

## **For Immediate Release – September 1, 2009**

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## **Newly Released Data Reveal Dangerous Levels of Toxic Selenium in Kentucky Waterways**

### *Groups Tell Coal Industry, Kentucky Division of Water to Clean up Waterways and Protect Wildlife*

Eastern Kentucky – The Kentucky Division of Water has finally unveiled to community groups information about toxic selenium in state waterways after two years of repeated attempts to obtain the data. The results show high levels of the toxic mineral in several bodies of water in the state. Coal mining and ash from coal-fired power plants are one of the largest sources of selenium, which in large amounts can be extremely toxic to people and to wildlife.

"The state of Kentucky inappropriately withheld information requested through the Freedom of Information Act," said **Margaret Janes with the Appalachian Center for the Economy and the Environment**, who requested the data several times since the fall of 2007 and finally received it. "No one should have to wait nearly two years to find out what dangerous toxins are in their fish and their water."

The newly released data suggest that selenium threatens fish and wildlife in Kentucky and that coal mining is a significant source of the selenium. Yet state agencies withheld the data until after an important Clean Water Act permit without selenium restrictions covering most Kentucky coal mines was issued in July of 2009. Kentucky also appears to have no further plans for additional studies of impacts of selenium on critical headwater streams.

"This is simply unforgivable; we've expressed concern about the lack of selenium limits in mining permits for years now and the agency has responded that there is no known problem and therefore no reason for selenium limits in permits," said **Judy Petersen, Executive Director of Kentucky Waterways Alliance**. "Selenium, like mercury, doesn't degrade in the environment so the problem will only get worse. We need the Division of Water to act now to set limits in permits and require regular monitoring to protect people and wildlife in eastern Kentucky."

The state survey looked at headwater tributaries at 13 sites in Eastern Kentucky, including six active coal mining sites, two "reclaimed" coal mine sites, and one abandoned coal mine site. The survey also included two reference sites and two sites located at road cuts. At one active coal mining site and one road cut site, water downstream from the disturbance exceeded state water quality standards for selenium. Additional water quality data showed elevated levels of selenium on the mining sites.

Notably, researchers also found fish at three of the nine mining sites whose bodies' selenium content exceeded the Environmental Protection Agency's draft recommendations for selenium in fish tissue. Downstream from five other mining sites and both roadcut sites, researchers found fish with selenium levels at which scientists have found can cause adverse effects in sensitive species.

"By delaying the disclosure of public data about toxic selenium levels in Kentucky's waterways, the state has been allowing the coal industry to operate without regard to water quality or human health," said **Lauren McGrath in Kentucky with the Sierra Club's Beyond Coal Campaign**. "The spotlight is now on Kentucky to hold the coal industry accountable and to clean up its waterways."

The survey was a onetime snapshot of water quality at each of the 13 sites. Additional water quality data are needed to fully understand the selenium problems. At this point, the agency apparently has no plans for additional water quality data gathering but has collected fish tissue samples for selenium sampling at large reservoirs in eastern Kentucky as part of other studies. In West Virginia, by contrast, selenium studies since 2002 have led to selenium restrictions on over 1,200 coal mining discharges, though the governing agencies have been reluctant to enforce those limits..

For more information visit <http://www.sierraclub.org/coal/downloads/Seleniumfactsheet.pdf>

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