

# Ensure Safe Disposal of Coal Ash – Support House Bills 387 and 388

## ✓ HB 387



Coal Ash

Normal River Sediment

Under federal and state regulations, utilities must drain and close all of their CCR impoundments (coal ash ponds) across the state. HB 387 regulates the removal of water (dewatering) from these ponds in the following ways:

- **An owner or operator of an unlined existing coal ash pond must stop putting coal ash into it by November 22, 2019 and start the closing process.** This deadline can be extended in two 2-year time periods upon the owner/operator's request.
- **Before draining a coal ash pond, the owner/operator must obtain a new NPDES (discharge) permit from the Georgia Environmental Protection Division (EPD) in accordance with the Georgia Water Quality Control Act,** which includes information about outfalls, average and minimum flow rates, concentration levels of all constituents found in coal ash (e.g. lead, mercury, arsenic, selenium, chromium, and other toxic metals and carcinogens), and the number of public drinking water intakes that are located 10 miles downstream of any outfalls.
- **At least 30 days prior to the scheduled dewatering, the owner/operator of the impoundment must notify EPD and all drinking water utilities with intakes located up to 10 miles downstream of any outfalls.**

**When coal ash ponds are closed, the ash will need to be properly stored in either a utility-owned impoundment or a privately-owned municipal solid waste landfill (MSWL). HB 388 ensures that the regulations governing the storage at MSWLs are consistent with the regulations governing the storage of coal ash at utility-owned facilities. In summary, HB 388 requires:**

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- **That owner/operator of a MSW landfill storing coal ash shall submit a CCR (coal ash) Management Plan to EPD by December 1, 2017.**
- **If the plan reveals that coal ash will make up more than 5% of the daily tonnage received at the landfill, the landfill operator must request a major modification permit.**
- **The CCR Management Plan must also include the following:**
  - A demonstration that the facility is constructed with a base that is at least 1.52 meters (5 feet) above the upper limit of the uppermost aquifer and a demonstration that no portion of the facility is located within any wetlands.
  - An estimated annual total of CCR to be received.
  - Procedures for waste placement, cover, and recovery to minimize exposure and accidental releases.
  - A plan for minimizing CCR airborne dust.
  - A demonstration that the landfill design ensures safe containment of CCR.
  - A showing that CCR waste to be received is compatible with other wastes received at the facility.
  - An evaluation of impacts to the landfill's closure and post-closure care cost estimates.
  - Incorporation of all federally listed coal ash constituents (such as arsenic, lead, selenium, and chromium) into the facility's groundwater monitoring plan.
  - Incorporation of a leachate monitoring report.
  - A demonstration that wastewater from the cleaning of vehicles carrying CCR to the facility is handled according to environmental laws.

Prepared by:



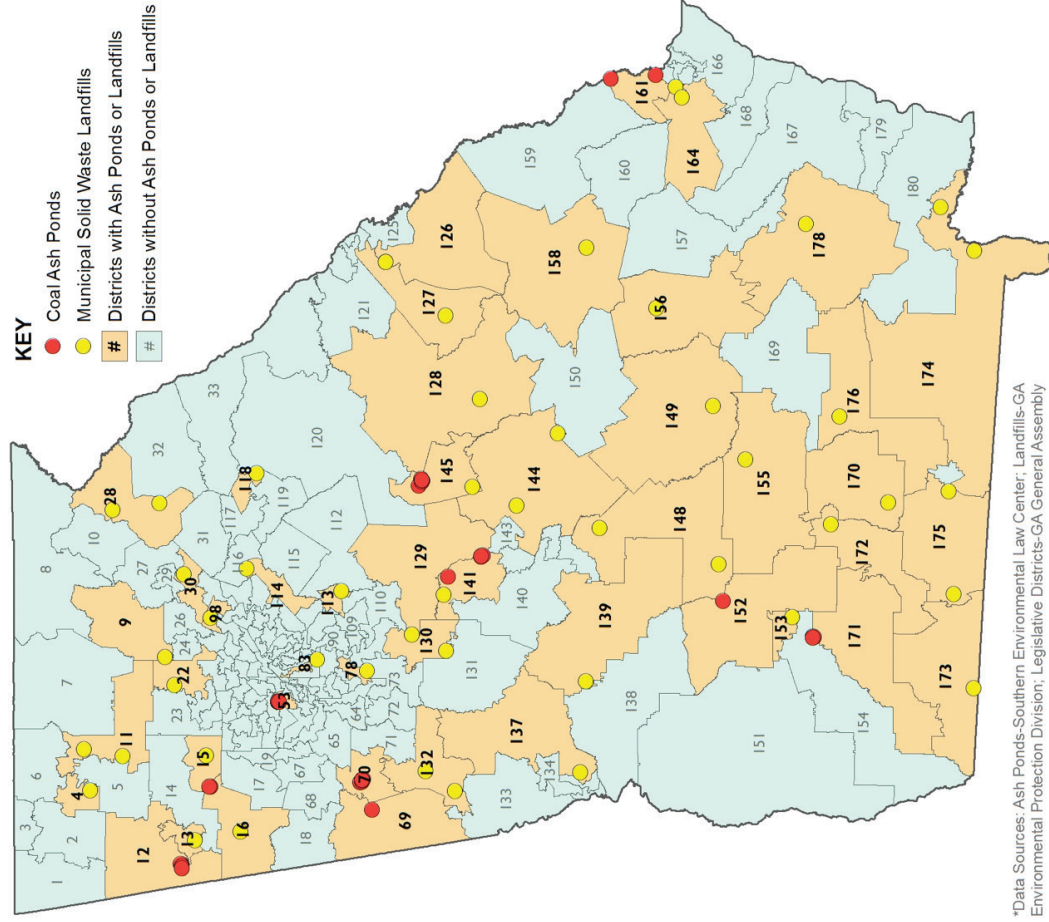
**GEORGIA  
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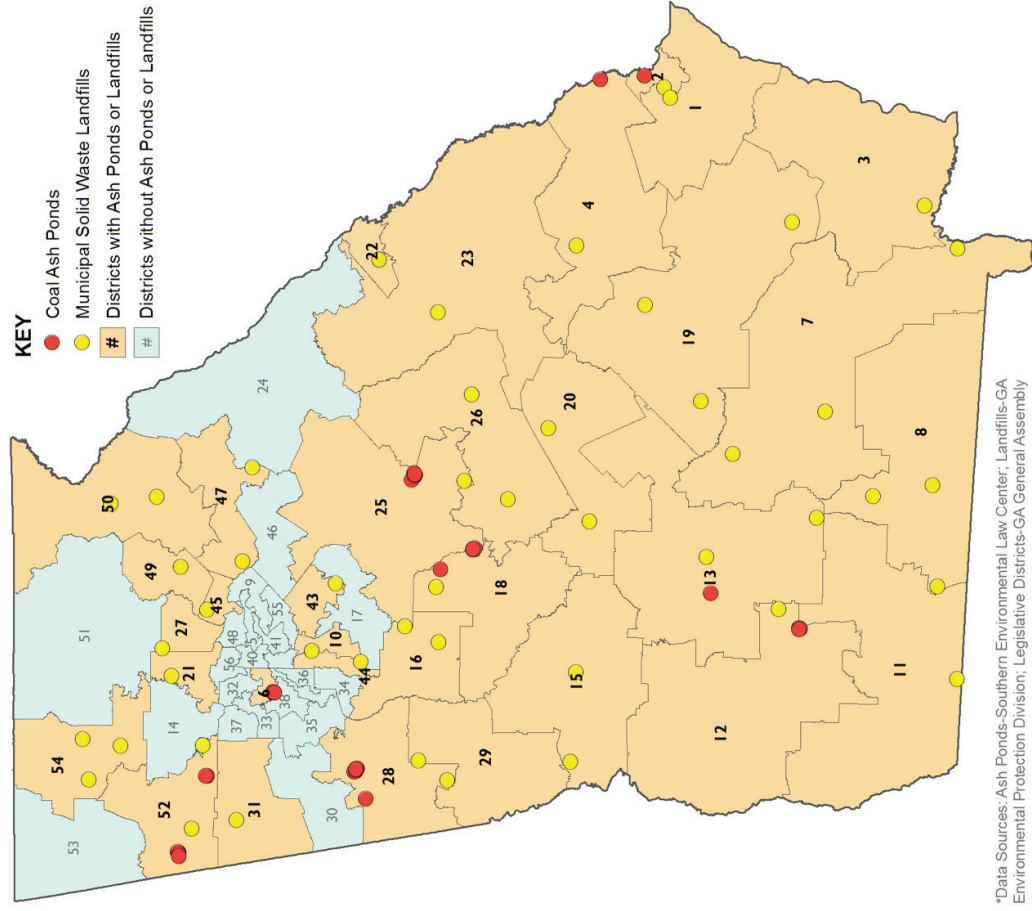
# HOUSE

Districts Containing Coal Ash Ponds and Municipal Landfills



# SENATE

Districts Containing Coal Ash Ponds and Municipal Landfills



Explore this map online at: <http://gawater.org/coal-ash>