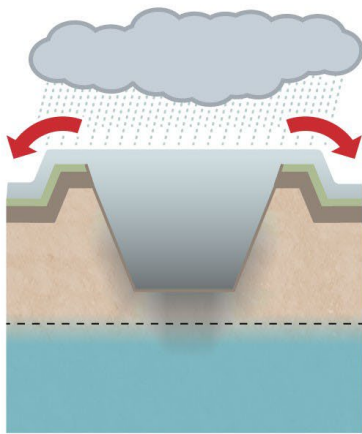


ASH POND NEWSLETTER



August 2019

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

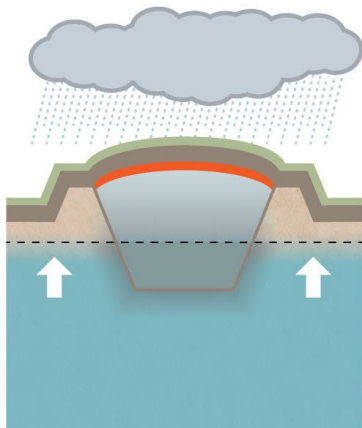
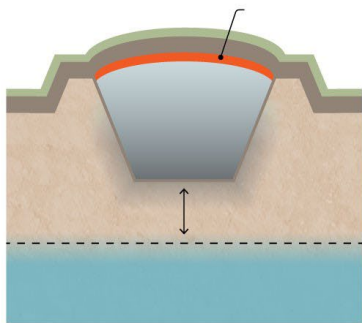


COAL PONDS AT RISK DUE TO CLIMATE CHANGE?

According to a review of government and industry data by POLITICO, more than 100 coal-fired power plants with either active or inactive coal ash ponds reside in areas that federal emergency managers have labeled a high risk for flooding.

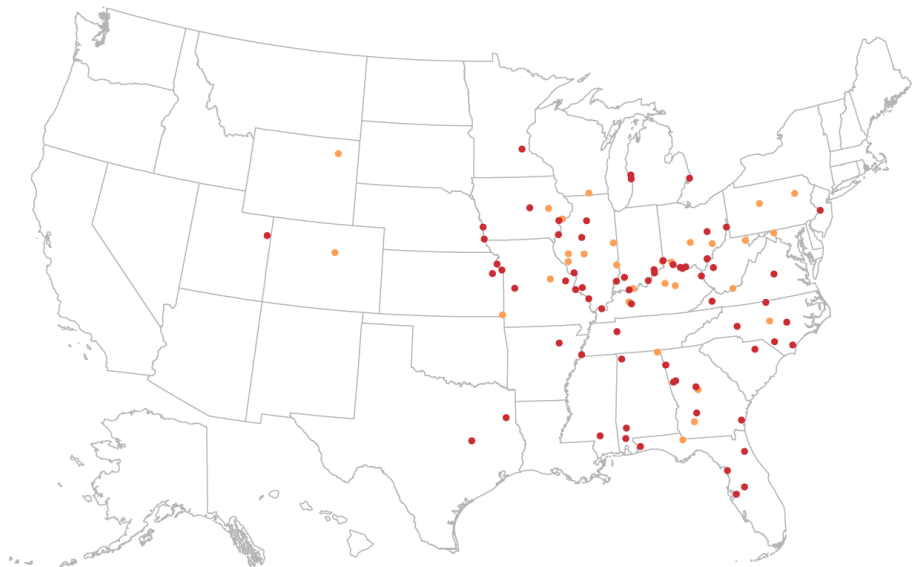
Drinking water wells in rural areas show contamination from chemicals found in coal ash such as arsenic, lithium, cobalt, and radium near 24 coal ash sites across 13 states, according to the EPA and environmental groups Environmental Integrity Project and Earthjustice. Scientists say heavier rains are expected to come as climate change continues. These heavier rainfall events threaten to bring increased risk to the coal ash ponds. Even if the pond is capped, contaminants from coal ash can leach into the groundwater as the water table rises.

<https://www.politico.com/story/2019/08/26/toxic-waste-climate-change-worse-1672998>



Rising Groundwater Table Rising above Base of Ash Pond

70 Power Plants with Active Coal Ash Ponds and 31 with Inactive Ponds



Coal Ash Ponds Located in FEMA-identified flood zones

LEGAL AND REGULATORY

Duke Energy and lawyers for dozens of insurers are continuing mediation discussions to hopefully reach a settlement in what could be a \$600 million suit regarding insurance liability over coal ash issues. According to **Duke** and lawyers representing the insurance companies, it is still uncertain if a settlement will be reached. All parties agreed the stay on the proceedings, granted in January 2019, could end on September 5, 2019. This will allow work to continue to keep the case on track for a trial in February 2021 if no settlement is reached before that time.

<https://www.bizjournals.com/charlotte/news/2019/08/28/settlement-talks-continue-in-duke-energy-coal-ash.html>

In our [May 2019 Ash Pond Newsletter](#), it was discussed how **Puerto Rico** was disposing of coal ash at the JED Landfill located in Osceola County, Florida. Osceola County commissioners have now formally canceled that agreement. The landfill accepted the final shipment of Puerto Rican coal ash on August 10, 2019.

http://www.aroundosceola.com/news/delivery-of-coal-ash-from-puerto-rican-has-ended-landfill/article_010a3180-c074-11e9-972e-ab54466bda29.html

<https://www.mynews13.com/fl/orlando/news/2019/08/21/osceola-leaders-formally-puerto-rico-revoke-coal-ash-agreement>



Georgia Powers Plant Hammond

Georgia Power's Plant Hammond closed earlier this year; however, its coal ash ponds remain a controversy between **Georgia Power** and environmentalists. The current closure plan for a 25-acre coal ash pond is to dewater it and close it in place. The Southern Environmental Law Center is arguing that a permit cannot be issued for Plant Hammond because Ash Pond 3 is partially submerged in groundwater and is unlined.

http://www.northwestgeorgianews.com/rome/business/environmentalists-claim-coal-ash-remediation-at-plant-hammond-is-insufficient/article_6b5578c4-c416-11e9-9fe5-4753cd6cb595.html

Duke Energy has been battling a North Carolina Department of Environmental Quality (NCDEQ) order in court for **Duke** to excavate and relocate the coal ash from six of their coal ash ponds. The judge presiding over **Duke's** appeal of the NCDEQ's coal ash closure decisions issued an order in favor of the NCDEQ. This ruling confirmed the NCDEQ's authority to choose how **Duke** must close the six sites it has so far refused to clean up.

<https://www.thestokesnews.com/news/20947/court-rules-against-duke-in-clean-up>

COAL POWER PLANT ASH POND CLOSURES AND MODIFICATIONS

Vistra Energy has announced plans to close four coal-fired power plants in Illinois. The plants will retire in order to meet the requirements of the recently approved revisions to the Multi-Pollutant Standard rule, imposed by the Illinois Pollution Control Board. The plants that will close are the Coffeen Power Plant, the Duck Creek Power Plant, the Havana Power Plant, and the Hennepin Power Plant.

<https://solarindustrymag.com/vistra-energy-to-retire-four-illinois-coal-plants>

Vectren announced that ponded coal ash from its A.B. Brown Generating Station in southwestern Indiana will be excavated and recycled for reuse. **Vectren** signed a multi-year agreement with an unnamed manufacturer for the excavation, conversion, and recycling of up to 6 million tons of ponded ash. **Vectren** officials say the company will soon begin construction of the infrastructure needed to transport the coal ash to the Ohio River, which will then be shipped to a recycling company.

<https://dailyenergyinsider.com/policy/21182-vectren-finalizes-plan-for-beneficial-reuse-for-coal-ash-pond-excavation-recycling/>

The Indiana Department of Environmental Management has approved **Duke Energy's** plan for closing the south ash pond at their former Wabash River Generating Station in western Indiana. The approved plan involves closing nearly 73 acres by capping the coal ash pond in place.

<https://www.dailyherald.com/article/20190824/news/308249960/>

<https://indianapublicmedia.org/news/indiana-regulators-approve-closure-of-coal-ash-pond.php>



Wabash River Generating Station

CONTAMINATION

Sierra Club officials announced that one of four private drinking wells sampled near **Consumers Energy's** J.H. Campbell coal power plant in West Olive, Michigan tested positive for arsenic at concentrations more than two times higher than federal drinking water standards. **Consumers Energy** responded and said they monitor groundwater at the plant and have no indication of contamination from formerly used coal ash pits migrating off their property.

<https://www.mlive.com/news/grand-rapids/2019/08/coal-ash-from-west-michigan-power-plant-might-be-contaminating-drinking-water-wells.html>

PacifiCorp is proposing corrective measures at two of its coal-fired power plants in southwest Wyoming. Sampling conducted by **PacifiCorp** found that groundwater on the Jim Bridger and Naughton power plants contained lithium and selenium at concentrations 100 times above what is considered safe. **PacifiCorp** stated that the groundwater contamination is confined to company property and is not a threat to the drinking water supply.

<https://www.thehour.com/news/article/Groundwater-contamination-high-near-Wyoming-coal-14300986.php>

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