



CASE SPOTLIGHT

Stopping Coal Ash Pollution of the White River

Hoosier Environmental Council v. Ind. Dept. of Environmental Management (IDEM), AES
CLC represents HEC in a challenge to a Clean Water Act (CWA) permit for AES-owned Eagle Valley Generating Station in Martinsville

What's at Stake

The AES-owned Eagle Valley Generating Station is permitted to discharge coal-ash-contaminated groundwater and related pollutants into the West Fork of the White River. CLC's challenge argues that IDEM's Clean Water Act permit fails to include legally required pollution controls, including technology-based limits, antidegradation review, adequate mercury limits and monitoring, and proper evaluation of carcinogenic pollutants.

CLC's Role

CLC represents Hoosier Environmental Council in challenging IDEM's approval of the permit. After the administrative tribunal granted summary judgment to AES and IDEM and denied HEC's claims, CLC sought judicial review in Morgan County Superior Court. Briefing concluded in November 2025, and CLC is awaiting a ruling.

Why This Matters

The White River is one of Indiana's most important waterways. A favorable ruling could strengthen oversight of coal ash pollution, reinforce Clean Water Act permitting requirements, and improve protections for communities and ecosystems downstream.

Learn More

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