

*Industry & Environmental Justice Concerns*

The Environmental Protection Agency (EPA) issued a proposed rule in June of 2010 to regulate coal ash, the toxic waste left behind after coal is burned for energy. Coal ash contains elevated concentrations of toxic heavy metals like lead, mercury and arsenic and is a risk to human health and the environment. EPA's proposal gives two options for governance of coal ash. One option, known as Subtitle C, would create robust standards for regulating coal ash as a special hazardous waste. The second option, unbelievably, would treat coal ash like household garbage and EPA would merely set advisory guidelines that industry could choose to ignore and states could choose not to enforce.

*Coal Ash Impacts Low-Income and Minority Communities*

- ✓ Over half of the coal plants in the country are located in communities which exceed state averages in terms of low-income households;
- ✓ Almost half of the EPA "high hazard" ash ponds in the Southeast are in low income areas;
- ✓ These and other minority populations are at risk. For instance, the ash that devastated Roane County, TN after TVA's Kingston coal ash pond failure is now being shipped to Perry County, AL, a largely minority community where arsenic contamination has risen to levels 80 times the safe drinking water standards.

*Industry Response to Environmental Justice Concerns*

- ✓ In order to hide the negative impact that current ash storage practices have on low-income and minority communities, the coal industry is funding organizations that pretend to speak on behalf of low-income and minority individuals, when in fact, these organizations are advocating for industry interests.
  - ✓ [Working People for Fair Energy](#) (WPFE) is a 501©(4) "social welfare" lobbying group that claims its purpose is "protecting working families from national energy laws that create higher energy prices."
  - ✓ Charles Steele, Jr., WPFE's founder, admits that the goals of WPFE are the same goals as energy giant Southern Company and he has spoken out against coal ash regulation.
  - ✓ As a member Alabama Senate, Alabama Power was one of Mr. Steele's biggest financial contributors.
  - ✓ WPFE is allied with [Partnership for Affordable Clean Energy](#) (PACE). PACE was created by the same law firm that lobbies for Southern Company and its subsidiaries.
  - ✓ PACE's members include chambers of commerce and unions representing thousands of Alabama Power employees.

These industry-funded front groups argue that coal ash regulations will predominantly burden low-income and minority communities. This argument is incorrect. EPA estimates that consumer energy prices will increase by only 0.8% with even the strictest proposed regulation. In the Southeast, that means a monthly bill will increase from \$0.79-\$2.06 a month at most. **Compared to the health and environmental costs of ash contamination, a utility bill increase of less than \$25 each year is slight.**