

RRBA Legal Action – Coal Ash Sites

We moved to intervene* as to Dan River soon after the spill and the court granted our motion with full rights of participation as to that site. Dan River is one of the 4 sites that the coal ash legislation mandates for ash removal, and we will be working to secure a binding commitment to ensure a full cleanup of that site and removal of the ash to safer dry, lined storage away from public water supplies. (The Dan River spill damage is being handled through separate proceedings not part of our case.) We also moved to intervene in October as to the Mayo and Roxboro sites within the Roanoke basin, and that motion has been granted with full rights of participation as well. We recently served Duke and DENR with discovery requests on those two sites to obtain documents and deposition testimony to ensure vigorous enforcement in the state action and develop any additional federal claims arising from Duke's coal ash pollution and risks to the lakes and rivers where these coal ash lagoons are located.

**A procedure used in a lawsuit by which the court allows a third person who was not originally a party to the suit to become a party, by joining with either the plaintiff or the defendant.*

SELC are the Attorneys & Dan River Basin Association is a co-client with RRBA on Eden Site.

Coal Ash site at Belews Creek is being covered under a separate proceeding with the Appalachian Voices Org. as the client.

Coal Ash site (Dover Plant) owned by Dominion & located on the Staunton River just north of Kerr Lake needs to be researched as to risk or action.

By: RRBA 12/15/14