

LG&E Agrees to Pay \$113,000 for Coal Ash, Odor Violations at Cane Run Plant



The smokestacks at LG&E's coal-fired Cane Run power plant.

Source: AP Photo/Chris Wedel

Louisville Gas and Electric and the Air Pollution Control District have reached an agreement over violations at the company's Cane Run Power Station. Under the deal, LG&E will pay \$113,250 to the Air Pollution Control District, as well as continue implementing a compliance plan at Cane Run to prevent future violations.

The settlement covers ten instances where coal ash and odors allegedly left the plant's property, and if it's approved by the Air Pollution Control Board, will settle all of LG&E's outstanding violations at Cane Run. Several of those violations date back to early 2012; the company previously had contested those, and the matter appeared to be headed for a rare administrative hearing. As is standard in these agreements, LG&E doesn't admit any wrongdoing in the matter.

APCD spokesman Tom Nord says the district is glad to resolve the outstanding issues with LG&E. "LG&E has taken corrective measures for each of the alleged violations and has demonstrated compliance with the regulations that were violated," he said. "They've worked with the APCD to implement a comprehensive plant-wide odor, fugitive dust and maintenance emissions control plan and we've seen improvements thanks to that plan."

LG&E has spent \$1.5 million installing dust and odor controls on Cane Run, which the company plans to close in 2015. Spokeswoman Chris Whelan says LG&E decided to drop its objections to several previous violations in the interest of reaching a settlement.

"With any negotiation there is give and take," she said. "While we continue to disagree on some of the different issues, we've reached an agreement that we think is acceptable, we're going to pay the penalty and continue to try to be a good neighbor."

But for Cane Run's neighbors, the problem isn't necessarily solved. Kathy Little lives across the street from the plant, and been reporting coal ash emissions and odors for years. She says the neighborhood continues to smell sulfur smells from Cane Run. The most recent instance was two days ago.

"I think there's a price on people's health. And it shouldn't be \$113,000," she said. "Particularly when the issues they say they've complied with, as far as I'm concerned, they haven't."

Nord says the APCD will continue monitoring emissions and odors and Cane Run, and if necessary, will issue more notices of violation.

"I want to stress if new complaints do arise, we will investigate them," he said. This settlement does not prevent further action by the APCD."

The settlement is subject to approval by the Air Pollution Control Board. The board will hold a public hearing on November 20 at 10am, before it considers the agreement.

Here's a timeline of the past two years of LG&E's issues at Cane Run:

- August 2011: LG&E is fined **\$4,000** for fugitive coal ash dust.
- November 2011: LG&E is fined **\$26,000** for fugitive coal ash emissions, caused by an equipment malfunction.
- April 2012: LG&E and Metro Government settle the previous violations for **\$19,500**, plus a **\$3,000** contribution to the city's Air Quality Trust Fund. The company is also required to implement a compliance plan to control dust at the plant.
- July 2012: LG&E is fined **\$24,000** for more alleged coal ash violations at Cane Run, including both dust and odor complaints.
- April 2013: LG&E and Metro Government settle two violations from July 2012 for **\$10,500**. The company contested the other six violations.
- June 2013: LG&E is fined **\$5,000** for allegedly letting coal ash leave the plant.
- July 2013: LG&E tells the Air Pollution Control District that it has taken numerous steps to control dust at Cane Run, including installing a screen and using dust suppressants.
- August 2013: LG&E is fined **\$65,000** for a nearly two week spate of days when odors allegedly left the Cane Run plant.
- November 2013: LG&E and the APCD reach a proposed agreement for \$113,250. The penalty covers outstanding violations from July 2012, June 2013 and August 2013.