



Ohio Valley Environmental Coalition

Supporting Organized Voices and Empowered Communities Since 1987

P.O. 6753 Huntington, WV 25773-6753

304-522-0246 info@ohvec.org

ohvec.org

Re: Docket ID No. EPA-HQ-OLEM-2017-0286

April 30, 2018

I write on behalf of OVEC, the Ohio Valley Environmental Coalition, which urges the United States Environmental Protection Agency to do its job. One way to do that is by EPA abandoning its March 15, 2018 proposal to roll back federal safeguards for coal ash (AKA coal combustion residuals) dumps.

This proposal would weaken the critical protections provided by the 2015 coal ash rule.

Coal combustion waste is toxic. No amount of linguistic detoxification, nor coal industry lobbying, nor coal industry lobbyists acting as “officials” within EPA can magically change that. Even an EPA Administrator whose goal is destroying the agency he heads cannot change the fact that coal ash waste is toxic.

Sadly, devastatingly in fact, for human health, it’s apparent that today’s high-level EPA officials are not fond of scientific facts. Nor are they likely to give an iota of consideration to these comments. Nonetheless, we must comment, and note that there is widespread evidence of overwhelming groundwater contamination from existing coal ash disposal sites. Dangerous levels of arsenic, selenium, lead, thallium, and radium are common from the leaking coal ash dumps. Coal ash pollution has been linked to cancer, heart disease, stroke, and brain damage. Such evidence must be considered, not ignored, by EPA.

EPA’s proposal will jeopardize existing protections put in place to safeguard neighbors of coal ash disposal facilities from exposure to toxic coal ash contamination, as well as to safeguard communities from catastrophic failures such as what transpired in Roane County, TN in December, 2008, and along the Dan River on the NC/VA border in 2014.

Like communities across the nation, we here in West Virginia worry about groundwater contamination from coal ash pits, such as the one serving AEP’s John Amos coal-fired power plant, located in between Charleston and Huntington, WV. This is just one of thousands of huge, aging coal ash pits across the nation which are leaking toxic heavy metals into groundwater. EPA’s proposal to allow state governments and the polluters they are supposed to regulate to utilize “alternative” groundwater protection standards does not sit well with us. Check our state’s history from the Mine Wars, to Buffalo Creek, to the MCHM (coal-cleaning chemical) water crisis: many state lawmakers are beholden to the coal industry campaign contributions and are loathe to the idea of provoking the politically powerful

industry. This proposal should not move forward, nor should the proposal that would gut groundwater monitoring requirements. In West Virginia, many of us rely on our own groundwater-fed private wells for drinking and household water. Both proposals would allow utilities and agencies to hide the truth about contamination levels. To safeguard public health, the public should be informed, not poisoned and hoodwinked.

In West Virginia, we have seen time and again that polluters will skimp or pass on cleanup efforts when regulators look the other way. If enacted, EPA's proposal to gut cleanup requirements would mean polluters could avoid cleanup, and that would mean continuing water contamination.

Coal ash is toxic. It is not the same as household garbage and should not be treated as such. There should be *no weakening of the amount of time* coal ash sites should be monitored once they are closed to receiving more waste. Even if there's no more new waste coming into a coal ash dump, the problem of contamination does not disappear.

EPA can protect communities' water by retaining prohibitions on dumping coal combustion waste in groundwater, and in sensitive areas such as wetlands, floodplains, seismic zones, etc. Please abandon your proposal to allow states and polluters the discretion to ignore these important location prohibitions (and to do so without public notification or oversight! Good grief, are we to emulate Russia and China in our regulations here?!), and reject any extension of the October 2018 deadline to comply with these requirements.

We oppose EPA's proposal to allow state agencies and polluters the discretion *not* to close or retrofit dangerous leaking unlined coal ash pits. If these leaking dumps are allowed to operate, they will keep polluting our drinking water and waterways, and continue to threaten catastrophic disasters.

Please remember back to the terrible pollution we witnessed here in the U.S. before the EPA was created. Such pollution came about because polluters were allowed to pretty much do whatever they wanted with Americans' air and water. Your proposed roll back of the coal ash rule when send us back to these days. Let's not go there. Protect Americans from toxic coal ash. Protect our waters. Preserve the minimum protections provided by the 2015 coal ash rule.

Thank you,

Vivian Stockman

Vivian Stockman
OVEC vice director
PO BOX 6753
Huntington, WV 25773-6753