



# TENNESSEE RIVERKEEPER®

**2012 Annual Report**

*Brief summaries of 2012 achievements and attorney's annual Legal Docket report.*

**Page 1**

**TVA Colbert coal plant**

*Riverkeeper challenges coal pollution from TVA's Colbert Fossil Plant in Cherokee, AL.*

**Page 2**

**Wheeler Reservoir map**

*New map of the Wheeler Reservoir and its tributaries by Dr. Miriam Hill and Riverkeeper.*

**Page 3**

**Membership form**

*One of the best things you can do to help Riverkeeper is join. Become a member today!*

**Page 4**

## TENNESSEE RIVERKEEPER - 2012 Year In Review

- The Tennessee River was ranked fifth among the nation's waterways for the release of cancer-causing chemicals, according to the most recent data from the U.S. Environmental Protection Agency. In the same data, the Tennessee River was ranked fourteenth overall in terms of toxic discharges into the river.
- In 2012, Tennessee Riverkeeper® used the Clean Water Act Citizen Suit Provisions to initiate action to address over 13,879 Clean Water Act violations involving facilities in Tennessee and Alabama that have frequently exceeded their discharge permit limitations. *(more details in our 2012 legal docket below)*
- In 2012, we expanded our water pollution sampling program and built stronger cases against polluters.
- We organized more fundraising events in 2012, while implementing programs to protect the River.
- The total membership enrollment of Tennessee Riverkeeper grew to over 750 members in 2012.
- Tennessee Riverkeeper has been developing a comprehensive strategic plan with help from River Network, a national nonprofit that assists water protection groups.
- In 2012, we grew and improved our Board of Directors with assistance from River Network. Tony Diliberto of Chattanooga joined our Board.
- Riverkeeper developed a map of the Wheeler Reservoir and its tributaries with Dr. Miriam Hill of Jacksonville State University. *(Page 3)*
- Tennessee Riverkeeper added new videos to our YouTube channel, produced by David Whiteside, our EMMY award winning Riverkeeper.
- Membership grew to over 700 households, our Facebook grew to 2,800.
- Created a law student internship program at Vanderbilt School of Law.
- Riverkeeper worked with Shoals Environmental Alliance to address illegal, unpermitted pollution coming from the old Florence landfill.
- In 2012, Riverkeeper discovered and responded to pollution from the TVA Colbert coal plant including arsenic, lead, and cadmium. *(page 2)*



*Illegal leachate from old Florence landfill enters Cypress Creek.*



*NO SWIMMING! We found 6,700+ sewage violations from Woodville WWTP.*



*Illegal pollution seeping from the TVA Colbert Plant.*

### 2012 LEGAL DOCKET - In 2012, Tennessee Riverkeeper legally addressed pollution from the following sites:

- Gunters Landing Lagoon - Riverkeeper settled a previously filed action from 2011, against the operators of Gunters Landing, finally putting an end to persistent discharges of improperly treated sewage into a popular family recreation destination, Lake Guntersville.
- Ardmore WWTP - We filed a lawsuit against Ardmore for 2,024 illegal sewage discharges. The suit is pending in U.S. District Court.
- Henagar Industrial Park - We found 2,839 illegal discharges including copper and mercury. We notified the City of Henagar and their biggest industrial dischargers, Koch Farms and Wright's Hosiery. Koch and Wright's have initiated actions to come into compliance.
- Town of Woodville WWTP - We notified the Woodville Waste Water Treatment Plant (WWTP) of over 6,700 sewage related violations.
- North County WWTP (SWWTC) - Tennessee Riverkeeper notified North County WWTP on Sept. 7, 2012 of our intent to file lawsuit for 318 sewage violations. This pollution is discharged upstream from one of Huntsville's drinking water intake facilities.
- Carlisle Tire Manufacturers - We notified this TN facility on Nov. 16, 2012 of 839 violations, which spurred them to fix their problem.
- TVA Colbert Fossil Plant - We discovered, documented, and responded to illegal coal ash pollution from TVA's Colbert Plant *(page 2.)*
- City of Florence old landfill - Riverkeeper discovered, documented, and responded to illegal pollution from Florence's old landfill.

## DID YOU KNOW?

**Three Years!**

*Tennessee Riverkeeper celebrated our third year anniversary in September 2012. Three years of service towards our anti-pollution mission.*

**Riverkeeper on Facebook:**

*Please "like" Tennessee Riverkeeper on Facebook for updates and news:*  
[facebook.com/TennesseeRiverkeeper](http://facebook.com/TennesseeRiverkeeper)

**Clean Water Act Turns 40**

*In October 2012, the Federal Clean Water Act turned 40 years old. This law is an important tool for Riverkeepers in defending America's waterways from pollution.*

# RIVERKEEPER ADDRESSES TVA POLLUTION



*WHITESIDE INVESTIGATES TVA COLBERT FOSSIL PLANT*

## TVA COLBERT FOSSIL PLANT

Citing ongoing coal waste contamination at Tennessee Valley Authority's Colbert Fossil Plant, Tennessee Riverkeeper® has charged that the facility is violating the Clean Water Act and that failure to address the violations will result in a lawsuit. As outlined in the 60-day notice of intent letter sent to TVA, violations at the coal-burning facility have caused significant amounts of pollutants to be discharged illegally into Cane Creek, a tributary of the Tennessee River, as well as groundwater in the area.

The letter — submitted by Tennessee Riverkeeper, Waterkeeper® Alliance and the Southern Environmental Law Center — details how seepage from the facility's coal ash ponds contains arsenic, a toxic substance and known carcinogen, selenium, lead, iron, cadmium and other pollutants.

Built in the 1950s, the aging Colbert plant is located on the Pickwick Reservoir of the Tennessee River and adjacent to one of its major tributaries, Cane Creek.

The 60-day notice outlines ongoing surface and groundwater contamination from the Colbert Fossil Plant. TVA's own documentation shows that its coal ash ponds and other waste impoundments have polluted the groundwater for almost thirty years, but, despite TVA's awareness of the contamination, it has continued to dispose and store the plant's coal waste irresponsibly. In addition, Tennessee Riverkeeper has documented additional toxic discharges from the site flowing directly into Cane Creek.

"Toxic metals in the seepage water negatively affect the health of the river and may come in contact with many fishermen, boaters, skiers, and swimmers who use this area regularly, as well as those who depend on the river for their municipal drinking water supply," said David Whiteside, Tennessee Riverkeeper. Citizens depend on a clean and healthy Tennessee River for tap water, recreation, swimming, fishing, and other uses. The river and its tributaries also help bring in millions of dollars in recreational and tourism income throughout the Valley. Illegal pollution threatens both the economy and public health in the Tennessee Valley."

The facility's contamination originates from two coal ash ponds covering 127 acres total. The impoundments are unlined, meaning there is no barrier to prevent coal ash contaminants from reaching groundwater. And indeed, documentation has confirmed seepage of arsenic and other pollutants through the sides and the bottoms of the ash ponds. At one location, sampling has shown arsenic levels that were more than fifty times Alabama's Maximum Contaminant Level for arsenic.

In addition, other toxic discharges and impoundment leakages from the facility release directly into Cane Creek. Both the groundwater contamination and unpermitted surface water discharges constitute violations of the facility's National Pollutant Discharge Elimination System ("NPDES") permit and the Clean Water Act.

A map of the Colbert Fossil Plant's coal ash impoundments can be found online: <http://tinyurl.com/TVAColbertMap>



*Patrolling Cane Creek, Riverkeeper discovers illegal pollution from a coal ash pond at the TVA Colbert Plant.*



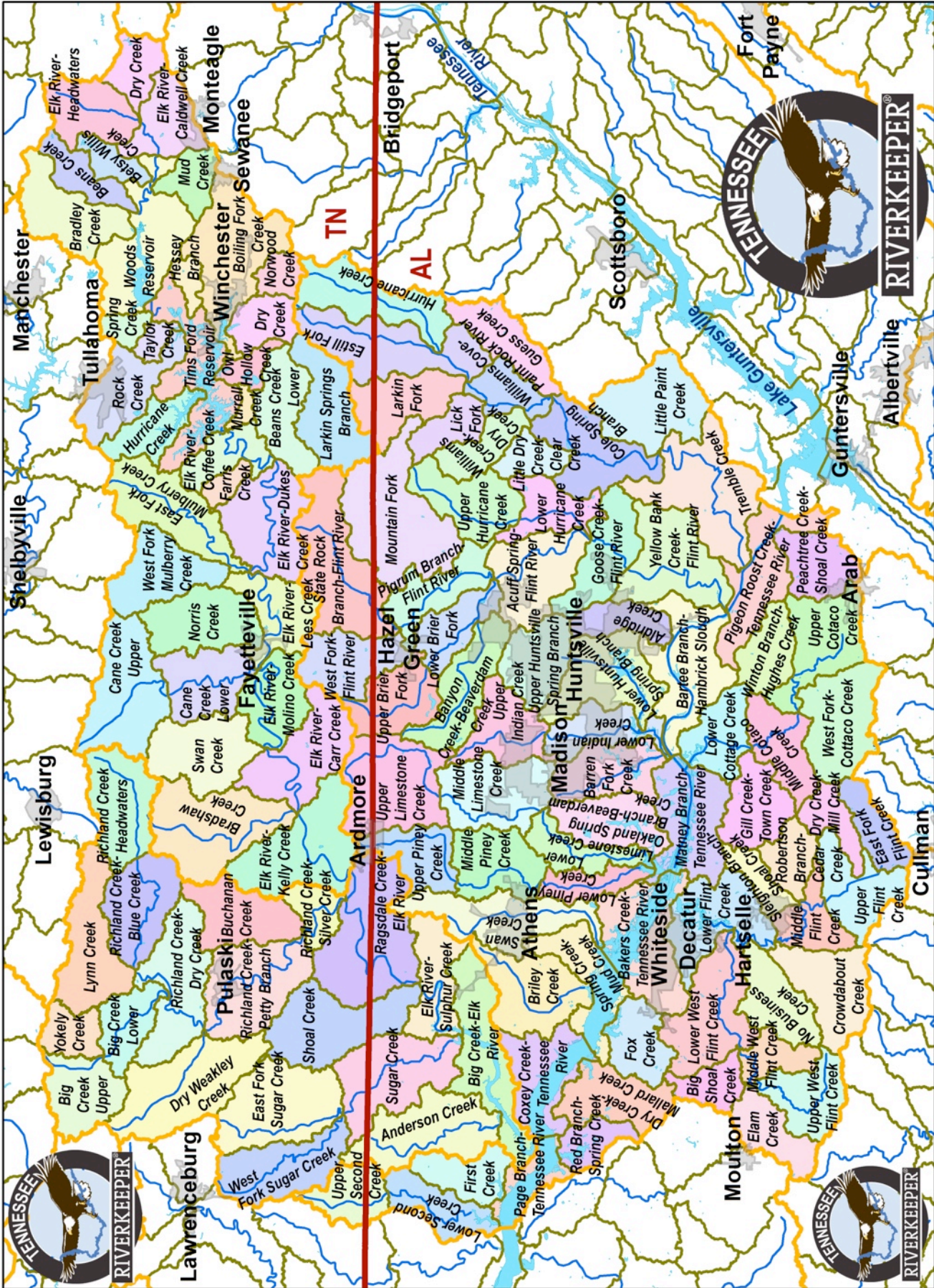
*Tennessee Riverkeeper discovered illegal pollution seeping from the TVA Colbert Plant.*





## Coal Ash from Kingston to Colbert

"America learned from the TVA Kingston Fossil Plant disaster in 2008 that coal ash storage ponds can be disastrous. The Colbert ash pond is showing seepage, as did the pond dike at Kingston before it ruptured, sending toxic coal ash waste into the River. Riverkeeper's action is about stopping illegal water pollution from the Colbert Fossil Plant's seeps."

- David Whiteside, *Tennessee Riverkeeper*

# WHEELER RESERVOIR DRAINAGE BASIN OF THE TENNESSEE RIVER



-  Streams
-  HUC 8 divides
-  Major Cities
-  Water Bodies
-  HUC 12 divides
-  State Boundary

Miles

0 10 20

North Arrow

TENNESSEE RIVERKEEPER®

Dr. M. H. Hill, PES, JSU, 1/17/13



# TENNESSEE RIVERKEEPER

P.O. Box 2594

Decatur, AL 35602

[www.TennesseeRiver.org](http://www.TennesseeRiver.org)

U.S.  
POSTAGE



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## BECOME A MEMBER TODAY!



### RIVERKEEPER<sup>®</sup> MEMBERSHIP FORM

Please complete, detach, and return to:  
TENNESSEE RIVERKEEPER<sup>®</sup> P.O. Box 2594 Decatur, AL 35602

NAME(S): \_\_\_\_\_

ADDRESS: \_\_\_\_\_

PHONE: \_\_\_\_\_ DATE: \_\_\_\_\_

E-MAIL: \_\_\_\_\_

RIVER INTERESTS: \_\_\_\_\_

#### PLEASE CHECK A CATEGORY

- \_\_\_\_\_ Slackwater Darter .....\$25
- \_\_\_\_\_ Redfin Darter .....\$50
- \_\_\_\_\_ Boulder Darter .....\$100
- \_\_\_\_\_ Alabama Cavefish.....\$250
- \_\_\_\_\_ Hellbender Salamander.....\$1000
- \_\_\_\_\_ other amount .....\$ \_\_\_\_\_
- \_\_\_\_\_ Volunteer.....(list hours and type of work) \_\_\_\_\_

*The mission of Tennessee Riverkeeper is to protect the River and its tributaries by enforcing environmental laws and educating the public. Riverkeeper is a 501(c)(3) nonprofit organization, your donation is tax-deductible. Thanks for your support.*

Please make checks payable to: **TENNESSEE RIVERKEEPER**  
You can also become a member at our website: [TennesseeRiver.org](http://TennesseeRiver.org)