COMMONWEALTH of VIRGINIA

DEPARTMENT OF ENVIRONMENTAL QUALITY
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STATE WATER CONTROL BOARD AND VIRGINIA WASTE MANAGEMENT BOARD ENFORCEMENT ACTION - ORDER BY CONSENT ISSUED TO DUKE ENERGY CAROLINAS, LLC

SECTION A: Purpose

This is a Consent Order issued under the authority of Va. Code §§ 62.1-44.15 and 10.1-1455, between the State Water Control Board, the Virginia Waste Management Board and Duke Energy Carolinas, LLC, for the purpose of resolving certain alleged violations of the State Water Control Law, the Virginia Waste Management Act, the Virginia Water Quality Standards and applicable regulations.

SECTION B: Definitions

The following words and terms have the meaning assigned to them below:

1. "Boards" means collectively the State Water Control Board and the Virginia Waste Management Board.

2. "Department" or "DEQ" means the Department of Environmental Quality, an agency of the Commonwealth of Virginia, as described in Va. Code § 10.1-1183.

3. "Director" means the Director of the Department of Environmental Quality, as described in Va. Code § 10.1-1185.

4. "Discharge" means, when used without qualification, a discharge of a pollutant, or any addition of a pollutant or combination of pollutants, to state waters or waters of the contiguous zone or ocean other than a discharge from a vessel or other floating craft when being used as a means of transportation.

5. "Dredging" means a form of excavation in which material is removed or relocated from beneath surface waters.

6. "Duke" means Duke Energy Carolinas, LLC, a limited liability company organized under the laws of North Carolina, and its members, affiliates, partners, and subsidiaries. Duke is a "person" within the meaning of Va. Code § 62.1-44.3.

7. "Excavate" or "excavation" means ditching, dredging, or mechanized removal of earth, soil, or rock. 9 VAC 25-210-10.

8. "Fill" means replacing portions of surface water with upland, or changing the bottom elevation of surface water for any purpose, by placement of any pollutant or material including but not limited to rock, sand, earth, and man-made materials and debris. 9 VAC 25-210-10.

9. "Fill Material" means any pollutant which replaces portions of surface water with dry land or which changes the bottom elevation of a surface water for any purpose. 9 VAC 25-210-10.

10. "Industrial wastes" are "liquid or other wastes resulting from any process of industry, manufacture, trade, or business or from the development of any natural resources." Va. Code § 62.1-44.3.

11. "Notice of Violation" or "NOV" means a type of Notice of Alleged Violation under Va. Code § 62.1-44.15.

12. "Order" means this document, also known as a "Consent Order" or "Order by Consent," a type of Special Order under the State Water Control Law and the Virginia Waste Management Act.

13. "Pollutant" means any substance, radioactive material, or heat which causes or contributes to, or may cause or contribute to pollution. 9 VAC 25-210-10.

14. "Pollution" means such alteration of the physical, chemical or biological properties of any state waters as will or is likely to create a nuisance or render such waters: (i) harmful or detrimental or injurious to the public health, safety or welfare, or to the health of animals, fish or aquatic life; (ii) unsuitable with reasonable treatment for use as present or possible future sources of public water supply; or (iii) unsuitable for recreational, commercial, industrial, agricultural, or other reasonable uses; provided that (a) an alteration of the physical, chemical, or biological property of state waters, or a discharge or deposit of sewage, industrial wastes or other wastes to state waters by any owner which by itself is not sufficient to cause pollution, but which, in combination with such alteration of or discharge or deposit to state waters by other owners is sufficient to cause pollution; (b) the discharge of untreated sewage by any owner into state waters; and (c) contributing to the contravention of standards of water quality duly established by the board, are "pollution." Va. Code § 62.1-44.3; 9 VAC 25-210-10.

15. "Release" means any spilling, leaking, emitting, discharging, escaping, leaching or disposing.

16. "Significant alteration or degradation of existing wetland acreage or function" means human-induced activities that cause either a diminution of the areal extent of the existing wetland or cause a change in wetland community type resulting in the loss or more than minimal degradation of its existing ecological functions. 9 VAC 25-210-10.

17. "State Water Control Law" means Chapter 3.1 (§ 62.1-44.2 *et seq.*) of Title 62.1 of the Va. Code.

18. "State waters" means all water, on the surface and under the ground, wholly or partially within or bordering the Commonwealth or within its jurisdiction, including wetlands. Va. Code § 62.1-44.3.

19. "Surface water" means all state waters that are not ground waters as defined in Va. Code § 62.1-255.

20. "Va. Code" means the Code of Virginia (1950), as amended.

21. "VAC" means the Virginia Administrative Code.

22. "Virginia Waste Management Act" means Chapter 14 (§ 10.1-1400 *et seq.*) of Title 10.1 of the Va. Code. Article 2 (Va. Code §§ 10.1-1408.1 through –1413.1) of the Virginia Waste Management Act addresses solid waste management.

23. "VSWMR" means the Virginia Solid Waste Management Regulations, 9 VAC 20-81-10 *et seq.*

24. "VPDES" means Virginia Pollutant Discharge Elimination System.

25. "VPDES Regulation" means the regulation found at 9 VAC 25-31-10, *et seq.*

26. "VWPP" means Virginia Water Protection Permit.

27. "VWPP Regulation" means the regulation found at 9 VAC 25-31-210, *et seq.*

28. "Water Board" means the State Water Control Board, a permanent citizens' board of the Commonwealth of Virginia, as described in Va. Code §§ 10.1184 and 62.1-44.7.

29. "Waste Board" means the Virginia Waste Management Board, a permanent citizens' board of the Commonwealth of Virginia, as described in Va. Code §§ 10.1-1184 and -1401.

30. "Wetlands" means those areas that are inundated or saturated by surface or groundwater at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs, and similar areas. 9 VAC 25-210-10.

SECTION C: Findings of Fact and Conclusions of Law

1. Duke owns and operates the Dan River Combined Cycle Station (DRCC Station) north of Eden, North Carolina. Formerly, there were three coal-fired electric generating units at DRCC Station. As a result of the combustion of coal in the three coal-fired electric generating units, residual fly ash and bottom ash were generated at the site. At the DRCC Station, Duke maintains two storage impoundments (primary and secondary), which, at the time of the release described below, collectively held approximately 1.2 million tons of coal ash mixed with water.

2. On February 2, 2014, security officials at the DRCC Station noticed a coal ash and water mixture being released from a buried 48-inch stormwater pipe into the Dan River in North Carolina. The North Carolina Department of Environment and Natural Resources (NCDENR) was notified of the release by Duke on February 2, 2014. The United States Environmental Protection Agency (EPA) was also notified and was requested to assist in the oversight of cleanup activities.

3. The cause of the release was the sudden collapse of the 48-inch stormwater pipe, which runs beneath the DRCC Station's primary storage impoundment. Coal ash and ash pond water flowed into the failed section of the 48-inch line, and discharged to the Dan River. The estimated volume of ash released was between 30,000 and 39,000 tons. In addition, approximately 24 million to 27 million gallons of ash impoundment water were released.

4. Duke permanently plugged the 48-inch line on February 8, 2014.

5. The release of coal ash extended approximately 80 miles down the Dan River, from the DRCC Station to the Kerr Reservoir. NCDENR reported that the release reached the headwaters of the Reservoir on February 5, 2014.

6. The Dan River and Kerr Reservoir are surface waters, portions of which are located within the Commonwealth and are "state waters" under the State Water Control Law. The Dan River watershed is home to two identified endangered species, the Roanoke logperch and the James spinymussel. The river and reservoir are used, variously, for recreational and subsistence fishing, canoeing, kayaking, bird watching and other economically beneficial recreational activities. They are also sources of drinking water, livestock watering, crop irrigation and other economically beneficial uses.

7. Since the release, EPA, NCDENR, DEQ and Duke have conducted extensive sampling of the Dan River's water and sediment, as well as the ash materials from Duke's impoundments. Sampling results for surface water, taken at the time of the release and thereafter, revealed levels of arsenic, lead, aluminum, iron, beryllium, copper, boron, zinc, nitrate nitrogen and manganese which exceed EPA's risk-based ecological risk screening levels. Iron levels exceeded the Water Board's Water Quality Standard for iron. Sampling results for the ash material indicate the presence of arsenic, beryllium, cadmium, chromium, copper, lead, mercury, nickel, manganese, selenium, iron and zinc, all of which (with the exception of iron) have been listed by EPA as hazardous substances.

8. The U.S. Fish and Wildlife Service, coordinating with others, advised that following the release, ash deposits from five inches deep to trace amounts occurred at various locations along the Dan River riverbed from the DRCC Station to Kerr Reservoir. In addition, EPA identified there were several larger deposits of ash in the Dan River, including an approximately 2,500 ton deposit above Schoolfield Dam in Danville, and required Duke to remove these identified deposits. The Schoolfield Dam deposit has since been removed by Duke.

9. The Dan River within the state of Virginia from the Brantley Steam Plant Dam in Danville downstream to the confluence with Roanoke River on John H. Kerr Reservoir, including its tributaries Hyco River up to Rt. 738 bridge, and Banister River up to the Banister Dam, has been under a fish advisory for mercury since 1999 and polychlorinated biphenyls since 2006.

10. Va. Code § 62.1-44.5 states that: "[E]xcept in compliance with a certificate issued by the Board, it shall be unlawful for any person to discharge into state waters sewage, industrial wastes, other wastes, or any noxious or deleterious substances . . . or otherwise alter the physical, chemical or biological properties of state waters and make them detrimental to . . . the uses of such waters for domestic or industrial consumption, or for recreation, or for other uses . . . ".

11. The VPDES Regulation, at 9 VAC 25-31-50, states that except in compliance with a VPDES permit, or another permit issued by the Board, it is unlawful to discharge into state waters sewage, industrial wastes or other wastes.

12. Va. Code § 62.1-44.15(5a) states that VPDES and VWPP permits are "certificates" under the statute.

13. The Department has issued no permits or certificates to Duke either for the discharge of coal ash or ash impoundment water into State waters, or the filling of wetlands.

14. The Water Quality Standards at 9 VAC 25-260-20 state in part that: "[S]tate waters, including wetlands, shall be free from substances attributable to sewage, industrial waste, or other waste in concentrations, amounts, or combinations which contravene

established standards or interfere directly or indirectly with designated uses of such water or which are inimical or harmful to human, animal, plant, or aquatic life. Specific substances to be controlled include, but are not limited to: floating debris, oil, scum, and other floating materials; toxic substances (including those which bioaccumulate); substances that produce color, tastes, turbidity, odors, or settle to form sludge deposits; and substances which nourish undesirable or nuisance aquatic plant life.".

15. As a result of the release, the Virginia Department of Health issued a health advisory warning against direct contact with submerged or floating coal ash in the Dan River or dry coal ash along the Dan River's shoreline.

16. The Water Quality Standards at 9 VAC 25-260-140 limit iron in surface waters that are a source of drinking water, to 300 μg/l as a criterion to maintain acceptable taste, odor or aesthetic quality of drinking water and applies at the drinking water intake.

17. Sampling of the Dan River, at the intake for the Danville water treatment plant, performed by Duke for many weeks following the release showed iron at levels as high as 1730 μg/l. Sampling by Duke performed at the intake of the South Boston water treatment plant showed iron at levels as high as 2020 μg/l. These levels exceeded an aesthetic-based standard for taste and odor.

18. The Department has issued no permits to Duke for the disposal of solid waste in Virginia. Coal ash is a solid waste and a substance within the jurisdiction of the Waste Board per the Coal Combustion Byproduct Regulations at 9 VAC 20-85-10 *et seq.*

19. Va. Code § 10.1-1418.1 states in part that: "it shall be the duty of all persons to dispose of their solid waste in a legal manner."

20. The prohibitions set forth in the VSWMR at 9 VAC 20-81-40(C) state: "It shall be the duty of all persons to dispose of or otherwise manage their solid waste in a legal manner."

21. Based on the above, the Boards conclude that Duke has violated Va. Code § 62.1-44.5, Va. Code § 10.1-1418.1, 9 VAC 20-81-40(C), 9 VAC 25-260-20, 9 VAC 25-260-140, 9 VAC 25-210-50 and 9 VAC 25-31-50 by discharging coal ash and ash impoundment water, filling wetlands and disposing of solid wastes all without a permit issued by the Department.

22. In consideration of the obligations agreed to below and in the interest of expediting resolution of this matter, the Department has waived issuance of a Notice of Violation and Duke has waived its opportunity to respond.

SECTION D: Agreement and Order

Accordingly, by virtue of the authority granted them in Va. Code §§ 62.1-44.15 and 10.1-1455, the Boards order Duke, and Duke agrees:

1. To make total payments in the amount of $2,500,000 in settlement of the violations cited in this Order. Such payments shall be in the form set out in Section D. 1-6 of this Order.

    a. Within 30 days of the effective date of this Order, $250,000 of the total civil charge shall be paid by check, certified check, money order or cashier's check to the "Department of Environmental Quality," and delivered via express mail or hand delivery to:

        Accounts Receivable Manager
        Department of Environmental Quality
        629 E. Main Street
        Richmond, Virginia 23219

    Duke shall include its Federal Employer Identification Number (FEIN) with the civil charge payment, and shall indicate that the payment is being made in accordance with the requirements of this Order for deposit into the Virginia Environmental Emergency Response Fund. If the Department has to refer collection of moneys due under this Order to the Department of Law, Duke shall be liable for attorneys' fees of 30% of the amount outstanding.

2. In addition, Duke shall fund certain projects in Virginia (Virginia Projects), as described below, the total net project cost of which to Duke shall be no less than $2,250,000. If the total net project cost to Duke is less than $2,250,000 Duke shall pay the remaining amount in accordance with Paragraph D.1.a. of this Order. "Net project cost" means the net present after-tax cost of the Virginia Projects, including tax savings, grants, and first-year cost reductions, and other efficiencies realized by virtue of project implementation. If the project is a project for which Duke will receive an identifiable tax savings (e.g., tax credits for pollution control or recycling equipment), grants, or first-year operation cost reductions or other efficiencies, the net project cost shall be reduced by those amounts. The costs of those portions of the projects that are funded by state or federal low-interest loans, contracts, or grants shall be deducted.

    Duke may satisfy its obligation to fund the Virginia Projects in the cumulative amount of no less than $2,250,000 by any combination of the means provided below.

    a. Funding voluntarily agreed to by Duke, for any of the preapproved projects proposed by Virginia Stakeholders and listed in Appendix A of this Consent Order.

b. Funding voluntarily agreed to by Duke, for Virginia Projects not listed on Appendix A that are identified by Virginia Stakeholders after the effective date of this Order, which will:

1) improve water quality, quantity, and conservation;
2) enhance fish and wildlife habitats;
3) expand public use and access to waterways;
4) conserve lands that touch upon state waters; or
5) achieve comparable water-related goals.

c. Funding voluntarily agreed to by Duke prior to December 31, 2018, for projects selected by DEQ for the investigation, characterization, and source identification of constituents for which fish advisories have been issued prior to the coal ash spill in the Dan River watershed of Virginia.

d. Funding voluntarily agreed to by Duke, for any other Virginia Projects, as approved in writing by VDEQ on a case-by-case basis after the effective date of this Order.

3. The Virginia Projects undertaken will be selected Duke in consultation with Virginia Stakeholders. The term "Virginia Stakeholders" shall include, but not be limited to community groups organized to evaluate the impacts of the spill and to identify environmental projects.

4. To be credited against the $2,250,000.00 amount in Section D.2., Duke shall commit in writing no later than December 31, 2018, to fund the selected Virginia Project. Duke shall provide written notice to DEQ within 30 days of making a written commitment to fund a Virginia Project. The funding shall be credited upon Duke's commitment even though there may be subsequent conditions (e.g. completion of work funded) and disbursements. Duke also shall provide an accurate and updated accounting to DEQ of funding for Virginia Projects no later than June 30 and December 31 of each calendar year until December 31, 2018 or until cumulative funding by Duke for the Virginia Projects reaches $2,250,000.00.

5. The term "funding voluntarily agreed to by Duke" shall include funding committed by Duke directly or through grants from the Water Resources Fund funded by Duke.

6. The term "funding voluntarily agreed to by Duke" shall not include moneys paid or required to be paid by Duke as a result of a: (1) court ordered recovery for economic loss, (2) natural resource damage assessment by the Natural Resource Damage Trustee Council (NRDTC), or (3) resolution of alleged criminal conduct, if such order, assessment or resolution exists at the time Duke commits in writing to such funding.

7. Nothing in this Consent Order is intended to prevent the NRDTC from subsequently crediting Duke for projects funded under this Consent Order. Such crediting shall not affect the net project cost.

SECTION E: Administrative Provisions

1. The Boards may modify, rewrite, or amend this Order with the consent of Duke, for good cause shown by Duke, or on their own motion pursuant to the Administrative Process Act, Va. Code § 2.2-4000 *et seq.*, after notice and opportunity to be heard.

2. This Order addresses and resolves only those violations specifically identified in Section C of this Order. This Order shall not preclude the Boards or the Director from taking any action authorized by law, including but not limited to: (1) taking any action authorized by law regarding any additional, subsequent, or subsequently discovered violations; or (2) taking subsequent action to enforce the Order.

3. Solely for purposes of issuance and enforcement of this Order, Duke agrees not to challenge the jurisdictional allegations, but neither admits nor denies the findings of fact, and conclusions of law contained herein.

4. Duke consents to venue in the Circuit Court of the City of Richmond for any civil action taken to enforce the terms of this Order.

5. Duke declares it has received fair and due process under the Administrative Process Act, the State Water Control Law and the Virginia Waste Management Act and it waives the right to any hearing or other administrative proceeding authorized or required by law or regulation, and to any judicial review of any issue of fact or law contained herein. Nothing herein shall be construed as a waiver of the right to any administrative proceeding for, or to judicial review of, any action taken by the Boards to modify, rewrite, amend, or enforce this Order.

6. Duke agrees to waive its defense of preemption under the Clean Water Act and federal case law solely for purpose of entry of this Consent Order, but does not waive and specifically reserves the defense of preemption as to all other claims by third parties.

7. Failure by Duke to comply with any of the terms of this Order shall constitute a violation of an order of the Boards. Nothing herein shall waive the initiation of appropriate enforcement actions or the issuance of additional orders as appropriate by the Boards or the Director as a result of such violations. Nothing herein shall affect appropriate enforcement actions by any other federal, state, or local regulatory authority.

8. If any provision of this Order is found to be unenforceable for any reason, the remainder of the Order shall remain in full force and effect.

9. Duke shall be responsible for failure to comply with any of the terms and conditions of this Order unless compliance is made impossible by earthquake, flood, other acts of God, war, strike, or such other unforeseeable circumstances beyond its control and not due to a lack of good faith or diligence on its part. Duke shall demonstrate that such circumstances were beyond its control and not due to a lack of good faith or diligence on its part. Duke shall notify the DEQ Enforcement Director verbally within 24 hours and in writing within three business days when circumstances are anticipated to occur, are occurring, or have occurred that may delay compliance or cause noncompliance with any requirement of the Order. Such notice shall set forth:

   a. the reasons for the delay or noncompliance;

   b. the projected duration of any such delay or noncompliance;

   c. the measures taken and to be taken to prevent or minimize such delay or noncompliance; and

   d. the timetable by which such measures will be implemented and the date full compliance will be achieved.

   Failure to so notify the Enforcement Director verbally within 24 hours and in writing within three business days, of learning of any condition above, which Duke intends to assert will result in the impossibility of compliance, shall constitute a waiver of any claim to inability to comply with a requirement of this Order.

10. This Order is binding on the parties hereto and any successors in interest, designees and assigns, jointly and severally.

11. This Order shall become effective upon execution by both the Director or his designee and Duke. Nevertheless, Duke agrees to be bound by any compliance date which precedes the effective date of this Order.

12. This Order shall continue in effect until:

   a. The Director or his designee terminates the Order after Duke has completed all of the requirements of the Order;

   b. Duke petitions the Director or his designee to terminate the Order after it has completed all of the requirements of the Order and the Director or his designee approves the termination of the Order; or

   c. The Director or Boards terminate the Order in his or their sole discretion upon 30 days' written notice to Duke.

Termination of this Order, or any obligation imposed in this Order, shall not operate to relieve Duke from its obligation to comply with any statute, regulation, permit condition, other order, certificate, certification, standard, or requirement otherwise applicable.

13. Any plans, reports, schedules or specifications attached hereto or submitted by Duke and approved by the Department pursuant to this Order are incorporated into this Order. Any non-compliance with such approved documents shall be considered a violation of this Order.

14. The undersigned representative of Duke certifies that he or she is a responsible officer authorized to enter into the terms and conditions of this Order and to execute and legally bind Duke to this document. Any documents to be submitted pursuant to this Order shall also be submitted by a responsible officer of Duke.

15. This Order constitutes the entire agreement and understanding of the parties concerning settlement of the violations identified in Section C of this Order, and there are no representations, warranties, covenants, terms or conditions agreed upon between the parties other than those expressed in this Order.

16. By its signature below, Duke voluntarily agrees to the issuance of this Order.

And it is so ORDERED this _____ day of _____, 2015.

_____
David K. Paylor, Director

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Duke Energy Carolinas, LLC voluntarily agrees to the issuance of this Order.

Date: 3/27/15 By: _____

Harry K. Sideris
Senior Vice President, Environmental Health & Safety
Duke Energy Carolinas, LLC

State of North Carolina
City/County of Charlotte/Mecklenburg

The foregoing document was signed and acknowledged before me this 27 day of March, 2015, by Harry K. Sideris who is Senior Vice President, Environmental Health & Safety of Duke Energy Carolinas, LLC, on behalf of the limited liability company.

Patricia C. Ross
Notary Public

19942870090
Registration No.

My commission expires: 10-19-2019

Notary seal:

PATRICIA C. ROSS
NOTARY PUBLIC
Mecklenburg County
North Carolina

APPENDIX A

Comprehensive list of potential Virginia-based Dan River Basin enhancement projects

County (state)	Project Description
Pittsylvania (VA)	Grant of $250,000.00 by the Water Resources Fund to the Danville Riverbank Foundation (made on September 24, 2014)
Bedford (VA)	Funding for work to further the genetic restoration of the Roanoke logperch population occupying Goose Creek, tributary to Roanoke River.
Franklin (VA)	Funding of removal by other entities of Power Dam on the Pigg River.
Halifax (VA)	Funding to improve and dedicate public river access: Dan & Banister Confluence.
Halifax (VA)	Funding to improve and dedicate public river access: Rte 658, Melon Road (Paces).
Halifax (VA)	Funding to improve and dedicate public river access: Rte 671, News Ferry Trail.
Halifax (VA)	Funding to improve and dedicate public river access: Rte 716, Wolf Trap Road (Bannister R).
Halifax (VA)	Funding to improve and dedicate public river access: South Boston DGIF Access.
Halifax (VA)	Funding to improve and dedicate public river access: US-58.
Henry (VA)	Funding for land and facilities for a state park on the North and South Forks of the Mayo River in Henry County, VA.
Henry (VA)	Funding for Ravenscroft stream restoration and watershed preservation Site (Ravenscroft).
Not specified – Dan River Basin within VA	Funding for a permanent conservation easement fund (1) to create a buffer or riparian zone for landowners adjoining river, (2) to promote creation of a greenway, (3) protect natural heritage sites, or (4) to preserve streams or wildlife habitat along the Dan River.
Not specified – Dan River Basin within VA	Funding to provide information to the public that the coal ash spill did not adversely affect agriculture, livestock, or wildlife
Not specified – Dan River Basin within VA	Funding to create a Classroom on the River program to provide an opportunity for every middle school student to visit or paddle the Dan River.

Listing these projects is not an endorsement of them by either the Virginia Department of Environmental Quality of Duke Energy; listing
does not imply they will be undertaken.

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Not specified – Dan River Basin within VA	Funding to create a permanent fund to test, repair, and replace failed or aging septic systems on properties adjoining the Dan River.
Not specified – Dan River Basin within VA	Funding to create canoe and kayak portage around Dan River dams.
Not specified – Dan River Basin within VA	Funding to create an education program on river hazards and safety practices using unified regional signage and language.
Not specified – Dan River Basin within VA	Funding to create an education program on the state of the Dan River.
Not specified – Dan River Basin within VA	Funding to improve existing and create new river access points to and through the river.
Not specified – Dan River Basin within VA	Funding to increase the number of trails, bike/pedestrian river crossings, and river points of interest.
Not specified – Dan River Basin within VA	Funding to prepare and issue a periodic report card on the state of the Dan River showing baselines and changes in quality supported by a web-based site for data collected on drinking water, recreation, and agriculture including heavy metals and toxin aberrations on benthic, macro invertebrates, and vertebrates in the basin.
Not specified – Dan River Basin within VA	Funding to provide complementary environmental programs targeting the river in schools and for the general public.
Not specified – Dan River Basin within VA	Funding to research health effects on humans and animals resulting from other ash spill events (ex: TVA).

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Not specified – Dan River Basin within VA	Funding to support efforts to improve water quality by the agriculture sector through riparian buffers, exclusion fencing, and irrigation and livestock watering from wells rather than direct river draw.
Not specified – Dan River Basin within VA	Funding to expand RRBA's UpperReach program; educational outreach and marketing campaign.
Pittsylvania (VA)	Abreu Grogan park improvements of various sorts (including, for example, floating dock, signage kiosk, public restrooms, maps, and bank improvements).
Pittsylvania (VA)	Funding for bike Share Facilities providing rentals for Riverwalk and trail users.
Pittsylvania (VA)	Funding for City of Danville Riverwalk, remaining segments.
Pittsylvania (VA)	Funding for creation of Riverfront Park - Downtown, 4.5 ac multiuse open space.
Pittsylvania (VA)	Funding for North Bank Park /Trail Head: 4.6 acre property for trail head parking area, green space.
Pittsylvania (VA)	Funding for real-time pollutant monitoring upstream of Danville drinking water intake (early warning system).
Pittsylvania (VA)	Funding to improve and dedicate public river access: Birnam wood or Hwy 58 (Dan R).
Pittsylvania (VA)	Funding to improve and dedicate public river access: Burford/Oak Ridge ln. or Hwy 58 By-pass (Dan R).
Pittsylvania (VA)	Funding to improve and dedicate public river access: Riverside Dr./Riverwalk Trail, City of Danville (Dan R)
Stokes (NC), Patrick (VA)	Funding to protect and augment Cardamine micranthera populations in the northern Dan River watershed (5-6 sites).

Listing these projects is not an endorsement of them by either the Virginia Department of Environmental Quality of Duke Energy; listing
does not imply they will be undertaken.