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## Public Not Allowed to Know Location of Hazardous Coal Ash Sites

### EPA Withholds Locations of 'High Hazard' Coal Ash Sites

WASHINGTON, DC - There are **44 coal combustion waste sites nationwide that the U.S. Environmental Protection Agency has identified as "high hazard,"** but the agency cannot make the locations of these hazardous sites public, Senator Barbara Boxer told reporters today. The California senator chairs the Senate Environment and Public Works Committee, which oversees the federal environmental agency.



Under the stacks of TVA's Kingston coal-fired power plant, the ash spill cleanup continues. April 30, 2009. (Photo courtesy TVA)

In the aftermath of last December's spill of more than a billion gallons of coal ash waste at the Tennessee Valley Authority's Kingston coal-fired power plant, the U.S. EPA conducted inspections of the nation's coal combustion waste sites.

Agency inspectors identified several hundred coal ash piles across the country including 44 sites that pose a "high hazard." These sites are located in such a way that if the coal ash ponds were to fail, they would pose a threat to people living nearby.

**But, Senator Boxer said, "the EPA, after consulting with the U.S. Army Corps of Engineers and the Department of Homeland Security, has indicated that they cannot make the list of 'high hazard' sites public."**

"If these sites are so hazardous and if the neighborhoods nearby could be harmed irreparably, then I believe it is essential to let people know," Boxer said. "In that way, they can press their local authorities who have responsibility for their safety to act now to make the sites safer."

"There is a huge muzzle on me and on my staff, and the only people I can tell about this are the senators whose states are impacted," said Boxer. "We cannot talk to any of their staffs. This is unacceptable. The committee is going to continue hearings into this matter."

Today, Senator Boxer sent a letter to the Department of Homeland Security, the Army Corps of Engineers, and the EPA seeking further information on whether the public disclosure of coal ash waste sites is consistent with the treatment of other hazardous sites.

"One of the lessons we all learned from the TVA spill is that a close look at these facilities is extremely important, and we cannot rely on general assurances that these sites are safe," the senator said. "That is why I am pleased that on-the-ground inspections have begun."

At 1:00 am on December 22, 2008, a retaining wall failed on an 84-acre surface impoundment holding a half century's worth of coal ash at the TVA's Kingston power plant about 35 miles west of Knoxville, Tennessee, at the junction of the Emory and Clinch Rivers.

More than one billion gallons of coal ash "rushed down the valley like a wave," Boxer said. Ash covered nearly 400 acres, destroying three homes and damaging a dozen others. No one was injured.

"The volume of ash and water was 100 times greater than the amount of oil spilled in the Exxon Valdez disaster," Boxer said today. "The cost of cleaning up that spill has been estimated at over a billion dollars."

After the devastating Kingston spill, the Senate Environment and Public Works Committee held an oversight hearing to better understand this incident and how to avoid similar disasters in the future.

"When EPA Administrator Lisa Jackson came before our committee for her confirmation hearing a week later, she committed to move immediately to address the threat posed by coal ash waste," Boxer said today, expressing confidence Jackson would act to regulate coal combustion waste sites.

**"Coal combustion waste is subject to very limited regulation," Boxer said. "In fact, there are stronger protections for household garbage than for coal ash across the country."**

**The EPA has the authority to regulate coal ash, which can contain toxic substances such as arsenic, selenium, lead, cadmium and chromium.**

**"I do have great confidence in Administrator Jackson's commitment to move forward with regulations," said the senator. "I hope and expect we will have these regulations by the end of this year."**

At the site of the Kingston coal ash spill, cleanup continues. On May 11, the Tennessee Valley Authority, a federal agency that is the nation's largest public power provider, and the EPA signed an agreement by which TVA recognizes EPA's role and specialized expertise in responding to large-scale environmental clean-ups.

While TVA will retain its status as a lead federal agency, EPA will approve all work plans and schedules going forward.

"This agreement will continue the collaborative work between EPA, the Tennessee Department of Environment and Conservation and TVA, using EPA's expertise under the Comprehensive Environmental Response, Compensation and Liability Act," said TVA Senior Vice President of Office of Environment and Research Anda Ray.

"All of the agencies involved have a common goal, to meet the nation's highest standards for effectiveness, transparency, and public involvement," said Ray.

Transparency is exactly what Senator Boxer is after. The Environment and Public Works Committee will continue its ongoing investigation of coal ash waste sites and Boxer announced plans to conduct additional hearings on the 44 "high hazard" sites with the intention of learning why their locations are being withheld from the public.