

Press Release from GreenLaw, Southern Environmental Law Center, Altamaha Riverkeeper, Fall-line Alliance for a Clean Environment, and Sierra Club's Georgia Chapter

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**Court Rules Plant Washington Water Permits are Invalid**  
**Judge Says EPD Must Consider Impacts of Interbasin Transfer**

ATLANTA— Public interest groups have won a key legal challenge to two state water permits for the proposed 850-megawatt Plant Washington coal-fired power plant in Sandersville, GA. A Georgia administrative court has ruled that the water withdrawal and water pollution discharge permits issued by Georgia Environmental Protection Division (EPD) for the proposed power plant are both legally flawed.

In a ruling issued Friday evening, Administrative Law Judge Ronit Walker said EPD failed to follow proper procedure for interbasin transfers in allowing Power4Georgians, LLC to withdraw an average of 13.5 million gallons per day from the Oconee River for use at the plant, located in the Ogeechee River watershed, and return only 11 percent of that water to the Oconee.

On the wastewater permit, the judge ruled that EPD erred in allowing pollutants to be monitored and regulated within the facility, rather than at the point of discharge into the Oconee River as required by the Clean Water Act. Chlorine, chromium and zinc are among the pollutants of concern from the coal plant.

Plant Washington is a project of Power4Georgians, a company organized by Cobb Electrical Membership Corporation and four other electric cooperatives.

In the challenges to the state water permits, GreenLaw and the Southern Environmental Law Center are representing the Altamaha Riverkeeper, the Fall-line Alliance for a Clean Environment, and Sierra Club's Georgia Chapter.

“Exactly how valuable our water resources are has been brought home to Georgians in recent years,” said Brian Gist, senior attorney at the Southern Environmental Law Center. “For all of us who rely on the ready availability of clean water, it’s critical that large industrial users comply with laws meant to protect shared water resources and ensure fair, efficient use.”

“This decision will have a profound impact on water use in Georgia. We must engage in growth that is based on the resources we actually have, not the resources we wish we had. No longer can one water user take water from one basin and use it in another basin without considering whether or not there is better use of those water resources in the basin,” said Justine Thompson, executive director of GreenLaw.

“Downstream communities like Dublin, local farms, and wildlife all depend on clean water and a healthy flow in the Oconee River system,” said Deborah Sheppard, executive director of the Altamaha Riverkeeper. “We’re very encouraged that the judge looked closely at these issues and ruled in our favor.”

“Withdrawing millions and millions of gallons of water will devastate this river ecosystem over time. We have to make smarter choices about managing our water resources, including how we get and use electricity,” said Katherine Cummings, board member of the Fall-line Alliance for a Clean Environment.

"We are grateful that the Judge ruled against this attempt to take water from the Oconee River Basin and use it to build an expensive and unnecessary dirty coal plant in the Ogeechee River Basin. It is time for Cobb EMC and the other co-ops to stop pushing this coal plant on rural Georgia, and time to start saving money through water and energy conservation measures. Efficiency can meet our water and energy needs," said Erin Glynn, Associate Field Organizer for the Georgia Sierra Club.

The order addressed a number of issues pending before the court. Any appeals must be filed within thirty days.

## **About GreenLaw**

GreenLaw is dedicated to preventing air and water pollution that endangers human health and degrades Georgia’s natural resources. GreenLaw achieves these goals by providing free high quality legal and technical assistance to environmental organizations and community groups throughout Georgia. [www.green-law.org](http://www.green-law.org)

<http://www.twitter.com/grrrlaw>

## **About the Southern Environmental Law Center**

The Southern Environmental Law Center is the only 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 40 legal 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.

WEB: [www.SouthernEnvironment.org](http://www.SouthernEnvironment.org)

FACEBOOK: <http://www.fanofselc.org>

TWITTER: [http://www.twitter.com/selc\\_org](http://www.twitter.com/selc_org)

### **About Altamaha Riverkeeper**

The Altamaha Riverkeeper is working to protect and restore the habitat, water quality, and flow of the mighty Altamaha from its headwaters in the Oconee, Ocmulgee, and Ohoopsee Rivers to its terminus at the Atlantic Coast. Website: [www.altamahariverkeeper.org](http://www.altamahariverkeeper.org)

For more information contact: Deborah Sheppard, executive director, (912) 230-3119

### **About Fall-line Alliance for a Clean Environment**

Fall-line Alliance for a Clean Environment (FACE) brings together citizens and community to protect and preserve our air, water and land from pollution so that we may live and grow in the beautiful hills and farmland of Georgia. [www.facenvironment.org](http://www.facenvironment.org)

For more information contact: Katherine Cummings, FACE board member (478) 232-8010

### **About Sierra Club**

Sierra Club, the oldest and largest grassroots environmental organization in the United States, has over 20,000 members and supporters in the state of Georgia. [www.sierraclub.org/coal](http://www.sierraclub.org/coal)

For more information contact: Erin Glynn, Associate Field Organizer, (770) 598-6814