

TOXIC COAL ASH IN WISCONSIN

Addressing Coal Plants' Hazardous Legacy

Wisconsin has 52 coal ash dumpsites.

For decades, utilities disposed of coal ash – the hazardous substance left after burning coal for energy – by dumping it in unlined ponds and landfills. 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.

Wisconsin utilities operate **20 federally regulated coal ash ponds and landfills**, containing more than 5.9 million cubic yards of toxic waste at eight coal plants (Table 1). Coal ash has caused significant groundwater contamination at nearly all the state's regulated dumpsites according to utility data reported in 2017. To date, however, few Wisconsin plants are even monitoring groundwater for heavy metals. It is likely that unregulated legacy ash on the power plant sites allows Wisconsin utilities to

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

avoid the strict monitoring and cleanup requirements of the Coal Ash Rule.

Wisconsin hosts at least **32 unregulated inactive coal ash landfills and legacy ponds** that escape federal regulation (Table 2). The exact number

remains unknown because utilities are not required to report these sites. These dumps are almost certainly contaminating water and threatening health and the environment; however, monitoring data are not currently available for most unregulated 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.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 Wisconsin communities are protected from coal ash pollution.

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Table 1: 20 Federally Regulated Coal Ash Disposal Sites in Wisconsin that Industry Acknowledges are Federally Regulated*

Coal Plant	City	Owner	Coal Ash Dumps	Groundwater Contamination from Coal Ash Magnitude of exceedance above federal health-based guidelines ⁴
Columbia	Pardeville	WI Power & Light	2 unlined ponds, 3 landfills	Arsenic (x2), Boron (x1), Molybdenum (x2)
Dairyland Power	Alma	Dairyland Power	1 landfill	No contaminants exceeding federal standards
Edgewater	Sheboygan	WI Power & Light	4 unlined ponds, 1 landfill	Arsenic (x2), Boron (x5), Cobalt (x1), Lithium (x1), Molybdenum (x55)
Nelson Dewey	Cassville	WI Power & Light	2 unlined ponds	Boron (x2), Molybdenum (x1), Thallium (x1)
Oak Creek	Caledonia	We Energies	1 landfill	Molybdenum (x1)
Pleasant Prairie	Pleasant Prairie	WI Public Service	1 landfill	Molybdenum (x4)
Weston	Rothschild	WI Public Service	4 lined ponds, 1 landfill	Cobalt (x2)

* Northern States Power Co’s Bay Front Plant, located in Ashland, WI, operates inactive coal ash ponds at the facility according to historical reporting to EPA, but the owners have not created a CCR Rule Compliance Data and Information website nor have they complied with the CCR rule’s requirements that apply to this pond, including groundwater monitoring, closure, and corrective action.

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

Table 2: 32 Unregulated Coal Ash Legacy Ponds and Inactive Landfills in Wisconsin for which Federal Regulations Have Not Yet Been Adopted⁵

Coal Plant or Landfill	City	Probable Owner / Source	# of Unregulated Ponds	# of Unregulated Landfills	Evidence of Site Contamination ⁶
Alma^a	Alma	Dairyland Power	1	3	Yes – EPA damage case
Bay Front	Ashland	Xcel Energy/No. States Power Co- MN	0	1	No data
Ceder Sauk Landfill (Received ash from Port Washington Plant)	Sauville	WI Electric Power Co	0	1	Yes – EPA damage case

(Table continues on the next page)

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Table 2, continued: 32 Unregulated Coal Ash Legacy Ponds and Inactive Landfills in Wisconsin for which Federal Regulations Have Not Yet Been Adopted⁵

Coal Plant or Landfill	City	Probable Owner / Source	# of Unregulated Ponds	# of Unregulated Landfills	Evidence of Site Contamination ⁶
Edgewater	Sheboygan	WI Power & Light	0	1	Yes – EPA damage case
EJ Stoneman	Cassville	Dairyland Power	1	0	Yes – EPA damage case
Genoa	Genoa	Dairyland Power	2	2	No data
Highway 32 Landfill	Ozaukee Co	WEPCO	0	1	Yes – EPA damage case
Highway 59 (Received ash from Valley plant)	Waukesha	We Energies	0	1	Yes – EPA damage case
John P Madgett / Dairyland Power^a	Alma	Dairyland Power	0	2	Yes – EPA damage case
Lemberger Landfill	Whiteclaw	Unknown	0	1	Yes – EPA damage case
Nelson Dewey	Cassville	WI Power & Light	0	1	Yes – EPA damage case
Oak Creek	Caledonia	We Energies	0	2	Yes – EPA damage case
Pulliam	Green Bay	WI Public Service	1	1	Yes – EPA damage case
Rock River	Beloit	WI Power & Light Co	4	0	Yes – EPA damage case
Valley	Milwaukee	WI Electric Power Co	0	3	No data
Weston	Rothschild	WI Public Service	0	2	Yes – EPA damage case
Woodfield Landfill (Received ash from Bay Front Plant)	Bayfield Co.	Northern States Power	0	1	Yes – EPA damage case

^a The retired Alma plant and the current John P Madgett (Dairyland Power) plant are directly adjacent to one another. The EPA damage case is technically for the Alma plant but is listed for John P Madgett as well given their proximity.

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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://aca-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.
- ⁶ “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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