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Frank Holleman, Senior Attorney with a focus on litigation, 919-967-1450

Kathleen Sullivan, Senior Communications Manager, 919-967-1450 ([email](#))

Representing:

Coastal Conservation League - Nancy Cave, 843-545-0403

Waccamaw Riverkeeper - Christine Ellis, 843-349-4007

CHARLESTON, S.C. – The Southern Environmental Law Center today filed suit to stop arsenic contamination of the Waccamaw River and groundwater at the Grainger facility of Santee Cooper (the South Carolina Public Service Authority) in Conway, S.C. At the facility, Santee Cooper’s coal ash lagoons are unlined and store 650,000 tons of coal ash. The arsenic pollution enters the Waccamaw River upstream from intakes for public drinking water and upstream from the Waccamaw National Wildlife Refuge.

SELC filed suit on behalf of several groups seeking resolution of persistent contamination from these two lagoons near the river—the Waccamaw Riverkeeper, the Coastal Conservation League, and the Southern Alliance for Clean Energy.

“To stop contamination and prevent further risk to the environment, we’re asking that the coal ash be removed from beside the river, moved to a lined landfill away from wetlands and rivers, and stored in a safe, dry state,” said Frank Holleman, senior attorney at the Southern Environmental Law Center who represents the groups. “We hope to work with Santee Cooper to find a long-term solution that benefits nearby communities and the Waccamaw River.”

In 2009, the South Carolina Department of Health and Environmental Control found that Santee Cooper’s Grainger coal ash lagoons violated the South Carolina Pollution Control Act because of arsenic pollution of groundwater. Since that time, Santee Cooper has not taken steps to stop the arsenic pollution, and it has continued unabated. The suit seeks to enforce the Pollution Control Act.

Santee Cooper’s coal ash lagoons are located so close to the banks of the Waccamaw River that it partially submerges the earthen dikes when water is high. The dikes consist of silty soil and soft clays that experts say may liquefy in an earthquake. If the dikes fail, tons of coal ash could discharge into the Waccamaw River.

Since the 1990s, Santee Cooper has known that its lagoons have been polluting the river and groundwater with arsenic, a toxic substance and a known carcinogen, and other contaminants. Santee Cooper has not removed the coal ash from the unlined lagoons, and it continued to add coal ash to the lagoons.

“The Waccamaw River is our source of drinking water, recreation and habitat for diverse wildlife,” said Waccamaw Riverkeeper Christine Ellis. “As the local watchdog for the river, we will continue to work tirelessly to protect the Waccamaw River and keep it clean and healthy for our families and our future.”

Since Santee Cooper idled the Grainger Station, it has begun to formulate plans to leave its unlined coal ash lagoons in place forever without effective resolution of contamination problems.

“We took this action because coal ash poses a significant threat to our rivers and the quality and health of our water,” said Dana Beach, director of the Coastal Conservation League. “We hope this complaint will lead to meaningful discussions with Santee Cooper and other utilities on alternative disposal of coal ash that has minimal impacts to our human and natural environment.”

Santee Cooper’s coal ash lagoons are located in a populated area that is used for recreation and fishing by many residents and visitors. The Waccamaw River has been designated for a Blue Trail that could be a major community asset. Area water flows into Winyah Bay.

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About the Southern Environmental Law Center

The Southern Environmental Law Center is a regional nonprofit using the power of the law to protect the health and environment of the Southeast (Virginia, Tennessee, North and South Carolina, Georgia, and Alabama). Founded in 1986, SELC's team of more than 40 legal and policy experts represent more than 100 partner groups on issues of climate change and energy, air and water quality, forests, the coast and wetlands, transportation, and land use.

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