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FOR IMMEDIATE RELEASE



CLEAN WATER GROUPS CHALLENGE POLLUTION PERMIT FOR NUCLEAR REACTOR

*Groups ask court to overturn water pollution permit that harms Columbia River salmon,
threatens water quality*

October 30, 2014 (Richland, WA) — Citing the impacts of the Northwest's only remaining commercial nuclear reactor on the Columbia River at Hanford, clean water groups filed a [lawsuit](#) today over the facility's pollution discharge permit. The suit asks the court to overturn a state decision to ignore expert advice from federal government scientists on potentially lethal impacts to threatened salmon and to allow toxic discharges.

Northwest Environmental Defense Center, Northwest Environmental Advocates, and Columbia Riverkeeper filed a lawsuit against the Washington Energy Facility Site Evaluation Council (EFSEC), which issued the water pollution permit for Energy Northwest's Columbia Generating Station. The permit also allows the nuclear plant to operate a cooling water intake structure.

EFSEC issued the permit over strong objections from fisheries experts at the National Marine Fisheries Service. The lawsuit also alleges that EFSEC's permit allows water pollution at levels that violate state standards designed to protect public health, fish, and other aquatic species.

"Experts from the National Marine Fisheries Service sounded the alarm about how this facility may be killing and harming endangered salmon," said Marla Nelson, Staff Attorney for the Northwest Environmental Defense Center. "EFSEC's blatant disregard for this input demands judicial oversight."

The Columbia Generating Station sucks 20 million gallons of water from the Columbia River every day to cool the nuclear reactor. In a series of letters, the National Marine Fisheries Service urged state and federal regulators to require modern water intake structures to protect

threatened salmon from death or injury. Both EFSEC and EPA refused. Energy Northwest has not been required to study the impacts of the intake structures or to modernize the structures since they were designed in the late 1970s.

"This nuclear reactor is one of many sources of toxic chemicals that are contaminating the fish and wildlife of the Columbia River, including heavy metals from Hanford operations," said Nina Bell, Executive Director of Northwest Environmental Advocates. "State and federal agencies give a lot of lip service to protecting Columbia River water quality and species but when it comes to actually restricting the polluters, these same agencies are nowhere to be found," she added.

The Hanford Reach supports some of the most productive spawning areas in the Northwest, including the largest remaining stock of wild fall Chinook salmon in the Columbia River. The fall Chinook salmon that spawn and rear throughout the Hanford Reach are caught by commercial, recreational, and tribal fishermen all along the Columbia River and the North Pacific Ocean.

"People regularly eat salmon and other fish caught just offshore and downstream of Energy Northwest's facility," said Dan Serres, Conservation Director for Columbia Riverkeeper. "This is why it is imperative that the State of Washington comply with the law and protect our region's strong fishing heritage."

The lawsuit, filed in Thurston County Superior Court, asks the court to invalidate Energy Northwest's water pollution permit because EFSEC failed to comply with multiple requirements of the Clean Water Act. The groups are represented in the lawsuit by the Law Office of Karl G. Anuta, David Mann of Gendler & Mann, LLP, and Marla Nelson, Staff Attorney for the Northwest Environmental Defense Center.

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Resources

[National Marine Fisheries Service Letter to EFSEC \(Feb. 28, 2014\)](#)

[Clean Water Groups Complaint Initiating Lawsuit \(Oct. 30, 2014\)](#)

[Clean Water Groups Public Comment on Pollution Permit \(April, 18, 2014\)](#)

[Clean Water Groups Supplemental Public Comment \(May 20, 2014\)](#)

[EFSEC's Final Pollution Permit for Columbia Generating Station \(Sept. 30, 2014\)](#)

[EFSEC's Fact Sheet Explaining Pollution Permit \(Sept 30, 2014\)](#)

About the Northwest Environmental Defense Center

Northwest Environmental Defense Center (NEDC) is a non-profit, public interest organization. NEDC was founded in 1969 to preserve and protect the environment and natural resources of the Pacific Northwest by providing legal support to individuals and grassroots organizations with environmental concerns, and engaging in litigation independently or in conjunction with other environmental groups. For more information go to https://law.lclark.edu/centers/northwest_environmental_defense_center/.

About Northwest Environmental Advocates

Northwest Environmental Advocates (NWEA) was founded in 1969 by citizens concerned about the Trojan Nuclear Power Plant along the Columbia River. NWEA has a long history of participating in Nuclear Regulatory Commission licensing proceedings, including for all five of

the reactors known formerly by the acronym “WPPSS.” In 1987, NWEA made water quality of the Columbia River a regional issue; it continues to work to ensure Northwest states and dischargers comply with the Clean Water Act. For more information go to northwestenvironmentaladvocates.org.

About Columbia Riverkeeper

Columbia Riverkeeper’s mission is to protect and restore the water quality of the Columbia River and all life connected to it, from the headwaters to the Pacific Ocean. Representing over 8,000 members and supporters, Columbia Riverkeeper works to restore a Columbia River where people can safely eat the fish they catch, and where children can swim without fear of toxic exposure. The organization is a member of Waterkeeper Alliance, the world’s fastest growing environmental movement, uniting more than 200 Waterkeeper organizations worldwide. For more information go to columbiariverkeeper.org.