



Laborers' International Union of North America

Midwest Regional Office

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HB 3783 (Sen. Bennett) – Coal Ash Pond Construction Training Requirements **Laborers' Midwest Region Position: SUPPORT**

What the Bill Does:

HB 3783 amends the Environmental Protection Act to require contractors that build, install, modify or close a coal ash pond to utilize a workforce that is trained in:

- environmental remediation and erosion control; and
- the operation of heavy equipment and excavation.

The above training programs are not exclusive to any particular construction trade or any type of contractor; that is, both union and non-union contractors can, and do, participate in such programs.

Background:

Coal ash (also called Coal Combustion Residual or “CCR”) is the byproduct of burning of coal in a power plant. It contains hazardous materials, including mercury, arsenic and cadmium, among others. CCR is stored in an excavated area (or natural depression) that is lined or has a base of impermeable clay to prevent seepage into groundwater and the surrounding watershed. There have been two catastrophic failures of coal ash ponds this century (in Tennessee & North Carolina) leading to environmental and public health disasters.

There are 24 sites containing 80 coal ash ponds in Illinois, almost all of which are downstate.

In 2019, the legislature passed SB 9 (PA 101-171) creating regulations governing coal ash ponds in response to the seepage of CCR into a river in Vermilion County. Attempts to insert into that legislation training requirements for the workers who build, repair or close coal ash ponds were unsuccessful due to the compressed time schedule at the end of session.

Why the Legislation is Needed:

While the Illinois (and the U.S.) EPA regulates coal ash ponds, the State does not require any degree of training for the workers who build them. HB 3783 requires the contractors who work on CCR impoundments to participate in relevant training programs to ensure that they are built properly. Adding such training requirements will strengthen the protections established by SB 9 and provide for the safest possible storage of this hazardous material and, thus, the protection of the environment.