

TOXIC COAL ASH IN MINNESOTA

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.

Minnesota has 35 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 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.

Minnesota utilities operate **17 federally regulated coal ash ponds and landfills** containing more than 37 million cubic yards of toxic waste at seven coal plants (Table 1). These dumps have already caused significant groundwater contamination. Plant operators have not yet completed a comprehensive cleanup to restore water resources, despite the legal requirement to do so.

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

Minnesota also hosts at least **18 unregulated inactive coal ash landfills and legacy ponds** at six coal plants (Table 2). The exact number is unknown because utilities are not required to publicly report these unregulated dumps. Evidence has already shown that

coal ash has contaminated groundwater at some of these sites, but there are no federal monitoring or cleanup requirements.

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.³ 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 that are unregulated, and to prohibit coal ash used as fill unless protective measures are put in place, to ensure all Minnesota communities are protected from coal ash pollution.

FOR ADDITIONAL INFORMATION

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Table 1: 17 Regulated Coal Ash Disposal Sites in Minnesota

Coal Plant	City	Owner	Coal Ash Dumps	Groundwater Contamination from Coal Ash
				Magnitude of exceedance above federal health-based guidelines ⁴
Black Dog	Burnsville	Xcel Energy	3 unlined ponds	Not evaluated
Clay Boswell	Cohasset	Minnesota Power	4 unlined ponds, 1 landfill	Arsenic (x3), Boron (x3), Molybdenum (x1), Sulfate (x3)
General Waste Industrial Landfill	Keewatin	General Waste & Recycling, LLC	1 landfill	Sulfate (x4)
Fox Lake Generating Station	Sherburn	Interstate Power and Light Company	1 unlined pond	Not evaluated
Hoot Lake	Fergus Falls	Otter Tail Power Company	1 landfill	Unsafe levels of radium and cobalt ^a
Northeast Power Station	Austin	Austin Utilities	1 unlined pond	Not evaluated
Sherburne County Generating Plant	Becker	Xcel Energy	1 lined pond, 1 unlined pond, 1 landfill	Unsafe levels of nitrate, sulfate, arsenic, cobalt, selenium, lead, molybdenum, antimony, and cadmium ^a
Syl Laskin	Hoyt Lakes	Minnesota Power	1 lined pond	Unsafe levels of sulfate, boron, cobalt, and lithium ^a
Taconite Harbor	Schroeder	Minnesota Power	1 landfill	No data on constituents exceeding standards

^a Based on industry monitoring data. See Ashtracker.org.

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

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Table 2: 18 Unregulated Coal Ash Legacy Ponds and Inactive Landfills in Minnesota (ash dumps exempted from the 2015 Coal Ash Rule)⁵

Coal Plant or Landfill	City	Probable Owner / Source	# of Unregulated Ponds	# of Unregulated Landfills	Evidence of Site Contamination
Allen S King	Bayport	Northern States Power Co	2	1	Unknown
Black Dog	Burnsville	Xcel Energy	0	1	Unknown
Clay Boswell	Cohasset	Minnesota Power	0	2	Yes – Industry data ^a
Hoot Lake	Fergus Falls	Otter Tail Power Company	0	7	Yes – Industry data ^b
Northeast Power Station	Austin	Austin Utilities	0	1	Unknown
Riverside MN	Minneapolis	Northern States Power Co	1	0	Unknown
Taconite Harbor	Schroeder	Minnesota Power	0	4	Unknown

^a Data derived from the utilities' publicly accessible [CCR Compliance Data and Information websites](#), and exceedances were calculated by Environmental Integrity Project.

^b Based on industry monitoring data. See [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, *supra*, for more information re widespread utility non-compliance with the 2015 Coal Ash Rule.

⁴ All data derived from the utilities' publicly accessible [CCR Compliance Data and Information websites](#), and exceedances were calculated by Environmental Integrity Project.

⁵ 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.

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