

ASH POND NEWSLETTER



October 2018

The following is a collection of ash pond news from the month of October. The intent of the newsletter is to summarize news regarding ash pond closure activities, lawsuits filed against utilities relating to their ash ponds, as well as regulatory changes impacting ash pond operations or closures. This newsletter is distributed on a monthly basis.

DEBATE OVER SAMPLING RESULTS

The Waterkeeper Alliance and other environmental groups state that arsenic levels detected in the Neuse River near **Duke Energy's** H.F. Lee Plant in Goldsboro, North Carolina are nearly 18 times higher than the state drinking water standard. Samples collected by the North Carolina Department of Environmental Quality (NCDEQ) do not show a spike in heavy metals in the river. The NCDEQ sampled the river four days after the Waterkeeper Alliance sampling.

<https://www.wral.com/deq-tests-near-goldsboro-coal-ash-spill-show-no-spike-in-metals/17887325/>

Results from groundwater samples collected at the Cape Fear River, near **Duke Energy's** L.V. Sutton Plant, are wildly different depending on who you ask. Samples collected by Duke Energy and the NCDEQ indicate that all heavy metals associated with coal ash were below state water quality standards. An environmental group, Waterkeeper Alliance, collected their samples the day the coal ash breached from the pond. Results from their samples indicate levels of arsenic are approximately 71 times higher than the state safety standard for water quality.

<https://www.coastalreview.org/2018/10/sutton-spill-debate-over-data-continues/>

KINGSTON LAWSUIT

During the 2008 **Tennessee Valley Authority** Kingston coal ash spill, Jacobs Engineering was hired to complete the cleanup. Jacobs Engineering employees claim their health was at risk because of exposure to toxic elements in fly ash, a byproduct of burning coal. They also claim that Jacobs was negligent and fraudulent in not properly informing them of the dangers, protecting them with safety masks, or keeping accurate air monitor readings. The trial began mid-October and is ongoing.

<https://www.wvlt.tv/content/news/497740951.html>

<https://www.knoxnews.com/story/news/crime/2018/10/24/coal-ash-spill-tennessee-scientist-backs-up-sickened-workers-claims/1735427002/>

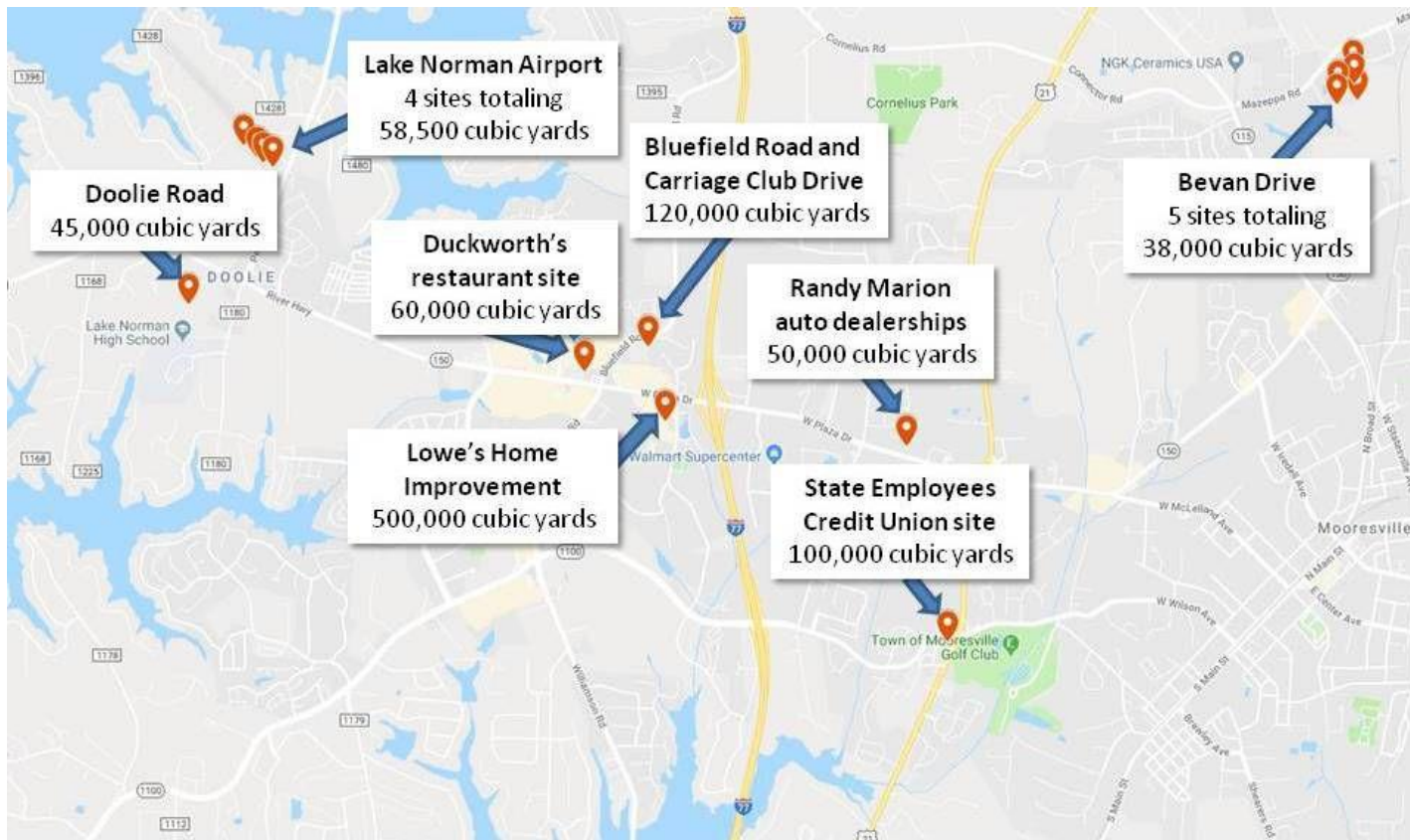
<https://www.knoxnews.com/story/news/crime/2018/10/25/kingston-coal-ash-spill-jacobs-engineering-tva/1735492002/>

NORTH CAROLINA COAL ASH FILL SITES

According to the NCDEQ, there are 14 sites within Iredell County, North Carolina that contain a total of nearly one million cubic yards of coal ash buried as structural fill. During recent construction near a local high school, 40,000 tons of buried coal ash was encountered. In the 1990s and early 2000s, **Duke Energy** marketed coal ash for beneficial reuse, both as an ingredient in other projects and as a replacement for construction material.

https://www.statesville.com/news/local/coal-ash-disrupted-near-lake-norman-high-school/article_35dc35d0-d7d0-11e8-a330-53ddc2f70d12.html

https://www.statesville.com/news/local/iredell-s-coal-ash-corridor-is-largest-concentration-in-state/article_9b8d140c-da1f-11e8-b0e2-638e3a580227.html



Buried Coal Ash in Iredell County, NC

COAL POWER PLANT ASH POND CLOSURES AND MODIFICATIONS

Closure of coal-fired power plants have occurred at a record rate in 2018. Coal-fired power plants are predicted to accelerate as they become increasingly uneconomic.

http://ieefa.org/wp-content/uploads/2018/10/Record-Drop-in-U.S.-Coal-Fired-Capacity-in-2018_October2018.pdf

AEP announces plans to close its Conesville Power Plant, located in Conesville, Ohio, by 2020.

<https://www.coshoctontribune.com/story/news/local/2018/10/05/aep-conesville-plant-close-may-2020/1536021002/>

Duke Energy's Buck Steam Station, which has been retired since 2013, was recently decommissioned and imploded (video of implosion in link).

<https://www.wkyc.com/article/news/local/video-duke-energy-implodes-its-first-coal-plant-in-salisbury/95-606183676>

The **East Kentucky Power Cooperative** is undertaking a multi-million-dollar project to keep its Spurlock Station running and compliant with environmental regulations.

<https://maysville-online.com/top-stories/158226/ekpc-to-invest-262-million-to-keep-spurlock-station-running>



Spurlock Station

Duke Energy's Ashville Power Plant is being reworked and is approximately halfway complete to becoming a combined-cycle natural gas plant instead of the old coal fired plant. Duke is excavating coal ash from the onsite 34-acre coal ash impoundment.

<https://www.wsoctv.com/news/local/duke-energy-shows-off-construction-progress-at-898m-asheville-gas-plant/854714960>

Duke Energy is going to recycle 2.5 million tons of coal ash from its Weatherspoon facility by sending it to South Carolina Facilities where it will be used to make cement.

https://www.greensboro.com/ap/north_carolina/residents-near-coal-ash-sites-get-new-water-supplies/article_4c8ed193-49d9-5487-9201-a40f6ff0a1ee.html

LEGAL AND REGULATORY

Indiana – Federal Appeals Court Rulings could change closure plans for the Lawrenceburg Coal Ash Pond. Capping the old legacy pond is no longer an option. Excavating and moving the coal ash into a lined landfill is the best way to protect it from contacting water.

<https://www.eaglecountryonline.com/news/local-news/idem-lawrenceburg-ash-pond-closure-plan-on-hold-as-federal-cases-linger/>

<https://www.wfyi.org/news/articles/plans-for-lawrenceburg-coal-ash-pond-could-get-revised>

Pennsylvania – Four nonprofit environmental groups filed a notice of intent to sue **Talen Energy** over illegal discharges into the Sesquehanna tributary made by their Brunner Island Power Plant.

https://www.bayjournal.com/article/pa_power_plant_accused_of_illegal_discharges_into_susquehanna_tributary

Virginia – Federal appeals court has rejected a request from the Sierra Club to hold a new hearing to reconsider a ruling that **Dominion Energy's** discharge of arsenic from a coal ash storage site does not violate the U.S. Clean Water Act.

<https://www.whsv.com/content/news/Appeals-court-rejects-new-hearing-in-Dominion-coal-ash-case-496707621.html>

North Carolina – Required by a 2016 North Carolina State Law, **Duke Energy** recently reached a deadline to have new water supplies installed in houses near 14 of their coal power plants. Over 600 households have been connected to public water supplies and over 150 additional households received new filtration systems.

<http://www.wfae.org/post/duke-meets-deadline-water-supplies-coal-ash-neighbors#stream/0>



Coal Ash Pond Near River

Washington, D.C. – Environmental groups led by Earthjustice, including The Hoosier Environmental Council and other groups, filed suit against the Trump administration, in the U.S. Court of Appeals for the District of Columbia Circuit, for the weakening and roll back of laws which regulate coal ash storage ponds.

<https://www.indystar.com/story/news/environment/2018/10/28/indiana-group-sues-epa-gutting-rule-protect-against-toxic-coal-ash/1770300002/>

<https://thehill.com/policy/energy-environment/412524-greens-challenge-trumps-rollback-of-coal-ash-standards>

Contact Us

Roux Associates

1200 Harger Rd., Suite 800

Oak Brook, IL 60523

(630) 572-3300

palvey@rouxinc.com

www.rouxinc.com