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Congress of the United States
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COMMITTEE ON THE JUDICIARY
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COMMITTEE ON
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WATER RESOURCES AND ENVIRONMENT

COMMISSION ON SECURITY AND
COOPERATION IN EUROPE
(U.S. HELSINKI COMMISSION)

March 4, 2019

The Honorable Peter DeFazio
Chairman
Committee on Transportation
and Infrastructure
2165 Rayburn House Office Building
Washington, DC 20515

The Honorable Sam Graves
Ranking Member
Committee on Transportation
and Infrastructure
2164 Rayburn House Office Building
Washington, DC 20515

The Honorable Grace F. Napolitano
Chairman
Subcommittee on Water Resources
and Environment
2165 Rayburn House Office Building
Washington, DC 20515

The Honorable Bruce Westerman
Ranking Member
Subcommittee on Water Resources
and Environment
2164 Rayburn House Office Building
Washington, DC 20515

Dear Chairman DeFazio, Ranking Member Graves, Chairman Napolitano and Ranking Member Westerman:

I write to ask that the Committee on Transportation and Infrastructure convene a hearing to examine the impact and effects of all coal plants and coal ash dumps on groundwater quality, human health and aquatic life, to review the implementation of the Coal Ash Rule, which established groundwater monitoring requirements for coal ash dumps, and examine the effects of coal ash contamination on the quality of drinking water for communities across the country.

According to a recent report, *Coal's Poisonous Legacy: Groundwater Contaminated by Coal Ash Across the U.S.*, from the Environmental Integrity Project in collaboration with Earthjustice, the Sierra Club, and Prairie Rivers Network, "Groundwater beneath virtually all coal plants is contaminated."¹ If true, this is obviously alarming. The report analyzed all of the available groundwater monitoring data that covers 265 coal plants or offsite coal ash disposal areas, including over 550 individual coal ash ponds and landfills that are monitored by over 4,600 groundwater monitoring wells.

According to the report, 91 percent of coal plants have unsafe levels of one or more coal ash constituents in groundwater, 52 percent of coal plants have groundwater that has unsafe levels of arsenic, which is known to cause multiple types of cancers, and 60 percent of coal plants have unsafe levels of lithium, a

¹ Environmental Integrity Project, "Coal's Poisonous Legacy: Groundwater Contaminated by Coal Ash Across the U.S.," <https://www.environmentalintegrity.org/wp-content/uploads/2019/03/National-Coal-Ash-Report-3.4.19-1.pdf>

chemical associated with health risks such as neurological damage.² Additionally, the 10 sites with the worst contamination in the country were identified, which all have “levels of contamination... that is off the charts – hundreds of times higher than what could be considered safe”³ including:

1. Christine, Texas – San Miguel Electric Plant
2. Belmont, North Carolina – Allen Steam Station
3. Point of Rocks, Wyoming – Jim Bridger Power Plant
4. Kemmerer, Wyoming – Naughton Power Plant
5. New Castle, Pennsylvania – New Castle Generating Station
6. Memphis, Tennessee – Allen Fossil Plant
7. Brandywine, Maryland – Brandywine Ash Management Facility
8. Castle Dale, Utah – Hunter Power Plant
9. Purvis, Mississippi – R.D. Morrow Sr. Generating Station
10. Ghent, Kentucky – Ghent Generating Station

In the case of the Allen Fossil Plant in Memphis, TN, the Tennessee Valley Authority (TVA) has acknowledged that there is a breach in the protective clay barrier that separates the high levels of contaminants in the groundwater in the shallow aquifer from the deeper sand aquifer from which the City of Memphis draws its drinking water.⁴

Other communities could be at risk, as well.

I, therefore, respectfully request the committee to hold a hearing as soon as possible.

Thank you for your consideration of this request.

Sincerely,



Steve Cohen
M.C.

Steve Cohen
Member of Congress

² Environmental Integrity Project, “Coal’s Poisonous Legacy: Groundwater Contaminated by Coal Ash Across the U.S.,” <https://www.environmentalintegrity.org/wp-content/uploads/2019/03/National-Coal-Ash-Report-3.4.19-1.pdf>

³ <https://www.environmentalintegrity.org/wp-content/uploads/2019/03/National-Coal-Ash-Report-3.4.19-1.pdf>

⁴ Watts, Micaela, *Commercial Appeal*, “TVA report: Clay barrier absent above Memphis aquifer at site near coal ash landfill,” <https://www.commercialappeal.com/story/news/breaking/2019/03/01/memphis-aquifer-not-protected-arsenic-some-parts-tva-says-coal-ash-contamination-ground-water/3034179002/>