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From: [Tony Heath](#)
To: [Brown, Don](#)
Subject: [External] Coal Ash Rulemaking
Date: Wednesday, August 12, 2020 7:27:48 PM

Hi,

Here are the oral comments that I, Tony Heath, gave at the public hearing on August 12, 2020.

Thank you

Hello, my name is Tony Heath and I'm a professional civil engineer in the State of Illinois and I have volunteered with Eco-Justice Collaborative in the past on the Campaign to Protect the Middle Fork from the coal ash impoundment at the Vermilion Power Station.

I would first like it noted that I support the items outlined in the public comments submitted by the Environmental Law & Policy Center and others on June 15, 2020. However, I know my time is short so I'll limit my comments to my two primary areas of concern with the rules proposed by the Illinois EPA. First, that the rules do not adequately protect Illinois ground and surface waters, and secondly, that they don't provide adequate opportunity for meaningful public participation.

As is noted in the proposed rules, coal ash contact with water allows for the leaching of chemicals hazardous to human and animal health. However, the rules currently allow for coal ash to be stored in impoundments which place it within the local groundwater table. This issue is exacerbated by the fact that the current rules do not prohibit the storage of coal ash within FEMA designated floodplains. Variable groundwater levels within the floodplain can promote this leeching of chemicals through periodic soaking and drawdown of the water. And in addition, allowing coal ash to be stored in the floodplain creates additional hazard as rivers seek to reclaim their natural bounds. Therefore, I recommend that the rules be revised to prohibit the placement of coal ash within 5' of the local groundwater table and also to add floodplains to the list of restricted locations.

Secondly, as we all know the handling of coal combustion residuals is incredibly complex. So complex, that 14 days is laughably inadequate to ensure that the public has sufficient time to become aware of and review application materials prior to the pre-application public meeting. In order to ensure that these rules provide meaningful public participation, I recommend that the rules require the full permit application including all supporting materials be made available as part of the public notice and that the public be given a full 30-day period to review these materials before the public hearing.

Thank you.

-Tony Heath, P.E.