

## **ENVIRONMENTAL GROUPS HOLD EPA ACCOUNTABLE FOR 26-YEAR DELAY IN SETTING LIMITS ON COAL POWER PLANT TOXIC DISCHARGES**

**WASHINGTON, D.C.///September 14, 2009///**Three leading environmental groups – Defenders of Wildlife, the Sierra Club and the Environmental Integrity Project (EIP) – today put the U.S. Environmental Protection Agency (EPA) on notice of their intent to file a lawsuit for the agency being 26 years late in setting limits on coal power plant toxic discharges.

The agency's data shows that coal plants discharge millions of pounds of toxic pollutants like arsenic, mercury, selenium and lead, each year. Yet the existing federal rules, which have not been revised since 1982, fail to set any limits on these metals discharges, which can leach into local water supplies, as well as contaminate local waterways.

EIP Executive Director Eric Schaeffer said: **“Toxic discharges from power plants can threaten the health of local communities, contaminate ground and surface waters, and destroy aquatic life. EPA should have limited these discharges decades ago as the law requires. EPA needs to stop kicking the can down the road and set a date for regulation. We are confident that Lisa Jackson will do the right thing.”**

Toxic metal discharges from coal plants pose a serious threat to public health and the environment, which is why the Clean Water Act requires EPA to complete a review of the federal rules for power plant discharges each year, and revise the rules to meet the requirements of the Act when appropriate. Despite recognizing a “relatively high estimate of potential hazard or risk” the EPA has continued to do no more than “study” the discharges for 15 years. No new rules have been proposed by EPA to date.

There is no time to waste. As companies install pollution controls to meet Clean Air Act requirements toxic metals will be stripped out of power plant stacks and discharged into our waters without strict federal rules.

Defenders of Wildlife Senior Vice President for Climate Change and Conservation Law Robert Dreher said: **“Coal combustion waste contains highly toxic contaminants that have devastating impacts on fish, wildlife, and aquatic ecosystems. These pollutants accumulate in animal tissues, threatening a wide range of wildlife from salamanders to bald eagles with serious respiratory, metabolic, hormonal and physiological damage or death. It is long past time for EPA and the industries that generate this waste to take responsible action to protect our waters and wildlife from these toxic pollutants.”**

EPA's own research demonstrates that zero-discharge limitations for coal waste is possible through the use of the best available technology economically achievable (BAT).

**“Research has made it clear that coal ash is becoming increasingly toxic. In fact the cancer risk of people living near some coal ash sites is a staggering 1 in 50,”** said Mary Anne Hitt, Deputy Director of the Sierra Club's Beyond Coal Campaign. **“These coal ash dumps are dangerous and must be regulated immediately.”**

The notice-of-intent document is available online at <http://www.environmentalintegrity.org>.

### **ABOUT THE GROUPS**

The Environmental Integrity Project (<http://www.environmentalintegrity.org>) is a nonpartisan, nonprofit organization established in March of 2002 by former EPA enforcement attorneys to advocate for effective enforcement of environmental laws. EIP has three goals: 1) to provide objective analyses of how the failure to enforce or implement environmental laws increases pollution and affects public health; 2) to hold federal and state agencies, as well as individual corporations, accountable for failing to enforce or comply with environmental laws; and 3) to help local communities obtain the protection of environmental laws.

Defenders of Wildlife is dedicated to the protection of all native animals and plants in their natural communities. With more than 1 million members and activists, Defenders of Wildlife is a leading advocate for innovative solutions to safeguard our wildlife heritage for generations to come. For more information, visit [www.defenders.org](http://www.defenders.org)

Since 1892, the 1.3 million member Sierra Club (<http://www.sierraclub.org>) has been working to protect communities, wild places, and the planet itself. We are the oldest, largest, and most influential grassroots environmental organization in the United States.

**CONTACT:** Ailis Aaron Wolf, for the Environmental Integrity Project, at (703) 276-3265 or [aawolf@hastingsgroup.com](mailto:aawolf@hastingsgroup.com).  
Virginia Cramer, Sierra Club, 804-225-9113 x 102