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## Coal ash bill heads to governor's desk

By MEL LEONOR Richmond Times-Dispatch 14 hrs ago



Gov. Ralph Northam backs legislation that would require Dominion Energy to dig up coal ash at the Chesterfield Power Station.

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Legislation to require the excavation of the state's legacy coal ash now stored in Dominion Energy ponds is on its way to the governor's desk, after clearing the House overwhelmingly on Friday.

Gov. Ralph Northam, whose administration played a key role in securing a deal on the legislation, is likely to sign it — putting an end to a yearslong fight over how to close the ash ponds.

The legislation would require Dominion to excavate its ash ponds and recycle at least a quarter of the 27 million cubic yards of existing coal ash. The rest would be moved into new, modern landfills.

The deal allows Dominion to recover from ratepayers the full cost of the project, estimated at \$2.4 billion to \$5.7 billion, including financing costs and a profit. Lawmakers estimate the project will add \$5 to the monthly bills of average households for the next 15 to 20 years.

The legislation was sponsored by Sen. Scott Surovell, D-Fairfax, who has for years led efforts to force Dominion to dig up the ash, and Sens. Frank Wagner, R-Virginia Beach, and Amanda Chase, R-Chesterfield.

The coal ash is a toxic byproduct of decades of burning coal in Virginia. The ash is stored in four sites along the Chesapeake Bay watershed, three of which are leaking toxic substances into nearby groundwater, according to Dominion records.

Environmental groups have for years argued that leakage from the ponds is a risk to public health and the environment. On Friday, environmentalists celebrated the legislation, which they think will go far toward stemming those risks.

"It's hard to believe how far we've come," said Dean Naujoks, the Potomac Riverkeeper. "In 2014, Dominion was saying, 'We're going to cap all of this ash in place and drain the ponds.' That was the original plan.

"The fact that we were able to slow down the process and start advocating for other solutions like recycling, to finally see it come to fruition, is a big win for Virginia waterways."

"This means there is an end in sight to Dominion's coal ash pollution in Virginia," said Nate Benforado, attorney at the Southern Environmental Law Center.

More than half of Dominion's coal ash remains buried inside two storage ponds in Chesterfield County, near a power plant that borders a recreation area along the James River.

Residents of the county stand to benefit particularly from the deal. House Speaker Kirk Cox, R-Colonial Heights, secured a provision that would essentially shield Chesterfield from truck traffic resulting from recycling.

Cox represents parts of Chesterfield near the power plant and pushed for the provision as a condition of the bill's passage.

Cox said in a statement that moving ash out of the property for recycling would be "unfeasible" and would "severely interfere with normal commuter traffic."

"This language ensures that end of the agreement is codified and that our roads will not be bogged down with 300 trucks every day for 15 years," Cox said through a spokesman.

Meanwhile, the House rejected an amendment brought by Chase this week to ensure Henricus Park and the Dutch Gap Conservation Area remain open throughout the coal ash removal.

The parks and surrounding public areas have been the subject of ongoing discussions between Dominion and Chesterfield officials, who are negotiating a memorandum of understanding that would keep the parks open.

The agreement hasn't been signed, but a spokesman with Dominion said the utility "fully supports" a binding agreement that protects public access to the parks.

"We have stressed from the outset of the legislation that we have no intention of injuring the public enjoyment of the boat ramp, Henricus, or the Dutch Gap Conservation Area," said Dominion spokesman Dan Genest.

Chesterfield Supervisor Dorothy Jaeckle, who represents the area of the county where the power plant lies, said, "I feel Dominion is very aware of our concerns and obstacles involved in meeting that goal and knows what needs to be addressed in the [agreement.]"

The rest of the ash is buried at Bremo Bluff in Fluvanna County, a closed power plant site in Chesapeake, and Possum Point in Prince William County.

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