

Testimony of Nancy Stoner, ELPC, on EPA’s unlawful proposal to extend the deadline for certain coal fired power plants to continue operating and unlined coal ash pits at those facilities to close.

**Hazardous and Solid Waste Management System: Disposal of Coal Combustion Residuals From Electric Utilities; Extension of an Alternative Closure Requirement Deadline**

Docket ID No. EPA-HQ-OLEM-2025-2864

I’m Nancy Stoner, a Senior Attorney at the Environmental Law and Policy Center, a nonprofit that protects public health and natural resources of nine states in the Midwest, including the Great Lakes. I have been working on clean water issues since 1987 and twice served at the U.S. EPA.

Thank you for the opportunity to testify against EPA’s proposal to allow polluting coal-fired power plants to continue to operate and to delay closure of some of the largest coal ash ponds in the nation. The Trump administration’s [proposed rule](#) would allow EPA to grant 11 coal plants extensions to continue burning coal and dumping toxic coal ash in unlined ponds until 2031.

All of the unlined coal ash ponds at the eleven plants are known to be contaminating surrounding groundwater with metals and toxins that threaten public health. Exposure to coal ash contaminants can increase risks of cancers, heart and thyroid diseases, cognitive impairments, respiratory disorders, prenatal mortality, and more.

<https://www.sciencedirect.com/science/article/pii/S0147651323014094>

**The groundwater contamination that would occur under the proposed rule would increase risks to public health and the environment at all five plants in the Midwest.** The rule would impact 13 ponds at 11 coal plants. At every coal plant, the groundwater has been contaminated by coal ash's toxins and metals. Five of these plants are located within the 9 states whose people and resources ELPC works to protect.

Power Plant	Coal ash units	Location
Baldwin Energy Complex	Baldwin Bottom Ash Pond	Baldwin, IL
Big Cajun 2	Bottom Ash Pond	New Roads, LA

Brame Energy Center	Bottom Ash Pond	Lena, LA
Coletto Creek	Coletto Creek Primary Ash Pond	Fannin, TX
Intermountain Generating Facility	Bottom Ash Basin, Waste Water Basin	Delta, UT
Kincaid Generation LLC	Ash Pond	Kincaid, IL
Miami Fort	Miami Fort Basin A, Miami Fort Basin B	North Bend, OH
Naughton	South Ash Pond	Kemmerer, WY
Newton	Newton Primary Ash Pond	Newton, IL
R M Schahfer	Waste Disposal Area	Wheatfield, IN
Welsh	Primary Bottom Ash Pond	Pittsburg, TX

- Baldwin, IL:** Two coal-fired boilers at Baldwin plant were scheduled to shut down last year due to declining natural gas prices. It was no longer marketable to run them. The Trump administration has chosen to intervene in that market-based decision to require these boilers to continue burning coal and to delay closure of its coal ash pits, despite the fact that 32 of the 32 (100%) coal ash pits leak into groundwater. Toxins and metals leaching above guidelines are antimony, arsenic, beryllium, boron, chloride, cobalt, iron, lithium, manganese, molybdenum, nitrate, sulfate, total dissolved solids. <https://ashtracker.org/site/67>
- Kinkaid, IL:** The Kinkaid plant was scheduled for shutdown in 2027. The plant reports leaching of boron and total dissolved solids into groundwater wells at 7 of its 8 coal ash pits. <https://ashtracker.org/site/78>
- Miami Fort, OH:** The Miami Fort plant, located along the Ohio River, was scheduled for shutdown in 2027. The plant reports leaching of arsenic, beryllium, boron, chloride, cobalt, fluoride, lithium, molybdenum, sulfate, thallium, total dissolved solids at 25 of its 27 groundwater monitoring wells. <https://ashtracker.org/site/228>
- Newton, IL:** The Newton plant was scheduled for shutdown in 2027. The plant reports leaching of arsenic, cobalt, lead, lithium, molybdenum, radium, sulfate, thallium, total dissolved solids at 18 out of 18 of its groundwater monitoring wells. <https://ashtracker.org/site/80>
- R.M. Schahfer, IN:** Coal-fired units at the Schahfer plant were scheduled for shutdown in December 2025. On December 23, the Trump Administration

intervened and ordered units at the plan to continue operating, despite the impacts to the environment, the plants dilapidated condition, and the owners' decision to shut them down. The plant reports leaching of antimony, arsenic, beryllium, boron, cadmium, chloride, chromium, cobalt, fluoride, iron, lead, lithium, manganese, molybdenum, nickel, nitrate, radium, selenium, sulfate, thallium, total dissolved solids from 92 of its 107 groundwater monitoring wells. <https://ashtracker.org/site/99> Schahfer Generating Station is also listed among U.S.EPA's potential damage cases, indicating that it has polluted groundwater at levels which potentially threaten human health or the environment. An investigation conducted by the Center for Public Integrity, USA Today, and the Weather Channel found R.M. Schahfer Generating Station to be one of the nation's 22 "Super Polluters"- power plants and industrial facilities that emit the most toxic pollution and greenhouse gases in the country.

[https://www.gem.wiki/Schahfer\\_Generating\\_Station#Super-polluter](https://www.gem.wiki/Schahfer_Generating_Station#Super-polluter)

If, as it claims, US EPA wants to improve grid reliability, it should work with the Dept of Energy to facilitate development of clean energy sources, such as wind and solar. Instead, the Trump administration is preventing those clean energy sources from being permitted and built, demonstrating clearly that it is just giving hand outs to the fossil fuel industry, not protecting public health or the environment. EPA has lost its way. ELPC opposes this proposed rule because it is inconsistent with EPA's mission and threatens public health.