

October 25, 2011

US Senate  
Washington, DC 20510

Dear Honorable Senator:

We understand that you may soon vote on S.1751, a bill that would leave oversight of coal ash dumps to the states, and prevent EPA from taking action against polluters who threaten our air and groundwater. The provisions of S.1751 are identical to H.R.2273 which passed the US House of Representatives on October 14. We know Congress has already heard from industry lobbyists, big contributors, and state bureaucrats. We live near these dumps, and put up with their pollution year after year. Please hear our voices.

We know what it is like to suffer through the daily onslaught of blowing ash, drink water from faucets contaminated with ash leachate, and see our wetlands and creeks poisoned with toxic metals like arsenic. We have complained again and again about the endless noise, dust and pollution from trucks dumping coal ash near us while we become more stressed out or sick and the value of our property plummets, with no real response from our states. Two years ago, we were promised that the US Environmental Protection Agency would finally set national standards to clean up these sites, and close the most dangerous ones.

Now we face legislation that would stop EPA in its tracks, and replace real standards with imaginary state “plans” that polluters could ignore without fear of enforcement by EPA. After what is already known about the danger from storing millions of tons of coal ash in unlined ponds, why would you tie the government’s hands from ever stopping this practice?

Do our lives matter to you?

Is protecting coal ash “recycling” from a “stigma” more important than our health or the quality of our water? Even those who believe “stigma” is real cannot seriously argue that shielding leaking dumps from EPA enforcement somehow makes recycling easier. And ash mixed with other wastes in leaking ponds – now a common practice – cannot be recycled at all.

What will you accomplish by requiring federal and state bureaucrats to review, and then approve, disapprove, and reapprove state plans that can never actually be enforced by EPA against polluters? If your own family’s drinking water was being contaminated, would you think haggling over “plans” the right response?

States have had decades to improve their management of these dumpsites, and have done nothing – or next to nothing – as contamination has spread, even after the Kingston dam collapse manifested the problem. We know good, hard-working people in our state agencies, but budget cuts, political pressure, the power of local polluters, and the lack of any serious oversight or enforcement from EPA make their job impossible.

Put yourself in our place. What if you lived near a power plant’s landfill or ash pond like we or our neighbors do, and found out that the water you and your children drink may be unsafe to

drink? How long would you want to wait for your state agency to do something about the problem? Three years? Five years? Ten? We have waited that long, and are waiting still.

As the Americans who live next to our nation's ash dumps, our opinions should matter. These dumps should have permits that we can comment on. We should be able to object to any permit or plan that threatens our lives and property, and the government should be given a deadline to respond. Dumps that contaminate groundwater should be closed, and the groundwater cleaned up. And EPA should be able to crack down on polluters – without having to wade through endless “planning—or the bill will mean nothing.

As you consider this legislation, please don't forget about us. We are not against the coal industry. We simply want laws that protect people and that they be enforceable. We appreciate your time and consideration.

Sincerely,

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