

American Rivers • Appalachian Voices • Cape Fear River Watch •
Catawba Riverkeeper Foundation • Clean Air Carolina • Clean Water for NC •
Environment North Carolina • MountainTrue • NC Coastal Federation •
NC Conservation Network • NC League of Conservation Voters • NC Sierra Club •
Sound Rivers • Southern Environmental Law Center • Yadkin Riverkeeper

September 30, 2015

The Honorable Pat McCrory
Governor of the State of North Carolina
NC State Capitol
1 East Edenton Street
Raleigh, NC 27601

Dear Governor McCrory:

We write to urge you to veto **H765, the Regulatory Reform Act of 2015**, the worst environmental bill of 2015, and perhaps of your Administration. Collectively, our organizations span the state from the mountains to the sounds, and speak for hundreds of thousands of North Carolinians from all walks of life. North Carolinians value protections that keep our families safe, build strong communities, and sustain a vibrant economy. Provision after provision of H765 threatens all of these.

Today, we ask you to protect our communities, our public health, and our heritage of clean air, water, and land. Below, we underscore provisions of H765 that, we hope you will agree, no elected official in North Carolina should want as a part of their legacy of service. These provisions were inserted by the Senate into a one-page House bill through a process that minimized opportunities for public involvement. The provisions drew bipartisan opposition in the legislature; yet, they have arrived at your desk, and now can be stopped only by your veto stamp.

Environmental Self-Audit Privilege, §4.1. This provision would shield companies that violate environmental laws from penalties if they self-report. More seriously, it would hide evidence from injured neighbors seeking a remedy in court.

Stream Impacts, §4.31. Intermittent and small headwater streams account for over half of North Carolina's stream miles, providing habitat for wildlife and protecting water quality. H765 eliminates state requirements to offset damage to intermittent streams, threatening downstream drinking water supplies.

Coastal Stormwater Requirements, §4.19. This provision weakens controls on stormwater pollution along our coasts, putting at risk the water quality that sustains our fisheries and tourism industries.

Idling Rules, §4.24. This provision repeals a state rule that limits heavy duty truck idling to 5 minutes at a time. Left running, these heavy duty engines emit particulate pollution that harms our most

susceptible populations: developing children, seniors, and sensitive adults. Cost competitive alternatives to idling are available; keeping the rules in place will protect public health without harming the economy.

Air Monitors, §4.25. This provision significantly reduces the number of state air quality monitors, which are vital for detecting unexpected declines in air quality as our state continues to grow rapidly. Vulnerable North Carolinians also rely on these monitors on a daily basis to protect themselves and their families from life-threatening exposures to ambient pollution.

Risk Remediation, §4.7. This provision expands a state program that allows incomplete cleanup of soil and groundwater contamination to cover virtually all sources of contamination, past, present and future. That expansion sharply reduces ultimate protections for neighbors, communities, and the environment at most of those sites.

Other provisions in the bill work against citizens who challenge weak air permits (§4.17); fail to collect sufficient fees from landfills to fund adequate state oversight (§4.9); and set impact thresholds that allow the destruction of most isolated wetlands across the state without mitigation (§4.18), increasing flooding downstream. A characteristic provision eliminates consideration of the economic impact of a rule change – no matter how much it costs public health, the environment, or the state as a whole (§1.6) – if it makes the rule less stringent for a polluter.

Nothing in H765 is essential. Much is harmful. Please use the veto authority vested in you by North Carolina's Constitution to reject H765's vision for a dirtier, less healthy North Carolina.

Thank you for your leadership.

Sincerely,

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State Director
NC Sierra Club

Brian Buzby
Executive Director
NC Conservation Network

Derb Carter
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