

Delaware Riverkeeper Network ~ NJ Sierra Club Clean Water Action

For Immediate Release

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Environmental Organizations Settle Lawsuit and Secure Agency Action on Salem Nuclear Generating Station Clean Water Act Permit

Trenton, N.J. – Today the Delaware Riverkeeper Network, New Jersey Sierra Club and Clean Water Action settled their legal action against the New Jersey Department of Environmental Protection (NJDEP) and in-so-doing have secured a commitment from NJDEP to issue a draft discharge permit to PSE&G's Salem Nuclear Generating Station by June 30, 2015. Issuance of the draft permit will cause NJDEP to take a position on whether the facility's cooling water intake structures, which kill more than three (3) billion fish per year, must be updated to significantly reduce these fish kills and the facility's water usage. Once the draft permit is issued the public will have a chance to submit comments and thereafter challenge any final NJDEP decision if it believes NJDEP has not required the proper level of environmental protection at the facility.

In October 2013, the Delaware Riverkeeper Network, New Jersey Sierra Club and the New Jersey Environmental Federation initiated their legal action requesting an order demanding that the NJDEP take action on PSE&G's permit renewal application for the Salem Nuclear Generating Station located in Lower Alloways Creek Township, New Jersey. PSE&G submitted its renewal application for a New Jersey Pollution Discharge Elimination System (NJPDDES) permit in February 2006, but NJDEP has yet to make a determination on the application either by issuing a draft permit for public notice and comment, or by denying the permit.

According to **Maya van Rossum, the Delaware Riverkeeper**, "NJDEP has taken a step in the right direction with its agreement to issue a draft permit by June 30, 2015, but their job remains unfinished until it ends Salem's indiscriminate and unchecked fish slaughter. Salem is having a devastating and lasting impact on the Delaware Estuary's ecosystem – for example, the

facility kills 48% of the Striped Bass in the Delaware River every year. Simply put, Salem is the largest predator in the Delaware Estuary and Bay. When NJDEP does issue Salem's draft permit we will be expecting that they properly apply the law and require the best technology available to minimize this harm, which necessarily means requiring the installation of closed cycle cooling at Salem."

According to **Nicholas Patton, Staff Attorney at the Delaware Riverkeeper Network**, "With this settlement, NJDEP is no longer holding hostage the public's ability to comment on and ultimately challenge the cooling water intake technology at Salem. We will be keenly watching the cooling water intake technology NJDEP proposes in its draft permit to ensure that it represents the 'best technology available' required by law."

"The New Jersey DEP has finally come out with a date for a draft permit on the Salem Nuclear Power Plant. This happened because of pressure from the Sierra Club and other environmental groups. The DEP can no longer hold the Delaware River hostage by keeping the Salem Water permit in limbo. We are concerned that until there is a closed loop cooling system at the Salem Nuclear Power Plant it will continue to devastate the Delaware Estuary. This plant kills more than 3 billion fish a year and dumps super heated water with toxic chemicals into the Delaware Bay. Salem's impact to the ecosystem cannot continue to go unchecked. With this agreement the DEP has no more excuses and we will hold DEP accountable. If they go past the date without a permit, we will go back to court. If DEP issues a permit that does not protect the ecosystem we will challenge that permit. If the permit does not properly apply the law and use the best available technology then we will go back to court," **said Jeff Tittel, Director of the New Jersey Sierra Club.**

"It's good news NJDEP has committed to draft a permit, comply with the law, and protect the Delaware Estuary. It's sad we had to sue Governor Christie to get him to do his job. Governor Christie committed in October of 2009 to stop the fish slaughter within 6 months, 5 years later we're still waiting -- this time around we are counting on him honoring his word, not forcing us to resort to the courts to make him ," **said David Pringle, NJ Campaign Director for Clean Water Action**

For a copy of the settlement agreement, go to: <http://bit.ly/DRN-Salemstlmnt>

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