



TENNESSEE RIVERKEEPER®



<p>2013 Annual Report <i>Brief summaries of 2013 achievements and attorney's annual Legal Docket report.</i> Page 1</p>	<p>Landfill & Legal Volunteers <i>Riverkeeper addresses pollution from Old Florence Landfill. + Spotlight on legal volunteers.</i> Page 2</p>	<p>Wilson Reservoir map <i>New map of the Wilson Reservoir and its tributaries by Dr. Miriam Hill and Riverkeeper.</i> Page 3</p>	<p>Membership form <i>One of the best things you can do to help Riverkeeper is join. Become a member today!</i> Page 4</p>
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TENNESSEE RIVERKEEPER - 2013 Annual Report

- In 2013, Tennessee Riverkeeper® used the Clean Water Act's Citizen Suit provisions to initiate action to address over 7,321 Clean Water Act violations involving facilities in Tennessee and Alabama. Initiated environmental enforcement actions at nine facilities (*more details in our 2013 legal docket below.*)
- Staff Riverkeeper, David Whiteside, was awarded the 2013 "River Hero" award.
- Paddled 250 miles of the Tennessee River to raise awareness as part of our annual "Explore the Tennessee" campaign.
- Expanded our water pollution sampling program and built stronger cases against polluters. Riverkeeper monitored over 150 facilities throughout the Tennessee River Valley.
- Created over 10 unique events in Tennessee and Alabama to enlist members and raise awareness.
- Grew our total membership enrollment of Tennessee Riverkeeper to over 1,300 members.
- Received an "Award of Distinction" from the *Shoals Chamber of Commerce* and *Keep the Shoals Beautiful* for Riverkeeper's anti-pollution work in the Muscle Shoals area.
- Expanded Tennessee Riverkeeper's Board of Directors with the addition of Charles Rose from the Muscle Shoals area.
- Developed maps of the Wilson and Pickwick Reservoirs with Dr. Miriam Hill of Jacksonville State University. (*Page 3*)
- Riverkeeper's Facebook page grew from 2,800 supporters to 9,200.
- Created a law student internship program at Vanderbilt School of Law.
- Worked with Shoals Environmental Alliance to address illegal, unpermitted pollution coming from the old Florence landfill.
- Discovered, documented, and responded to toxic pollution from the TVA Colbert coal plant including arsenic, lead, and cadmium.



Illegal leachate from old Florence landfill enters Cypress Creek.



Carlex Glass Company in Nashville, Tennessee.



TVA Colbert Fossil Plant

2013 LEGAL DOCKET - In 2013, Tennessee Riverkeeper addressed pollution through legal actions at the following sites:

- Carlex Glass - On February 19, 2013, Riverkeeper joined with Tennessee Clean Water Network to send a notice of intent to sue Carlex Glass Co. in Nashville, TN for frequent and numerous (1,098) Clean Water Act violations.
- TVA Colbert Fossil Plant - Riverkeeper sent a notice of intent to sue to the TVA regarding seepage from coal ash ponds at Colbert. Water sampling by Riverkeeper found elevated levels of arsenic, selenium, lead, iron, cadmium and other pollutants.
- Madisonville WWTP - Riverkeeper sent a notice of intent to sue to the City of Madisonville, TN regarding their sewage treatment plant. Riverkeeper addressed 3,080 illegal discharge violations, 308 sewage overflows and 3 bypasses occurring from Sept. 2008 to June 2013. Madisonville, Tennessee now has a plan in place to replace their outdated waste water treatment plant (WWTP).
- Oliver Springs WWTP - Tennessee Riverkeeper sent a notice of intent to sue to the Town of Oliver Springs, TN, which addressed 1,088 discharge limit violations, overflows, and bypasses. Riverkeeper's action forced a plan to address these sewage problems.
- Jasper Lagoon - Riverkeeper sent a notice of intent to sue to the Jasper Lagoon in Tennessee for 1,987 Clean Water Act violations
- City of Florence old landfill - Riverkeeper discovered, documented, and responded to illegal pollution from Florence's old landfill.

DID YOU KNOW?

Four Years!

Tennessee Riverkeeper celebrated our fourth year anniversary in September 2013. Four years of service towards our anti-pollution mission.

Riverkeeper on social media:

Please "follow" Tennessee Riverkeeper:
[facebook.com/TennesseeRiverkeeper](https://www.facebook.com/TennesseeRiverkeeper)
 and twitter.com/TNRRiverkeeper

From here to China!

There are over 200 Waterkeeper organizations aligned around the world. Recently, fellow Waterkeepers from China visited Tennessee Riverkeeper.

OLD FLORENCE LANDFILL



LANDFILL POLLUTION ENTERS CYPRESS CREEK

OLD FLORENCE LANDFILL LAWSUIT

The old Florence landfill operated from 1965 until it closed in 1987. During the time it was in use it accepted industrial and municipal waste. An on-site pit was used for disposal of liquid industrial waste from various industries. The landfill has no liner or leachate collection system and continues to leach pollutants from buried waste into adjoining Cypress Creek through a permanent spring flowing from the base of the landfill. The landfill has no state or federal permit to authorize this discharge of contaminants to groundwater or to the creek.

These pollutants include volatile organic compounds, metals, and high concentrations of ammonia. The ammonia is being generated by the decomposition of the buried organic matter at the landfill and is being discharged into the creek at a concentration that is recognized by EPA as toxic to fish (> 50 mg/l).

Through this lawsuit, Tennessee Riverkeeper utilized a legal tactic under the Resource Conservation and Recovery Act. Tennessee Riverkeeper brought the legal action under the Clean Water Act for the unpermitted discharge and added the RCRA claim to give the lawsuit more strength. In denying the defendant's motion to dismiss, the District Court allowed the RCRA claim as properly plead, thus validating our theory that RCRA is applicable to our case. The landfill was pre-regulations and was properly closed before the RCRA regulations, but falls under RCRA now



Monitoring pollution from the Old Florence Landfill.

because it can be defined as an "Open Dump" since it discharges pollutants in violation of the Clean Water Act.

Tennessee Riverkeeper and the current owner have agreed to a settlement of the lawsuit and are finalizing the terms of the settlement. The U.S. District Court and the U.S. Department of Justice will have to agree to the terms of the settlement before it may become final.

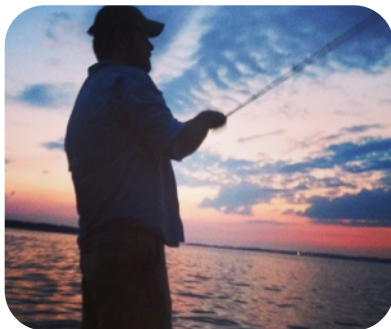
VOLUNTEER SPOTLIGHT: ATTORNEYS & LAW STUDENTS

Attorneys and Vanderbilt Law Students donate valuable volunteer time to Tennessee Riverkeeper every year. These volunteers assist Tennessee Riverkeeper's prosecuting attorney by analyzing pollution permits at Alabama and Tennessee's regulatory agencies and monitoring polluters' compliance with environmental laws.

Robert Norman (Decatur, AL)

Robert Norman was born and raised in Decatur, Alabama, also known as The River City. He assists the Riverkeeper legal program with analyzing pollution permit compliance as well as helping to organize events.

Norman says: "The River has given me so much over the years, from



Robert Norman

fishing and boating, to the very water I drink. I can't think of a better way to return the favor than by devoting my time and talents to help preserve such a wonderful resource."

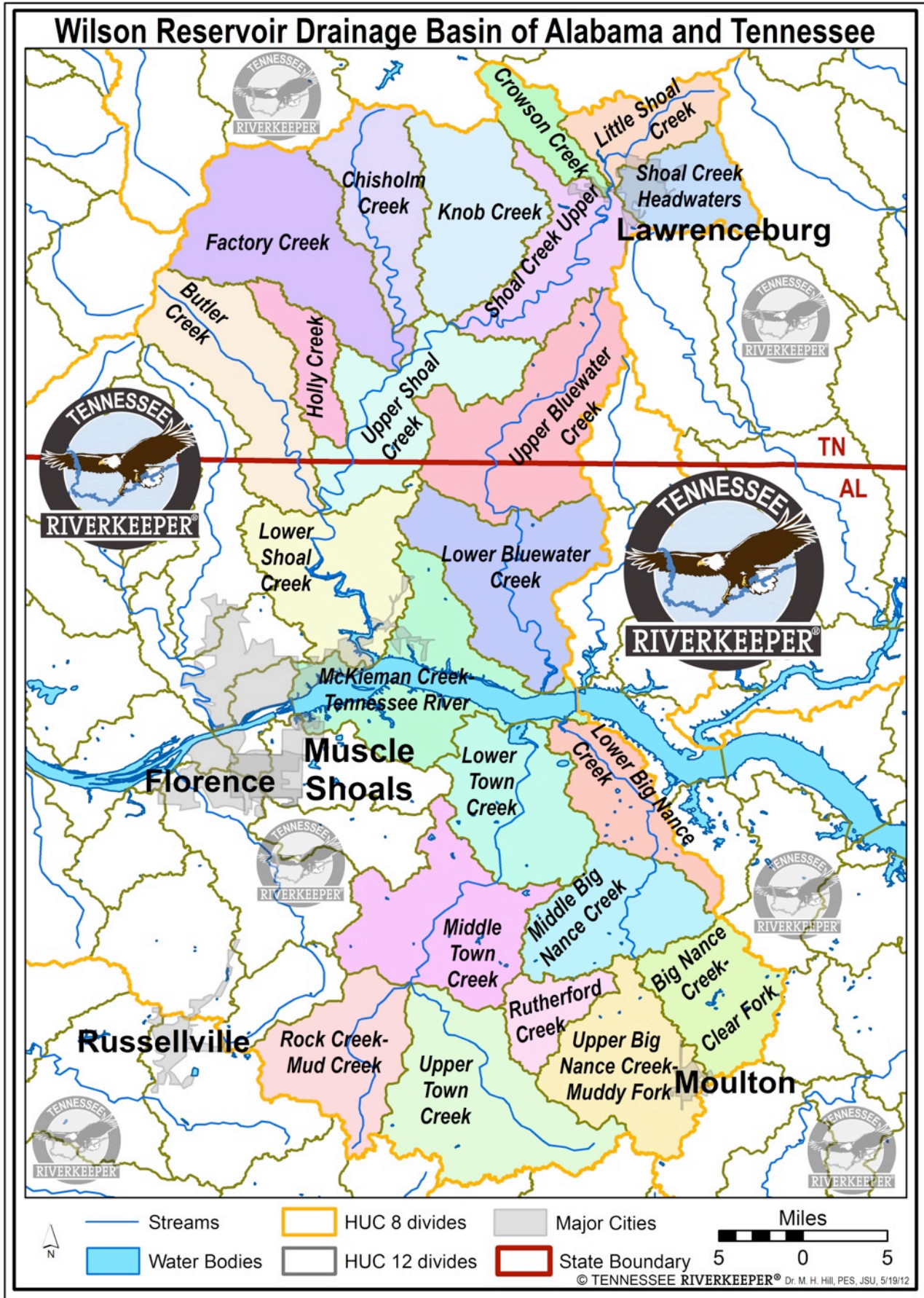
Elizabeth Merrick Parrott (Nashville, TN)

Merrick Parrott hails from Raleigh, North Carolina. She attended the University of North Carolina at Chapel Hill for undergrad before choosing Vanderbilt University for law school. During her time in law school, she has dedicated herself to environmental work, including interning with Tennessee Riverkeeper, being on the Executive Board of the Environmental Law and Policy Annual Review, being Vice President of the Environmental Law Society, working half of her 1L summer with the North Carolina Attorney General's Office in the Water and Land Section, working half of her 2L summer at the United States Department



Merrick Parrott

of Energy, and taking various environmental classes. After graduating in May, she will return to Raleigh to join the law firm of Parker Poe Adams & Bernstein LLP.



Tennessee Riverkeeper developed this map in 2013 with Dr. Miriam Hill at Jacksonville State University. Riverkeeper is developing maps for all of the reservoirs of the Tennessee River.

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

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

Please make checks payable to: **TENNESSEE RIVERKEEPER**
You can also become a member at our website: TennesseeRiver.org