



January 21, 2020

The Honorable Andrew Wheeler, Administrator  
U.S. Environmental Protection Agency  
1200 Pennsylvania Ave, NW  
Washington, DC 20460

Re: Proposed Revised Effluent Limitations Guidelines and Standards for the Steam Electric Power Source Category (Docket ID No. EPA-HQ-OW-2009-0819)

Administrator Wheeler:

West Virginia Rivers Coalition (WV Rivers), on behalf of our members and the undersigned organizations, respectfully submit the following comments on the Proposed Revised Effluent Limitations Guidelines and Standards for the Steam Electric Power Source Category (Docket ID No. EPA-HQ-OW-2009-0819). WV Rivers is opposed to the revisions of the Effluent Limitation Guidelines. The Environmental Protection Agency (EPA) states that this proposal would save approximately \$300 million dollars annually, however, this figure does not take into account the costs to restore polluted rivers and streams that would result from the proposed changes.

Steam electric power plants, mostly coal plants, are responsible for the majority of arsenic, lead, mercury, selenium and other toxic metals discharged into our nation's rivers, lakes, and streams every year. West Virginia currently has five power plants discharging into the state's rivers that would be impacted by the relaxation of the regulations; Fort Martin Power Station, Mount Storm Power Station, John E. Amos Power Station, and the Mitchell Plant.

Additionally, the Cardinal Plant located in Ohio discharges to the Ohio River which forms the boundary between WV and OH and impacts WV residents. EPA's proposal to weaken the regulations for these facilities are unjustified and unnecessarily puts the environment and public's health at risk.

EPA is proposing to allow power plants to discharge higher amounts of arsenic and selenium in Flue Gas Desulfurization wastewater. The Fort Martin Power Plant is already exceeding the discharge limitations for selenium. Fort Martin's National Pollutant Elimination System

(NPDES) permit WV0004731 allows an average monthly discharge of selenium at concentrations of 0.0101 mg/L and a maximum discharge of 0.0202 mg/L. On the August 31, 2019 sampling event at Outlet 0002, discharges of selenium were recorded at an average concentration of 0.021706 mg/L and a maximum concentration of 0.022788 mg/L. The receiving stream, Crooked Run, is already on the 303(d) list for biological impairments. Allowing Fort Martin to discharge more selenium would further impair this already damaged stream. EPA should be reducing selenium discharges, not allowing power plants to discharge more of these toxic metals into our waterways.

EPA is proposing to allow power plants to discharge contaminated bottom-ash wastewater, up to 10% of a facility's total volume. Fort Martin produced 8,340 tons in 2018. Bottom ash contains high concentrations of heavy metals such as arsenic, barium, beryllium, boron, cadmium, chromium, thallium, selenium, molybdenum and mercury that are toxic to aquatic life and public health. Zero discharge technologies for bottom ash wastewater are available and achievable; therefore, EPA has no justification to allow power plants to discharge more of these toxic pollutants into our waterways.

Additionally, WV Rivers is opposed to the lack of opportunity for the public to participate in this rule changing process. One online "public hearing" is not adequate to satisfy the requirement of public participation. Many rural residents in WV do not have access to internet in their homes and the nearest library may be an hour away, and therefor were excluded from the public process. We request public hearings to occur within the communities impacted by EPA's proposal.

Furthermore, the public comment period is inadequate. The comment period fell over a holiday when many people take several weeks off to travel and spend time with family. WV Rivers requests a 30-day extension to the comment period to account for the comment period falling during the busiest holiday season of the year.

We appreciate your thorough consideration of these comments.

Signed,  
Angie Rosser  
West Virginia Rivers Coalition

George Santucci  
New River Conservancy

Jonathan Rosenbaum  
League of Women Voters of West Virginia

Vivian Stockman  
Ohio Valley Environmental Coalition