

Alabama and Coal Ash Disposal in Ponds and Landfills

Summary: ¹

Plant	Operator	Site	County
Barry Power Station	Alabama Power Co	1 pond	Mobile
Colbert Power Station	Tennessee Valley Authority	3 ponds	Colbert
Gadsden Power Station	Alabama Power Co	1 pond	Etowah
Gorgas Power Station	Alabama Power Co	2 ponds	Walker
Greene County Power Station	Alabama Power Co	1 pond	Greene
E C Gaston (ALAP)	Alabama Power Co	1 pond	Shelby
Charles R. Lowman Power Station	Power South Energy Cooperative	3 ponds/landfill*	Washington
James H. Miller Jr. Power Station	Alabama Power Co	1 pond	Jefferson
Widows Creek Power Station	Tennessee Valley Authority	2 ponds	Jackson

* indicates one or more coal ash landfills.²

Amount of coal ash generated per year: 3.2 million tons. AL ranks 14th in the country for coal ash generation.³

The U.S. EPA has not yet gathered information on coal ash disposal in landfills, so a detailed breakdown is not yet available.

Information on Alabama Coal Ash Ponds

Number of Coal Ash Ponds: 15 ponds at nine plants.⁴

Pond Ratings: Two rated “high hazard.” Three were rated “significant hazard.”⁵

Age of Ponds: 15 ponds are over 20 years old, and seven of those are over 30 years old.⁶ The age of these ponds makes it unlikely that they have safeguards like liners and leachate collection systems. According to a 2007 EPA risk assessment, five ash ponds are only clay lined.⁷ Ash ponds at the Barry Power Station in Mobile County and the Widows Creek Power Station in Jackson County are unlined.⁸ At least seven ash ponds do not have leachate groundwater collection systems.⁹

Capacity and releases: The EPA surface impoundment database indicates that that the total storage capacity data for ponds in AL is 87,856 acres feet. The total surface area for these ponds is nearly 3000 acres. The average height of AL coal ash impoundments is over 6.5 stories (66.1

¹ United States Environmental Protection Agency (U.S. EPA). *Database of coal combustion waste surface impoundments* (2009). Information collected by EPA from industry responses to Information Collection Request letters issued to the companies on March 9, 2009.

² U.S. EPA, Office of Resource Conservation & Recovery, *Regulatory Impact Analysis For EPA's Proposed RCRA Regulation Of Coal Combustion Residues Generated by the Electric Utility Industry* at Exhibit B-2 (Apr. 30, 2010).

³ U.S. EPA and U.S. DOE. *Coal Combustion Waste Management at Landfills and Surface Impoundments, 1994-2004* at 32 (August 2006).

⁴ U.S. EPA, *Database of coal combustion waste surface impoundments* (2009).

⁵ *Id.*

⁶ *Id.*

⁷ RTI International. *Human and Ecological Risk Assessment of Coal Combustion Wastes, Draft* at Attachment at B-2 (Aug. 6, 2007), prepared for the U.S. EPA.

⁸ *Id.*

⁹ *Id.*; see also *id.* at 3-9 to 3-10.

feet).¹⁰ *Damage Cases*: According to the U.S. EPA damage case assessment, potential damage cases in Alabama include:

- Tennessee Valley Authority – Widows Creek Fossil Fuel Plant. An on-site well has shown levels of lead exceeding EPA’s MCL, as well as elevated levels of cadmium and chromium.¹¹
- Tennessee Valley Authority – Colbert Fossil Fuel Plant. Commenters report that the Alabama Department of Environmental Management (ADEM) “believes ground water contamination has resulted from the disposal of coal combustion wastes at this facility. An ADEM geologist also reported to the commenters that the disposal area has been subject to collapse into a karst sinkhole.”¹²
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Disposal of Coal Ash at Perry County Landfill, Uniontown, Alabama: Over 5 million tons of ash from the Kingston TVA coal ash spill was shipped to the poorest county in the Black Belt of Alabama for disposal, despite the lack of state regulations controlling such disposal in Alabama. Citizens in Uniontown claim that the landfill, which towers above their homes, has sickened their community and polluted their air, water and soil. Residents have filed a complaint against the landfill owners for violations of federal pollution control laws, including the Clean Water Act, Clean Air Act, and Resource Conservation and Recovery Act.¹³ EPA has also taken issued a Notice of Violations against the landfill owners.

Coal Ash Disposal and Environmental Justice: Alabama’s coal ash ponds disproportionately impact low-income communities and communities of color. The EPA statistics show that more than 40 percent of the citizens living near coal ash ponds in Alabama are non-white. Also, about 25 percent of nearby residents are below the poverty line, which is more than twice the national average poverty rate of 11.9 percent.

Information on Alabama Regulations

Alabama represents the worst of the worst when it comes to coal-ash disposal. First, Alabama has **no** laws or regulations on the books to specifically ensure the safety of the state’s coal ash dams. It is the only state in the country without such laws. Because there are no federal laws to ensure dam safety, this essentially means that Alabama dams are **completely unregulated**. Until 2011, Alabama also completely exempted coal ash disposal in landfills. Consequently, coal ash from Alabama’s ten coal-fired plants has been dumped mostly in unlined, unregulated, and unmonitored ponds and landfills.¹⁴ New regulations pertaining to coal ash in Alabama improve the safeguards for newly constructed landfills, but the regulations do not apply to Alabama’s many existing coal ash landfills.

For more information, contact Lisa Evans, Senior Administrative Counsel, Earthjustice, levans@earthjustice.org, 781-631-4119.

¹⁰ U.S. EPA. *Database of coal combustion waste surface impoundments* (2009).

¹¹ U.S. EPA, Office of Solid Waste. *Coal Combustion Waste Damage Case Assessments* at 41 (July 9, 2007).

¹² *Id.* at 40-41.

¹³ See http://www.enviro-lawyer.com/Opponents_of_coal.pdf, http://www.enviro-lawyer.com/Lawsuit_filed.pdf and http://www.enviro-lawyer.com/64_Perry_County.pdf.

¹⁴ U.S. EPA, Office of Resource Conservation & Recovery, *Appendix for Regulatory Impact Analysis For EPA’s Proposed RCRA Regulation Of Coal Combustion Residues Generated by the Electric Utility Industry* at 44-52 (Apr. 30, 2010).