

CITIZENS COAL COUNCIL SUES MATT CANESTRALE CONTRACTING FOR DUMPING TOXIC COAL ASH

At Risk: A Safe and Healthy Watershed ... and a Way of Life -- Hunting and Fishing Along the Monongahela River.

PITTSBURGH, PA.///June 26, 2013///Residents living near the LaBelle Refuse Site, a coal ash mine dump located in Luzerne Township, are going to court over illegal disposal of coal ash and treatment of coal mine waste. The Citizens Coal Council (CCC) filed a legal complaint against Matt Canestrale Contracting, Inc. (MCC) today in US District Court for the Western District of Pennsylvania. Attorneys from the Environmental Integrity Project (EIP), Public Justice, and Goldberg, Persky & White, P.C. representing CCC announced the lawsuit against MCC this morning.

The complaint alleges that MCC is violating the federal Resource Conservation and Recovery Act (RCRA) and state laws designed to protect rivers and streams and reduce fugitive particulate matter pollution. Concerns about the widespread pollution caused by the coal ash mine dump have destroyed local homeowners' ability to hunt, fish, and engage in outdoor recreation along the Monongahela River and its tributaries near the dump.

The coal ash mine dump is polluting local streams with extremely high levels of sulfate, iron, manganese and other salts that damage fish and other aquatic life. It is also leaking aluminum, manganese, sulfates, and total dissolved solids into groundwater at levels that are above Pennsylvania drinking water standards. Fugitive particulate matter pollution blows from trucks hauling coal ash without required covers.

To see the full text of the legal complaint filing, go to www.environmentalintegrity.org

Citizens Coal Council Executive Director Aimee Erickson said: **"Our members live every day with MCC's coal ash pollution and the harm it is inflicting on the local waters. Our members used to hunt deer near the Refuse Site and fish along the Monongahela River and local tributaries, but that's out of the question now because of fears that both deer and fish have been contaminated. MCC must be held accountable for the risks posed to humans, the environment, and wildlife."**

Local resident Gary Kuklish stated: **"As a resident of LaBelle, PA I have seen first-hand the problems the Canestrale dump site has caused. We have raised concerns about this site but, sadly, our concerns have gone unanswered. We don't believe the Pennsylvania Department of Environmental Protection (PA DEP) is doing enough to protect us."**

EIP Attorney Jennifer Duggan said: **"The unsafe disposal of coal ash waste at the Canestrale site has devastated the LaBelle community and their way of life. Conditions at this dump are polluting four local streams and groundwater, and residents have repeatedly experienced fugitive coal ash pollution on their homes and property. This community would like to be able to hunt and fish again, and enjoy clean air outside their homes."**

Public Justice Attorney Richard Webster said: **"Dumping millions of tons of coal ash on top of a huge pile of coal mining waste is not reducing the ongoing pollution at LaBelle. Instead, it is making the lives of the citizens of LaBelle a misery. They deserve a real clean up, not even more dumping."**

ABOUT THE GROUPS

The Citizens Coal Council is a national network that advocates for full enforcement of the federal Surface Mining Control and Reclamation Act (SMCRA) and its delegated state programs. Their mission is to inform, empower and work for and with communities affected by the mining processing and use of coal.

The Environmental Integrity Project (<http://www.environmentalintegrity.org>) is a nonpartisan, nonprofit organization established in March of 2002 by former EPA enforcement attorneys to advocate for effective enforcement of environmental laws. EIP has three goals: 1) to provide objective analyses of how the failure to enforce or implement environmental laws increases pollution and affects public health; 2) to hold federal and state agencies, as well as individual corporations, accountable for failing to enforce or comply with environmental laws; and 3) to help local communities obtain the protection of environmental laws.

Public Justice is a national public interest law that fights injustice and holds corporate and government wrongdoers accountable. The firm has successfully halted or restricted illegal coal mining and coal ash disposal operations in various parts of the U.S., most recently West Virginia and Pennsylvania. See our website at www.publicjustice.net.

With 21 practicing attorneys and over 30 years of experience, Goldberg, Persky & White, P.C. is the largest law firm in Western Pennsylvania that represents plaintiffs in lawsuits arising from personal injuries, harmful products, and toxic exposures. They are widely recognized as pioneers in the area of Asbestos Litigation. Headquartered in Pittsburgh, they also have offices in West Virginia and Michigan. More information is available at www.gpwlaw.com.

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EDITOR'S NOTE: Photos of the horrible impact of coal ash pollution on wildlife are available upon request. Visit the EIP website at www.environmentalintegrity.org to see pictures of fish with deformities due to exposure to high selenium levels from coal ash waste.

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