

ASH POND NEWSBYTES



November 2021

Dear Readers,

The following is a collection of ash pond news from the month of November 2021. Our intent is to provide you with important news pieces to help inform your business decisions and keep you up to date about the coal and ash pond industry.

– Peter Alvey & The Roux Team

CONTAMINATION

The criminal investigation of the [Tennessee Valley Authority \(TVA\)](#) and contractor [Jacobs Engineering](#) in relation to the 2008 Kingston coal ash spill at TVA's Kingston Fossil Plant in Harriman will take a new step forward. The Tennessee Bureau of Investigation (TBI) has presented a report to a Roane County Grand Jury as a part of a criminal proceeding for the cleanup of more than 7 million tons of coal ash sludge which escaped the plant's containment ponds. During the cleanup, Jacobs Engineering workers complained they were breathing in coal ash due to inadequate personal protective gear. After the spill, TVA and Jacobs Engineering claimed that the coal ash did not pose a serious danger. Workers and their families have filed a federal lawsuit arguing that at least 47 disaster relief workers have died, and 400 others have been sickened from the coal ash exposure. A grand jury report from February 2020 requested that TBI investigate issues regarding clean-up worker safety. [Link](#)



A 2008 photo of the Kingston coal ash spill.

CONTAMINATION, CONT.

The St. Louis, Missouri area is surrounded by four [Ameren Energy](#) coal ash pits. Environmental groups claim that pollutants in these pits are exceeding safe levels and may reach groundwater, while Ameren states that they are not polluting the water supply. Ameren states that the coal ash pits sit above a high-density polyethylene liner in a concrete-like manner, and they have reportedly received several independent studies which each indicate that groundwater is safe. [Link](#)



Ameren's Labadie power plant in Franklin County, Missouri.

LEGAL AND REGULATORY

The **Arizona Department of Environmental Quality (ADEQ)** recently reported the current budget allowed for the ADEQ to manage the coal ash program, rather than relying on the federal government. Currently, only three states are in charge of their own coal ash waste enforcement. [Link](#)

Several insurance carriers have sued **SwissRe** over their alleged failure to honor its reinsurance contract regarding the settlement of the Duke Energy coal ash litigation. The carriers settled their portion of the \$5 billion **Duke** lawsuit and are seeking contribution from SwissRe under its reinsurance agreements. [Link](#)

A new federal wastewater rule will require power plants to clean coal ash and toxic heavy metals from plant wastewater before it is dumped into streams and rivers. According to the United States Environmental Protection Agency (USEPA), this ruling will affect 75 coal-fired power plants in the US. Although this rule focuses specifically on discharge, 26 plants across 14 states have stated that they will stop burning coal altogether to avoid the hassle of adapting to the rule. While this is a big move away from coal, the transition has been steadily increasing in the past decade, with about 30% of generating capacity at coal plants nationwide decommissioning since 2010, according to the Energy Information Administration. [Link](#)

BENEFICIAL REUSE

The Chicago-based **LafargeHolcim**, the nation's largest cement producer; **Geocycle**; and **CenterPoint Energy** have invested a combined \$80 million in infrastructure to remove, process, transport, and recycle coal ash produced at the CenterPoint A.B. Brown facility in Evansville, Indiana. LafargeHolcim has received their first 2,000-ton shipment of coal ash as the first step in a multi-year initiative to recycle more than 6 million tons of coal ash in the use of manufacturing cement. The coal ash is received by LafargeHolcim's cement plant in Ste. Genevieve, Missouri, and will serve to reduce the use of natural materials, such as clay and sand, at the plant. Since 2009, Geocycle has recycled 1.5 million tons of dry fly ash waste from CenterPoint Energy's A.B. Brown, F.B. Culley, and Warrick plants. [Link](#)

SPECIAL EDITION

A team led by Joseph A. Cotruvo Jr. at Pennsylvania State University and Dan M. Park at Lawrence Livermore National Laboratory has developed a process to tap into a protein found in rare-earth elements. This protein that binds rare-earth elements could be the key to extracting and separating metals from other low-grade sources, such as coal ash or electronic waste. This process does not require organic solvents and helps to avoid industrial waste. The process relies on a small acid-resistant protein called lanmodulin. [Link](#)



Georgia Power's Plant Scherer (article on next page).

COAL POWER PLANT ASH POND CLOSURE AND MODIFICATIONS

Georgia Power says it will cost \$8.96 billion to shut down its 29 coal ash storage ponds and 12 landfills in Georgia. On October 26, 2021, the Georgia Court of Appeals rejected the Sierra Club’s appeal of the decision that allows Georgia Power to pass remediation costs to ratepayers and earn a rate of return. So far, Georgia Power has spent at least \$856 million on coal ash closure efforts and is in the process of completely excavating 19 ash ponds with the remaining 10 being closed in place using engineering technologies. Georgia Power also began a partnership last year with Electric Power Research Institute to open the Ash Beneficial Use Center, which will test pilot project technologies in ash beneficial reuse. [Link](#)

Xcel’s “Comanche 3” coal-fired power plant in Pueblo, Colorado is the state’s largest source of carbon dioxide. Xcel wants to maintain operation of the plant, at a reduced level, until the end of 2039 to reach their statutory requirement to reduce emissions 80% over 2005 levels by 2030. Consumer advocates and environmental groups are pushing for closure as early as 2027. As part of their clean energy plan and plant closure, Xcel plans to add 2,300 MW of wind farms, 1,600 MW of solar projects, and 1,300 MW of natural gas. [Link](#)

RENEWABLE ENERGY

At the UN climate conference in Glasgow, Scotland earlier this month, more than 40 nations promised to stop burning coal to generate their electricity by the 2040s. The list did not include China, India, the US, or Australia. However, the US did agree to stop funding new coal-fired power plants in foreign countries by the end of next year. Rising emissions from burning coal are the main cause of a 4.9% rise in emissions in this last year. [Link](#)



Comanche Generating Station in Pueblo, Colorado.

IN OTHER NEWS...

ProPublica has analyzed five years of modeled EPA data to identify air pollution hot spots around the United States. The EPA receives this data from the industrial facilities themselves, which are required to submit a report on chemical emissions. ProPublica's analysis determined that there are approximately 250,000 people living in over 1,000 toxic hot spots that may be exposed to levels of excess cancer risks according to EPA standards. The link below includes interactive maps to view these risks.

[Link](#)

Serbia's biggest steel exporter, **Hesteel**, is facing concerns over an increase in cancer risks at the Smederevo plant. The Chinese-owned steel mill emits a red dust, which, according to a recent analysis, contains a high concentration of heavy metals. The number of cancer cases around the mill has risen from 1,738 in 2011 to 6,866 in 2019, according to public health data. [Link](#)

A compounds plant owned by **Westlake Chemical** in Gallman, Mississippi was the site of a large fire at the end of October 2021. There were no reported injuries; however, officials closed sections of two highways near the facility for nearly an hour and a half. This is the second incident Westlake Chemical is facing in recent months, following a large explosion at their Lake Charles, Louisiana petrochemical complex which injured five people. [Link](#)

IN OTHER NEWS, CONT.

A **Colonial Pipeline** spill was discovered in August 2020 in the Oehler Nature Preserve in Mecklenburg County, North Carolina. So far, 1.23 million gallons of petroleum product have been recovered. This month, the North Carolina Department of Environmental Quality (DEQ) filed a complaint and motion for injunctive relief against Colonial Pipeline, alleging that Colonial has not provided the agency with the essential information needed to rectify the damage done to the Site. The complaint also alleges that Colonial has not provided adequate investigation into the extent of per- and polyfluoroalkyl (PFAS) contamination at the site. [Link](#)



Westlake Chemical Plant in Gallman, Mississippi.

Contact Us

Roux

1200 Harger Rd., Suite 800

Oak Brook, IL 60523

(630) 572-3300

palvey@rouxinc.com

www.rouxinc.com