



12/29/2005

## **PADEP Grant Permit; PPL Reopens Basin and Coal Fueled Units at Martin's Creek Plant**

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On August 23, environmental catastrophe struck the Lower Delaware Wild and Scenic River north of Easton/Phillipsburg when PPL's Martins Creek power plant sent at least 100 million gallons of polluted slurry into the river as a result of a coal fly ash basin failure (see below for brief recap). In the 18 weeks that have followed, clean up efforts of the sludge discharged into the river and onto the riverbanks for more than 40 miles downstream have been remarkably slow and problematic. Examples of critical mistakes made during the cleanup include the brutal bulldozing, damming and realignment of Oughoughton Creek in a slap-dash attempt to stop the movement of the coal fly ash slurry during the emergency phase and PADEP's approval of the use of an old unlined basin on site (Basin 1) for coal fly ash and bottom ash, resulting in pollution of groundwater monitoring wells with selenium and other contaminants. Many pollutants were found in elevated levels in the river following the blowout, forcing the shut down of the Easton water intake, impacting water supplies for communities in New Jersey and Pennsylvania and impacting fish and wildlife. Coal fly ash containing crystalline silica and other pollutants stuck to the riverbanks and flaked off into the air, further impacting residents and the environment.

The dry weather and low flows of the seven weeks following the blowout provided ideal opportunity for the removal of the coal fly ash sludge; PPL concentrated on the Oughoughton Creek, their plant site and at the outfall area but did not efficiently move into the next phases of clean up. PPL located a large amount of the sludge that had settled in two "pools" in the river near Easton/Phillipsburg totaling 40 acres in size. But storm flows in October and November moved the toxic muck further downstream, before PPL got to the pools. The result is the sludge was distributed far and wide and will never be as recoverable as it was in September. Elevated arsenic readings from the coal fly ash were found as far south as Trenton/Morrisville in October (see recap below for other pollutants in coal fly ash).

Finally, the coal fly ash that paves the bottom of the river like smothering blacktop is being vacuumed at this time from the river between Easton and the power plant and dried ash is being scrubbed from some riverbanks (although residents complain that the riverbank cleaning is inadequate; the ash is simply washed back into the

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river). A diving platform and suction hoses have been installed at the river on the Pennsylvania side and the contaminated waste is being put back into Basin 4, the basin that blew out in August. PADEP issued a permit reopening Basin 4 on December 27, which allowed PPL to restart the coal fired units on December 28.

The Natural Resource Damage Assessment team is continuing its analysis of the impacts on fish and the other natural resources of the river. The Environmental Protection Agency is continuing its “preliminary assessment” of the release of pollutants to the environment from the basin blowout. PADEP has filed a lawsuit against PPL and has notified them that fines will be forthcoming as a result of permit violations.

Amidst all of this activity and despite the release of some reports by PPL and PADEP, there is great uncertainty about the blowout event and whether there is undetected damage done by the basin failure, about the full impacts of the release of pollution, about the stability of Basin 1, and about the effectiveness of repairs made to Basin 4. PADEP approved the permit modification for Basin 4 with several as yet unmet conditions that include technical certification of Basin 4 by an engineer and revised emergency response and contingency plans. Why grant a permit when these critical issues have not been fully addressed by PPL? Other important questions that remain include the integrity of Basin 4’s liner; the sinkhole contingency plan and the dam emergency action plan details; and the extent of ongoing groundwater pollution and its cause.

“PADEP should not issue this permit – the premature return to service of the Basin 4 and the restart of the coal fueled units is irresponsible. There are ongoing assessments by several agencies and too many unanswered pollution and safety questions”, said Maya van Rossum, the Delaware Riverkeeper. “The rush to reopen Basin 4 and the coal fueled units is exposing the river and river communities to unjustified risk,” said van Rossum.

“DRN opposes the use of outdated open impoundments for the storage of coal fly ash and bottom ash at Martins Creek. The waste from coal combustion is too toxic to be stored in open basins next to the Delaware River, so close to river communities and the water supply for over 2 million people downstream,” said Tracy Carluccio, Special Project Director for Delaware Riverkeeper Network.

“Further, the lack of a liner on Basin 1 and the questionable integrity of Basin 4’s liner, means continuing groundwater pollution.”

PPL can only operate the coal fired units through September 2007 by court settlement with New Jersey due to its air pollution lawsuit. DRN and others are calling for the coal fueled plants to shut down permanently since the investment required for safe waste disposal and nonpolluting air emissions is not likely to serve PPL’s economic interests.

Brief recap:

On August 23, 2005 a leak began in PPL’s coal fly ash storage basin at their Martins Creek power plant in Northampton County, PA. By the next day, the leak turned into a flood over the roads and fields adjacent to the basin, then an eruption of coal fly ash slurry that lasted for several days, finally slowing down by August 27. In the end, at least 100 million gallons (company estimate) of coal fly ash effluent gushed into the Oughoughton Creek and the Delaware River. The basin, 16 years old, holds coal fly ash produced by PPL’s two coal fired units and may be used for disposal of other industrial waste on the site. Normally the water-filled waste impoundment settles out fly ash sediment before the effluent is piped to the river, alongside the Oughoughton Creek, in the vicinity of Foul Rift. The company reported that a gate in the basin broke apart, causing the uncontrolled discharge of effluent and sludge.

Easton, about 10 miles downstream, had to shut down its water intakes for several days; the river was dark gray with a slick of light gray for more than a week. Known components of the fly ash include: arsenic, mercury, lead, silica, crystalline silica, barium, chromium, beryllium, thallium, antimony, selenium and possibly sulfur, cadmium, and other heavy metals. The toxin-laden slurry lines the river bottom for several miles downstream; as far south as Bulls Island the gray sludge is visible in between rocks in the river. Dried ash is stuck to the riverbanks for at least 8 miles downstream. The crystalline silica in the dried ash causes pulmonary disease and is classified as a probable human carcinogen.

Delaware Riverkeeper Network (DRN) advocated for a Natural Resources Damage Assessment team to be formed, which has been done. However, clean up efforts, overseen by PADEP, are slow and have been riddled with mishaps. For instance, PADEP approved the use of an old unlined basin at the power plant to store the clean up waste, despite protests from the public and DRN, who also called for the shut down of the coal-fired units while the basin was disabled. When PPL put the old basin to use, it sprung a leak on Sept. 9, polluting groundwater monitoring wells with selenium. Finally, PPL shut down the coal plant, which remained closed until December 28, when PADEP granted a permit to reopen Basin #4, which is the basin that originally blew out in August. DRN opposes the use of open basins at the plant and filed a Petition under CERCLA with the EPA in September and again in October to assess the pollution event and cleanup efforts. The EPA granted DRN's request for a "preliminary assessment" of the pollution released by the basin blowout and a review by EPA is underway.