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***Coalition of environmental organizations say Indiana pollution rules don't meet Clean Water Act standards, ask US EPA to intervene***

*(Indianapolis, Ind.)* The Hoosier Environmental Council, the Sierra Club Hoosier Chapter and the Environmental Law & Policy Center submitted a petition today that asks the U.S. Environmental Protection Agency (EPA) to correct serious flaws in the Indiana water pollution control program, which is administered by the Indiana Department of Environmental Management (IDEM).

The petition finds that Indiana's programs do not adequately protect Indiana's waters. For example, Indiana's water pollution program allows coal mines to dump additional pollutants into streams and lakes without proper controls. Right now, the proposed Bear Run coal mine in Sullivan County, which would be the largest surface mine east of the Mississippi River, can operate under a permit that gives the public no meaningful opportunity to comment.

"Indiana authorities have allowed pollution from coal mining to contaminate too many of Indiana's lakes and streams," said Jessica Dexter, Staff Attorney for the Environmental Law & Policy Center. "We can't continue to give coal mines a free pass when it comes to water pollution."

"This action to petition the EPA to take back the authority for enforcing the Clean Water Act reflects IDEM's failure to properly protect Indiana waterways," said Steve Francis, co-chairperson of the Hoosier Chapter of the Sierra Club. "It is our intention that IDEM will take seriously its responsibility to prevent the further degradation of water quality, enforce the laws fully and safeguard the health and welfare of Indiana citizens."

In addition, the program doesn't allow enough public review of new sources of pollution. Indiana has failed to adopt "antidegradation" rules that are a fundamental part of the Clean Water Act, designed to prevent new or expanded sources of pollution from degrading Indiana's rivers, lakes and streams. Though this requirement has been part of the Clean Water Act for decades, Indiana has never implemented it. Indiana's failure to implement antidegradation protections led to public outcry in 2007 when the BP Corporation applied for a new permit to pollute Lake Michigan. Gov. Mitch Daniels ordered an independent review of the permitting process that laid the blame on Indiana's unclear antidegradation rules.

Two years later, IDEM's new antidegradation rules still fail to meet the requirements of the federal Clean Water Act and would allow companies to avoid public review of proposed pollutant increases in many instances.

“Protecting our natural resources is crucial to economic growth,” said Rae Schnapp, Wabash Riverkeeper with the Hoosier Environmental Council. “But Indiana also has many waterways with documented pollution problems. The practice of issuing water pollution permits that exacerbate these impairments is contrary to the Clean Water Act – and it is a threat to public health and future economic development.”

The federal Clean Water Act is implemented by state agencies, but the EPA has the authority to step in when states don't meet federal standards. In the petition, the groups call on the EPA to withdraw the state's authority to implement the Clean Water Act unless the state corrects these flaws in its water program.