

Oppose House Appropriations Bill: Bill Eliminates EPA's Ability to Protect Public Health from Toxic Coal Ash

Toxic coal ash is an abundant and dangerous waste generated by coal-fired power plants. It is the second largest industrial waste stream in the U.S. Our nation's power plants generate over 140 million tons each year. Despite its hazardous characteristics, coal ash has never been subject to federal regulation, and state laws governing disposal are usually weak or non-existent. Across the country, billions of tons of coal ash have been dumped in precarious waste ponds, pits, landfills and mines, putting human health at risk from large scale disasters and gradual – yet equally dangerous – contamination as toxins in coal ash seep into drinking water sources.

The House appropriations bill eliminates EPA's ability to address this widespread public health threat by restricting funding to work on setting protective standards. Last year, EPA proposed common-sense regulations, which require dry disposal in engineered landfills (much like those required for household trash) and the phase-out of dangerous ponds. The public response was overwhelmingly in support of federally enforceable regulations – as evidenced by a precedent-setting 450,000 public comments. EPA must be allowed to move forward with setting standards based on public input and best available science.

A Deadly Threat: TN Coal Ash Spill: “Largest environmental disaster of its kind in the U.S.”

In December 2008, a dike holding back several decades worth of coal ash failed, and a riverside community was deluged with over 1 billion gallons of toxic sludge.ⁱ The receiving water showed extremely dangerous levels of arsenic, mercury, and other toxins. Arsenic spiked to 149 times the safe level.ⁱⁱ This is not an isolated incident. In 2005, a dam in Pennsylvania failed, discharging over 100,000 tons of coal-ash contaminated water into the Delaware River. A similar blow-out occurred at a pond at Plant Bowen in Georgia in 2002. There is no need to store coal ash in these dangerous, unlined ponds, but all states continue to allow this practice.



Aerial photo of the December 22 coal ash spill in T

Slow-Motion Disasters: Over 1000 Coal Ash Dumpsites Nationwide Threaten Drinking Water

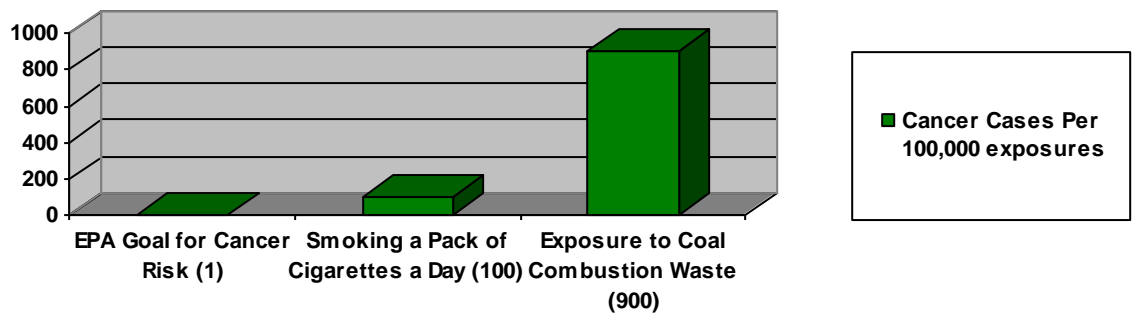
While dramatic events like the coal ash spills garner national media attention, dangerous pollutants are quietly seeping from coal ash dumps into drinking water supplies and streams across the nation, exposing people and wildlife to toxic and cancer-causing substances. The vast majority of states do not require adequate monitoring or liners to stop or even detect the migration of pollution.

The Health Threat is Serious and Well-Documented

Coal ash contains numerous hazardous chemicals, including arsenic, cadmium, hexavalent chromium, lead, mercury and selenium.ⁱⁱⁱ The contaminants can cause cancer and damage the nervous system or other organs, especially in children. When coal ash comes into contact with water, these hazardous chemicals leach out of the ash and contaminate drinking water.^{iv} Over 137 cases of water contamination from coal ash have been documented, and this is the tip of the iceberg, since most dumps are not monitored.^v

More Dangerous Than Smoking a Pack of Cigarettes a Day

In 2010, EPA published a risk assessment that found extremely high risks to human health and the environment from the disposal of coal ash in waste ponds and landfills.^{vi} The chart below compares EPA's findings on the cancer risk from arsenic in coal ash disposed in some unlined waste ponds to several other cancer risks, along with the highest level of cancer risk that EPA finds acceptable under current regulatory goals.^{vii} The risk from coal ash is 2000 times that regulatory goal.



Best Available Science: Health Threat Keeps Growing as EPA Research Reveals High Risk

Since 2006, the EPA Office of Research and Development has been testing coal ash, and it found that chemicals like arsenic, chromium, selenium and thallium leach from coal ash in quantities exceeding the threshold for hazardous waste- sometimes by orders of magnitude.^{viii} This is due to the greater quantities of pollutants captured by emission control equipment mandated by the Clean Air Act. As EPA's new air regulations require the capture of more toxic emissions, the chemicals are moved to the solid waste. In fact, coal ash is one of the largest industrial sources of hexavalent chromium, and expanded use of scrubbers will increase its concentration in the ash.^{ix} All data point to increasing toxicity, and the best available science must drive EPA decisions.

Common Sense Coal Ash Regulation Will Increase Recycling and Jobs

National requirements to dispose of coal ash in secure landfills and phase out deadly ponds will create jobs and increase recycling – as well as protect public health. EPA found that the cost of such safeguards will have almost no impact on consumer energy costs. When the cost of cancer and other diseases, loss of drinking water supplies, cleanup costs, litigation, and long-term and serious degradation of the environment is taken into consideration, the economics clearly favor national regulations that prevent exposure to the chemicals in coal ash through safe disposal practices.

House Appropriations Bill Silences the Public and Ignores Best Available Science

Section 434 eliminates the EPA's ability to use funds to move forward with classifying coal ash under Subtitle C of the Resource Conservation and Recovery Act (RCRA). Oppose this effort to silence the voices of the public, ignore best available science and leave the public at risk.

For more information

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ⁱ US EPA, Potable Water Sampling Results Kingston Fossil Fly Ash Response, January 4, 2009.

ⁱⁱ US EPA, TVA Kingston Fly Ash Release, Lab Analytical Results for Surface Water Samples, January 1, 2009.

ⁱⁱⁱ US EPA, Human and Ecological Risk Assessment of Coal Combustion Wastes, April 2010 (draft).

^{iv} *Id.*

^v Physicians for Social Responsibility, Coal Ash the Toxic Threat to Our Health and Environment (August 2010), <http://www.psr.org/resources/coal-ash-the-toxic-threat-to-our-health-and-environment.html>.

^{vi} *Id.*

^{vii} *Supra* at note iii. Date for cigarettes comes from Center for Disease Control, Cigarette Smoking-Attributable Morbidity-U.S. 2000, MMWR Weekly, September 5, 2003 / 52(35); 842-844.

^{viii} See U.S. EPA, Characterization of Coal Combustion Residues from Electric Utilities Using Multi-Pollutant Control Technology – Leaching and Characterization Data (EPA-600/R-09/151) Dec 2009, <http://www.epa.gov/nrmrl/pubs/600r09151/600r09151.html>

^{ix} Physicians for Social Responsibility, EPA's Blind Spot: Hexavalent Chromium in Coal Ash (February 2011); <http://www.psr.org/resources/epas-blind-spot-hexavalent-chromium-coal-ash.html>