

ASH POND NEWSBYTES



June 2022

Dear Readers,

The following is a collection of ash pond news from the month of June 2022. 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

LEGAL AND REGULATORY

The **USEPA** is examining more than 160 coal ash ponds across 26 states for closure. The USEPA is reviewing these ponds for potential contact with groundwater and a list of the sites can be found at the following link. [Link](#)



Duke's Cayuga Generating Station sits on Wabash River in Indiana. [Link](#)



Waukegan Generating Station in Waukegan, Illinois. [Link](#)

COAL POWER PLANT ASH POND CLOSURE AND MODIFICATIONS

On the Mobile River, **Alabama Power** has dumped 21.7 million tons of coal ash in their Barry Ash storage pond that lies within a bend of the river. This storage pond is unlined and is leaking heavy metals into the groundwater, which has the potential to make its way into the river. Alabama Power has plans to remove water from its Barry Ash Pond and to cap in place along the riverbank, which leads to a concern of potential contamination from extreme weather events. [Link](#)

In Indiana, the Morgan County Soil and Water Conservation District received an update on a lawsuit filed by the Hoosier Environmental Council regarding the closure of the **Duke Energy** Gallagher Power Plant coal ash pond in New Albany, Indiana. The lawsuit was based upon the desire for a new plan for pond closure as coal ash was lying below the water table. The Hoosier Environmental Council is reported to have won their case and Duke Energy will need to develop a new plan for closure. [Link](#)

The former **We Energies** power plant in Pleasant Prairie, Wisconsin has been contracted for purchase by real estate company, **Dermody**. Dermody is planning to redevelop the Site with a \$226 million industrial park and 2.2 million square feet of buildings. The Dermody redevelopment plan could potentially lead to the acquisition of additional industrial projects on 417 acres. Initial groundbreaking is estimated for the spring of 2023 with completion anticipated by early 2024. [Link](#)

CLOSURE AND MODIFICATIONS (CONT.)

In New Mexico, statewide plans to phase out coal power are facing setbacks due to drought, supply chain issues, and rising natural gas prices. New Mexico's largest power provider, **Public Service Company of New Mexico (PNM)** stated in 2017 they will be phasing out of coal power and announced plans for closure of its San Juan Generating station in June 2022. PNM has delayed closure of one of the San Juan Plant Units due to the depletion of hydropower supplies from drought and solar farm impacts from supply chain issues. However, PNM has stated they will abandon the plant later this year. [Link](#)

Plans to melt rock via x-rays to redevelop coal and gas plants into deep geothermal wells have been developed by MIT Plasma Science and Fusion Center Engineer, Paul Woskov. Mr. Woskov has spent 14 years developing a method which has been commercialized by **Quaise Energy** and the company hopes to bore deep holes to capture geothermal energy. [Link](#)



Mine No. 7s seepage into local tributaries. [Link](#)

CONTAMINATION

In Chapel Hill, North Carolina, a 4.5-acre parcel of land had been previously discovered with buried coal ash. In 2020, the town of Chapel Hill removed approximately 1,000 tons of coal ash from the Site. A potential remediation effort for the remaining 60,000 cubic yards of coal ash was discussed by the town council and includes a \$5 million cap-and-contain approach. This approach would entail the removal of some coal ash from the Site, applying several feet of clean soil to the area, adding impervious surfaces, building a retaining wall, and restricting groundwater. [Link](#)

In Tuscaloosa, Alabama, the **Black Warrior Riverkeeper** has filed a notice of intent to sue **Warrior Met Coal** and **MRC-FG, LLC** in federal court for their claim of violations to the Clean Water Act. Black Warrior Riverkeeper claims that wastewater seepage from Mine No. 7 of Warrior Met Coal was found in local creeks and tributaries. Black Warrior Riverkeeper has requested a halt to unpermitted discharges to the tributaries. [Link](#)



The coal-fired San Juan Generating Station in northwestern New Mexico. [Link](#)



Spill on the Flint River, Michigan. [Link](#)



Houston dredging company has been ordered Thursday, June 16, 2022, to pay a \$1 million fine for an oil spill that occurred when a subcontractor cut through a pipeline during Louisiana barrier island restoration work in 2016, as pictured above. [Link](#)

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IN OTHER NEWS...

Lockhart Chemical has been identified as a potential source for a chemical spill on the Flint River in Flint, Michigan. Lockhart Chemical was cited by the state of Michigan to have stored liquid industrial by-products in concrete vaults lacking leak detection. On June 16, the Genesee County Sheriff reported that approximately 1,600 gallons of contaminants have been removed via skimmer boats from the river. The sheriff estimated the cleanup costs for the emergency response have reached more than \$1 million so far. An investigation is ongoing to determine the responsible party and cause of the spill. [Link](#)

The European Union Court of Justice has found the **London Steam-Ship Owners Mutual Insurance Association** to be responsible for around \$900 million in cleanup costs related to damages from the 70,000 tons of oil spilled along the Spanish coast in 2002. The spill occurred as a Greek oil tanker, the Prestige, was transporting oil during a storm in 2002. During the storm, a loud bang was heard, and the ship began to take on water and leak oil. Fearing environmental damages, various nations refused to allow the ship to dock in their ports, and instead directed the Prestige further out into the Atlantic Ocean. A few days later, the Prestige split in two, dumping 70,000 tons of oil into the ocean and creating a cleanup estimated at \$2.5 billion, the largest in Spanish history. Approximately 300,000 sea birds died as a result of the spill, and marine life is still reported to be impacted two decades later. [Link](#)

The **Great Lakes Dredge and Dock Company**, based out of Houston, Texas, was sentenced for violating the Clean Water Act when a subcontractor cut through an oil pipeline during restoration work on a Louisiana barrier island in 2016. The spill occurred after a pipeline was hit during digging and sediment moving and released approximately 5,300 gallons of crude oil and impacted 200 birds. The Great Lakes Dredge and Dock Company has been ordered to pay a \$1 million fine and they have agreed to pay nearly \$3.2 million for restoration costs. [Link](#)