



Illinois AG says Ameren illegally disposed of coal ash



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JTOMICH@POST-DISPATCH.COM 314-340-8320

Illinois Attorney General Lisa Madigan has filed a complaint alleging that Ameren Energy Resources Generating Co. illegally disposed of 180,000 tons of coal ash at the Duck Creek power plant in Peoria, Ill.

The complaint filed Monday with the Illinois Pollution Control Board claims Ameren transported the coal ash, the byproduct of burning coal to generate electricity, from its

E.D. Edwards power plant in Bartonville, Ill., to the Duck Creek plant in Peoria for use as fill material for a railroad embankment.

Ameren notified the state environmental regulators of the plan in 2004 but never received a permit to do the work, according to Monday's filing.

When the Illinois Environmental Protection Agency inspected the Duck Creek site in 2006 it discovered three acres covered in coal ash to a depth of 15 feet.

The Illinois EPA issued a notice of violation after analysis of the ash showed it contained levels of antimony, boron and silver in excess of state groundwater standards.

The agency later rejected a proposal by Ameren to resolve the violation because the ash contained excess pollutants and the utility refused to move the ash to a permitted landfill or transfer station.

In a statement, Ameren said it disagreed with the complaint.

"We believe the material was properly used and have submitted additional analytical work, soil borings and modeling data to demonstrate the lack of environmental impact," the company said. "We are disappointed that rather than seeking additional information from the company -- and after more than a year of silence -- the Attorney General's Office chose to bring this action."

Ameren Energy Resources is the wholesale power generating and marketing unit of St. Louis-based Ameren Corp.

The complaint comes as Ameren Missouri is looking to the state of Missouri to approve construction of a controversial coal ash landfill at the utility's Labadie power plant in Franklin County. The U.S. Environmental Protection Agency is also weighing two proposed rules to regulate coal ash for the first time.

Environmental groups are pushing for EPA to finalize one of the rules, and pressuring Missouri to require groundwater monitoring at coal ash disposal sites. Without it, they say, there's no way to know if water resources are at risk.

John Hickey, director of the Sierra Club's Missouri Chapter, said the attorney general's complaint in Illinois should be a red flag for regulators in Missouri.

But "unlike the coal plants in Illinois, there is no groundwater monitoring installed at Ameren's Missouri coal plants," he said.