TALKING POINTS
Should the Coal Ash on the Middle Fork Be Removed?

Coal Ash on the Middle Fork
Dynegy (now Vistra+Dynegy) purchased the Vermilion Power Generating Station in 2000 and closed it in 2011. Over a 55-year period, more than 3.3 million cubic yards of toxic coal ash was dumped by utilities in three unlined pits along the west banks of the Middle Fork of the Vermilion River. This volume is equivalent to one NFL football field piled 1,547 feet high with coal ash!

Coal ash is what's left over after burning coal in a power plant. It can contain many harmful chemicals, such as arsenic; mercury; cadmium; chromium; selenium; aluminum; antimony; barium; beryllium; boron; copper; lead; manganese; molybdenum; nickel; vanadium; and zinc. These have been shown to cause birth defects, cancer, and neurological damage in humans - and can harm and kill wildlife, especially fish.

The Middle Fork of the Vermilion is Illinois' only National Scenic River, and the Illinois Department of Natural Resources is the agency responsible for ensuring its protection. The river is one of the most vibrant and ecologically-diverse in the Midwest, and has a regional recreational draw that boosts local economies. Last April, the national river conservation group American Rivers listed the Middle Fork as one of America's Most Endangered Rivers 2018©, because of the coal ash threat.

Leaking Coal Ash Pits
All three coal ash pits are unlined. Two are known to be leaking:

- The Illinois EPA sampled seeps at the Old East and North Ash Pits in 2008. Their water quality analysis confirmed coal ash seepage (i.e.: chemical leachate, entering the river via groundwater). Boron exceeded the chronic standard by about three times, but no action was taken.
- Dynegy (now Vistra+Dynegy) was issued a Notice of Violation by the Illinois EPA in July of 2012 for exceeding Class I Groundwater Standards for: boron; manganese; sulfate; total dissolved solids; iron; and pH. Dynegy agreed to work with the Illinois EPA to contain the pollution and prepare a closure plan that would address this violation.
- In 2017, samples taken at the seeps by Prairie Rivers Network (PRN) found a "toxic soup" including: arsenic; barium; boron; chromium; iron; lead; manganese; molybdenum; nickel; and sulfate. PRN, represented by Earthjustice, recently filed a federal lawsuit in the U.S. District Court for the Central District of Illinois to force Dynegy to clean up its toxic coal ash pits.

Erosion
The Middle Fork is a meandering river that is moving west toward the coal ash pits. Erosion of the riverbanks next to Dynegy's ash pits has been a concern for decades, resulting in the armoring of banks along the Old East and North Ash Pits with gabions (wire baskets filled with rocks) in the early 1980s.

Today, most of the armoring installed next to the Old East and North Ash Pits has deteriorated and/or been ripped away by the natural force of the river, leaving much of the riverbank next to these pits unprotected. A recent study shows that erosion is now progressing 2.5 to 9 times faster than previously predicted.

In 2015, Dynegy obtained approval to stabilize 485 feet of riverbank along the New East Pond, after 20 feet of bank had been lost in just six years. A recent report by Dynegy's consultant Stantec Consulting Services, Inc. noted that as little as 15 feet now remain at several locations between the riverbank and the toe of the slope of the Old East and North Ash Pits. Seven hundred and seventy-five (775) feet have already eroded to a point where there is insufficient space between the river's

edge and the toe of the slope of the coal ash embankment to accommodate construction equipment. An additional 550 feet may be inaccessible due to deteriorating gabions. Work in these areas would require:

- Cutting into the embankments that hold the coal ash pits; and/or
- Filling in the river to extend riverbanks.

Construction could require placing heavy equipment on mats in the river channel and would likely take place during the prime recreation months, June through November.

A near-record storm event in February 2018 caused further erosion of riverbanks (including severe undercutting); ripped off more of the deteriorated gabion armoring; and sent downed trees and boulders into the banks, creating large cavernous holes. Because Dynegy has not (as of this date) applied for a permit to shore up these banks, it is likely they will be exposed for some time, and remain vulnerable to future storm events.

Dynegy's Proposed Cap

Dynegy is expected to have its studies completed soon, and submit a final proposal for its closure plan to the Illinois EPA in October 2018. The company has repeatedly indicated that their preferred option is to cover the coal ash with an impermeable cap and leave it place in the floodplain of the Middle Fork. Dynegy hopes that federal and state agencies will approve bank stabilization next to the Old East and North Ash Pits similar to that put in place along the New East Ash Pit as part of their "cap and leave" plan. However:

- Covering the pits will not separate the ash from the groundwater, nor prevent the lateral flow of groundwater through the ash from the west toward the river.
- Permanently installing lengthy sections of stone along Dynegy's coal ash pits may be incompatible with the Middle Fork's designation as a National Scenic River.
- Riverbank protection will slow erosion, but long-term, the river will continue to threaten the ash pits.

Leaving the coal ash permanently in the river system means there will need to be continuous monitoring, repair, and replacement of riverbank stabilization along the ash pits or, in the event of a spill, cleanup along many miles of the river system.

Take Action!

There is no legislation or rule that requires Dynegy to move its coal ash. The Illinois EPA will be reviewing Dynegy's final plan to determine whether it can bring pollution to acceptable levels and contain it. Testimonies by professionals at the June 11 People's Hearing about the feasibility of a "cap and leave" plan (with riverbank stabilization) are intended to provide expert analysis to be taken into consideration by the IEPA.

Your comments are essential to let the Governor, the IEPA, and the IDNR know that his National Scenic River must be protected for the benefit of all, and the only way to fully protect the river is to move the ash. The IDNR knows that erosion near the Old East Ash Pit is severe, and should take immediate action to ensure this ash pit is not breached by future storm events. Submit a comment today, or file one electronically at www.ecojusticecollaborative.org. All comments and testimonies will be delivered to the Governor, the IEPA, and the IDNR.

The recent merger of Dynegy and Vistra, two Texas-based power producers, has created a company that now is worth more than $20 billion. Shouldn't Dynegy be responsible for cleaning up its mess? Why should Vermilion County residents be left with a legacy of toxic coal ash, if a "cap and leave" solution is approved? And, if the IEPA approves a plan that leaves the ash in place, who will pay for monitoring, maintenance, and repair of the pits after Dynegy leaves or potentially goes bankrupt? And who will pay for cleanup, in the event of a catastrophic spill?