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## **USEPA Grants DRN Petition Concerning PPL Martin's Creek Plant**

Contact: Tracy Carluccio  
Office: 215-369-1188

The United States Environmental Protection Agency has granted the request submitted by Delaware Riverkeeper Network (DRN) for a "Preliminary Assessment" of the pollution from PPL's Martins Creek power plant due to their coal fly ash basin failure in August 2005 (see below for brief recap).

The petition filed by DRN presented information related to the failure of the basin that began August 23 and continued to pour at least 100 million gallons of coal fly ash slurry into the Delaware River to August 27. In the past 8 weeks, the polluted sludge has paved the river bottom and coal fly ash residue coated riverbanks for miles downstream. PPL concentrated clean up of the sludge on the Plant's site, in the Oughoughton Creek, which was inundated, and the outfall area of the basin pipeline at the Delaware River near Foul Rift. But the toxic-laden sludge in the river and dangerous ash residue on the shores as far as 40 miles downstream of the Plant remained until storm flows stirred it up again last week, spreading the polluted sludge further.

Delaware Riverkeeper Network petitioned the EPA in September and again in October under CERCLA Section 105(d) to bring in a federal agency that could offer expertise and an arm's length analysis. The short term and long term environmental impacts, the slow pace of cleanup, numerous mistakes that made a bad situation worse during cleanup efforts, and problems at the power plant site, moved DRN to ask EPA to step in.

EPA notified DRN by letter dated October 20 and received October 21 that "We have...decided to conduct the preliminary assessment", explaining that "A preliminary assessment is a limited-scope investigation performed on every Comprehensive Environmental Response, Compensation, and Liability Information System (CERCLIS) site. CERCLIS is Superfund's database of sites investigated under Superfund. The PPL Fly Ash Release will be placed in CERCLIS, which will initiate the regulatory requirements for conducting a preliminary assessment."

DRN understands that EPA is doing a document review and will conduct a site inspection in the near future.

"We consider EPA's decision to step in to be a recognition of the magnitude of this environmental disaster", said Maya van Rossum, the Delaware Riverkeeper. "This severe pollution event requires federal oversight and expertise", said van Rossum.

**Delaware Riverkeeper Network**  
300 Pond Street, Second Floor  
Bristol, PA 19007  
tel: (215) 369-1188  
fax: (215) 369-1181  
drkn@delawareriverkeeper.org  
www.delawareriverkeeper.org

“We hope this EPA action will speed up the clean up and improve the cleanup procedures”, said Tracy Carluccio, Special Projects Director for Delaware Riverkeeper Network. “We thank our members, individuals, organizations, government entities, townships, elected officials, and nonprofits that sent letters of support for our Petition to the EPA. We do not doubt that the outpouring of community interest impressed the EPA. This is hopefully the beginning of the end of this environmental catastrophe for the river and river communities”, said Carluccio

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 remains closed. However, the basin that blew out originally has been quickly patched up and is being used as of Sept. 16 for storage of the clean up material. DRN opposes the use of this or any other basin 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. Letters of support for the Petition poured into EPA. Residents are outraged at the mess and are contemplating class action legal action.

The EPA granted DRN’s request for a “preliminary assessment” and a review by EPA is underway of the pollution released by the basin blowout. Due to rain and high river flows, the cleanup activities in the river have been suspended for about two weeks.