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CONTACT: Marilyn Wall, 513-761-6140 ext. 10; cell 513-226-9235  
For questions on legal issues – Contact Robert Ukeiley at 859.986.5402 or rukeiley@igc.org

## **Sierra Club Files Suit Against Dirty Stuart Power Plant**

### *Bush Administration Fails to Enforce Clean Air Act*

COLUMBUS, OHIO – Citing the Bush Administration's refusal to enforce Clean Air laws against the polluting J.M. Stuart Generating Station, the Sierra Club today filed a federal Clean Air Act citizen suit against the power plant. The Sierra Club is seeking long-overdue, modern pollution reduction levels. While the Environmental Protection Agency issued a notice of violation against Stuart, the Bush Administration's EPA refused to enforce the law, allowing the power plant to continue putting the community at risk from air pollution.

“Air pollution puts Ohio's communities at risk – but the Bush Administration continues to favor the interests of polluters over the interests of those communities,” stated Marilyn Wall, Conservation Chair for the Sierra Club's Ohio Chapter. “Clean air laws are intended to protect us from damage to our health – but they can't protect us if they aren't enforced.”

The Stuart plant is one of the largest air polluters in Ohio, emitting mercury, soot, and sulfur dioxide. New estimates by the U.S. Environmental Protection Agency indicate that one in six U.S. women of childbearing age has mercury levels in her blood high enough to put babies at risk. Children face the risk of damage to their nervous and digestive systems, which can result in delayed onset of walking and talking, cerebral palsy and mental retardation.

“When I was a pregnant mother, I did everything I could to eliminate any health risk to my child. I stopped drinking coffee and made lifestyle changes to protect my children.” said Marti Sinclair, Cincinnati area Sierra Club member. “Yet the Stuart Station not only continues to release unhealthy mercury, but has violated the law and the Bush Administration has let them get away with it for years.”

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 severe, and sometimes lethal, health effects including heart attacks, strokes, birth defects, and asthma attacks. According to a recent report released by the group Clear the Air, Stuart Station emits enough pollution to cause 296 deaths per year.

The Sierra Club's 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 – alleges violations of the Clean Air Act's “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.

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. Nevertheless, the Bush Administration has refused to bring suit against the plant.

If the Stuart Station complied with the law, it 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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