



## **ENVIRONMENTAL LAW & POLICY CENTER**

**Oral Statement of Nancy Stoner,  
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Good morning. I'm Nancy Stoner, a Senior Attorney at the Environmental Law & Policy Center, a nonprofit that works to protect public health and the resources of nine states in the Midwest. I've been listening to the presentations made by the public this morning and find them very moving. I want to thank those presenters for commenting on this proposal.

I also want to thank the EPA's staff for their hard work to hold the Agency together in these difficult times. While this proposal, like so many others coming out of the EPA, is in complete derogation of the Agency's mission to protect public health and the environment, I know that the staff are doing their best in light of the bad policy decisions of their political management. The proposal doesn't claim to benefit public health or the environment, and it fails to cost the lost benefits to the public. It is a prop for the coal industry.

Coal ash pollution is one of our nation's largest toxic waste streams. Coal ash contains hazardous pollutants that leach into our lakes, rivers, and drinking water supplies. The hazardous pollutants in coal ash have been linked to cancer, heart and thyroid disease, reproductive failure, and neurological harm.

Illinois, Indiana, and Ohio are among the states with the most coal ash sites. There are 88 coal ash dumpsites within two miles of a Great Lake, according to a report by Earthjustice from 2023. Almost all coal ash pits are unlined and leak pollution into waterways either directly or through groundwater. We don't have to speculate about whether these coal ash pits leak. According to the power plants' own groundwater monitoring data,

91% of coal ash sites are contaminating groundwater with toxic substances at levels exceeding safe standards (<https://earthjustice.org/feature/coal-ash-contaminated-sites-map>). Many power plants want to continue allowing their unlined pits to leak, a process they call “natural attenuation.”

Fortunately, there are better solutions. Coal ash pits can be lined, and leachate from them can be taken to confined, safe disposal sites. Coal ash can also be reused to make cement, which reduces greenhouse gases and encapsulates potentially harmful elements, largely preventing their release into the environment. But instead of requiring solutions, his proposal would instead exempt many of the coal ash landfills and piles that are now threatening drinking water supplies for millions of Americans.

Thank you for the opportunity to present ELPC’s views on this dangerous proposed rollback of requirements for cleaning up of coal ash sites, which EPA should not finalize. People’s lives and health are at stake.