

**For Immediate Release**

**January 6, 2011**

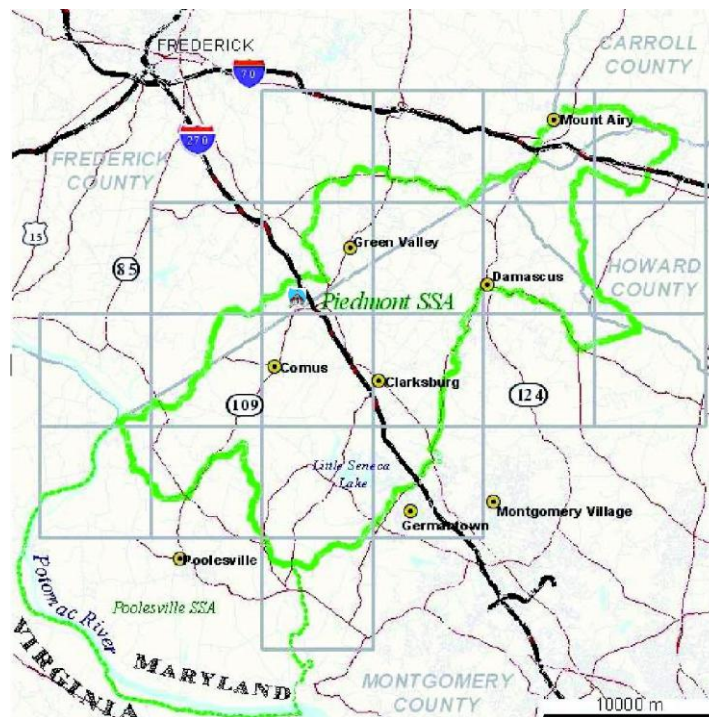
### **“Clean Coal” Back in the News for Maryland Operator**

The Dickerson Generating Station, located in Montgomery County’s Ag/Open Space Reserve, is Montgomery County’s single largest carbon emitter, generating three million tons a year of CO<sub>2</sub> - approximately 25 percent of total emissions. The facility, including 162 acres in “fly ash storage cells,” occupies more than 1.2 square miles along the Potomac River and associated stream shed, forest and farmland. It is also located entirely within the watershed of the federally protected Piedmont Sole Source Aquifer.

This critical groundwater resource is the only source of potable water for the vast western section of the rural area. On Tuesday the Maryland Department of the Environment (MDE) announced an impending lawsuit against the plant operator, GenOn (Mirant), because elements regulated by both MDE and EPA, and contained in the fly ash, are alleged to be leaching into nearby groundwater.

Montgomery County has made a commitment to reduce green house gas emissions by 80 percent by 2050. Increasing the State’s sustainable energy generation, such as wind turbines, should be a top priority. Montgomery Countryside Alliance is committed to the long term viability of the Ag Reserve’s working landscape and its natural resources, and applauds efforts to move the region toward greater reliance on sustainable forms of energy production.

News of the MDE’s impending lawsuit reminds us all of the hidden costs related to “clean coal.”



*Piedmont Sole Source Aquifer*

## **Mirant facing lawsuit in federal court over coal waste**

Action consolidates two coal cases into one legal sweep in federal court

The state plans to sue Mirant Mid-Atlantic and Mirant Maryland Ash Management in federal court for alleged violations of federal and state water pollution laws involving the disposing of coal combustion products at disposal sites in Montgomery and Charles counties, state officials said Monday.

Documents that MDE filed notifying the company and federal officials of the state's intent to sue acknowledge that Mirant merged with RRI Energy Inc. to form GenOn Energy Inc. on Dec. 3.

Unlined pits for disposing of coal waste from Mirant power plants have allowed toxic pollutants to leach into groundwater and streams from the Westland site in Montgomery County and from the Faulkner site in Charles County, according the Maryland Department of the Environment.

The agency said the pollution levels do not appear to pose an immediate health threat.

Discharge samples collected from wastewater collection ponds near the Westland site contained levels of arsenic, barium, chromium, cobalt, copper, iron, selenium and zinc that violated water quality standards, according to documents MDE filed Monday. The ponds discharge water into unnamed streams, which run into the Potomac River.

Groundwater monitoring wells near the Westland site, located on Martinsburg Road in Dickerson, also showed excessive levels of pollutants found in the pond discharge samples, except for chromium and cobalt.

Wastewater in the ponds is aerated and treated with soda ash, but that treatment is inadequate, MDE documents state, because one pond is not lined and another was unlined until 2010.

Heavy metals sink and leach from the pond into a groundwater aquifer, which also is linked to the Potomac, according to the documents.

Neal Fitzpatrick, director of the Audubon Naturalist Society, said continued dumping in unlined pits "sounds like a loud ticking clock," marking mounting threats to the groundwater that most of the Sugarloaf and Dickerson communities rely on for drinking water.

MDE already had filed suit in state court over the Faulkner site, but withdrew that state lawsuit to consolidate the cases in federal court, according to the agency's announcement.

Agency documents say groundwater and discharge samples confirm that pollutants from the Faulkner disposal site appear to have harmed Bowling Creek, South Stream and tributaries of Zekiah Swamp Run.

In April, MDE filed suit in federal court against Mirant over similar violations at its disposal site in Brandywine.

In an e-mailed statement, GenOn officials said the company is proud of its "record of environmental stewardship and its compliance with all laws and regulations applicable to its business."

The statement also said officials disagree "with the Department's interpretation of the Clean Water Act, and intends to litigate, if the Maryland Department of the Environment does file suit

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