

August 4, 2014

The Honorable John Shimkus
Chairman
Subcommittee on Environment and the Economy
Committee on Energy and Commerce
2125 Rayburn House Office Building
Washington, DC 20515

Re: Request for House Subcommittee Hearing on Coal Ash Ponds

Dear Chairman Shimkus:

The undersigned 18 Illinois groups are writing to express significant concern about the severe threat to public safety, health and the environment posed by impoundments containing toxic coal ash. Six months ago an earthen dam impounding more than a million tons of coal ash failed at Duke Energy's Dan River plant in North Carolina, resulting in 140 thousand tons of coal ash and wastewater fouling the Dan River. Toxic coal ash contaminated the water and sediment of the Dan River for 70 miles, and despite a cleanup deemed "complete" by Duke Energy, 94 percent of the coal ash still resides in the river. We believe that unsafe coal ash ponds are similarly an imminent and significant threat in Illinois. Therefore we request that the Subcommittee on Environment and the Economy hold a hearing as soon as possible to ensure that the U.S. Environmental Protection Agency is doing everything possible to effectively address this threat to American communities nationwide.

The threat from coal ash ponds is indeed a national problem; the EPA has found that there are more than a thousand ponds at coal-fired power plants throughout the United States. Nevertheless, the problem is particularly severe in your home state. Illinois is home to 24 coal-fired power plants, many of which were built adjacent to rivers or over groundwater aquifers in order to meet their enormous water needs. As a result, 91 coal ash disposal ponds were built in places that are unsuitable and dangerous for the disposal of toxic waste. Fifty-six ash ponds were built over groundwater recharge areas, 62 over shallow aquifers, and 9 were constructed over wetlands.

These 91 coal ash ponds contain hundreds of millions of tons of toxic coal ash, the waste left over from burning coal, which contains arsenic, chromium, lead, mercury, and a range of harmful heavy metals and hazardous pollutants. When these pollutants enter our drinking water, rivers and streams they harm human health, aquatic life and our economy.

Almost all of the coal ash ponds in Illinois are unlined, allowing toxic contaminants to seep into the water systems below. Recent state-required groundwater monitoring has confirmed that coal ash dumps are leaking at every site in the state. To make matters worse, these dumps keep growing as Illinois coal plants produce 4.4 million tons of ash each year. Illinois also serves as a dumping ground for coal ash from at least six other states, in part because of our weak ash disposal rules.

While many of these coal ash pits present threats of slow but inevitable discharge into water systems, several hold the potential for catastrophic failure. For example, the retired Dynegy Vermilion Power Station hosts three waste dumps in the floodplain of the Middle Fork of the Vermilion River. Two of the pits were built without liners and have begun to contaminate adjacent groundwater. The banks of the impoundment are also vulnerable to flooding and erosion of the river, threatening to unleash 3 million cubic yards of coal ash downstream.

In fact, in a series of structural integrity assessments of 38 Illinois coal ash impoundments, the EPA rated 16 of the 38 dams impounding coal ash in “poor” condition. Some risk the erosional forces of nearby rivers. Others were built over mine voids, where subsidence could compromise stability. Perhaps of greatest concern, several major facilities with poor ratings lie upstream of community drinking water supplies. When contaminants like arsenic, mercury, lead, cadmium, and chromium enter drinking water, they can cause substantial damage to the nervous system and other organs.

Illinois communities like Marion, Joliet, Venice, Oakwood, Havana, Alton, Powerton, Hennepin, Hutsonville, Coffeen, Wood River, and Canton not only face substantial dangers to human health and environmental stability, but economic damage as well. It is estimated that the Dan River spill in North Carolina caused at least \$70 million in damage to fish, wildlife and the local economy. The Duke Energy spill that devastated the Dan River involved an ash pit storing 155 million gallons of waste. Pits several times this size are scattered across Illinois – including the Dynegy Vermilion plant located in your home district. For many, it is not a question of “if” storage pits will fail, but “when.” This is an issue our regulators and legislators can no longer afford to ignore.

In sum, the nation faces an imminent hazard from coal ash ponds, both active and retired, across the nation. We believe it is your responsibility to ensure that your constituents and the nation are safe from preventable coal ash disasters. We believe a subcommittee hearing is essential for the purposes of learning how the EPA will address the imminent threat posed by coal ash impoundments, for questioning why Duke Energy did not perform a complete cleanup, and for hearing from affected communities how these dangerous ponds harm their health, environment and the economic well-being.

Thank you in advance for consideration of this critical request. We look forward to your response.

Respectfully,

Prairie Rivers Network

Faith in Place

Illinois Chapter Sierra Club

Illinois Environmental Council

Eco-Justice Collaborative
Central Illinois Healthy Community Alliance
Global Warming Solutions Group of Central Illinois
Peoria Families Against Toxic Waste
University of Illinois Beyond Coal
Justice for Rocky Branch
Shawnee Hills and Hollers
Citizens Against Ruining the Environment
Canton Area Citizens for Environmental Issues
Stand Up to Coal
Central Illinois Chapter of the Interfaith Alliance
Shawnee Group Sierra Club
Prairie Group Sierra Club
Citizens Against Longwall Mining