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## Five suggested provisions for improved control of coal ash.

NOTE: To be used in commenting to EPD on new rules for disposal of “coal ash combustion residuals” via email at [tamara.fischer@dnr.ga.gov](mailto:tamara.fischer@dnr.ga.gov) See notice of EPD rule-making process at [https://epd.georgia.gov/sites/epd.georgia.gov/files/CCRpublicnotice\\_Stakeholdermeeting\\_04282016.pdf](https://epd.georgia.gov/sites/epd.georgia.gov/files/CCRpublicnotice_Stakeholdermeeting_04282016.pdf)

### 1. Minimize distance that coal ash is transported.

Legal requirements for moving coal ash should stipulate the requirement that any proposed action must demonstrate that the selected destination is nearest to the source as possible. It is preferable to dispose of coal ash at the site where it is generated. When this is not possible, the closest location meeting other disposal requirements should be used. [NOTE: *State legislation should be adopted to prohibit import of toxic and hazardous waste into Georgia. Provisions in federal law should be amended to enable states to adopt such measures.*]

### 2. Mandate that all coal ash is pretreated to reduce pollution when transported and deposited.

By mixing coal ash with approved materials such as EPA-approved minerals and mineral compounds, the toxic contamination caused by coal ash dispersal and leaching can be greatly reduced. Risks of such pollution during transport and disposal will be significantly curtailed by adopting EPA methods for leachate controls. All contracts for moving and storing coal ash should be required to meeting these standards. [See EPA Toxicity Characteristic Leachate Procedure (TCLP)]

### 3. Require extensive test-well sampling, including the use of horizontal well-drilling methods.

Using new well-drilling methods, more reliable testing can be done to ensure that landfills are not leaking contaminants into surrounding and sub-surface areas. By drilling laterally, this method will enable sampling to be done in the area directly beneath the disposal site, helping to prevent dangerous pollution of groundwater. All results of sampling must be made available to the public within 30 days of analysis.

### 4. Sites approved for disposal of coal ash must be kept away from wetlands, waterways, and groundwater recharge areas.

Legal controls on coal ash should include a requirement that no disposal site can be within a half-mile of freshwater or tidal wetlands, rivers, creeks, or groundwater recharge areas. Consideration of flood zones, storm-surge, and sea-level rise must be included in assessment of site suitability and buffering.

### 5. Emergency response to toxic or hazardous contamination.

When it has been determined that toxic and/or hazardous materials have been spilled, leaked, or otherwise discovered outside approved containment areas, EPD must issue a public warning and prepare a quick-response and recovery plan for preventing further risks to public health and the environment. The warning must be issued no more than 24 hours after the contamination has been confirmed and released to all media outlets. The emergency response and recovery plan must be released for public comment no more than two weeks after the contamination has been confirmed. Cost of containment and recovery must be paid for by the party responsible.