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Sierra Club Challenges Dirty Ohio Power Plant
Stuart Station Fails to Comply With Clean Air Act Protections,
Bush Administration Fails to Enforce Clean Air Act

CINCINNATI, OHIO – Today, the Sierra Club filed notice of a federal Clean Air Act citizen suit against the owners and operators of the J.M. Stuart Generating Station, one of the largest polluters of soot and sulfur dioxide in Ohio. The Sierra Club is targeting the J.M. Stuart Generating Station (Stuart Station) for repeatedly failing to comply with clean air standards, and illegally modifying its facilities without installing modern pollution equipment.

“Ohio residents have breathed unhealthy, polluted air for far too long,” stated Marilyn Wall, Conservation Chair for the Sierra Club’s Ohio Chapter. “Today the Sierra Club is acting to protect Ohioans from illegal soot and toxic pollution because the Bush administration refuses to enforce basic clean air laws.”

According to the Ohio Environmental Protection Agency, Stuart Station is the largest source of particulate matter, or soot, in the state. Soot pollution has been linked to a variety of adverse health effects including premature death, heart attacks, strokes, birth defects, and asthma attacks. According to a recent report released by the group Clear the Air, the pollution from Stuart Station is responsible for 296 deaths per year.

The Sierra Club filed notice of suit against the owners of Stuart Station – DPL, Inc. Dayton Power and Light (DP&L), Cinergy Corp, and Columbus Southern Power Company, a subsidiary of American Electric Power – for repeated violations of the Clean Air Acts Prevention of Significant Deterioration (PSD) New Source Review (NSR) provisions. These provisions require that power plants and factories install modern pollution control systems whenever physical changes were made that increase pollution emissions. The Stuart Station has illegally made dozens of major physical changes without installing any modern pollution control equipment.

Stuart Station has a long history of environmental violations. In 1999, the U.S. Environmental Protection Agency (EPA) conducted an extensive investigation of Stuart Station’s environmental compliance record, and cited the plant’s owners for repeatedly failing to comply with clean air standards, and illegally modifying its facilities without installing modern pollution equipment. However, the Bush administration has never followed up on these violations, and has let Stuart Station continue to pollute, threatening the health of local communities.

“Once again, the Bush administration has failed to protect the health of our families and communities from the dangers of air pollution,” said Richard Sahli, an attorney for the Sierra Club who was formerly Chief Counsel to the Ohio EPA. “Rather than catering to polluters and crippling the Clean Air Act, the Bush administration should enforce the law and ensure that America’s oldest and dirtiest power plants and factories clean up once and for all.”

To comply with PSD NSR provisions, Stuart Station would be required to reduce its sulfur dioxide emissions by over 100,000 tons per year, as well as make significant reductions in nitrogen oxides (NOx) and soot. Additionally, toxic mercury, which poisons Ohio’s waterways and threatens the health of children and pregnant women, would be significantly reduced. This would help protect the health of local communities, as well as millions of dollars in health care costs and damage to agriculture, fish, and wildlife.

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