a company, Duke Energy has promised to deliver power to our customers efficiently. I believe if you ask the people of North Carolina, they will say we have *delivered on that promise* for the over 100 years we have been in business in this state...” In this case, the ostensibly well-meaning public relations employee punted the task of connecting the dots between coal ash and cancers to his listeners, by posing a ***scenario based in false choices***—i.e., do you like your electric power in this state? Are you willing to put this necessity-made-convenient in jeopardy to address the higher rates of cancers in communities where coal ash production and its wastes have been sited? (This is a false choice because Duke Energy has the financial and political power to invest comprehensively in solar and to transition to green energies, as well as to responsibly store coal ash waste above ground, on company grounds away from public water supplies).

In response to queries about illness and cancers, the focus changes to the “mission of the company,” but certainly not to the acts of sacrifice structured into the company’s practices, aided by public policy over the course of those eleven decades Duke Energy has been in business. Yet, as one interviewee, David Hairston, puts it, “There is no *value* you can place on my life, on my mother’s life, my sister’s. How much is human life worth?” (D. Hairston, Personal interviews, 2015). This is an act of sacrifice made for ***private benefit spun as public good***—coal-fired electric power is provided for the broader public, at any cost, including ***high cost to specific publics***. Is this act of sacrifice for coal-fired electric power—and its replacement in fracking communities, for which these Walnut Cove area residents are also targeted—something our state and national leaders are willing to oversee?



Community Perspectives	Use Your Powers
<p><b>David Hairston</b> sees a future with remediation of coal ash waste sites, no fracking, and clean water and voting rights for Walnut Tree, an unannexed neighborhood within 3 miles of the coal ash ponds. David's mother, Mildred Hairston, was a mother of social change for the whole area (plaques honor her within Town of Walnut Cove buildings). She was also a mother of the Walnut Tree neighborhood, owning its first home in 1972, as a single parent of two. David says:</p> <p>“People have come to these <b>Town Meetings</b> from the <b>Walnut Tree</b> community—walking up with their <i>canes, oxygen, testifying</i> about members of the neighborhood</p>	
<p>who <i>passed away</i>. Wives and kids of employees [of Duke Energy] breathing in this stuff [coal ash residue], people up there speaking, with <b>cancerous head tumors</b>. ...In heavy times it [fly ash 1970s-1990s] would fly to Walnut Tree and beyond—<b>5 miles at least</b> from the steam station. On a <i>daily</i> basis.</p> <p>We knew in our <b>hearts</b> that something was wrong, but at the time, we didn't think it was as <b>bad</b> as we <i>know</i> it is now.</p>	
<p>We'll <i>all</i> have less time on this earth <i>because of that</i>.”</p> <p>[David says residents were told coal ash was safe by company and local government leaders when the steam station came in 1974 after Walnut Tree was founded in 1972. Many had part time jobs as security or janitors at Duke Energy's Belews Creek Steam Station].</p> <p><i>[Above 1st: David holds pictures of his mother, and is surrounded in her home by her awards and pictures of family who, despite racial barriers, served as military in 6 American wars. Above 2nd: Walnut Tree residents file into a County Commissioners meeting re:fracking, coal ash, 2015. RT: neighbors Tracey and David at a Walnut Tree Town Meeting re:fracking, coal ash]</i></p>	

The classic components of “a sacrifice zone” are obviously traceable in the communities that comprise the larger area of Walnut Cove, NC, including the low-income and majority Black neighborhoods closest to the coal ash in Walnut Tree and Pine Hall, and in homes surrounding Belews Lake extending between Stokes and Forsyth counties, and the homes downstream from water sources toxified by unlined coal ash waste ponds at Belews Creek Steam Station. As a result, swift, effective action is necessary, set in motion by far more responsive leaders in interconnected realms of policy-making, judicial oversight, and fossil fuel and energy industries.

*Table 4: Sacrifice Zones*

	<b>Components of Sacrifice Zones</b>	Present for this community?
1. Identify own conditions?	Polluted people can <b>identify the conditions</b> that are making them ill, but frequently think or are told in the beginning, <b>“That’s just the way it is here.”</b>	YES—see Danielle Bailey-Lash interview, <b>“7. Health Issues”</b>
2. See differences?	Residents are <b>disproportionately low-income</b> and <b>communities of color</b> , who <b>know</b> that <b>affluent whites don’t</b> have to endure the kinds of <b>heavy pollution</b> they do, but they <b>can’t afford to protect themselves by moving</b> .	YES—see James and Priscilla Smith, <b>“5. Race and Walnut Tree.”</b>  See Danielle Bailey-Lash <b>“10. Voting, socioeconomic status—Decisions to place coal ash waste”</b>
3. Health effects?	<b>Health effects</b> among residents along the fence line with heavy industry are <b>patterned</b> . People often experience elevated rates of: <ul style="list-style-type: none"> <li>• <b>respiratory disease,</b></li> <li>• <b>cancer,</b></li> <li>• <b>reproductive disorders, birth defects,</b></li> <li>• <b>learning disabilities, psychiatric disorders,</b></li> <li>• <b>eye problems, headaches, nosebleeds, skin rashes,</b></li> <li>• <b>and early death.</b></li> </ul>	YES—See Shuntailya Imani Graves, <b>“1. I’ll speak on my Mother first—Health and the costs of coal ash.”</b>  See Danielle Bailey-Lash, <b>“20. Layers of Power and Poorer Communities”</b> and <b>“18. Changing cancer knowledges—Healthcare systems, and cancer origins”</b>  See James and Priscilla Smith, <b>“1. Illuminating Walnut Tree Neighborhood, Family, Illnesses”</b>
4. Response takes longer?	In low-income and minority areas, <b>clean up takes longer</b> and is <b>less intensive</b> .	YES—see Shuntailya Imani Graves, <b>“7. Speaking Out for a Better Life in America”</b>

<p>5. Policies have flesh-and-blood consequence?</p>	<p>In effect, “The <b>health of these Americans is sacrificed</b>,” and their health is “<b>not protected to the same degree</b> as citizens who can <b>afford</b> to live in <b>exclusively residential neighborhoods</b>.” (Lerner, 2010:3-10).</p> <p><b>Policies that permit disproportionately high toxic exposures</b> in sacrifice zones are not dry, abstract, or disconnected, they have “<b>flesh-and-blood consequences</b>.”</p>	<p>YES— See Danielle Bailey-Lash, “<b>17. Promise from Our Government</b>.”</p> <p>See James and Priscilla Smith, “<b>7. Advocacy and Community-led Change-making</b>.”</p> <p>See Shuntailya Imani Graves, “<b>2. Mentality of government officials to allow coal ash, and possible fracking</b>.”</p>
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**Body knowledges:** People in Walnut Cove already know in their bodies, and from their lived experience, what our scientific studies must be better designed to investigate. There is a need for more targeted morbidity and mortality data near pollution sites—versus at a county-wide level—and funded, independent studies to follow-up on knowledges about cancers and neurological, respiratory, and cardiovascular illnesses in areas host to coal ash waste (Lerner, 2010, Sturgis, 2016 citing Wing, 2016). However, *toxicologists’ targeted evidence already exists* regarding what coal ash toxins do in the human body and lived environment—among many, see the works of Lisa Evans, JD, at Earth Justice, and NC-specific researchers Dr. Avner Vengosh at Duke University, Dr. Dennis Lemly at Wake Forest University, and Dr. Rebecca Fry at UNC Chapel Hill (see works cited). Body knowledges also *already exist* among people who deal with these toxins on a daily basis, and actionable evidence for legal redress must be honored as such—toxins and their effects which residents are made to host and note in their own bodies.

Residents living in close proximity to coal ash pick up the “*body data*” (Porter, Winton-Henry, 1995) and facts of their immediate surroundings and environment—the water does not look or smell right sometimes, they feel faint or get rashes after bathing with the water, they have shortness of breath, they have headaches and dizziness when they go outside on days of large toxic air releases (later confirmed as vanadium and arsenic). These same residents also notice their “*body knowledges*” or patterns over time (Porter, Winton-Henry, 1995), which they can access and communicate about through their stories, oral histories, and activism. For example, more and more people in the community getting heart attacks and strokes in their 30s; children, young parents, and middle-aged people getting cancers not known as hereditary in their families; or water that is deemed “undrinkable” by state standards, and then suddenly “drinkable” again due to confusing changes in these state standards (but not in the quality of the water or in the coal ash sources contaminating it).

Residents, over time, can determine for themselves that none of these issues are “freak occurrences” because they have unfolded consistently over years. Yet, who would *want* to believe that this could happen to their beloved homeplace, where their families have chosen to locate for generations? Over these timespans, and from within their own ***lived and embodied expertise***, residents are faced with how to pair these bits and pieces of everyday data with their patterned, bodily experiences and knowledges—how to enact the ***wisdom*** their own ***bodies illuminate and connect*** for them, even prior to scientific studies produced in parallel to body wisdoms (Porter, Winton-Henry, 1995, Vasudevan, Garlock, 2015). These body wisdoms include not only the urgent need for protection from coal ash waste, but also revelations of what is at stake in ***residents’ assets***, such as those shared in:

- ***intergenerational and “country” living*** with close connection to “the outdoors” including home gardens and enjoyment of nearby forests, mountains/foothills, lakes and rivers (Bailey-Lash, Danielle, Brown Edwards, Tracey, Rutledge Armijo, Caroline, 2015);
- ***familial inheritance of land and homes***, where families often bought their first home (as in Walnut Tree) or passed along family land, despite historic and ongoing barriers to Black families’ and low-income families’ land and home ownership in the US and in the rural south (Graves, Shuntailya Imani, Hairston, David, Linster, Ada and Willie, Smith, James and Priscilla, 2015).



Residents’ body wisdoms also reveal what is at stake in the ***entire community’s assets*** made in concert, which are not only known intellectually, but also physically, spiritually, emotionally, and socially:



- such as the ***self-maintained park*** with game fields and playgrounds near the Walnut Tree (donated by the Hairston family, and which the Town and County “don’t have enough money” to clean and maintain for residents in the predominantly Black Walnut Tree neighborhood, Hairston, David, Hairston, Gregory, Bailey-Lash, 2015);
- the ability to have ***community events***, like ***cookouts*** and ***festivals*** bringing together contiguous neighborhoods, as well as events for ***interracial faith worship or youth development*** (Bray Brewer, Leslie, Prysock, Tony and Lydia, Warren, Alfred, 2015).

The wisdoms generated from affected persons bodies show up in how they narrate their stories in public policy settings and media outlets, in neighborhood conversations, and in intergenerational understandings of how to inhabit their homeplace. Residents in the Walnut Cove area ask themselves: should they move homes, and how can they afford to; should they advocate for change, and who will listen; should they connect with others in similar situations to speak up in local, state, and national policy settings, and who will be willing and unafraid (enough)? By necessity, residents have begun to answer these questions themselves, as evidenced in the USCCR testimony on 7 April 2016—but many remain unanswerable or as yet



unsolved. The need for more targeted studies about cancers and coal ash (Sturgis, citing Wing, 2016) must *not* halt the necessary and swift clean up of coal ash, or remediation of its dangerous waste sites, or coverage of healthcare costs for affected families (see “*Partial Science*” section in oral history submission addenda, Garlock, 2016), or restoration of the fullness of these communities *founded on joint access to healthy, country living* for people of *all races* and *incomes*.

<i>Community Perspectives</i>	<i>The Real / Unreal</i>
<p><b>Lydia and Tony Prysock</b> see clean water for all residents of Walnut Tree, a neighborhood they moved to several decades ago, because they could afford to raise a family with access to beautiful natural surroundings. They have been longterm, outspoken advocates for community rights:</p> <p>“T: They ‘don’t know’ what chemicals or toxins affect us from coal ash? There’s <b>not a liner. They just put it on top of the earth.</b></p> <p>L: ... <b>It’s in our drinking water.</b></p>	 <p>A photograph of an older couple, Lydia and Tony Prysock, standing in their backyard. Tony is on the left, wearing a white t-shirt and light-colored pants. Lydia is on the right, wearing a white t-shirt with a blue logo and light-colored pants. They are standing in front of a yellow house with a white fence and a large tree in the background. A small table with a red flower pot is visible to the right.</p>
<p>Our cars used to be covered down with it, a lot of people have gardens and it was all over the <i>gardens</i>. Coming in their house, in what they eat. <b>Lot of cancer</b> in this neighborhood</p> <p>T: ...Lynn Good? [Duke Energy CEO] She ain't never <b>walked among this. Science says keep it in the ground.</b> The <b>coal</b> [extracted elsewhere, stored post-production in NC], the <b>natural gas, all of it.</b></p> <p>L: It's a <b>disgrace</b> to allow something like <b>water</b> which should be freely available to turn out this way. This <b>game</b> with <b>people’s lives</b> needs to <b>cease.</b></p> <p>It's <b>proven</b> environmental racism: <b>period.</b></p>	 <p>A photograph showing a view of a body of water, likely a lake or river, surrounded by dense green trees and vegetation. The water is calm, and the sky is overcast. A small wooden structure or dock is visible in the foreground on the right.</p>

<p>T: It's an <b>economic</b> boost, where they use <b>our backs</b> <b>to stand higher, to get what they want.</b></p> <p>L: One issue leads to another and it gets bigger. Bluntly: if it were <b>white</b> people in <b>Walnut Tree</b> would have been annexed, so the <b>people</b> would have a <b>say</b>.</p> <p>T: It feels like a dictatorship! They do what they <b>want</b> anyway.</p>	
<p>L: The way people get treated when they go to talk to their officials is <b>unreal</b>.</p> <p><i>[Above 1st: Lydia and Tony's home, Walnut Tree. Above 2nd: Waterway into Belews Creek coal ash pond. Above 3rd: Park near Walnut Tree, gifted by Hairston family. Residents use Tony's lawn mower to keep the park nice, as the County "doesn't have the funds." RT: Tony points down a drive just feet from a Walnut Tree resident's home driveway, where large equipment went in to conduct fracking tests several hundred feet from the Walnut Tree neighborhood in June 2015]</i></p>	

**Revelations:** As they speak about their illnesses openly, residents do **not** wish to have their stories become, as Walnut Tree resident Ada Linster calls it, a “sidecar” to an already-moving policy trajectory that ignores them, “Saying you got these sad stories, and patting us on our shoulders,” and “then walk away” (Linster, USCCR Hearing, NC, 2016). Rather, by speaking about their illnesses—by showing up in person to **embody the story** of **what these illnesses mean for those who face them**—Stokes County residents affected by coal ash toxicity feel they must **reveal**, in order to **address** the ways that industry, state and local government leaders have blurred legal boundaries, and relaxed or disbanded urgently needed independent oversight (Henderson, 2016, Strong, 2016, Sturgis, 2016). These coal ash-affected residents feel they must show up to reveal, in order to address the ways that industry, state and local government leaders have sometimes purposefully neglected or blocked public view of their lived and embodied truths—both in terms of the illnesses and cancers they face, and the embodied health justice advocacy they so courageously now lead.

When something is *this* wrong, zoning and legislative patterns must be investigated, and restorative justice must be pursued. In public policy and industry decisions, the precautionary principle must be implemented—not simply referred to as a buzzword. Definitions of healthy communities must be mobilized from an assets-based perspective, in order to stop the litany of preventable harms visited upon communities in close proximity to coal ash, like the people of the Walnut Cove area.

## 7. HEALTHY COMMUNITIES

What are the differences between sacrifice zones and healthy communities? With the assets already housed in the Walnut Cove area surrounding Belews Creek Steam Station, how can these residents shift their present, their future, and their legacy toward the tenets of healthy communities?

**Healthy communities** (Praxis Project, 2012) are “the sum of policies, structures, systems for education,” as well as health-focused values put in action regarding fair “resource distribution, [and] political enfranchisement.” Often, public health professionals and popular U.S.-based cancer campaigns focus health rights claims through a *portrait* frame: detect cancers through annual or semi-annual screenings as a “responsible individual.” Or, the portrait frame may incur funding and volunteerism for cancer communication that encourages healthier lifestyle choices exercised by each “biocitizen” who understands her very citizenship through the ability to exercise rights and obligations to take care of her own life by optimizing her health (Rose, 2007:63, Foucault, 2008). Many current cancer patients in interviews I have conducted articulate their priorities to shift from a portrait view (Praxis Project, 2012) of lifestyle behavior change for cancer patients to a *landscape* view of communicating about and advocating for health justice for populations differentially affected by cancers.

**Cancer Patients’ “Landscape View” within Toxic Environments:** Cancer patients I have interviewed across North Carolina, and in the Walnut Cove area, passionately name and hope to change structures of inequity in both *healthcare affordability*, and *involuntary toxic exposures* that they sense feed cancer in their own and others’ bodies (BCA, 2014a, b, c, EWG, 2014, Ley, 2009, Light, Kantarjian, 2013, McCormick, 2009, NCI, 2014, PCP, 2011, Steingraber, 2010, Sulik, 2011). Patients’ will is to shift from a portrait frame focused on individuals and their choices that affect health outcomes, to a landscape perspective that “pulls back the lens” to include “policies, institutional behavior, structural and historical issues that fundamentally shape health outcomes” (Praxis Project, 2012). The landscape perspective poses vital questions: “What surrounds an individual who faces illness—what brought them to this moment in time?” and, importantly, related to health outcomes, “What are the solutions that

focus on policies and institutions that shape our circumstances?” (BCAb, 2014, Praxis Project, 2012). Indeed, in health research and health policy there is a key distinction between indirect measurement of “demographics” and direct engagement with health discriminations (Turshen, 2007: 52-53, emphasis added):

“...[I]t is not race that explains black/white differences in mortality and morbidity, it is *racism*; it is not sex that explains male/female differences, it is *sexism*. Income is not a parallel characteristic; it is a proxy for *inequality*. Social production theory points out that prejudice, discrimination, and racism are *characteristics of social systems*, whereas race, sex, education, and income are characteristics that sociologists use to classify individuals.”

For persons facing life-threatening cancers, dilemmas and processes of promoting justice-focused cancer communication and cancer care are inflected by *health disparities* rooted in race, ethnicity, and racism (Aizer et al, 2014, Hanson, 2009, Masi, 2013); often in gender, homophobia, and sexism (Bryson, 2014, Jain, 2013, Sulik, 2011); and in income, geography, and growing socioeconomic inequality (BCA 2014b, Moore and Earp, 2008). Differentially, cancer-focused communication and advocacy that promotes **healthy communities** addresses:

- Problems of not only individual stress reduction but of how to shift status quo provision of resources surrounding *mental health*, anxiety, and depression as a part of cancer processes (Jia, 2012, MBCN, 2014); problems of not only individualized nutrition for cancer patients (Gandini et al, 2000, NCI, 2013), but also of food justice for people with unequal access to affordable, healthy food; the problem of simply how to move one’s body given the kinds of *pain and disability* set in motion by cancer treatment and disease progression (Fong et al, 2002, Rajotte et al 2012); how to be in social relationships and how to *find creative purpose and expression* while facing a cancer diagnosis and its subsequent treatments, toxicities, social stresses, and exhaustions (Jain, 2013, IoM, 2003, Metavivor, 2014, StupidCancer, 2014).

Within patient advocacy efforts amongst advanced cancer populations, many patients are interested in the extent to which interwoven disease-mitigation and quality-of-life initiatives can be reframed as issues of health justice and health rights, in an *ecological health framework*. Alongside issues of toxic exposures and pursuits of environmental justice, an ecological health framework of patient advocacy reiterates the mutually influential nature of the spheres of *personal, interpersonal, clinical, community*, and *policy* advocacy for improved health outcomes (Berwick, 2009, Earp, et al, 2008).



Community Perspectives	In Grief, Creating
<p><b>Caroline Rutledge Armijo</b> sees the impetus for wellness-focused health centers and events in the Walnut Cove area to shift health standards amidst coal ash from “not death” to “how can our people be at their <i>optimal</i> health?” Caroline prioritizes safety-proven coal ash recycling, and has connected with concrete manufacturers and recyclers across the state on the issue. She says:</p> <p>“<b>Four</b> people around <b>my age</b> [34-35 in 2010] had <b>brain tumors</b> and a few of them died around the same time as Danielle [childhood friend in Walnut Cove] was diagnosed [with an advanced brain tumor, at 35 in 2010]. People were getting <b>tumors</b> in their thyroids, and at Belews Lake the <b>fish were dying</b>. My cousin Rick got a brain tumor they said they <b>couldn’t remove</b>. My mom’s cousin died within a month with leukemia. A woman, 47 years old, got a stage 4 breast cancer diagnosis, died within 24 hours.</p> <p>... There is all this <b>grey matter</b> when you’re unsure about your ability to <b>be in conversation with God</b> [from all the grief].</p> <p>A friend got me to think about it: perhaps our <b>notion</b> of God is <b>too small</b>.</p> <p>[Caroline holds a visual art piece she made about grief and coal ash, called “Grey Matter.” It is composed of gravestone rubbings from the Walnut Cove area.]</p>	 <p>A photograph of Caroline Rutledge Armijo, a woman with short brown hair, smiling and holding a circular visual art piece. She is wearing a pink long-sleeved top. The art piece is a circular collage of small, light-colored rectangular pieces, likely gravestone rubbings, arranged in a circular pattern. She is standing in a room with large windows in the background, showing greenery outside.</p>
<p>...I am a health activist because I am interested in how people <b>live</b> after being exposed to all this <b>toxicity</b> (not just <b>die</b> from it.) Coal ash and fracking, together, have shown that the community needs to <b>come together</b>. I believe this [coal ash exposure] is an opportunity to <b>mend what’s happened here</b>. For white people to <b>show support</b> for the Black community.</p> <p>I didn’t move back after college—[but many] people do not have enough <b>money</b> to “<b>just move</b>.” We have to <b>respect</b> that some families have been here for <b>300 years</b>. You have to <b>see it</b> to comprehend how unique it is. Many, Black, white, have 8, 10 <b>generations</b> in that area.</p>	 <p>A photograph of Caroline Rutledge Armijo working on a large visual art piece on a table. She is wearing a pink long-sleeved top and dark pants. She is focused on her work, which involves arranging small, light-colored rectangular pieces (likely gravestone rubbings) on a large sheet of paper or canvas. The room has large windows in the background, showing greenery outside.</p>

Yet, it is a ***total injustice*** that people would still ***live*** along the miles of shoreline at Belews Lake and ***eat fish*** from that lake.

Also, the mountains of coal ash—and the coal ash pond [both of which are unlined and leaking]—those **have radioactivity**. There should be a ***solid, lined, strong barrier*** to protect from radiation [in coal ash contaminated soil and water]. ***And*** the **standards** for **testing toxins** should be **based on wellness**—environmental and bodily standards for wellness.



How can we ***turn this curse into a blessing?*** ...I think of the ***world class researchers*** we have in this state [at our universities]. There ***is*** room for ***exceptional recovery***. Other coal ash plants around the country have done it...”

[Above: On the NC Seal at the NCGA, Caroline reads a prayer/poem from her coal ash-related visual art exhibition, with ACT Against Coal Ash. RT: Founding ACT Against Coal Ash 2015]



Breast Cancer Action and other health justice-focused cancer advocates encourage (a) people-centered and patient-centered policies and regulations, (b) the exposure of hypocrisy in cancer-affiliated institutions and industries, and (c) public action and policies which connect the dots between issues of identity, culture, and policy to shift the status quo of cancers today. Because breast cancers and other cancers and illnesses caused by toxic exposures are not simply an “individual fight” but a public health and social justice issue (BCA 2014c), laws and regulations must take up the **precautionary principle** more frequently and more rigorously. In its most basic sense (adapted from Business Dictionary, 2016) , the precautionary principle is a standard of environmental management for businesses and governments based in situations where:

- a) a ***threat of serious or irreversible damage*** to the ***environment*** and/or ***human health exists***,
- b) and as such a ***lack of full scientific knowledge*** about the situation ***should not be allowed to delay containment or remedial steps***,
- c) as the balance of ***potential costs*** and ***benefits*** would ***justify responsible parties*** enacting these measures for ***containment, remediation***, and/or ***harm reduction***.

In a more proactive sense, when the precautionary principle is in practice, *the use of a product or process whose effects are disputed or unknown should be resisted* (BCA, 2016). The precautionary principle or precautionary approach to risk management states that:

- a) if an action or policy has a *suspected risk of causing harm to the public*, or to the *environment*,
- b) in the *absence of scientific consensus* (e.g., that the action or policy is *not* harmful),
- c) the *burden of proof that it is not harmful falls on those taking the action* that may or may not be a risk—engaging in a *production, distribution, or disposal* process with potentially harmful chemicals or industrial toxins.

Following the precautionary principle, a Walnut Cove, NC area comprised of healthy communities would have the following components:

*Table 5: Healthy Communities*

Components	Recommendations (Based on Breast Cancer Action principles, applied in Walnut Cove, NC area)
<ul style="list-style-type: none"> <li><b>Burden of proof, in practice</b></li> </ul>	<ul style="list-style-type: none"> <li><b>Burden of proof lies</b> with the <b>manufacturer or producer</b> of a <b>toxic material</b>, not with the <b>public harmed by it</b>—proof of <b>safety</b> in all relevant scenarios (e.g., human interaction through water, air, or contact) <b>before</b> a product is made, used, or its waste stored.</li> </ul>
<ul style="list-style-type: none"> <li><b>Responsive legislation</b></li> </ul>	<ul style="list-style-type: none"> <li><b>Legislation</b> is passed <b>reforming exposure standards</b> regarding <b>toxic chemicals</b> and <b>industrial toxins</b>—such as coal ash waste—that lead to a wide range of health harms, including breast and other cancers.</li> <li>Deadlines and timetables must be established and ensured by stronger laws focused on toxic chemicals, industrial toxins, and accountability for all industries involved in their production, distribution, monitoring, and storage.</li> </ul>
<ul style="list-style-type: none"> <li><b>Wellness standards</b></li> </ul>	<ul style="list-style-type: none"> <li><b>Health</b> is not only defined through the physical, individual body and an “absence of disease” (Praxis Project, 2012). Instead, health is defined through <b>wellness-based standards</b> in which: <ul style="list-style-type: none"> <li>People’s <b>physical, social, spiritual, emotional, intellectual, occupational, and environmental health</b> is understood as interconnected,</li> <li>And each of these sites of human health are improved when balanced, not as an “end to be achieved” but an <b>ongoing process of wellness</b> evolving with the person through their <b>lifespan</b>, e.g.,</li> </ul> </li> </ul>

	<ul style="list-style-type: none"> <li>• <b>children's' right to play freely</b>, and <b>adults' right to recreate</b> outdoors and without fear of illness or injury;</li> <li>• <b>adolescents' right to develop</b> and <b>pregnant women's right to carry to term</b> without imposition of <b>hormone-disrupting or hormone-mimicking toxins</b> in their lived environment;</li> <li>• <b>children's' and adults' right</b> to be <b>healthy enough to pursue education</b> to the highest level they are able, without interference of health stressors and neurological toxins from the environment;</li> <li>• <b>adults' right</b> to be <b>healthy enough to pursue and sustain employment</b> in a chosen field, with a steady schedule, to provide for themselves and their families, and save for retirement and emergencies, without interference of health stressors, debilitating environmental toxins, or pressures to be silent about man-made toxicities in "company towns."</li> </ul> <p>➔ <b>All of the above health rights are currently violated in coal ash-exposed communities.</b></p>
<ul style="list-style-type: none"> <li>• <b>Physicians, care teams, and medical systems</b></li> </ul>	<ul style="list-style-type: none"> <li>• <b>Targeted health registry efforts</b> must pursued and encouraged by <b>physicians and healthcare teams</b>, and all <b>local and regional hospitals</b> and clinics should be <b>notified</b> that particular community members are contending with coal ash toxins in their immediate environment. This will: <ul style="list-style-type: none"> <li>• <b>Facilitate easier registration of potential health effects</b> from exposures to <b>coal ash toxins</b>, with patients already connected to trusted, professional healthcare providers nearby their homes;</li> <li>• Foster <b>health professionals'</b> ability to <b>share anonymized data</b> regarding health effects associated with living, recreating, or working in <b>close proximity to coal ash toxins</b>, thus improving <ul style="list-style-type: none"> <li>▪ <b>healthcare delivery</b> for affected communities with high rates of illnesses, abnormal cancers, and "mysterious" disorders,</li> <li>▪ <b>publicly available, large knowledge bases</b> of health effects associated with exposure to coal ash toxins.</li> </ul> </li> </ul> </li> </ul>



<ul style="list-style-type: none"> <li>• <b>Proactive local and state public health officials</b></li> </ul>	<ul style="list-style-type: none"> <li>• <b>Public health officials</b>, and <b>Departments of Health</b> at county and state levels must be involved in productive, proactive ways to ensure citizen health in "company towns" like those in which Duke Energy operates. This means:             <ul style="list-style-type: none"> <li>• Health officials helping implement <b>targeted health registry systems at clinic and hospital visits</b> for persons living in close proximity to coal ash.</li> <li>• Health officials and government agencies taking a <b>proactive role to reach citizens impacted by coal ash toxicity</b>, potentially in <b>door-to-door visits</b> accompanied by known community leaders, to pursue targeted health registry efforts. This approach is especially vital to reach persons who are <b>uninsured or underinsured</b> and thus do not visit healthcare practitioners frequently, despite health problems they may face.</li> <li>• Efforts must be ensured for <b>government health agencies' sustained protection</b> of and <b>positive interactions</b> with <b>heavily impacted communities</b>—despite <b>direct or indirect pressures</b> from county, town, or state <b>tax revenue</b> generated from <b>industries' presence</b> (e.g., Duke Energy in Stokes County and near Walnut Cove, NC, or Duke Energy across the state of NC, as with DHHS collaboration on rescinding "Do Not Drink Letters" in 2016).</li> </ul> </li> </ul>
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The above definitions of healthy communities must be not only acknowledged, but *activated* in places where coal ash concerns have mobilized residents' necessary pursuits of health justice. Healthy communities require targeted, sustained investments of social, spiritual, physical, and monetary resources, on the part of institutions, policymakers, clinicians, and the public they serve and are accountable to. The people of the Walnut Cove area have in fact prioritized "healthy communities" as one of their primary goals in making this their homeplace—many stayed in or moved to the country in order to avoid crime and to have a "*country way of life*" with clean air, water, and beautiful, open spaces for their children to play while young, and to inherit when they are older (Danielle Bailey-Lash, Leslie Bray Brewer, Tracey Brown Edwards, David Hairston, Personal Interviews, 2015).

A prime example of *diverting* the resources and attention necessary to address health injustices and coal ash harms can be found in some of Duke Energy's philanthropic efforts statewide and nationwide, which shift cancer communication, health program funds, and health research priorities away from health justice perspectives (BCA 2014a).

## **8. CORPORATE PHILANTHROPY AMIDST CANCER AND COAL ASH** ( DUKE ENERGY IN NC )

At the USCCR hearing on 6 April 2016, a Duke Energy public relations and engineering executive was expected to address the company's specific plans to clean up dangerous coal ash waste ponds in the Walnut Cove community near the Belews Creek Steam Station. Instead, the executive reiterated the multi-billion dollar company's dedication to domains of philanthropy and volunteerism across the state. Thealeta Monet, a state advisory member to the USCCR, questioned the veracity and specificity of the private utility company's commitments to the people on whose behalf the hearing was held—people whose lives are most adversely affected by unequal distribution of cancer-correlated wastes.

MS. MONET: Thank you. It's been quite a day. Thank you so much for your attention. Mr. McIntire you were one of the first people to say hello to me this morning, and I thank you for that. But can you help me to understand and appreciate, based on everything you've heard today, what it is that Duke Energy has actually done for this community, and in particular if any of that \$700 million --

MR. MCINTIRE: Seventeen.

MS. MONET: Seventeen, thank you, million dollars that they've given away has come into Stokes County.

MR. MCINTIRE: That's a -- that's a great question, and I appreciate it very much. I guess I'll start by saying that what I have heard today suggests to me that we are a lot more similar than we are different. I introduced myself to Reverend Sadler [NC NAACP Chair of Health Affairs] and it turns out that he is at the seminary across the street from the seminary that my father graduated from. And I wouldn't be surprised if they had met at some point. We're a lot alike. We care about this community. We care about all of our communities.

I can't tell you with any definiteness what portion of our grants made last year came to Stokes County. I don't know the answer to that. I'll be happy to follow up with that information for you. We care about this community, as we care about all of our communities.

We've been a member of the communities in this state for over 100

I challenge you to talk about the history of North Carolina without also not including Duke Energy, because we are part of the fabric of this state. We are proud of that.

MS. MONET: Mr. McIntire, I'm going back to Raleigh and I'm not gonna be faced with the problems that exist here in Stokes County. I'd like you, Duke Energy, to provide this committee, so that we can share with the Commission on Civil Rights, exactly what's happening on behalf of the people here in Stokes County.

**Community response:** Before Mr. McIntire could get to his point, the audience began shaking their heads back and forth. In response to Ms. Monet's question, at least thirty mouths opened simultaneously to silently shape or whisper the words, "None!" "No-thing," "Not one dime..." Despite the pleasantries of a respectful "hello" and a friendly interpersonal reference, people slanted their eyes sideways. Behind the executive's platitudes, the room echoed a collective discontent—a ripple of contorted faces, twisting and shuffling in chairs, audible sighs. *Whose stories* should comprise the "history of North Carolina," especially if it were to **include the effects of fossil fuel production** and its **resulting wastes**? Counter-currents ran through the triad of witness between panelists, commissioners, and audience members gathered for the USCCR hearing. In turn, so many knowledges present in one room generated charged and alternative currencies of meaning about the people and their way of life which were—both by a private corporation and its collaborators in local and state government—targeted to endure the long-lasting effects of harmful, cancer-causing industrial materials.

The residents present at the hearing had faced cancers themselves as patients, as caregivers, as widowers, and children, and parents who mourned. Beyond cancers, many had experience with debilitating neurological, respiratory, and cardiovascular conditions tallied among multiple members of their families. These residents were most interested in shifting the ways political power and storytelling flows around them, and through them. Facilitated by their joint presence in the room, the audience as a unit seemed to **reject** the Duke Energy executive's **maneuver** as much as the **claim** that revealed it.

**Cancer Philanthropy for Whom?:** For *whom* are such "do-good" philanthropy efforts covering over all that is "no-good" about cancer-correlated industries? In this case, the Duke Energy monies described were funneled to philanthropic efforts which are abstract to the residents of Walnut Cove—donations in the arts, education, and energy savings programs across the state of North Carolina; for example, one-off small payments for low income families' winter electric bills, or sponsorship of regional performing arts festivals (Duke Energy Foundation, 2016). Duke Energy is also a high-profile event sponsor of cancer runs and walks across the state of North Carolina, especially near its headquarters in Charlotte, and in every state where Duke

Energy does business (Komen, 2016, WCNC, 2013). When publicized in *this* place, such private donations by the Duke Energy Foundation were in effect suggested as an acceptable tradeoff for the pain, suffering, and death experienced within Walnut Cove communities, poisoned for decades by the politics and practices of elected and private officials they could not hold accountable through local redress. Broad-stroke charitable efforts were suggested as an *appropriate gift*, whose reception might redirect attention from the human worth, organizing energy, and knowledge-in-action generated among these beloved residents of Walnut Cove, made ill by coal ash.



**Duke Energy in NC:** At its statewide headquarters in Charlotte, NC, Duke Energy lights its entire skyscraper hot pink every October for “National Breast Cancer Awareness Month.” The intent of a decade of annual neon rose uplighting is to publicly reflect Duke Energy's support for breast cancer charity Susan G. Komen For the Cure (TM), whose primary foci are on genetic cure research and early detection screening initiatives, with 75% of proceeds given to local counties’ hospital and clinic-based *mammogram initiatives*—proven in longitudinal studies as ineffective at improving the general population’s cancer-related health (Kalager et al, BMJ, 2014, BCA, 2014e), yet still widely advertised as a best practice—and 25% to national *genetic cure research initiatives* (Komen Charlotte, 2016)—which do not take into account the 50% minimum of cancers linked to environmental causation in the US (President’s Cancer Panel Report, 2010). National organizations like Breast Cancer Action see this contradiction in Duke Energy commitments as part of a larger process called *pinkwashing*, where “a company or organization that claims to care about breast cancer by promoting a pink ribbon image or product” in fact “at the same time produces, manufactures, or sells products linked to cancer causation” (BCA, 2014a, 2014d).

**Duke Energy’s pinkwashing** obscures their *full* relationship to peoples’ experiences of breast and other cancers, across a number of scales, including toxic business practices and a narrowed focus on health *awareness* practices versus actions that honor people’s health *rights* through institutional, judicial, and policy changes related to cancer causation and treatment access (BCA, 2014d, Brenner, 2016, and see Robins, 2008 for discussion on forms of health rights advocacy). Residents of Walnut Cove, who face multiple forms of advanced cancer and illness while living near coal ash, also see through the ways that cancer advocacy limited to the breast—principally for marketing and popularity purposes for cancer campaigns in smaller silos (King, 2006, Klawiter, 2008, Sulik, 2011)—may obscure the realities of not only breast but also bladder, blood, brain, lung, stomach and other cancer diagnoses they experience in such high rates.



**Duke Energy Center,**  
Charlotte, NC, lit pink  
annually, during October, for  
National Breast Cancer  
Awareness Month,  
photo: WNCN

**Philanthropy reframed:** The argument that philanthropy absolves companies of their responsibilities to the law, or to respecting people’s civil rights in their day-to-day business practices, has high stakes and implications for communities across the nation which are similar to Walnut Cove. Prevailing cancer philanthropy campaigns have shaped dominant concepts of what “cancer narratives” and “cancer advocacy” can and should be, as fueled by slick advertising, and footed by high-dollar corporate fundraising efforts (King, 2006, Klawiter, 2008, Sulik, 2011). In turn, these campaigns *shift the consciousness of patients and pre-patients* who will seek their cancer care at public health institutions (Landecker 2013); they also shape the *policy and priorities* of state and county governments, publicly funded hospitals, and public and private research institutions whose cancer research budgets comprise billions of dollars of appropriation and expenditure (BCA, 2014a, 2014d, PCP, 2011).

<i>Community Perspectives</i>	<i>Find the Root</i>
<p><b>Shuntailya Imani Graves</b> sees the benefits comprehensive health access will bring, and the benefits of finding alternatives to coal and preventing fracking. She says of coal ash and cancers her family members have faced many times over:</p> <p><i>“Find the root of the problem.</i> It’s just like a tree, when you <i>find the root,</i> <i>you can pull it up.</i></p> <p>[...] Where I live in —<b>America</b>—the <b>United States</b>... this is supposed to be the <i>land of the free and the home of the brave.</i></p>	
<p>People come here to live because its supposed to be a <i><b>better life</b></i>... the <b>American dream</b>... but <b>we’re letting our people suffer.</b> We’re letting our people die. It’s not right.</p> <p>At least, work on <i>helping</i>—and I’m not even going to say <i>try</i> to help, because a friend always told me, “Trying is another word for failure.”</p> <p>So, <b>work on making things better.</b> Don’t <b>say</b> you’re going to do something and don’t <b>do</b> it. Or don’t say <b>one</b> thing and do <b>another.</b></p> <p><i>[See entire Oral History in addenda; “3. Doctors’ notification—Health systems and health access,” and “7. Speaking Out for a Better Life in America”]</i></p>	



Efforts to thwart cancer incidence, invent new treatment protocols, or find a future cure are driven by a combination of public and private grants tied up with cultures of philanthropy which incentivize particular concepts—such as “Early Detection Saves Lives!” or “Race for the Cure!”. Yet, concepts that are *not* popularized or well-funded through major philanthropic cancer cultures such as those Duke Energy supports include:

- working to *shift* the *political policies* and *business practices* that *promote toxic environments* linked to higher cancer rates;
- advocating for *health insurance coverage* and *affordability of medical costs* associated with cancers and their treatments;
- illuminating the presence of a *cancer prevention-treatment continuum* (Rothman, 2006) in which current cancer patients and the broader public are informed of the need to *prevent future toxic exposures* to avoid either first-time cancer incidence or cancer recurrence;
- positioning *cancers as interconnected beyond the physical site of diagnosis*—such as breast cancer advocacy in a silo, vs. brain cancer, ovarian, lung, bladder, or colon cancer advocacy, etc; or positioning cancers alongside *other health conditions* with *similar risk profiles*—e.g. neurological, cardiovascular, respiratory conditions resulting from the same toxic exposures correlated with cancer incidence.

**Patient Priorities:** Many persons have spoken, marched, lived, died, and moved against the grain, in order to identify their personal experiences with advanced cancers as embedded within systems of inequality, and characterized by rights violations enacted by private corporations and by governments alike (Jain, 2013, Lorde, 1980, McCormick, 2009, Steingraber, 2010, Turshen, 2007). These cancer-affected persons are mobilized by the hope to “stop cancer where it starts” instead of only detecting it once its already there (BCA, 2014c). These cancer-affected persons hope to treat cancer better, once diagnosed, by understanding the legislative, racialized, gendered, and economic circumstances in which the people who face cancers continue to live (Lorde, 1980, Praxis Project, 2012). These cancer-affected persons are not satisfied by only investing in the long-worn promises and economies of hope (Rose, 2007:27) tied up with a molecular search for improved chemical treatments and a genetics-based cure. These patients, caregivers, and healthcare providers facing cancers articulate a belief that the contextual, sometimes political, and always hard-earned *priorities of the people who actually face cancers*—especially life-threatening, metastatic and stage 4 cancers—*should shape governments’ health initiatives and philanthropies’ do-good campaigns, not the other way around.*

At the USCCR hearing in Walnut Cove and in ongoing efforts in the region, ill persons and their caregivers are unabashedly demanding a different way for their governments to deal with industry partners, a different way for “neighbors” like Duke Energy to do business, and subsequently, a different way to *do good*. Donating funds to any of the above priorities (a through d)—or following through on shifting company practices to ensure their viability—would be a welcome change by Duke Energy and the Duke Energy Foundation, as invoked by Mr. McIntire at the USCCR hearing in Walnut Cove. ***Shifting from pinkwashing*** practices would require ***structural shifts*** from the types of narrowed “life logics” that have characterized Duke Energy’s business practices in coal production and coal ash waste storage—logics in which, somewhat perversely, the benefits of electric power are pitted against the lives, health, and well-being of specific communities like Walnut Cove, Walnut Tree, and Pine Hall, NC.

**Life Logics:** In business, government, and scientific practices surrounding cancer in the last several decades, it is apparent that a logic of *promoting life* at smaller and smaller scales has become the focus of public policy, philanthropic and humanitarian interventions related to cancers. Interventions in cancers’ processes are directed to the cellular level, and cures are imagined through genetic research. Given the “logics of life” that characterize most public and private cancer initiatives borne out and legitimated in narrowed avenues of scientific research and specific, popular domains of cancer-charity work, cancers in designated “sacrifice zones” or in “man-made risk prone” populations become virtually ***unseeable*** (Foucault, 2008, Sulik, 2011). Life logics in cancer initiatives offer support and public encouragement to persons diagnosed with cancer ***if and when*** they can fit themselves into a narrative of “early detection saves lives,” or “survivorship,” where “beating it” against the odds is the triumph of an individual victor (Sulik, 2011). These cancer survivors are positioned as the promoters of private and public charitable efforts focused on early detection and future genetic cure priorities, exemplified by Komen for the Cure, Avon Crusaders, American Cancer Society and other major philanthropies (BCA 2014a, 2014d, King, 2006, Sulik, 2011)—and participating in these “feel good” cancer charity efforts understandably *feels good* for many.

Left out are the persons diagnosed with cancer who cannot fit themselves into the confines of ***popularized survivorship narratives***—advanced cancers that may not always result in physical “victory.” Or cancer so aggressive that early detection makes no difference (Kalager et al., 2014, BCA, 2014e). Or cancer that could be prevented at the level of the environment as it interacts with our genes (epigenetics) but is not yet curable, despite scientists’ best efforts trained on genes alone, devoid of an environmental analysis (da costa, Philip, 2008, Foucault, 2003, Jain, 2013, Landecker, 2013, Steingraber, 2010).


In turn, the task of “becoming healthy” is placed more upon the individual who can “optimize” her health through lifestyle choices (BCA 2014a, 2014b, Brenner 2016, Sulik, 2011),

than upon *political and economic institutions* which might reorient their own cancer-correlated actions and investments. For example, to **“fight cancer” Duke Energy could stop exposing communities to its carcinogenic coal ash**. Or to “fight cancer” Piedmont Natural Gas, Duke Energy, Dominion Resources, and Koch Industries could stop the impending threat of carcinogenic fracking and natural gas piping in North Carolina in which they have invested heavily in terms of money and pressure to pass state policy over the last several years (Garlock, 2014). Limiting “cancer narratives” to the individual who should *detect* cancer to “save her life” (BCA, 2014e), attention is redirected from the broader environmental, political, and cultural circumstances in which the cancer patient finds herself (Praxis Project, 2012).

**Race and Philanthropy:** As a salient iteration, with Duke Energy and many of the above-listed fossil fuel corporations’ ongoing sponsorship (or that of their subsidiaries), Komen Charlotte and similar Komen efforts statewide have begun a “Pink Sunday” initiative, to tailor “get a mammogram” messages to African-American women in their church communities (Komen, 2016). The event cites statistics which are tragically on the rise—that Black women will be diagnosed with cancers later, and that their cancer mortality rates are higher than white women with the same diagnoses (also see Hanson, 2009, Redden, 2015). Komen highlights the fact that Black women are diagnosed with more aggressive cancers than white women—yet Komen does not mention that deaths from aggressive cancers are *not* shown to be curbed by increased mammography, as the screening method does not effectively detect these more aggressive cancers over time, nor does earlier detection reduce overall deaths from these more aggressive cancers (BCA 2014e, Kalager et al., 2014). What Komen, with Duke Energy’s broader sponsorship, does *not* highlight are the environmental crises, the health rights violations, or healthcare access disparities that Black women contend with in much higher proportion than white women in North Carolina, and nationwide.

What Komen, with Duke Energy’s broader sponsorship, does *not* advertise are the communities of predominantly people of color and low-income residents that are exposed unequally to carcinogenic coal ash waste, as is the case for residents surrounding the Belews Creek Steam Station. Would a focus on ***cleaning up*** these ***unequal toxicities*** from coal ash ***threaten Duke Energy’s sponsorship*** of Komen’s events? Or does Duke Energy know it can reliably name itself as a top-level sponsor (in this brand) of “fighting against cancer” by sponsoring Komen events statewide? How does visible sponsorship shift public opinion—does it affect Duke Energy’s ability to deflect community members’ claims that they are a ***culpable actor*** in the cancer crises NC communities face?

The politics of “visibility” must be re-tooled for cancer patients, as must communication about the unequal risks they may face as a part of everyday living in North Carolina, in the era of coal ash waste.

Community Perspectives	Take a chance?
<p><b>Danielle Bailey-Lash</b> sees a future <b>without cancer</b> for young women and moms like her no matter their race and income. She envisions a future full of connected health systems and knowledgeable doctors, knowledgeable citizens who know about the harms and risks of the environment around them, especially when it includes toxins like those from coal ash.</p> <p>Danielle sees a future where coal ash-affected residents have the ability to move elsewhere—where Duke Energy offers a property buyout with fair reimbursement, and health costs covered. She knows it is possible to have information readily available to residents regarding coal ash:</p> <p>So, it's just, at first we didn't <b>believe</b> it. So, at-this-point: he [my husband] still <i>wants</i> to believe that <i>this can't be happening</i>. Where-I'm-like:</p> <p style="padding-left: 40px;">I have a <b>child, I can't—take a chance</b> that this is what's really <i>going on</i>.</p> <p>And if this is what caused <i>me</i> to have <b>cancer</b> what's gonna happen to my <b>daughter</b>?</p> <p>Luckily, my son's away at college, but... I just didn't want to take any chances—so now I'm staying <i>here</i>. [Danielle's mother's house, where she and her daughter now live]. <b>Plus</b>, we couldn't <b>afford</b> to keep <b>buying all that water</b>! Like, I <i>literally</i> was not cooking with it, we weren't <i>drinking</i> with it, and then when they came and <b>tested</b> my water, they were like:</p> <p>“Well, don't take a shower <i>longer than ten minuuutes</i>, don't cook with it, don't drink with it.”</p> <p>[RT: Danielle in “At What Cost?” Appalachian Voices short film. See entire Oral History in addenda; and “1. Coal Ash and Family Effects.”]</p>	


**Risk Society and Coal:** A shadow side emerges from the sometimes cheery logics (e.g., pink ribbon style) of cancer cultures which *promote life itself* as an *object of political strategy*. Through what can be called *biopolitical cancer cultures* (da costa, Philip, 2008, Foucault, 2008, Rose, 2007), the term “biopolitical” pairs “bio”—or a focus on life—and “political”—to understand, among other things, human life as a site and concept through which power relations and tactics of state-, business-, and self-governance can be traced. For example, based in the biopolitical patterns of a ***risk society*** (Beck, 1992, Foucault, 2008) it is possible that certain persons’ lives will be risked so that others can be kept not only safe, but prosperous monetarily and politically. Within risk societies, segments of a population differentiate themselves by their ability to “avert risk” (or not).

A biopolitical, risk society logic leads to the incorporation of “given” or assumed risks as a seemingly natural part of operations such as coal-fired power production. Naturalizing a certain amount of “acceptable” risk and damage becomes a “systematic way of dealing with hazards and insecurities induced and introduced by modernization itself,” (Beck, 1992:21). This logic helps explain why ***ecological crises are central*** to social analysis of our contemporary period—such as the Chernobyl nuclear radiation disaster or the BP Gulf Coast oil spill; or fracking-induced methane leaks that require evacuations of towns and set faucets and rivers on fire; or illness-inducing toxins spread from start to finish in coal extraction, coal production, and coal ash waste disposal. As Beck argues, ***environmental risks*** become the ***primary product*** of industrial society, not just one of its unpleasant, manageable side-effects.

Wealth, political power, and access to education allow particular segments of the population to avert what amounts to “***manufactured risk***,” or risks produced directly by human activities, instead of by natural disasters (Beck, 1992); these are risks such as pollution from human-led, coal-fired power or fracked natural gas. Many of these risks are imperceptible to human senses alone—such as contaminated water which may not always have discoloration, or continued toxic air releases amounting to millions of tons of vanadium and arsenic flooding the air supply of nearby communities, even after fly ash has long-since stopped falling visibly on Walnut Tree and Pine Hall homes. These imperceptible risks require networks of knowledge with other people and organizations that have improved access to ***risk information*** (Beck, 1992).

Thus, particular communities ***excluded*** from broader knowledge networks by ***functions of racism*** and ***socioeconomic status*** are left to contend from differential “social risk positions” (Beck, 1992). These communities, such as those near the Belews Creek Steam Station, operate without full knowledge of imperceptible dangers such as coal ash contamination of water and air. This pattern has continued given (a) Duke Energy promises for decades that coal ash is “safe” and protects human health as it is currently stored, and (b) state government initiatives which

rescind “Do Not Drink Letters” for water in coal ash-affected communities, or (c) current attempts to legislate a ban on the “right to know” about toxins in drinking water. Certain people's lives will be risked by the very logic of economies focused on *promoting life* primarily at the scale of the individual—yet these very economies will not focus on *preventing unnecessary deaths* labeled as necessary “collateral” at the level of the population (Beck, 1992, Deleuze, 1992, Foucault, 2008).

Community Perspectives	Straighten These Things Out
<p><b>James and Priscilla Smith</b> see people coming together to make a change for their community.</p> <p><b>J: I would like to see the change made where everybody is equal, or —not only Walnut Tree but in Walnut Cove as well. Especially where the source of our water ...is coming from ...</b></p> <p>—Well, it’s different. [here in Walnut Tree and Walnut Cove] Because of the places that will <b>not talk about fracking, and coal ash.</b></p> <p>—Well, like in different locations where they <b>could</b> do the test [for fracking], but they will <b>not</b>. [Towns and Counties that won’t allow it] But, uh, they <b>brought it to us.</b></p> <p>What makes it so bad—<b>when they first started, they</b> [Town of Walnut Cove] <b>didn’t let us know they were doing it.</b> That’s what was <b>wrong</b> from the <b>get go – right there.</b></p> <p><b>Nobody knew a thing about it until they heard it on the news.</b></p> <p>[fracking tests, 100-200 yards from closest WT homes, 2-3 miles from coal ash impoundments]</p>	



P: The best possible future for my saying it, is that we get on Walnut Cove [get representation on the Town Commission], and **work together** and **straighten these things out**.

*[See entire Oral History in addenda, with lyrics of duet songs the Smiths sing together. James faces COPD and Priscilla faces lung cancer. Above: The Smiths at their Walnut Tree home 2015; RT: at Town meeting annexation petition, 2016]*



**Life and Death:** Economies based on fossil fuel production incorporate the logic of “promoting life” *without* “preventing death” quite seamlessly—the creation of coal-fired power (as with fracked natural gas) is established as a “societal benefit” for the use of many, which may require the suffering of some (see “For What?”, under “6. Sacrifice Zones”). As **disproportionate cancer risks** are borne by a small segment of the population (e.g., people whose homeplaces are targeted for coal ash waste disposal), the broadest swaths of the population (e.g., utility customers, government officials, and shareholders) are told that preventing or effectively treating cancer simply requires their participation in medical systems designed to detect the disease or research its longterm genetics-based cure (Jain, 2013, Sulik, 2011).

What happens if the larger culture **does not see cancers** in designated zones of risk and sacrifice as a frequent, even regular function of the fabric of their economy—even if higher cancer incidence and ecological crises as functions of the larger economy are at a “cross-stitch” with their moral values? If this is the case, then cancer is disjointed from its originating context, obscured from the toxified landscapes with which it is interwoven, and from which it emerged. If cancer is understood primarily through the public imaginaries of philanthropy, it can become a “mystery” even among particular categories of people or communities whose exposures to cancerous toxins, such as those from coal ash, accumulate irreversibly. The people of Walnut Cove and their stories of cancers and other illnesses while living near coal ash waste require refocused energies and attentions apart from the status quo of cancer communication in the US Governments, industry leaders, and even individual “biocitizens” must engage the logics of risk societies and human-made manufactured risk, to position **solutions** to the contemporary problems of cancer as always-inextricable from pursuits of health justice, and thus racial justice and environmental justice.

## 9. HEALTH JUSTICE RECOMMENDATIONS


**Costs:** This submission’s recent sections focused on *EJCOCs*, *Sacrifice Zones*, *Healthy Communities*, and *Philanthropy Amidst Cancer and Coal Ash*, in order to enumerate for the Commission the **costs** of unequal, illness-inducing, systematically placed and systematically unaddressed coal ash disposal practices in North Carolina. These costs span from lost property and livelihoods, to immense debt from healthcare costs, to tragically lost health among people of all ages, and for many, lost lives. However, ***eliminating these multi-costs*** is a ***win-win-win situation*** for not only ***communities, industry, and governments***.

**Opportunity:** Often, advocates, communities, and policy experts get stuck in the language of “public versus private” and in demonizing private industry practices and their influence on public governance as unethical to their core. I hope to ***bypass this industry vs. “anti-industry” binary***. The above content in this submission enumerates the *logics* of Duke Energy practices, with a combination of (a) the NC government’s lenience or loopholes created for or used by Duke Energy in its ongoing coal ash waste mismanagement, and (b) the NC government’s and Duke Energy’s parallel, and sometimes intersecting violations of NC residents’ health rights and civil rights, including in the Walnut Cove area. Yet, as much as this submission seeks to trace the reasoning behind these problematic practices, it also hopes to illuminate the possibilities for public policy and private industry ***changes*** to coal ash waste management that will ***benefit*** affected business, government, and community stakeholders.

**Savings and Added Value of Eliminating Toxic Conditions:** What are the *savings* and *added value* of eliminating toxic conditions? The most obvious savings and sites of added value for NC political leaders, Duke Energy, and NC residents include, but are not limited to:

- 1) Increased **economic opportunity** for business stakeholders, governments, and community members when they do not have to attend to the ***infrastructural and productivity costs*** of dealing with poisoned water, or the marred reputation of communities host to coal ash waste ponds and dumps (Whitford, 2015).
- 2) Increased **employment** opportunities are projected in economies where coal ash is regulated, in contrast to economies with unregulated coal ash disposal practices (Ackerman, 2011)—e.g., jobs in construction, equipment operation, and equipment/supply manufacturing, in waste management and wastewater treatment all open up when coal ash disposal is regulated; and additional jobs and local revenue are produced when those workers spend money on food and housing. (See Ackerman, 2011, IMPLAN model of calculating both short-term and longterm jobs growth).

- 3) **Medical cost relief** and **debt relief** for residents in communities surrounding the Belews Creek Steam Station, who have had to bear the *financial costs* (or “financial toxicity”) of cancers and coal ash-correlated illnesses and deaths for decades. Additionally, residents will be relieve of the emotional, mental, spiritual, social, and employment costs of dealing with life-threatening cancers and illnesses as a naturalized way of life surrounding coal ash waste, that is in fact very unnatural (Strong, 2016, Whitford 2015).
- 4) A more **sustainable community** invested in by *generations* of Black and white residents, with *stable home ownership*, employment opportunities in service economy and small business innovation and resulting tax revenue from citizens; as well as *tax revenue and employment opportunities* from industry partners who may invest themselves in *solar power production*, increasingly proven to be *economically successful* and a viable employment opportunity the world over, and in North Carolina specifically (Pew, 2014).

<i>Community Perspectives</i>	<i>Respect</i>
<p><b>Rev. Gregory Hairston</b> sees a political system where all people are included and everyone’s civil rights are respected, with leaders capable of making the link between health, race, coal ash, fracking, and voting rights. He envisions a Walnut Cove area and a Stokes County where minorities and historically underserved communities have representation at local and state levels, and full voting rights for historically Black neighborhoods that seek municipal annexation.</p> <p>Rev. Hairston is <b>an advocate</b> for many families across the town, including his own, who face devastating cancers and illnesses as a result of living in close proximity to coal ash waste. As Stokes NAACP President, he was co-host to state and national NAACP leaders who visited Walnut Cove, with national media attention, to call to task the local and state officials perpetuating convergent environmental, racial, and health injustices. Rev. Hairston is regularly asked to give opening prayers at Town Meetings and does not shy away from calling for better leadership from every elected official given the honor and responsibility of representing the community.</p> <p>“God is <b>working</b>. Fruitful things will happen. Shifting this ‘little place’ into something <b>so big</b>. To <b>pull out corruption</b> in <b>DENR / DEQ</b>.”</p>	

To **challenge** these systems **significantly**. We are asking for a **God-sized miracle**. We are an **aware majority**. Shifting what had been an **overwhelming** situation for a **long time**. **This has been an enlightenment experience**. For many of our public officials. And residents. The important thing is to **find** that they have sources of help they can **go** to—to **reverse situations**. Appalachian [Voices], NAACP, the Walnut Tree Development. [...] People come as sources of information, willing to **take time** and **investigate**, [...] to come up with reasonable



**plans of action** to **offset ...destruction** that might be brought into our community. [...] It is just ignorance to me—hoodwinked. The **general assembly bill(s)** **defy the people's demand**.

[...]The **ideal** situation would be to have a **neighborhood where people treated each other fairly, justly, and have a concern, genuine concern**. I always like what Jesus said... 'Do unto others as you would have them do unto you.' **You see. You know**. Don't treat me no different cause the **color of my skin**... I won't treat **you** no different because the color of your skin. Don't treat me no different because you live in a mansion and I live in a shack. **Treat me with the same dignity and respect that you treat others**. **That's** what I would like to see.

...**Dr. Martin Luther King** said 'I'd like to see black kids and white kids run together, play



together.' **That's what I'd like to see**.

The whole thing about **bitterness** and **hatreds**: be **wiped out**! And the only way that's gonna **happen** is people got to **learn** to **respect and accept each other**. You know—its just a **mutual love**. Jesus said 'You will know that you are my disciples by your love for one another.' **Love has no color.**"

[Above 1st: Rev. Gregory Hairston. Above 2nd: Winston Salem Journal front page, Rev. Hairston at a national meeting held in Walnut Cove re: convergent environmental injustices. RT: Listening as Rev. Hairston speaks at a Stokes County Commissioners Meeting].



To address and alleviate the multiple costs of coal ash requires reorientations toward the pursuit of health justice at multiple scales of communicating about and advocating for health rights—reform to *health systems*, expansion and clarification of *health knowledges*, improvement of *health standards* and *health policy*, and putting *health advocacy* principles into action at local, state, and national levels.

*Table 7: Health Justice Recommendations*

	Recommendations
* 1. Health Knowledges:	<ul style="list-style-type: none"> <li>• <b>Targeted morbidity and mortality studies</b> are necessary in what can be deemed “sacrifice zones,” as traditionally gathered county-wide data skews information from smaller-scale sites which are in closest proximity to toxin-laden wastes (Lerner, 2010:173), such as coal ash. <ul style="list-style-type: none"> <li>○ In the meantime, the <b>precautionary principle</b> (BCA, 2016), along with <b>reparation and remediation plans</b> (NCEJN, 2016) must be the M.O. of industry and government tasked with coal ash management.</li> </ul> </li> </ul>
* 2. Health Systems:	<ul style="list-style-type: none"> <li>• Healthcare institutions across regions in North Carolina should be <b>notified</b> that some of the state’s residents are living in close proximity to coal ash toxins affecting their water and air safety. <b>Targeted health registry systems</b> should be implemented, in which <b>healthcare teams</b>, as standard protocol, <b>ask patients if they live (or work regularly) in locations within 9 miles of coal ash waste ponds and dumps</b> that affect water and air safety. <ul style="list-style-type: none"> <li>▪ As noted in the <i>Healthy Communities</i> section above, healthcare teams’ documentation of patients’ environmental proximity to coal ash may facilitate <b>more informed and appropriate provision of healthcare</b> for residents dealing with the sometimes strange effects of toxic exposure, which manifest in illnesses, cancers, and neurological, cardiovascular, skin, and respiratory disorders.</li> <li>▪ This measure will also create more <b>comprehensive data</b> sets for understanding the <b>stakes of equal access to affordable healthcare</b> for NC residents who are low-income.</li> </ul> </li> </ul>
* 3. Health Standards:	<ul style="list-style-type: none"> <li>• When <b>regulating coal ash</b> in our water, air, soil, human bodies, and lived environments use <b>wellness standards</b> for <b>optimal human health</b>. <ul style="list-style-type: none"> <li>○ Wellness standards indicate measures of health <b>beyond bare minimum thresholds</b> of health as “not death” or health as “not life-threatening disease” or health as “not debilitating disorders.”</li> </ul> </li> </ul>

	<ul style="list-style-type: none"> <li>○ This “bare minimum” logic is illuminated with NC’s revised laws on maximum contaminant levels in water, for allowable amounts of poisons like <b>arsenic</b>, <b>vanadium</b>, and <b>hexavalent chromium</b>—the same toxin that spurred the Erin Brockovich case.</li> <li>• For example, <b>arsenic levels</b> in drinking water supplies should <b>not</b> be 10x the allowable max, as they are in some communities living near coal ash (Belews Creek Steam Station wells among them). <b>Hexavalent chromium</b>, otherwise known as “The EPA’s Blindspot” (Evans, L. et al., 2011), carcinogenic <b>vanadium</b>, and carcinogenic <b>radon</b> must <b>not</b> be allowed in anyone’s drinking water, or released into the air by the ton from smokestacks, to be breathed by residents living within a several mile radius of steam stations like Belews Creek. <ul style="list-style-type: none"> <li>○ <b>Instead:</b> For their health and wellness, people have the right to clean water, clean air, non-toxic homeplaces, and nontoxic places of work, school, and recreation.</li> <li>○ Former <b>state MCLs</b> (maximum contaminant levels) appropriate for well water users should be reinstated and enforced, rather than the looser federal standards (inappropriate for well water users) the state recently adopted, in order to rescind “Do Not Drink” letters for residents nearby to coal ash waste. Measures like the “Health Gag Water Bill” being considered in the NC General Assembly should be dropped, in order to protect the health of all NC residents, and their legal “right to know” about toxins they are exposed to from coal ash and other sources.</li> </ul> </li> </ul>
<p><b>* 4. Health policy:</b></p>	<p><b>Per the 5 recommendations</b> that began this submission:</p> <ul style="list-style-type: none"> <li>○ <b>Clean up coal ash</b> and store it in dry, lined containers above ground on Duke Energy property, and ensure clean drinking water for all residents.</li> <li>○ <b>Ban and permanently prevent fracking</b>, especially in communities already affected by coal ash toxins.</li> <li>○ <b>Cover all healthcare and mental health costs</b> of communities affected by coal ash toxins, and expand medicaid—especially in a state where the very same communities who are forced to deal with unequal toxic exposures must also contend with obstructed healthcare access.</li> <li>○ <b>Ensure municipal voting rights</b> for all neighborhoods surrounding coal ash waste impoundments, including minority race, low-income neighborhoods, and including those neighborhoods that have requested annexation, but thus far been denied by local municipalities.</li> <li>○ <b>Create policies and cultures of accountability</b> for government and private industry leaders tasked with handling coal ash waste and the above intersecting issues.</li> </ul>



<p><b>* 5. Health action:</b></p>	<ul style="list-style-type: none"> <li>• Make good on the promise to “fight cancer” by seeking to <b>stop cancer where it starts</b>, and make good on the promise to “promote a healthy NC” by stopping where they start the various and <b>debilitating or fatal neurological, cardiovascular, and respiratory illnesses correlated with exposure to coal ash toxins</b>: <ul style="list-style-type: none"> <li>▪ Require a comprehensive clean-up plan in accordance with a maintainable <b>high risk classification</b> (whether or not it is granted initially by the NC DEQ in the May 2016 agency’s release of risk classifications).</li> <li>▪ Institute <b>economically sensible beneficial re-use of coal ash</b> in situations where toxic coal ash is well-sealed in industrial, construction, and transportation uses.</li> <li>▪ Ensure affected community members facing illnesses and cancers are <b>not isolated</b> from fear of speaking up in a “Duke Energy Town / State.”</li> <li>▪ Additionally, people with advanced illness should not be further isolated by the crippling <b>costs of healthcare treatment</b>, for health conditions and cancers all the more tragic because they <b>are</b> preventable. <ul style="list-style-type: none"> <li>▪ <b>Instead:</b> For their health, people have the right to <b>speak up</b> and name their health and illness experiences; to <b>connect with others</b> in similar situations while living near coal ash waste; and as persons facing illness, to become <b>valued leaders in community, media, and policy forums</b> focused on necessary change to <b>prevent</b> unequal toxic exposures, <b>promote</b> equitable, affordable healthcare access, and <b>ensure</b> civil and health rights for people of all races and incomes.</li> </ul> </li> </ul> </li> </ul>
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In sum, the people affected by coal ash toxins are calling out for **checks, balances, and safeguards** of state politics which, in letter and operation, have been unequally beholden to special interests, and therefore have shut out the undeniable rights and urgent health needs of residents near coal ash waste. Constituents’ voices are clear in calling for an end to coal ash burdens they have been forced to bear—coal ash toxins which permeate their water and air, are tallied in their health bills and shifted livelihoods, coal ash toxins which are embedded in their bodies. Rather than to simply “penalize” or publicly “demonize” Duke Energy and NC political officials, residents actually hope for **mutually beneficial responsibility in action**—for these private and public leaders to understand their own interests as tied up in the interests of residents, and the necessary shifts to be made in health knowledges, health systems, health policy, health standards, and health action regarding coal ash. Now that the human health harms of coal ash toxins are well known, as these public and private leaders set out on a responsible path, they can

*follow the standards* of (a) states like **South Carolina** for successful coal ash clean up—in processes that required no lawsuits, resulted in ongoing remediation of coal ash toxins from residents’ drinking water, and required no rate hikes in electric power customers’ bills (Sturgis, 2016), and (b) policies like the federal **Janey Ensminger Act** (in NC’s Camp Lejeune), to pay for and reimburse healthcare costs associated with toxified water and air, but in this case, for NC residents near coal ash waste. These public and private leaders can *set the standards* for “good business” and “leadership for the people of North Carolina,” such that these same battles never have to be fought again either in or out of court, saving Duke Energy and NC’s political leaders from depleting their public image or supplies of funds.

Think of what our governments, industry partners, and community members are *freed to do* when coal ash burdens shift off of the backs of these three sets of stakeholders. The **solution to 4500 acres of coal ash dumps and ponds and 150 million tons of coal ash waste in North Carolina** will come from a **focus on potential freedoms** for **all stakeholders involved**. This will be a freedom defined not by loopholes or exceptions, not by political confusion or public deception to allow skirted industry responsibilities or shirked government accountability. Rather, this freedom will be defined by its role in supporting a people-focused democracy, where governments, industry partners, and residents are proud of the integrity they enact *because* it frees them to receive the benefits of *economic* and *employment opportunity*, *healthcare* and *financial savings*, and the pride of building *sustainable, intergenerational, healthy communities* for people of all races and incomes.

## 10. AFTER-LIFE, ALTER-LIFE, AND LIFE AT THE ALTAR (CONCLUSION)

**After-life and Alter-life:** As a historian of Science, Technology, and Society, Michelle Murphy writes about “legacy chemicals” which remain in our environments, and how people most affected by these toxins lead *alternative action* for cultural and political change. Murphy calls her current project in process “Alterlife in the Ongoing Aftermath” (2016), and it offers resonant calls for this submission, including ways to understand toxin-affected communities from *assets-based* perspectives. Murphy’s research focuses on PCBs in the Great Lakes in Canada, and their differential effects on indigenous peoples’ lands, waters, and lives. Fitting for this submission, her titling is a play on words, regarding:

- a) the “*after-life*” of chemicals and industrial toxins which persistently remain in our environments and bodies for decades and even centuries after they have been produced;
- b) the alternative, restorative, and creative possibilities invoked by “*alter-*” as a prefix for systemic shifts to the *ways we live* amidst cultural and institutional interactions with race and ethnicity, health and environment, monetary economies, and citizens’ rights and freedoms.

Similarly, this submission hopes to contend with the possibilities of “alter-life” in the “after-life” of toxic exposures. Murphy (2016) positions the need for this type of research in fields so often constituted by *deficits-based* perspectives that “pathologize,” or treat people and their communities as abnormal and unhealthy ensembles of problems.

- “Focused on collecting the *data of damage*,” much “environmental biomedical research is entangled in the surveillance and pathologization of dispossessed communities, of black and indigenous youth, and of poor women.”
- And at the same time, “...state environmental monitoring is caught in ‘*permission to pollute*’ regimes” that purposefully “turn away from chemical violence.”
- As such, Murphy wonders, “What are *other* ways of *researching* [toxic] exposure that refuse to reproduce *damage narratives* that pathologize?”

Murphy (2016) traces the ways that this different research approach unfolds, based on indigenous feminist scholar Eve Tuck’s concept of “suspending damage,” with a “refusal to participate in damage-based research,” that “perpetually diminishes” communities:

- An alter-life or suspending damage approach is “a *challenge* to the habits of environmental science,” and is also “*generative* to creating new kinds of research relations and questions.”
- Murphy reiterates this approach “is *not* a call to ignore pain, death, grief, or politics, but an invitation to *shine critical light* on the infernal *entanglements* of the chemical relations of violence and accumulation”—such as environmental racism and its iterations in war and settler colonialism, or contemporary avenues of *abuse* of free-market economic principles which result in privately held benefit at life-and-death costs to our publics.
- The alter-life approach is focused on the potential “to *direct creative energy* towards the *alter-relations*” of “continuing to live in landscapes that are also generative” of “other kinds” of “futures, which may “decolonize” minds, bodies, ecologies, and political systems.

The hope is for affected communities, their allies, and witting and unwitting perpetrators of toxic harms “to become *alter-wise*” in “the aftermath of hostile conditions,” by orienting towards their “continued capacities to *recompose relations to land and sociality*” (Murphy, 2016). This approach promotes affected communities’ abilities “to *survive* and *resist*,” and, mindfully, “to destroy some relations and support others.”

<i>Community Perspectives</i>	<i>Use Your Powers</i>
<p style="text-align: center;"><b>David Hairston:</b></p> <p>“This has opened my eyes. Our <b>politicians</b> are <b>for sale</b>, <b>paid by big corporations</b>. ...These corporations will make profit at <b>any cost</b>. They’ll lie, do <i>anything</i> for profit. <b>Excuses</b>, instead of <b>facing facts</b>. ...They’ll always go the <i>cheaper</i> route. But there is no <b>value</b> you can place on my <b>life</b>! Why put a <b>number on a catastrophe</b> happening? <b>Make corrections in the policy</b>. ...I’m tired of being poisoned for profit.”</p>	
<p>“You know: with fracking, on top of coal ash, it’s like there is a <b>robber knocking on our community’s door</b>. And the Town of Walnut Cove officials <b>heard</b> the robber announce himself, ‘I’m here to rob you!’—But they’re ‘Just gonna open the door to <b>see</b> if it’s a vacuum salesman instead of a robber ...Just to be <i>sure</i>!’</p> <p>Numbers <b>speak loud</b>. We must <b>unite</b>. <b>So yes</b>, I see myself as a Health activist, Black activist, <b>Moral activist:</b> <b>for my community.</b>”</p> <p><i>[Above; David asks all in the audience at a Stokes County hearing to applaud if they “know and are thankful that the County Commission will ban fracking.” Though at the time it seemed unlikely, a moratorium, though not a permanent solution, was voted in. RT: David stands under a tent where more than 100 family members would gather that afternoon for a Hairston Reunion of his grandmother’s family, at one of the Hairston family’s historic homes in Walnut Cove.]</i></p>	

In the *after-life* of persistent toxins, the call and response for *alter-life* approaches (Murphy, 2016) resonates resoundingly in Walnut Cove, NC, through the creative leadership of residents who guide their public leaders, private industry neighbors, and their fellow community members to become wise in other ways, to consider life itself through alternative modes of creative communication, and residents' alternative modes to reclaim their land, democratic rights, and health. Ultimately, Murphy is skeptical of governments' capacities to remediate toxins or make good on promises so consistently broken to address rights violations, in their case, against nations of people indigenous to the lands now called Canada. Yet I write this submission instilled with the only abiding faith that can remain after doing this type of research—faith in the people and communities like those of Walnut Cove, NC. Faith in a people who deserve, and sometimes *do* have political and cultural leaders, both government officials and private industry executives, who will, as Shuntailya Graves puts it, not just “try” but in fact “*work* to make things better” (7. “Speaking Out for a Better Life in America”) in the case of coal ash cleanup, and its attendant correlates in health justice and healthcare coverage for ill persons, racial justice and voting rights, and provisions for clean water access and fracking bans.

Below, I conclude this submission by following the logic of the “alter-life” capacities Walnut Cove area residents have generated in the after-life of coal ash toxins. I hope these capacities will be useful for understanding how best to respond to the crises of coal ash disposal, and the *courage* these crises will continue to evoke. This is a courage that calls for political and industry leaders to engage challenge *and* opportunity at a profound crossroads of disaster and dignity. To be courageous amidst crisis requires listening, reflecting, and *acting* when affected communities speak—when they perform their rights as real; when they live, because they have to, in the alter- and at the “altar” of alternative, democratic futures.



**Restorative Hope:** In 2016 in the Walnut Cove area, there is indeed a convergence of race-based voting rights violations, fracking impositions, and large numbers of people dealing with abnormal illness and cancer because they live near coal ash. These connected realities *also reveal* profound calls to action, and the assets of gifted, multi-racial, intergenerational leaders who solicit an urgent “investment of will” among diverse public and private stakeholders to change policies and shift political and cultural practices to achieve health justice. This Walnut Cove area community and the advocates it has produced seek restorative justice through restorative and radical hope. They do so in the vein of the NC NAACP President Rev. William J. Barber II’s call for *restorative hope* with the Forward Together Moral Movement which has been productive of interracial, intergenerational, bipartisan, cross-issue, multi-gendered, multi-classed fusion politics in NC (to international acclaim, and productive of parallel “Moral Mondays” efforts across the nation).

As a special focus community in the Forward Together Moral Movement, the Walnut Cove community is one that has, over time and even when it has been difficult to do so, kept faith in the possibility of policy change and alternative ways of living both in and beyond formal political systems. In the vein of restorative hope, this community knows the benefits of *openly* addressing wrongs committed, with *everyone invited to the table*, and *given equal respect*—government, industry, affected communities, families, and visionaries, health experts, civil rights experts, and environmental experts. The people of the Walnut Cove area *know their worthiness*, and they hope the Commission will witness to it as well, by making the strongest recommendations possible for improved health systems and health standards, activated based on already-sufficient knowledges that (a) coal ash is dangerous to human health, especially when improperly stored; and (b) that the people living near coal ash deserve health and justice, now.

My research findings with this community have been based in oral history and intercept interviews—and in analysis rooted in critical ethnographic, health communication, and performance and cultural studies literatures. From these findings and analysis I would suggest that *this community knows their dignity*, and hopes the Commission will witness to it as well, by making the most substantive recommendations for the five major categories listed at the start of this comment submission: (1) responsible coal ash storage, (2) banning fracking, (3) covering and reimbursing healthcare costs, (4) ensuring voting rights for communities which are majority persons of color and low-income, (5) ensuring cultures of accountability in public and private leadership associated with coal ash disposal.

**The beginning, not the end:** Presenting at the US Commission on Civil Rights in Walnut Cove, NC, was a life highlight for many residents involved, and a culmination of much effort and determination to tell their stories—and many believe, due to the mission and structure of the USCCR, that they were *finally witnessed* and *honored*. Therefore, the residents' hearing presentations in panels and public comments were not the end point, but the beginning of an arduous but fulfilling path to get policy changed, and to *create a pro-health economy*. A path to create a democracy in which the public's use of basic utilities like electricity is not pitted against so many people's and communities' *rights to cancer-free* and *healthy lives*. A path to create communities where the land and way of life low-income, Black and rural residents have inherited, and hope to pass along to their descendants, is not considered for or zoned into exploitative sacrifice.



<i>Community Perspectives</i>	<i>Faith for Interracial Change-making</i>
<p><b>Rev. Leslie Bray Brewer</b> sees white neighbors stepping up in alliance with Black neighbors and a Walnut Cove that is a “City of God.” Rev. Leslie’s youth programs include the “UIC” dance group, which performed for residents at Walnut Cove Town Meetings regarding fracking and coal ash, and at a gathering of coal ash-affected communities from across NC, near the Belews Creek Steam Station, where the <i>Alliance of Carolinians Together (ACT) Against Coal Ash</i> was founded (2015). A lifelong Republican and frequent columnist in Stokes County, she is clear about the bipartisan nature of the health, racial, and environmental justice efforts in her hometown. She says:</p> <p>“When they do their routine to the song “Glory”, what does it say? It says <i>take the wisdom of the elders and young people’s energy</i>... and when they do that part in the song, it gives me <b>goose bumps</b>. ...That’s absolutely <b>huge</b>. Because when you see the physical bodies [teens dancing and intergenerational residents in a ritual “mass walk out” of the Town Meeting], you <b>hear</b> the voices, you <b>see</b> the resolute faces, you see people <b>arm-in-arm</b>, even town officials had to be taken aback, and go ‘Whoa. Wait a minute. We’re up against <b>powerful</b> forces here.’</p>	
<p>It’s UIC: <b>You I see</b>, it <b>not</b> me I see, its You I See. How can I <b>bless</b> you, what do you need <b>advocacy</b> for? Are you a black person who is not treated well? How can I advocate for you as a white person? Or am I a person who has had <b>health</b> issues, and you can help me and be an <b>advocate</b> for me? How can <b>you</b> help <b>me</b>? Because its YOU I see, not me, the selfishness. We’re teaching these kids: It’s you I see. <b>Reach out! Get active now.”</b></p>	

[Above 1st: Rev. Leslie Bray Brewer at *The Well*, in Walnut Cove. She has faced neurological and temporary paralysis effects of coal ash in her 30s, and 4 of her 5 children had severe asthma while living along Belews Lake. The 5th was raised in Danbury, away from the steam station and its coal ash wastes. Above 2nd: UIC Dancers perform for the Walnut Cove area advocates as they sing “We Shall Not Be Moved” to Town Commissioners then exit the building; Rev. Leslie films, 2015]

“... The ideal future of Walnut Cove? Oh, how **wonderful**! Cause that’s what I dream, what I breathe, what I was **created** to do... was to see how we can improve **this town**. ...One of the biggest things I fight for, that I know I was **created** for is **racial healing** in this town...”

I want a more integrated town Board.  
...Yes, you can be active, yes you can assess the health risk and look at your own health, but we’re gonna have to network. We’re gonna have to **overcome the division**. And I mean, **racially**,  
I mean even on a **gender** basis sometimes. **Economic** status...we’re going to have to link hands, **everybody**, whether you’re a billionaire in Walnut Cove--I don’t think we have one, but, even if we did!--and somebody on welfare,  
**lets all bond together** [to address coal ash, fracking, racial healing, and the area’s future].”


[Residents at **Stokes Stoked**, an interracial worship event Rev. Leslie and her ministry “The Well” started to empower youth leadership and interracial opportunities for expressing faith; families play together, and audiences watch the UIC hip hop / praise / break dancers, 2015.]



**Speaking:** Ultimately, through oral testimonies—like those offered at the USCCR hearing in Walnut Cove, NC, and those included in addenda to this submission—“speaking is an act of power” (Slim, Thompson, 1993). **Speaking is an act of power** that Walnut Cove area residents

shared and will continue to share until change is enacted that gives them *equal access* to the right to lives free of the symptoms of toxic exposure, including cancers, illnesses, and other disorders. In the case of addressing civil and health rights violations, speaking is an act of power because it opens access to new knowledges that can influence others' future actions. Speaking, and speaking "out," centers a person whose rights have been violated in their own power *as* someone worthy, and as someone whose worth is relationally constituted. Speaking centers someone worthy not only in that they "respond" to others' prompts and claims, but worthy in their dignity and ability to "address" others; someone with the ability to be listened to beyond mere "recognition"; someone worthy to instead "be witnessed" (Oliver, 2001).

**Listening:** In response to oral testimonies—like those offered at the USCCR hearing in Walnut Cove, NC, and those included in addenda to this submission—"listening is an art" (Slim, Thompson, 1993). *Listening is an art* that the people of North Carolina, of Stokes County, and of the Walnut Cove area in particular, hope will continue to be taken up respectfully and skillfully by the state advisory and appointed federal commissioners of the USCCR, and all federal and state leaders whom they will influence. Art requires the will and bravery to transform information and inspiration into material effects. Art is an act of *creation* that in turn *inspires others to reflect and act* in their own lives, paths, and iterations of leadership.

<i>Community Perspectives</i>	<i>Historical Change</i>
<p><b>Ada and Willie Linster</b> see a Town, County, State and National Government that respect them enough to keep them informed about coal ash, fracking and other policies that affect their health and well-being. They envision a homeplace where their heritage is respected, not violated.</p> <p>Ada and her daughters have faced multiple cancers (differing vs. hereditary diagnoses). She speaks eloquently of the former Rosenwald Colored School (100+ years old) that became a <b>community center</b> housing local Black leaders' awards, cultural photo exhibits, and a painted mural of regional Black liberation leaders (many are ancestors to current Walnut Cove area residents). In recent years, the Community Center has been owned by the Town of Walnut Cove and used for Commissioners' meetings; residents are charged fees to hold meetings or arts rehearsals.</p>	 <p>A photograph of an elderly couple, Ada and Willie Linster, standing together indoors. Ada, on the left, is a Black woman with short grey hair, wearing a yellow top, a white cardigan, and a black patterned skirt. Willie, on the right, is a Black man wearing a yellow button-down shirt, blue jeans, and a yellow baseball cap. They are both smiling at the camera. The background shows a brick wall and a window with a view of trees outside.</p>



W: This don't make *no sense*. The people that are talking about **making money**, they ain't doing nothing but **killing everybody**, with that *stuff* [longterm coal ash, potential fracking]. ... They're talking about drilling that hole for fracking, so many thousands of feet in the ground—end up messing up **everybody's water** in the neighborhood further [than it already is].

*That ain't ethical* [laughter].

So, if *that'll* be the case, you could **go out here** and **kill** whoever **you wanted**, that **you didn't like** and get it over with.

They do it, **calling it legal!** That *ain't* legal, that **ain't legal at all.** [Silence]

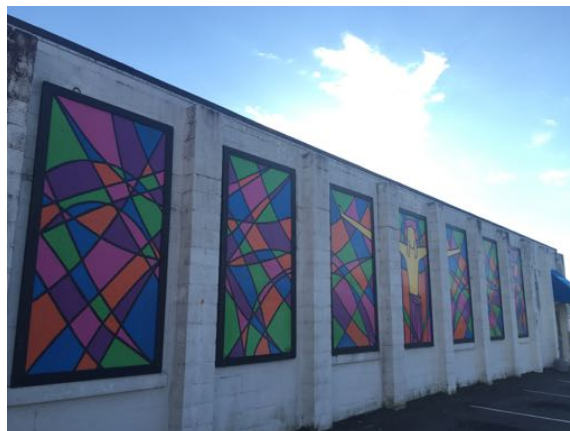
A: It was the Black school, bought by a white man, sold back to the Black folks. ... But then still when the **Black folks get down there** and get everything running, what's over down there? The **white folks**. What kinda meetings can you hold in there? You can't **hold nothing** now, because the **Town Board** got their junk sitting up on your stage. ... So if I wanted to **carry some children in** and practice on the stage up there, you **can't** practice—with the **mural of their ancestors** hanging up **behind 'em**.

W: Their **great grand parents...**

A: Their great grand parents. Their **ancestors** hanging up there. But can these children go in there and **sit outside**, in the town mess there?

**Who...** have they **walked over still?** *Nobody* but the **Black folks...**

[Above 1st: Ada and Willie Linster, at a Stokes County Commissioners Meeting. Above 2nd: Outreach ministry in Walnut Cove. Above 3rd, below 5th: Mural of ancestors—historic freedom fighters for Black and all Walnut Cove area residents. Town Commission positions panel equipment under mural, community members face the stage in a sea of advocacy for policy change. Above 4rd: Stokes County Courthouse "In God We Trust." RT: BCA materials are appreciated by members of the Linster family who faced cancers].



A: My *ideal vision* for the people of Walnut Cove is: **Good Health. Clean it Up.** Let us go *down* to our **County Commission**. Have **Duke Power** come in *here* and *clean* this area back up.

W: Give the **people**—our children will benefit from it. We will not be able to benefit from it.

But our **children** can benefit from it, our **grandchildren** can benefit from it.

A: But *until then*—you walk in, you tell the **Town** of Walnut Cove, and Danbury, **County** Commissioners, **Duke Power**, to **clean this mess up**—**Raleigh**, to *sic EPA* on ‘em—and **clean it**.

‘Cause it can get done.



W: That a way our future will be going.  
**Our legend will be there.**

A: Just like the **Walnut Cove Colored School**,  
**that** is our legend in Walnut Cove.  
Of **Mrs. Corey Hairston, Mrs. Catherine, Polly**, all of em they hanging up over on that row,  
**my momma** that’s sitting down there in one of the chairs, **my aunt** that’s hanging in there on the wall, **that was ours, our legend**.

**This here, clean this mess up, so our legend,  
our children will be able to live.**

Feel **free**. Be **able** to **walk outdoors**.



**Altar:** For the people of the Walnut Cove area—to include Walnut Tree, Pine Hall, and beyond—the invocation of "sacrifice zone" must no longer require the sort of altar where we place funeral caskets. This beloved community must no longer be placed at the type of “altar” where we pass by embalmed bodies, or where we speak of "sacrificial lambs.” Instead “sacrifice zones” must produce *living altars*, for a living people, in body and memory, in place, and its traces. Living altars invoke acts of *speaking* and *listening*, acts of *power* and acts of *art*. In communities that are toxified and envisioning remediation, living altars are vibrant, and yet

fractured sites where there is *redemption* from wrongdoing and the will and force to now *do right*. Living altars are vital sites capable of hosting joy and mourning, both; sites where all are welcome to sing and dance and prostrate themselves, not as statistics but as *individuals* who may join in *community*, where all are invited to act out and lift up their visions for the life and health they *deserve*. A living altar is one where the worthy people of Stokes County, Walnut Cove, Pine Hall, and Walnut Tree find *companionship* with many similar other coal ash-affected communities nationwide and globally. A living altar is one where these communities are surrounded by *accompanying* and *affected others* who see one another's dignity without condition, and act as conduits for the healing desired. A living altar is the space between a pulpit and a prayer bench, the space between a candle and a match and palm, where people whose lives have been toxified are *seen and heard* by the power of authorities on this earth and beyond it, authorities who will bring about right action on their behalf. A living altar welcomes the fullness of people's experiences with cancers, life-altering and life-threatening disorders from toxicity, and welcomes people with neurological, respiratory and cardiovascular illness correlated with coal ash to *know their own, unmediated power* to call out, to speak truth, and to speak truth *to* and *with* power. Living altars operate in the currency and offerings of integrity, and by the will of subjects who bravely commit themselves to enact rather than pontificate about love and justice—for “justice is love in action,” and “love made public” (Barber, Zelter, 2014, citing Cornel West).

A living altar is one where those who have acted with malice, or more possibly *ignorance* against their neighbors and their consciences, and against the greater conscience of democracy, are *free* to come up and lay those truths down, rather than bottle them up, hide them, and operate in the contorted, complicated pains of secrecy. A living altar is where these pained leaders, doers, and followers who have perpetuated harmful coal ash disposal practices are then *freed* to rectify the crimes already done, freed to co-create tangible action; beyond all enticements of simply making their “surfaces shine” with cleaned-up speech. A living altar is a site where those who have done wrong *knowingly* and *unknowingly* can be guided by willing others who are already there, who can train them in the paths of *mutual* and *effective respect* of their fellow beings. In the space of the living altar, those who are broken and those who seek right action are guided by the example of rewarded political and private industrial leaders who have *honored the good* that makes their own lives and leadership possible by honoring the lives and leadership of all affected-others in the communities where they operate. A living altar is a site where “affected others” will in turn affect change themselves—by speaking and praying their truths, dancing and singing their rights, by *testifying* to invoke alternative capacities for life and death in times and zones of toxic exposure. Testifying to honor our wisdom-bodies as they *live* and *die*, and not to reduce the quality or dignity, not to speed the pace or amplify the risk-profile of either process. Living altars are host to those who host change, by leading, performing, marching, living, dying, and testifying against the grain, for liberation and respect, now.