

RIVER WATCH

The Official Newsletter of POTOMAC **RIVERKEEPER**® NETWORK

PAGE 2

LETTER FROM THE
PRESIDENT

PAGE 3

BAD ACTOR VS. UNIN-
TENTIONAL FAILURES

PAGE 4

DOMINION OIL SPILL,
WEAK STATE & FEDERAL
RESPONSE

PAGE 5

REMOVING CATTLE
FROM THE SHENAN-
DOAH

PAGE 6

PADDLE POTOMAC!
PADDLE SHENANDOAH!

PROGRAM UPDATES

PAGE 7

COAL ASH (CON'T)

THANK YOU, SARAH
WELCOME NEW STAFF!



EarthShare/CFC #87828

COAL ASH THREATENS MALLOWS BAY

Dominion Coal Ash Plan Threatens Potomac River and MalloWS Bay National Marine Sanctuary

Last October, Potomac Riverkeeper (PRK) was thrilled to learn about the National Oceanic and Atmospheric Administration's (NOAA) proposal to create a National Marine Sanctuary at MalloWS Bay, on the Potomac River in Charles County, Maryland. The Bay contains one of the largest assemblages of historic shipwrecks in North America, known as the "Ghost Fleet", and provides valuable habitat for striped bass, blue crabs, osprey and bald eagles. The State of Maryland, elected officials and advocacy groups, including PRK, strongly supported the nomination. Unfortunately, our excitement was soon tainted by the news that Dominion Power was seeking permission from Virginia regulators to discharge 150 million gallons of contaminated coal ash wastewater into Quantico Creek and the Potomac, just five miles upstream from the proposed sanctuary. Virginia's support of this action directly conflicts with Maryland and NOAA's goal of protecting the cultural and natural resources of the Potomac River and MalloWS Bay, and runs afoul of Potomac Riverkeeper's mission of protecting the public's right to a clean and healthy Potomac River.

Dominion's Possum Point Power Station is located on the Potomac River and Quantico Creek in Prince William County, and is home to five coal ash waste ponds that hold millions of pounds of toxic coal ash and several hundred million gallons of coal ash wastewater, all of which contain harmful metals such as arsenic, lead, and hexavalent chromium. Four of the five ponds are unlined, meaning they are essentially giant pits into which Dominion dumped coal waste for decades, allowing metals to leach into nearby groundwater and Quantico Creek. As the first big step in its plan to close these waste pits, Dominion consolidated most of the ash from four of the ponds to Pond D, the largest pond, and applied to the Virginia Department of Environmental Quality (DEQ) for a modification of its Clean Water Act permit to allow the draining of coal ash wastewater into the Creek and Potomac River with only minimal treatment. This "dewatering" of Pond D would be followed by the capping and closing of the pond, leaving millions of pounds of toxic coal ash in the

ground to leach pollution into nearby waterways and possibly residents' drinking water wells for the foreseeable future.

Despite overwhelming opposition from the state of Maryland, Potomac River Fisheries Commission, Potomac Riverkeeper Network, Maryland Watermen's Association and over 450 individuals and organizations, Virginia approved the permit in January 2016. In response, PRK and the State of Maryland filed separate appeals in state court, challenging the state's failure to require strict pollution limits based on the best technology available. PRK pointed out the shocking disparity between Virginia's lax permit and North Carolina permits – one example is Virginia's permit limit for arsenic of 220 parts per billion, twenty times higher than the limit set in North Carolina. Our objections were supported by fisheries experts who are gravely concerned about the risk to striped bass, catfish and even endangered Atlantic sturgeon posed by the high levels of metals in the dewatering discharge.

The pending legal battle over Possum Point's coal ash disposal is only the latest in a series of problems highlighted by PRK over the past year, since Potomac Riverkeeper Dean Naujoks began investigating coal ash pollution at this facility. The litany of concerns includes:

- Dominion's own groundwater monitoring reports show decades of leaks from the coal ash ponds, causing contamination of groundwater and Quantico Creek with cadmium and other toxic metals.

- PRK's discovery of two illegal surface water discharges into Quantico

Creek. The worst of these is an engineered stormwater culvert that was found to be dumping high levels of metals into the Creek for decades. DEQ took no enforcement action, but instead revised its permit to allow the discharge, with minimal limits. Dominion has temporarily blocked off the culvert's discharge.

- In June 2015, PRK aerial patrol discovers that Dominion has completely drained the second largest coal ash pond, containing 52.5 million gallons of coal ash wastewater.



Before and after of the coal ash ponds that had been drained into Quantico Creek in May 2015.

Continued on page 7

BOARD OF DIRECTORS

G. CABELL WILLIAMS
CHAIR

NICK KUTTNER
VICE CHAIR

DAN RUSSELL
TREASURER

JOHN HOLMES
SECRETARY

BRENT BLACKWELDER

PETER BROSS

SALLY DAVIDSON

TODD ELLIS

JOHN GIBSON

JOHN HOLMES

ANGUS MACBETH

ART MAJOR

AVIS OGILVY MOORE

CHRISTINA NICHOLS

SHARI PFLEEGER

SCOTT PLEIN

ROY SEWALL

MAC THORNTON

ED MERRIFIELD
PRESIDENT EMERITUS

STAFF

JEFF KELBLE
PRESIDENT

MARIA BARRY
DIRECTOR OF DEVELOPMENT

MARK FRONDORF
SHENANDOAH RIVERKEEPER

ALAN LEHMAN
PROGRAM MANAGER

PHILLIP MUSEGAAS
LEGAL DIRECTOR
DEAN NAUJOKS
POTOMAC RIVERKEEPER

EMILY RAINONE
DIR. OF OPERATIONS & FINANCE

BRENT WALLS
UPPER POTOMAC RIVERKEEPER

Riverkeeper is a registered trademark
and service mark of Riverkeeper, Inc.
and is licensed for use herein.

A LETTER FROM THE PRESIDENT

Dear members,

I recently found myself in a discussion with Phillip Musegaas, our legal director, assessing our organization's work and reflecting on how we are doing in meeting our mission of addressing the greatest threats facing the health of our shared river.

As we talked, we tallied the legal cases with which we are involved — today, we are active in 17 cases, and all of them aim to reduce pollution to our river.

More interesting than the sheer number of cases is the fact that only 3 out of 17 involve major dischargers (sewer treatment plants or industrial facilities) with failing treatment and a series of permit violations. The remaining 14 cases are permit challenges, regulatory challenges, and other actions intended to push our state and federal governments to do their job correctly.

During our conversation I began to ponder the question of our role as river advocates, and would like to pose it to our members: **if our work aims to push state and federal governments to do their jobs, then are we acting as the conscience of our own government?**

The Possum Point coal ash case highlights the failings of our regulatory system. In this case, we are absolutely certain that — without our deep involvement — our state and federal government would have continued their complicity with Dominion Power by allowing Virginia's own state utility to cover up a massive pollution issue that, if not stopped, is sure to cement a legacy of persistent pollution.

Make no bones about it, if Dominion is allowed to either discharge all of the water that has been stewing in their waste ash for decades, or just cap all of this nasty waste in place, we will regret this decision for generations — and possibly for geologic time. This ash waste, which has been discharging toxic metals into the Potomac for decades and continues to do so today, will spoil Quantico Creek and the Potomac River for thousands of years.

We're faced with a toxic legacy that could make the catfish, striped bass, oysters, and any other natural resource worthless. We're talking about ruining an entire ecosystem, harming bald eagles and endangered sturgeon.

All of this avoidable. But not without groups like ours, and supporters like you, who step up to these challenges with righteous conviction.

We are at a point in time where we can affect history. It has taken the full focus of our Riverkeeper, and numerous staff, to generate legal challenges, grassroots pressure, press coverage, political, and even student action just to slow down this train to prevent a wreck.

Allow me to tie this case back into the reality that Potomac Riverkeeper Network acts as the conscience of our government. The strong environmental laws we rely on to protect vital natural resources are being eroded. As days turn into weeks, months, and years, state and federal agencies have become cozy with polluters. They've become complacent, and they are convinced that the flexibility in our laws should be used to allow more pollution — instead of less.

Unfortunately, as a country we have been here before. Emerging from the Industrial Revolution and two World Wars, rapid economic expansion resulted in the widespread, catastrophic fouling of our nation's rivers. Fortunately, citizen and political action in the 1960s turned the tide and gave us the Clean Water Act, the primary strengths of which are the regulatory and enforcement powers established for the federal government. We learned the hard way that when environmental laws are left to the states, the states often "race to the bottom," resulting in weak or non-existent regulations, and a virtual abandonment of environmental laws.

Sadly, in my view we are at risk today of turning back the clock on critical environmental protections, and are allowing the hue and cry for limited government and state's powers to lead to fear and retrenchment among the very regulators we rely on to protect our precious rivers.

As you read the articles in this edition of River Watch, please join me in evaluating our role as the conscience of our government in this whole system — and consider what our rivers would look like if we weren't taking direct action to protect the Potomac watershed against our most pressing threats. And please let me know what you think if you have a moment. ■

Warmly,



Jeff Kelble, President



PRK hosted Coal Ash Stories film for Dumfries residents, one of several outreach events to affected communities.

UPPER POTOMAC RIVERKEEPER®

BAD ACTOR VS. UNINTENTIONAL FAILURES

If you've just joined Potomac Riverkeeper Network (PRKN) you may gather that we don't stop trying to solve a pollution problem when we hit the inevitable advocacy road block. Instead, our custom is to take legal action when advocacy can't get us any further towards a solution. However, this is not always necessary. In many cases, the path to protecting our watershed depends on the attitude of the polluter. How do we decide? We often determine the best way forward with an evaluation we call the "Bad Actor vs. Unintentional Failure" test.



In this test, the first step is to determine the severity of the pollution problem at hand by evaluating: the toxicity of the pollution to the river, the relative magnitude of the contamination, the history of the pollution and the number of pollutant types contributing to the problem. We also assess the impact the pollution has on the receiving waters, harm to aquatic organisms and threats to human health and public use of the river. These assessments drive our case priorities, enabling us to keep our focus on the most critical pollution sources. It's important to note that the most severe problems are usually caused by those we place under the Bad Actor category.

Next, we evaluate whether the polluter wants to cooperate. A great case study highlighting this step comes from our 2014 Upper Potomac compliance sweep. The sweep uncovered two public service districts which represented opposite ends of the Bad Actor vs. Unintentional Failure spectrum. The Berkeley County Public Sewer Service District (BCPSSD) and the Mt Top Public Service District (Mt Top PSD). Both operated several facilities that had a history of permit violations for multiple pollutants, and PRKN had a long history of communicating with both Districts which resulted in minimal pollution reductions.

Unintentional Failures case: Mt. Top PSD

Mt Top PSD manages three waste water facilities in rural Mineral County, West Virginia serving over three hundred median-to-low income households on public sewer hookups. Mt Top PSD discharges treated waste from all three of its facilities to the North Branch of the Potomac River, which has a history of acid mine discharges resulting from a legacy of mineral mining. This acidity causes the area's surface and groundwater to be high in dissolved metals like copper, zinc and iron. It's not surprising, then, that these three facilities have had a history of discharge violations for copper and zinc. Our correspondence with Mt Top PSD revealed that the low income demographic of the District's user base has crippled Mt Top's ability to pay for the treatment upgrades required to fix their discharge problems. It was also evident that they were vigilant and interested in working to solve their problems. Recently, Mt Top PSD and Upper Potomac Riverkeeper have agreed to work collaboratively to address these problems, earning them a place on our Unintentional Failures list. We have brought pro-bono engineering assistance to the county, and have worked to produce and distribute a pamphlet educating residents on the proper care and maintenance of their sewer clean outs. We raised the funds to produce the pamphlet at no cost to MT Top PSD. Together these two steps will help this facility eliminate their damaging discharges.

"Bad Actor" case - BCPSSD:

In contrast, BCPSSD earned its Bad Actor badge, and a much more aggressive approach from the Upper Potomac Riverkeeper, after repeatedly neglecting to solve nearly a dozen cases of insufficient sewage treatment pollution or meet the legal requirements of two state consent orders designed to compel elimination of their pollution. "Highlights" from their laundry list of problems include:

- Fines of \$300,000 by West Virginia DEP (this is exceptionally high and indicative of frustration at the state level)
- Failing to meet legally binding deadlines for upgrades
- Resistance to communication with Upper Potomac Riverkeeper
- As many as 155 permit violations per facility (11 facilities)
- Pollution levels (harmful bacteria) thousands of times the allowable safe limit
- In our opinion, BCPSSD General Manager providing misinformation to the public to obscure their failure to protect local stream users

Even after repeated failures to meet court ordered consent decrees, BCPSSD had the audacity to petition a state court judge for leniency after DEP levied stiff fines, claiming the problems were outside its control. In light of this history, the Upper Potomac Riverkeeper filed a Clean Water Act lawsuit in federal court on the Marlowe Town Center in 2015, an entity of the BCPSSD, bypassing our normal advocacy path in favor of aggressive direct action.

These two cases illustrate that the best solution in a situation can depend a lot on the polluter. When confronted with a threat to our watershed, the Riverkeeper must ask whether they are dealing with an Unintentional Failure or a true Bad Actor. ■

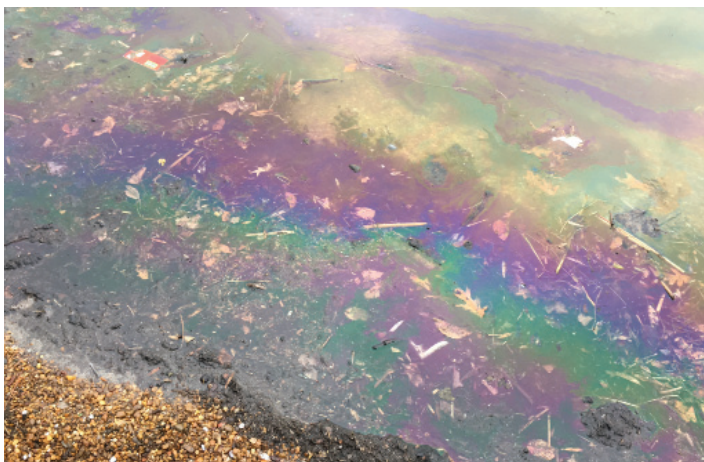


Example of point source discharge – pollution coming out of a pipe.

DOMINION OIL SPILL: WEAK STATE & FEDERAL RESPONSE

An oil spill in the Nation's Capital. Who'd have thought it possible? Before Potomac Riverkeeper Network (PRKN) Board member Nick Kuttner and the rest of the D.C. area's residents woke the morning of Wednesday, February 3rd, we imagine it's very few people. What happened that day and over the following weeks shook our confidence not only in the network of officials designated with protecting the Potomac, but also pierced our perception of hyper-government awareness around security in DC. While we were lucky this wasn't a crude oil spill akin to the Exxon Valdez, we expect our supporters might share our frustration and alarm when they learn what transpired.

Early on the morning of February 3, Nick Kuttner walked to his dock on the Potomac and was immediately struck by the strong petroleum odor and heavy rainbow sheen on the river, 9 miles downstream of Washington D.C. Nick and Potomac Riverkeeper Dean Naujoks notified authorities in Maryland, DC, and Virginia. They also began querying members and partners throughout the area, seeking to uncover the extent of the spill and the origin. By this time, people were reporting a broad oil sheen on the Potomac from near the Capitol south past Alexandria and the Beltway's Wilson Bridge and on down the river.



Rainbow sheen clearly visible on the water's surface.

U.S. Coast Guard, DC Department of the Environment, Alexandria Fire and Rescue and Potomac Riverkeeper were among the groups responding by land and water. It took less than 24 hours for our frustration to mount, as environmental officials began suggesting that snowmelt into storm drains was the cause. You heard right - snow melt. The media picked up the story, and smoke began to pour out of our ears. But the Coast Guard and PRKN pushed through the noise and worked their way up the Potomac until they were in the shadows of DC and the Pentagon, only to find oil pouring out of Roaches Run Waterfowl Sanctuary, in Virginia near the Pentagon. This was Thursday February 4th. Dean Naujoks arrived at Gravelly Point and Roaches Run to find oiled Canada geese and ducks and oil overtopping booms which had just been deployed in a vain effort to keep it from flowing into the Potomac. His social media posts, including one showing oily sand on the shore of Roaches Run, go viral. On February 5, Potomac Riverkeeper Network released a statement calling on ***the Coast Guard, DC Department of Environment and Virginia DEQ to investigate and prosecute the party responsible for this ongoing pollution of our nation's river.***

Dean Naujoks continued on-site investigations and posted regular updates on Facebook. The more we learned, the more frustrated and concerned we became. This timeline highlights how the news continued to change as the spill continued:

- Wednesday February 3: Oil Sheen Discovered & Reported. Investigations ensue
- Thursday February 4: Oil found flowing into Roaches Run and out to the Potomac. Dean publishes video of oil gushing past booms. Virginia Department of Environmental Quality (DEQ) states, and Washington Post reports that oil has stopped flowing. DC Department of the Environment continues to say it's likely snowmelt.
- Friday February 5: Video of oil still gushing published. Oiled birds discovered in sanctuary. PRKN finds Coast Guard spill report of 15,000 gallon transformer oil spilled on land in Alexandria. PRKN finds the oil spill is a week old already and DEQ has been responding but hasn't notified waterfront communities or first responders. DEQ also denies any link between earlier transformer oil spill and Roaches Run oil.
- February 6: Eighteen waterfowl covered with oil being rehabilitated.
- February 7: PRKN reports oil was still flowing out of Waterfowl Sanctuary past booms. Waterfowl still being collected and cleaned.
- February 10: Sheen present but oil subsiding. Some birds dead, 29 rehabbed. Coast Guard reports source likely a "fuel oil," not ruling out transformer oil from a Dominion Electric facility. Dominion denies any link to the spill.
- February 12: 3:00 pm Dominion denies responsibility at press conference. 6:00 pm Dominion retracts denial and accepts responsibility. Potomac Riverkeeper demands an EPA investigation into Dominion. 21 dead birds, 32 recovered. Oil still clearly visible. Virginia DEQ clearly failing to investigate Dominion and unwilling to enforce clean water laws!

Since these events, PRKN staff have been meeting with local regulators, elected officials, and community leaders to help identify why the response was not better coordinated and the spill more aggressively investigated. We have several questions that remain unanswered. We should expect better considering how close this was to DC Metro drinking water and the US Capital. What if this wasn't "just oil"? ■



Dead fish observed by Dean Naujoks immediately after spill.

SHENANDOAH RIVERKEEPER®

REMOVING CATTLE FROM THE SHENANDOAH

Progress:

The Shenandoah Riverkeeper is continuing to vigorously push for the removal of cattle herds from the Shenandoah River and its tributaries. Despite the fact that we have seen progress by successfully prompting dozens of landowners to remove their herds from the river, it's become clear that escalating advocacy is required to meet our goal of a 100% cattle free Shenandoah. Shenandoah Riverkeeper is gearing up for the next phase of our campaign designed to build on our successes to date.

As reported in our Fall Newsletter, Shenandoah Riverkeeper reached an agreement with Sandy Adams, Commissioner of the Virginia Department of Agricultural and Consumer Services (VDACS) and her staff, to respond to all future legitimate Agricultural Stewardship Act (ASA) complaints by requiring measures that "prevent or cease" the water pollution, consistent with the statute. Previous actions by VDACS only sought to "reduce" pollution, and failed to lead to meaningful reductions in cattle causing degradation of water quality. As we reported to our supporters at the time, Shenandoah Riverkeeper felt this was a MAJOR step forward, setting the stage to get the cattle herds permanently out of the river.

While we've made significant headway, we still face a lengthy and laborious process. Because the ASA is an entirely citizen complaint driven process, without formal action farmers and landowners feel no external pressure to remove their herds from the river. Of the 72 original landowners with cattle in the river, we are now down to about 36 individuals who, despite 2 years of our campaign, the availability of 100% state and federal funding for removal, and unrealized Chesapeake Bay Cleanup Goals, have failed to remove and exclude their cattle from the river.

Escalating Action:

In an effort to ramp up the pressure, Shenandoah Riverkeeper Mark Frondorf and Agricultural Project Manager Alan Lehman recently sent out 36 letters to the remaining river herd landowners asking them to contact us and explain their plans to prevent cattle from entering the river or its tributaries.

We have received a range of responses from about a dozen recipients of our letter. In some cases, they calmly explained the various options they have employed to prevent cattle from entering the river, while others reiterated the financial or operational challenges they have in keeping cattle from the river.

For some farms, fencing cattle is a true financial hardship and without subsidies or cost-share programs it will be difficult for them to make real and permanent change to their operations. Other farms are leased out and the rental farmer has no incentive to remove his herds from the river, as it makes his watering responsibilities more difficult and time consuming. We do not believe the latter excuses from these rental farmers are justifiable. In essence, we do not believe these inconveniences justify spoiling these public stretches of the Shenandoah River for valley residents, visitors or other riverfront landowners.

Virginia has been pursuing measures to meet its Chesapeake Bay cleanup obligation of removing 95% of herds in the Bay drainage, including voluntary initiatives aimed at reducing the sediment and nutrient load entering the Bay from Virginia. Governor McAuliffe is expected to sign an agricultural bill that includes a Best Management Practices component—a cost-share funding line item requiring at least \$19.6 million to be used to fence livestock out of streams. While that may sound generous, the Virginia Farm Bureau has reported a funding shortfall of over \$65 million in unfunded cost-share applications for stream fencing, leaving a sizable gap of \$45 million.

A Small but Important Step:

Following our October meeting with VDACS, the Shenandoah Riverkeeper submitted its first river herd complaint on a Rockingham County farm. VDACS recently determined the complaint to be founded, meaning it will likely require the farmer to take measures to prevent and cease, not just reduce, the pollution. We are closely following this case to see if the approved VDACS plan does, in fact, adhere to this statutory requirement in the ASA. We are also carefully reviewing the other river herds that continue to violate the ASA statute so that we can select the appropriate herds for an ASA complaint submission.

This campaign has proved to be controversial from the start, partly because our position is that it is no longer voluntary for landowners along public stretches of the Shenandoah to continue allowing their herds to enter and spoil the river. We will continue to update members in future newsletters about progress and setbacks as they develop and hope members continue to help us watch the river for new river herds or regressions in already improved sites. We have sensed for a while that this campaign will require ongoing and continued vigilance in order to complement our direct action. ■



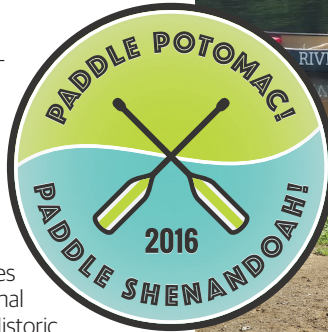
PADDLE POTOMAC! PADDLE SHENANDOAH!

Join Potomac Riverkeeper Network and your Riverkeepers June 8th - 19th as we team up with local outfitters to provide quality boats, equipment and shuttle service, for 11 unbelievable paddle trips throughout the Potomac and Shenandoah River Basin. Each leg of the journey is accompanied by rich cultural and educational opportunities to explore the river and learn about river ecology, history and health. National Park Service will be providing interpretive education and learning opportunities at historic sites like Antietam Battlefield, Harpers Ferry and Fort Washington. Our paddle trips offer reflection, adventure, exploration and discovery.

Paddle Potomac! Paddle Shenandoah! is a Waterkeeper Alliance SPLASH Series Event, presented nationally by Toyota and locally by the National Park Service and Spindrift. Our second annual community outreach event provides novice to advanced paddlers opportunities to spend a few days, or just a few hours on the river. This event is a rare opportunity to enjoy three National "water trails" that wind through a spellbinding corridor linked by land, water and history. The Potomac is the only river in the U.S. that includes portions of five national trails—the Potomac Heritage National Scenic Trail, the Captain John Smith Chesapeake National Historic Trail, the Star-Spangled Banner National Historic Trail, the Washington-Rochambeau Revolutionary Route Trail, and the Appalachian Trail.

If you can't come with us, you can stay "afloat" on the trip by following us on Twitter and Instagram [@potomacriver](#), and on the Potomac Riverkeeper Network Facebook Page. For more information please visit our website www.prknetwork.org/paddle-potomac-2016

Hope to see you on the river! ■



PROGRAM UPDATES

UPPER POTOMAC **RIVERKEEPER**

CITIZEN SUIT MOVES FORWARD AGAINST MARLOWE SEWAGE TREATMENT PLANT

Our federal enforcement action against Berkeley County's Marlowe treatment plant is moving steadily towards a hearing, following the filing of our complaint in the Northern District of West Virginia last August. Marlowe has a history of illegal discharges of improperly treated sewage, metals and suspended solids into the Upper Potomac near Williamsport. With representation from Widener Law School Environmental Clinic, we have a very strong case founded on self-reported permit violations that must be addressed to protect the Upper Potomac. We hope to have a trial date in late 2016.

SHENANDOAH **RIVERKEEPER**

CALL FOR LIMITS ON HARMFUL NUTRIENT TRADING IN VIRGINIA GENERAL PERMIT

Shenandoah Riverkeeper Mark Frondorf filed formal comments in February calling out Virginia regulators for failing to require strict limits on nutrient discharges from sewage treatment plants discharging into Chesapeake Bay. Discharges of nitrogen and phosphorus are the primary cause of pollution and impaired ecological health in the Bay. Instead of setting site specific limits to protect local water quality, the Department of Environmental Quality (DEQ) allows facilities to violate their annual discharge limits, then purchase

"credits" to offset their excessive discharges from other facilities that may literally be at the other end of the Bay watershed. Local water quality of small tidal streams is then sacrificed to allow an easier path to meeting the Bay's overall pollution limits. We are fighting this harmful practice in two ways - by attacking the weakness of this General Permit, and by challenging the lack of protective limits in individual facility permits. Stay tuned for more on these critical actions.

POTOMAC **RIVERKEEPER**

PRK & UPRK SUE EPA FOR ALLOWING MARYLAND TO WEAKEN PROTECTION OF TIDAL RIVERS

In March, Earthjustice, on behalf of PRK, UPRK, Waterkeepers Chesapeake and five other Riverkeepers, filed suit in U.S. District Court in D.C. challenging EPA's approval of Maryland's 2014 "303(d) List" that identifies waterways impaired by pollution and needing stricter Clean Water Act protections. In an effort to lighten its regulatory workload, the Maryland Department of Environment proposed removing over 50 tidal rivers and streams from the list claiming that EPA's regional pollution plan for Chesapeake Bay, the "Bay TMDL," would ensure improvements in local water quality. EPA approved, but the problem is the Bay TMDL's pollution limits are aimed at reducing pollution in the Bay as a whole, not protecting specific streams that have likely been suffering from localized pollution for decades. The Clean Water Act requires EPA and the states to draft detailed pollution plans, based on stream-specific monitoring, that will restore individual streams on the 303(d) list. We expect state regulators to do the hard work of restoring these individual streams, not to take the easy road and defer to EPA's fifteen year regional plan.

COAL ASH THREATENS MALLOW BAY (CONTINUED)






► Following a denial by DEQ Director that any coal ash waste was dumped into Quantico Creek, PRK uncovered evidence in Dominion's own documents proving that over half the pond's volume had been dumped into the Creek without any treatment. Dominion denied, then later admitted the dumping, claiming it was allowed under its DEQ permit. PRK called for an EPA criminal investigation into Dominion's actions and DEQ's effort to keep the public in the dark about this dumping.

The Next Battle - Dominion's Plan to Leave Coal Ash in a Giant Leaking Waste Pit

While our legal opposition to the dewatering permit moves forward, PRK is gearing up for the next fight to address Possum Point's legacy of pollution. This spring we expect to see a draft Solid Waste permit from DEQ released for public comment. Dominion's plan, which DEQ supports, would allow the utility to "cap" the huge volume of toxic coal ash in Pond D with dirt and grass and leave it at the site permanently. Despite Dominion's claims that this will safely entomb the ash, the truth is that Pond D is unlined, and already has a

history of leaking coal ash metals into nearby groundwater. Putting a lid on the pond will not prevent groundwater from continuing to move through the ash in the pond below and continue to contaminate the surrounding environment.

PRK supports a real solution – removing the ash from the site and disposing of it in lined, permitted landfills away from our waterways. This is being done in North and South Carolina, on budget and on time. Dominion has even repaired its rail line at Possum Point to allow ash removal if necessary. We need your passionate support to make sure it's not only necessary, but required. After all, the banana peel in your household trash goes to a lined landfill – shouldn't Dominion's tons of toxic coal ash be held to the same standard? Stay tuned, and get ready to help us win this fight and protect the Potomac from Dominion's long, filthy history of coal pollution in our watershed. Not only is the health of the ecosystem and our use of the river at risk, but now we face the real likelihood that this avoidable pollution problem could impair the ability of Mallow Bay to acquire the precedent setting status of Federal Marine Sanctuary. ■

 WATER REPORTER / In Four Simple Steps	# 01 Signup  Download the Water Reporter from iTunes or Google Play and Register for a free account	# 02 Experience  Take Water Reporter with you on your next paddling trip and enjoy the great outdoors	# 03 Capture  If you see pollution, report it! Use Water Reporter to take picture, write a brief comment, and drop in some hashtags	# 04 Share  We'll send your report to your local Riverkeeper for review and followup. You can access all your reports by signing into Waterreporter.org

THANK YOU, SARAH. WELCOME NEW STAFF & BOARD!

NEW BOARD MEMBERS

Potomac Riverkeeper Network would like to recognize our three new board members this year. **Avis Oglivy Moore** and **Peter Bross** have both come back to our board following the one year hiatus they took following their initial nine years of board service. **Shari Pflieger** also joins our board following her accomplished career in I.T. and many years of dedicated support of our program.

DEPARTING STAFF

Please join me in saying goodbye to **Sarah Sorenson** who we're sure many of you got to know. Sarah came to PRKN right out of college and proved an incredibly valuable asset to the organization by performing just about every internal job we have over the course of five years—sometimes all at once. Sarah leaves us to be able to spend some time with her family in Germany on her way back to her homeland in California. We already miss Sarah, her personality and her contribution to PRKN.

WELCOME STAFF

Maria Barry comes to PRKN with more than 20 years of non-profit development and leadership experience. In just one month as Development Director, she is making important contributions to the nature in which we develop new capacity to serve our river and is positioning us for growth in program and communications.

PRKN is fortunate to have found and hired on **Emily Rainone** who has, in three months, risen to the challenges of our newly outlined Director of Operations and Finance position. Emily has proven experience in building administrative and financial systems for growing nonprofits, and has already improved several financial and operational systems to handle our increasingly complicated business side.



POTOMAC
RIVERKEEPER®
NETWORK

1615 M Street, NW, 2nd Floor
Washington, DC 20036

NONPROFIT ORG
US POSTAGE
PAID
SUBURBAN, MD
PERMIT NO. 3878



JOIN US FOR OUR ANNUAL GALA ABOARD THE CHERRY BLOSSOM

Clyde's Restaurant Group is generously providing delicious food and drink.
Come mingle with your Riverkeepers, bid on live-auction items,
and enjoy stunning views of the city by night.

MAY 13, 2016 ALEXANDRIA CITY MARINA 6:30 PM-9:30 PM

Music by The Grandsons

For sponsorship/tickets and event information please visit:

WWW.PRKNETWORK.ORG/GALA2016

or contact Maria Barry at Maria@prknetwork.org