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**Chesapeake Climate Action Network:**

**Comments/Testimony on Toxic Coal Ash in Maryland**

**To: Office of Management and Budget (OMB)**

**Date: 2/25/2010**

Good morning. My name is Diana Dascalu-Joffe and I am the staff attorney for a Maryland organization called the Chesapeake Climate Action Network (CCAN). On behalf of our 30,000 members, activists and volunteers in Maryland, I want to urge you to release EPA's rulemaking on toxic coal ash so that this harmful substance can be regulated at the federal level. In Maryland, we have three major existing coal combustion waste facilities in three different counties (Prince George's County, Charles County and Anne Arundel County).

CCAN is submitting comments on behalf of our members that live within five miles of all three of these facilities, and that are negatively impacted by these facilities on a daily basis. That includes around 300 members. Additionally, there is a landfill proposed for the city of Baltimore, which hosts hundreds of members within a 5 mile radius of the proposed site.

You have heard a lot from impacted community members about the dangers of coal ash so I will be very succinct in my testimony and offer you an example of impacts from a few members in Prince George's County, Maryland.

The Brandywine coal combustion waste landfill is located in a predominately African-American yet rural portion of Prince George's county. The facility is 300 acres in size, and located in close proximity to the Patuxent River. The state environmental agency (the Maryland Department of the Environment) has documented reports indicating that the facility is discharging very high levels of toxic metals in local surface waterways (Cadmium is 100 times over the recommended groundwater limit, and surface water criteria for aquatic life are significantly exceeded for Cadmium and Lead).

Our organization has brought a citizen enforcement action on behalf of our members to address these federal and state water violations. I've seen the beautiful marsh land and hiked around the threatened creek (the Mataponi Creek) where these violations are occurring. It is a wonderful, peaceful place that is a mere 15 miles from the DC metro

area. We have a member who has come out on record as refusing to buy property in Brandywine because of the coal waste facility and what is happening to the water in the area. He was fearful for his family's health and well-being because of the facility and thus decided to move to another community.

As part of our enforcement action, we are currently investigating whether the surface water contamination has also impacted local groundwater. Most people are on well water in this part of the county so the impacts of groundwater contamination to human health would be disastrous to the local community. This is a predominately blue-collar, rural community who cannot afford to dig new wells or have their water treated if it's contaminated.

The state of Maryland only deals with coal combustion waste permitting through their waste management department which is woefully underfunded and inadequate to address this very large and toxic waste stream. We need a federal regulation to protect Marylanders from dangerous coal ash now.

Thank you for the opportunity to submit testimony.

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My name is Cathy Donne and I live in North Fayette Twp., PA – about 12 miles west of downtown Pittsburgh. I am part of a group of concerned residents that initially formed to stop the construction of a waste coal-fired power plant, called Beech Hollow, about 4 miles from my home and just a few miles from hundreds of children that attend our elementary schools, middle school and high school. My concern is not only the additional source of air pollution, but more importantly the disposal of the fly ash from that and other power plants in the area. According to the EPA press release of April 25, 2000, “EPA is concerned because these combined wastes contain arsenic, cadmium, chromium, lead and mercury. These metals have been associated with human health effects including cancer and nervous system effects, adverse effects on women of child-bearing age and developmental effects in children. Furthermore, these metals have also been found to have harmful environmental effects.”

As it stands right now, the PA DEP is not requiring the operator of Beech Hollow to follow any special safety standards for disposal, and is allowing the deposition of the ash right into unlined pits where the potential for contaminating ground water, drinking wells and aquifers is very high. This proposed site is already the largest waste coal site east of the Mississippi and if allowed to continue as planned will become one the largest fly ash dumps in the country.

Given the large coal industry and utility lobby effort that exists in my state, I am concerned that, in the interests of big coal and in total disregard for public health and safety, the PA DEP has ignored many scientific studies, including the National Academy of Sciences report on coal combustion waste, regarding the contamination of ground water that comes in contact with CCW. I feel very strongly that if coal is going to be relied upon as an energy source in the future, then federal regulations must be adopted and enforced that will ensure that public health and safety are the priority when it comes to disposing of toxic fly ash. Individual states cannot be trusted with our health.