

ASH POND NEWSLETTER



July 2019

The following is a collection of ash pond news from the month of July. 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.

LEGAL AND REGULATORY

North Carolina, Virginia, and the U.S. Federal Government are seeking damages from **Duke Energy** relating to their Dan River coal ash spill in 2014. The suit states 27 million gallons of coal ash wastewater was spilled into the Dan River, and in the days following, spill residue was found as far as 70 miles downstream from the power station.

The suit was filed on July 18, 2019 in U.S. District Court in central North Carolina by the U.S. Justice Department on behalf of the U.S. Fish and Wildlife Service (USFWS), in cooperation with the North Carolina Department of Environmental Quality (NCDEQ) and the Virginia Department of Environmental Quality (VDEQ).

<https://legalnewsline.com/stories/512782651-states-federal-government-seek-damages-from-duke-energy-over-2014-coal-ash-spill>

<http://www.kallanishenergy.com/2019/07/24/duke-energy-sued-for-2014-coal-ash-spill-to-dan-river/>



Extent of Contamination from the 2014 Dan River Spill

The NCDEQ, VDEQ, and USFWS are seeking the public's input on the draft restoration plan and environmental assessment related to **Duke Energy's** 2014 Dan River coal ash spill. The public comment period began July 26, after the notice of availability for the draft restoration plan and consent decree were published in the Federal Register. The comment period ends on September 9, 2019.

The NCDEQ, VDEQ, and USFWS have scheduled two public information sessions to present the draft restoration plan, with an open house and poster session focused on answering questions about the projects identified in the draft restoration plan.

<https://augustafreepress.com/dan-river-environmental-assessment-seeks-comment/>

<https://wset.com/news/local/dan-river-resource-trustee-seek-public-input-on-restoration-plan-environmental-assessment>

<https://www.wnct.com/news/north-carolina/nc-va-meetings-to-detail-duke-energy-coal-ash-settlement/>

<https://apnews.com/f0239a756d0b468eba47e6ffd3af811d>

The West Virginia House of Delegates has advanced a bill to exempt a struggling coal-fired power plant from a state tax. This bill, if passed, would stop charging **FirstEnergy Solutions** \$12.5 million in taxes. The bill now moves to the full House for consideration.

<https://apnews.com/2de809785f7e4511871373160acff104>

The Trump administration announced in July that they will not require electric utilities to show they have money to clean up hazardous spills from power plants. Environmental Protection Agency officials said Tuesday that modern industry practices and recently enacted regulations are sufficient to shield taxpayers from potential cleanup costs.

<https://www.apnews.com/e0de55a8f3fb4e4eaf6c8adf0c591c70>

The Governor of Illinois has signed into law The Coal Ash Pollution Prevention Act. The Coal Ash Pollution Prevention Act lays out guidelines for Illinois environmental agencies to create new rules for the storage and disposal of coal ash. The new law takes effect immediately and requires power plant owners to pay fees for storing coal ash.

<https://will.illinois.edu/news/story/new-law-aims-to-prevent-toxic-coal-ash-contamination-of-illinois-waterways>

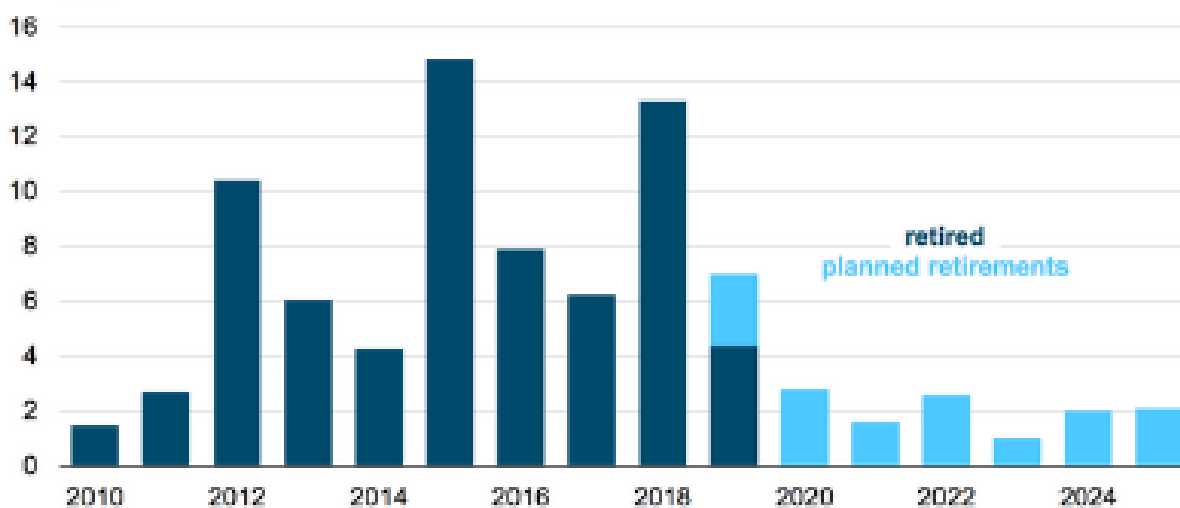
COAL POWER PLANT ASH POND CLOSURES AND MODIFICATIONS

More U.S. coal-fired power plants are being decommissioned. Between 2010 and the first quarter of 2019, U.S. power companies announced the retirement of more than 546 coal-fired power units, totaling roughly 102,000-megawatts of generating capacity. In 2018, utilities retired more than 13,000-megawatts of coal-fired generation capacity, which is the second-highest annual total for U.S. coal retirements. As these plants are retired, the utilities will be forced to address their coal combustion residual (CCR) management units.

<https://www.kallanishenergy.com/2019/07/29/more-us-coal-fired-power-plants-being-decommissioned/>

<https://www.eia.gov/todayinenergy/detail.php?id=40212&src=email>

Total Net Summer Capacity of Retired & Retiring Coal Units gigawatts (2010-2025)



Source: U.S. EIA

Coal Plant Retirement

Georgia Power is closing an 865-megawatt coal-fired power plant, Plant Hammond. **Georgia Power** also announced that they plan to add 2,260-megawatts of new renewable power generation to the utility's total power generation. **Georgia Power** also announced that after closure of the coal ash ponds at Plant Hammond, they may develop a solar project at that location to further increase their renewable energy production.

<https://www.powermag.com/regulators-back-georgia-power-plan-to-close-coal-units-add-renewables/?pagenum=1>

The **Tennessee Valley Authority** announced that they will not be excavating the approximate 5 million tons of coal ash in their Bull Run Fossil Plant. The Bull Run Fossil Plant will close by 2023, and it is likely the ash pond will be closed in place unless they are ordered to do otherwise.

<https://www.knoxnews.com/story/news/local/tennessee/tvacoalash/2019/07/08/tva-plans-to-keep-coal-ash-pit-at-bull-run/1670651001/>

Liberty Utilities-Empire District in Joplin, Missouri is proposing to retire their 200-megawatt Asbury coal plant by the end of 2019. The utility plans to place an additional push towards renewable energy in the coming decades.

<https://energynews.us/2019/07/29/midwest/small-missouri-utility-proposes-big-pivot-to-clean-energy-in-latest-resource-plan/>



Alabama Power's Plant Gadsden

Alabama Power is continuing with their plan to close their ash ponds in place instead of excavating and disposing of the coal ash at five coal power plants: Plant Barry, Plant Gaston, Plant Gorgas, Plant Greene, and Plant Miller. Closure of ash ponds in place has already been completed at **Alabama Power's** Plant Gadsden. Environmentalists would prefer to see **Alabama Power** completely excavate the ash from all of the utility's ash ponds.

<https://www.al.com/news/2019/07/alabama-power-sticks-to-plan-to-cover-coal-ash-ponds-despite-concerns.html>

Contact Us

Roux Associates

1200 Harger Rd., Suite 800

Oak Brook, IL 60523

(630) 572-3300

palvey@rouxinc.com

www.rouxinc.com