Pressure Mounting on DEQ to Protect Virginians From Dominion’s Coal Ash Pollution  
Groups Appeal Permit to Pollute Potomac River with Contaminated Coal Ash Wastewater

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Charlottesville, VA—Today, on behalf of Potomac Riverkeeper Network, the Southern Environmental Law Center filed an appeal of the permit issued by Virginia Department of Environmental Quality (DEQ) to Dominion that would allow the company to pollute Quantico Creek and the Potomac River with more than 150 million gallons of coal ash wastewater contaminated with high levels of toxic metals from the Possum Point Power Station.

Last month the State Water Control Board approved the lax permit, which sanctions Dominion to dump almost 3 million gallons per day of coal ash wastewater laden with harmful pollutants at levels exceeding human and environmental health standards. The permit allows Dominion to pollute Quantico Creek and Potomac River with arsenic, a cancer-causing chemical, at levels up to three times higher the state’s own safety threshold to protect aquatic life and 30 times higher than comparable water permits in neighboring North Carolina.

The conservation groups are challenging the failure of the permit to require Dominion to abide by the Clean Water Act and to use readily available water treatment technologies that remove most of the toxic metals from the wastewater before it is released into a waterway used by many for fishing, boating, and birdwatching.

Dominion has leaking, unlined coal ash ponds containing toxic wastewater throughout the state that are contaminating groundwater and nearby surface water every day. On behalf of the Sierra Club, Southern Environmental Law Center sued Dominion over pollution of the Southern Branch of the Elizabeth River in violation of the Clean Water Act and that litigation is still underway.

“DEQ has known about coal ash contaminating groundwater at Possum Point for three decades and nothing was ever done to stop it. Now DEQ is allowing Dominion to empty toxic coal ash wastewater with high levels of harmful metals into a popular recreation and fishing spot, even though Dominion has readily available technology to clean the water and meet state standards,” said Greg Buppert, Senior Attorney at Southern Environmental Law Center. “We need our state environmental agency to stand up to Dominion and protect Virginia’s citizens and natural resources from this pollution.”
“DEQ Director David Paylor has refused to answer why he misled the public by saying no water was pumped into state waters only to find out months later over 25 million gallons of untreated coal ash water was pumped into the Potomac River. Both Dominion and DEQ first deny, then revise what happened at Possum Point just like with Dominion’s oil spill. There is absolutely no accountability or oversight. We are demanding an EPA investigation and we want Dominion’s coal ash permit revoked,” said Potomac Riverkeeper Dean Naujoks. “We want a full investigation. EPA must investigate this matter.”

Groups from both Virginia and Maryland have expressed concern over the risks that this permit would pose to the health of the Potomac River and those who depend upon it. Earlier this month, Prince William County Board of Supervisors in Virginia and the state of Maryland joined the appeal of the permit for Possum Point Power Station.

Southern Environmental Law Center, on behalf of James River Association, recently announced its intent to appeal a similar coal ash dewatering permit for Dominion’s Bremo Power Station. As the first state permits of its kind, a worrisome precedent could be set for how the state will deal with the problem of contaminated coal ash wastewater that is currently stored in unlined, leaking pits next to rivers throughout the Commonwealth. Dominion’s flawed plan to deal with its leaking coal ash ponds throughout the state includes draining the highly-polluted wastewater into nearby rivers and then just covering up the remaining toxic ash without the necessary safeguards to prevent leaking of contaminants into nearby groundwater and surface waters. While Dominion plans to just “cover up” its coal ash in unlined pits, utilities in North Carolina and South Carolina are moving the coal ash to safer dry, lined storage away from waters and drinking water supplies.

Click here to download a copy of the legal appeal document.

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About Southern Environmental Law Center: The Southern Environmental Law Center is a regional nonprofit using the power of the law to protect the health and environment of the Southeast (Virginia, Tennessee, North and South Carolina, Georgia, and Alabama). Founded in 1986, SELC’s team of about 60 legal and policy experts represent more than 100 partner groups on issues of climate change and energy, air and water quality, forests, the coast and wetlands, transportation, and land use. http://www.SouthernEnvironment.org

About Potomac Riverkeeper Network: Potomac Riverkeeper Network, Inc. is a nonprofit organization comprised of three Riverkeepers (Potomac, Upper Potomac and Shenandoah) whose mission is to protect the public's right to clean water in our rivers and streams. We stop pollution to promote safe drinking water, protect healthy river habitats, and enhance public use and enjoyment. Our work spans the entire Potomac and Shenandoah watersheds, encompassing almost 15,000 square miles in Maryland, Virginia, Pennsylvania, West Virginia, and the District of Columbia. http://www.PotomacRiverkeeperNetwork.org