



PRESS RELEASE

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DECISION ON CONSTRUCTION OF COAL PLANT LOOMS, GEORGIA'S AIR QUALITY TO BE PERMANENTLY AFFECTED

Atlanta, GA – Monday, October 22, at 1 p.m., attorneys for GreenLaw return to the court room of Judge Stephanie Howells for the final week of a two-month trial challenging the permit obtained by a Texas energy company to build a 1200 megawatt coal-fired power plant on the banks of the Chattahoochee River south of Columbus.

“This case will have a permanent, negative impact of the quality of the air all Georgians breathe,” stated Justine Thompson, Executive Director of GreenLaw, a public interest legal nonprofit that is representing the Friends of the Chattahoochee and the Sierra Club in the case against Dynegy, Inc. “If this plant is built it will lock Georgia into decades of additional pollution from sulfur dioxide (SO₂), nitrogen oxide (NO_x), particulate matter and sulfuric acid mist. All of these emissions are at levels that are hazardous to the lungs and hearts of human beings, not to mention the wildlife in our state. After breathing the smoke last spring from forest fires 250 miles from Atlanta, we learned how quickly and thoroughly contaminated air can spread throughout the state. Atlantans as well as the residents of southwest Georgia will suffer the consequences if this plant is built.”

The Georgia Medical Association has taken the official position that no new coal-fired power plants should be built in Georgia because of the hazards they pose to human health, especially to young children and to senior citizens. This advice was ignored by the Georgia Environmental Protection Agency (EPD), which gave the go-ahead for construction of the Dynegy “Longleaf” plant in May of this year.

In addition, the EPD did not require any limitations on the amount of carbon dioxide (CO₂) that can be emitted by the smoke stacks of the plant. Carbon dioxide is a “greenhouse gas” that has been scientifically linked to global warming. On April 2, the U.S. Supreme Court ruled that the Environmental Protection Agency must begin to consider regulation of carbon dioxide and other greenhouse gases that are contributing to global warming.

“It is unconscionable that our Environmental Protection Division approved a plant designed without the best available control technology (BACT) and without any limits on CO₂ emissions,” said Patty Durand, Executive Director of the Sierra Club of Georgia. “We are disappointed that Governor Perdue has so far failed to exercise the leadership that we see in other states where governors Crist (R-FL), Schwarzenegger (R-CA), and Sibelius (D-KS) have staunchly opposed the production of electric power from coal plants.”

The testimony in GreenLaw's case against the permit has uncovered some startling revelations about the procedures that were followed by the EPD in the permitting process. At this point in the trial it is the turn of the Attorney General's office to defend the legality of the actions of the EPD. The AG's office is being aided by a team of lawyers led by Patricia Barmeyer from King & Spalding, hired by Dynegy to support the company's interests. GreenLaw's legal team is led by the nationally known air quality litigation specialist, George Hays.

Judge Howells expects testimony to conclude no later than October 29, and plans to hand down her decision by early December. The trial is open to the public at the Office of State Administrative Hearings, 230 Peachtree Street, 8th floor. On Monday proceedings will start at 1 p.m. Beginning Tuesday, October 23, and continuing all week proceedings will start at 9 a.m. and continue to 5:30 p.m., with a break for lunch taken as the scheduled testimony allows.

Commenting on the case, Jennette Gayer of Environment Georgia Environment Georgia remarked, "There are cleaner energy production alternatives and there are greater energy efficiencies in buildings, lighting, and transportation becoming available every day. Our state doesn't have to sacrifice the health of its citizens to achieve economic development. We need to embrace the "green" economy of the future."

Bobby McLendon, President of Friends of the Chattahoochee, a group in Early County opposing the plant, said, "We live here and breathe the air, and our children are going to breathe the air. I just don't think that it's right for an out-of-state company to endanger our community for the sake of a Texas company seeking to increase its profits. It's just wrong to allow this merchant plant to harm the health of Georgians."

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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

The Sierra Club works to protect our communities and the planet. Inspired by nature to contribute and participate, our members and supporters number more than 1.3 million friends and neighbors. The Club is America's oldest and largest grassroots environmental organization. www.sierraclub/ga.org

Environment Georgia is a statewide, citizen-based environmental advocacy organization. Our professional staff combines independent research, practical ideas and tough-minded advocacy to overcome the opposition of powerful special interests and win real results for Georgia's environment. www.environmentgeorgia.org