EARTHJUSTICE

TOXIC COAL ASH IN GEORGIA

Addressing Coal Plants' Hazardous Legacy

For decades, utilities disposed of coal ash – the hazardous substance left after burning coal for energy – by dumping it in unlined ponds and landfills. **Georgia has 43 coal ash dumpsites.** Coal ash contains hazardous pollutants including arsenic, boron, cobalt, chromium, lead, lithium, mercury, molybdenum, radium, selenium, and other heavy metals, which have been linked to cancer, heart and thyroid disease, reproductive failure, and neurological harm. Industry's own data indicate that across the country 91% of coal plants are currently contaminating groundwater above federal health standards with toxic pollutants.[1]

Coal ash is leaching unsafe levels of toxic pollutants into groundwater at 91% of coal plants in the United States.

Coal ash remains one of our nation's largest toxic industrial waste streams. U.S. coal plants continue to produce approximately 70 million tons every year.[2]

Despite EPA's 2015 Coal Ash Rule, which created the first-ever safeguards for coal ash disposal, many coal ash dumps remain unregulated due to sweeping exemptions for legacy coal ash ponds and inactive landfills. The exempted coal ash dumps are sited disproportionately in low-income communities and communities of color. The EPA will issue a proposed rule to address these exemptions in May 2023.

Georgia utilities operate **24 federally regulated coal ash ponds and landfills** containing nearly 87 million cubic yards of toxic waste at nine coal plants (Table 1). At all but one Georgia plants, industry monitoring data indicate that groundwater is contaminated above federal and state safe standards.[3] Despite the serious water contamination, no Georgia plant, to date, has selected a final plan to clean up groundwater, as required by state and federal law.

In addition, there are at least **19 inactive coal ash landfills and legacy ponds** at seven coal plant sites in Georgia that escape federal regulation (Table 2) but are subject to Georgia's state law analogous to the federal rule, including the closure performance standards that prohibit disposal in contact with groundwater. At several of these sites, EPA and/or the utility itself has already determined that coal ash has contaminated groundwater, but despite Georgia's purported regulation of these dumps, none of them have been required to be excavated, except for planned excavation of at least some coal ash ponds at Georgia Power Company's now shuttered Plant Arkwright near Macon. Groundwater remediation remains lacking at all of these sites.

As we anticipate EPA's proposed rule on legacy ponds and unregulated landfills in May 2023, a concern remains that the agency will not address coal ash that was dumped off site or used as fill.

Action Needed

The magnitude of harm from recklessly dumped toxic coal ash requires decisive action from federal and state regulators. Utilities must be required to comply with the law and immediately clean up their pollution.[4] EPA and states must make enforcement a priority and act quickly to ensure that utilities leave communities with sites that benefit rather than harm their health, environment, and economic status. EPA must swiftly strengthen the Coal Ash Rule to address the many legacy ponds and inactive landfills

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that are unregulated, and to prohibit coal ash used as fill unless protective measures are put in place, to ensure all Georgia communities are protected from coal ash pollution.

Table 1: 24 Regulated Coal Ash Disposal Sites in Georgia

Coal Plant	City	Owner	Coal Ash Dumps	Groundwater Contamination from Coal Ash Magnitude of exceedance above federal health-based guidelines[5]
Plant Bowen	Cartersville	GA Power	1 unlined pond, 1 landfill	Antimony (x1), Arsenic (x2), Boron (x16), Cobalt (x3), Molybdenum (x3), Radium 226+228 (x1), Sulfate (x2)
Plant Crisp	Warwick	GA Power	1 unlined pond	No monitored contaminants currently exceeding federal standards
Plant Hammond	Rome	GA Power	3 unlined ponds, 1 landfill	Arsenic (x38), Beryllium (x1), Boron (x10), Cobalt (x30), Fluoride (x2), Lithium (x5), Molybdenum (x12), Sulfate (x3)
Plant McDonough	Smyrna	GA Power	4 unlined ponds	Arsenic (x49), Beryllium (x6), Boron (x4), Cadmium (x1), Cobalt (x127), Lithium (x3), Molybdenum (x5), Radium 226+228 (x1), Selenium (x2), Sulfate (x2)
Plant McIntosh	Ricncon	GA Power	1 unlined pond, 1 landfill	Boron (x2), Cobalt (x2), Lithium (x3), Selenium (x4)
Plant McManus	Brunswick	GA Power	1 unlined pond	Arsenic (x31), Boron (x1), Lithium (x2), Sulfate (x1)
Plant Scherer	Juliette	GA Power	1 unlined pond, 1 landfill	Boron (x2), Cobalt (x45), Sulfate (x1)
Plant Wansley	Roopville	GA Power	1 unlined pond, 1 landfill	Boron (x3), Cobalt (x24), Lithium (x1), Radium 226+228 (x1), Sulfate (x1)
Plant Yates	Newman	GA Power	6 unlined ponds	Boron (x3), Cobalt (x24), Lithium (x1), Radium 226+228 (x1), Sulfate (x1)

For more information on regulated coal ash dumpsites in Georgia, *see* earthjustice.org/coalash/map.

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Table 2: 19 Unregulated Coal Ash Legacy Ponds and Inactive Landfills in Georgia (ash dumps exempted from the 2015 Coal Ash Rule)[6]

Coal Plant or Landfill	City	Probable Owner / Source	# of Unregulated Ponds	# of Unregulated Landfills	Evidence of Site Contamination[7]
Plant Arkwright	Macon	GA Power	3	1	Yes[a]
Plant Bowen	Cartersville	GA Power	0	1	Yes – Industry data[b] and EPA damage case
Plant Harlee Branch	Milledgeville	GA Power	5	1	Yes[a]
Plant McDonough	Smyrna	GA Power	0	1	Yes – Industry data[c]
Plant Kraft	Port Wentworth	GA Power	1	1	Unknown
Plant Mitchell	Moundsville	GA Power	3	0	Unknown
Plant Yates	Newman	GA Power	0	2	Yes – Industry data[b,c]

[a] Jennifer Harkness, Barry Sulkin and Avner Vengosh, Evidence for Coal Ash Ponds Leaking in Southeastern United States, Envtl. Science and Tech., (June 10, 2016).

[b] Industry monitoring data posted on the plant's CCR Compliance Data and Information website.

[c] Industry monitoring is the basis of a finding of contamination as described on Ashtracker.org.

Endnotes

[1] Earthjustice and Environmental Integrity Project, "Poisonous Coverup, The Widespread Failure of the Power Industry to Clean Up Coal Ash Dumps," *available at* https://earthjustice.org/document/poisonous-coverup.

[2] American Coal Ash Association, 2020 CCP Production and Use Survey Report, https://acaa-usa.org/wp-content/uploads/2021/12/News-Release-Coal-Ash-Production-and-Use-2020.pdf.

[3] *See* endnote 1, "Poisonous Coverup," *supra*, at Table A4, Summary of Contamination by Site.

[4] *See* endnote 1, *supra*, for more information re widespread utility non-compliance with the 2015 Coal Ash Rule.

[5] All data derived from the utilities' publicly accessible CCR Compliance Data and Information websites, and exceedances were calculated by Environmental Integrity Project.

[6] These data were developed by using EPA datasets relied upon in their 2007 and 2014 CCR risk assessments (Human and Ecological Risk Assessment of Coal Combustion Residuals) and comparing those datasets to the universe of regulated units.

[7] "EPA damage case" denotes a site where US EPA has found documented groundwater contamination from coal ash. See: https://www.regulations.gov/document?EPA-HQ-RCRA-2009-0640-12123.

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