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Support SB 9, Coal Ash Pollution Prevention Act (Ammons)

A Toxic Threat to Water Quality and Human Health

- Coal ash is a waste byproduct of burning coal, and contains toxic metals that cause serious health problems, including cancer.
- Illinois has at least 80 coal ash impoundments at dozens of power plant sites - more than any other state! In 2018, water at 22 of 24 coal ash sites tested in Illinois had unsafe concentrations of dangerous coal ash pollutants.

We Need to Act Now

- A USEPA rule gives Illinois power companies until October 31, 2020 to close coal ash disposal areas that fail groundwater protection requirements. The companies have known for years that they will have to pay for closure of their unlined, leaking, coal ash impoundments.
- Upwards of 50 impoundments must close in Illinois.

What SB 9 Does for Illinois

- Senate Bill 9 was drafted in partnership with IEPA and provides Illinois communities the protection they need from toxic coal ash pollution as impoundments are closed.
- Provides a regulatory framework for EPA to approve protective closure plans for coal ash impoundments.
- Requires Financial Assurance to ensure Illinois taxpayers are not stuck with the bill for cleanup.
- Ensures meaningful public participation and transparency for affected communities.
- Focuses on environmental justice communities and high risk impoundments.
- Assesses fees on polluters to provide IEPA the resources they need.

Financial Assurance Protect Illinois Taxpayers

The best way to ensure that industry—not taxpayers—completes closure and clean up of coal ash sites properly and promptly is to require financial assurance. That means industry must set aside funds in amounts needed to ensure proper cleanup and closure at these polluting sites. Doing so provides companies an incentive to complete the work required to get back the bonds or other funds they have posted.

SB 9 does not allow financial assurances like self-bonding and collateral bonds that would have little or no value in a bankruptcy proceeding. Many states, including Kentucky, Virginia, Maine, Oregon, and Colorado ban this practice.