

SENATE CONCURRENT RESOLUTION NO. 8

WHEREAS, the United States Environmental Protection Agency (EPA) has repeatedly delayed issuing regulations on coal combustion waste; and

WHEREAS, coal combustion waste, or coal ash, contains carcinogenic and neurotoxic chemicals such as mercury, arsenic, cadmium, lead, hexavalent chromium, and other heavy metals that have been proven to harm human health; and

WHEREAS, ponds containing coal ash often leak these pollutants into the groundwater, as evidenced by documentation of contamination in other states including Illinois; and

WHEREAS, coal waste ponds at the Labadie Power Plant in Franklin County were known by the Missouri Department of Natural Resources to be leaking 50,000 gallons per day since 1992. Ameren has only recently claimed to address those known leaks, and no groundwater monitoring around the ponds has occurred or is occurring even though everyone for miles around the site in Franklin County relies on groundwater for drinking water; and

WHEREAS, the State of Missouri currently does not require any groundwater monitoring at these coal ash ponds, so that the extent of any danger to the public health cannot be determined; and

WHEREAS, there are at least 32 coal ash ponds scattered across the State of Missouri, including in Jasper, Jackson, Platte, Franklin, Buchanan, St. Louis, New Madrid, Henry, Jefferson, Scott, St. Charles, and Randolph Counties; and

WHEREAS, utilities generate over 2.6 million tons of coal ash in Missouri every year; and

WHEREAS, devastating coal ash spills took place in December 2008 in Kingston, Tennessee and in November 2011 in Oak Creek, Wisconsin, both of which resulted in property damage and expensive cleanup; and

WHEREAS, a report released by Earthjustice in August 2011 listed Missouri as one of the weakest states in the country for regulating coal combustion waste; and

NOW THEREFORE BE IT RESOLVED that the members of the Missouri Senate, Ninety-seventh General Assembly, First Regular Session, the House of Representatives concurring therein, hereby urge the Department of Natural Resources, in issuing water pollution discharge permits for conventional coal-fueled electric generating units, and consistent with otherwise applicable law, to fully consider:

- (1) The need to require groundwater monitoring immediately at all new and existing coal ash ponds in the State of Missouri; and
- (2) The need to require clean-up at all coal ash ponds that are found to be leaking dangerous chemicals; and

BE IT FURTHER RESOLVED that this resolution does not amend any state law to which the Department of Natural Resources is subject, and shall be interpreted to be consistent with any requirements of such state or federal law; and

BE IT FURTHER RESOLVED that the Secretary of the Missouri Senate be instructed to prepare properly inscribed copies of this resolution for Governor Jay Nixon and the Director of the Department of Natural Resources.