

Flint Riverkeeper Disappointed with Judge's Ruling on the "Longleaf" Coal-Fired Plant in Early County

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Albany and Atlanta – Today, a State of Georgia Administrative Law Judge issued a ruling that denied Flint Riverkeeper's and several member's appeal of an illegal permit extension for the so-called "Longleaf" coal-fired power plant to be sited in Early County. "We do not agree that the permit extension was legal," said Gordon Rogers, Executive Director and Riverkeeper of Flint Riverkeeper, based in Albany, "it was issued in 2007, and pollution control technology has changed a lot since then. We think it is a shame that the citizens of Southwest Georgia do not get the same protections as the rest of the nation. This permit is stale, it does not require the most up-to-date pollution controls, and it needs to be reanalyzed."

The judge's ruling rejected Flint Riverkeeper's claim that the plant permit extension should have been denied by EPD and subjected to a new application procedure and analysis of pollution under Georgia law. "Unfortunately, the ALJ agreed with EPD that it doesn't have to follow federal rules and regulations when enforcing a federal statute," said Chris Reeves, counsel for Flint Riverkeeper. "We are hopeful on appeal that this standard is not adopted as such holding would render all federal laws and rules worthless."

Rogers said that Flint Riverkeeper staff is consulting with counsel on the various legal options that exist in light of the judge's ruling.

Flint Riverkeeper Board Vice-Chair, Robin Singletary, owner of Covey Rise Plantation on the Flint River in Mitchell County stated, "The older permit, under expired pollution requirements, does not give us the protection we need to preserve our right to burn our woodlands and crop fields, a management practice that is critical to wildlife and food production, and to maintaining clean runoff of rainwater."

Flint Riverkeeper Board Member, Glenn Dowling, whose family owns and operates Partridge

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Written by Flint Riverkeeper Editor-in-Chief

Pea Plantation, along Ichawaynochaway Creek in Terrell County said, "Not only is our right to burn our forests and fields in jeopardy, but we are also in harm's way with regard to even more mercury winding up in the fish we catch and eat out of the creek, fish that all of the kids and grandkids in the Dowling family enjoy each year."

Rogers said, "Perhaps the least known and most far-reaching effect of this coal-fired facility would be the massive amounts of water it would evaporate each day out of the Chattahoochee, further lowering flows at the Florida line, and placing even more political and physical pressure on our farmers, towns, and cities along the Flint that have been swept up in the Tri-State water conflict. The Apalachicola-Chattahoochee-Flint system can ill-afford twenty more million gallons per day blown off into the sky. We are examining ways to stay in the fight, and reverse what we think is an incorrect ruling by this judge."

The Flint Riverkeeper's (FRK's) sole purpose is to serve as a steward for this valued waterway and to ensure the future life and health of the river and its tributaries remains certain during these uncertain times. FRK is a non-profit 501(c)3 corporation with the goal of protecting the Flint River in its most natural state for future generations to enjoy. Flint Riverkeeper ® is a fully licensed member of the Waterkeeper ® Alliance. Visit us at www.flintriverkeeper.org .