

News from Attorney General Eric T. Schneiderman

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A.G. SCHNEIDERMAN CREATES \$400,000 GRANT PROGRAM TO HELP RECLAIM ACID RAIN-DAMAGED WATERS OF THE ADIRONDACKS

The Adirondack Acid Rain Recovery Program Will Fund New Approaches To Reversing Legacy Of Acid Rain Pollution That Effects Hundreds of Adirondack Waterbodies

Schneiderman: Program Will Help Restore The Adirondacks For Future Generations Of New Yorkers

ALBANY - Attorney General Eric T. Schneiderman today announced the creation of a \$400,000 grant program to fund projects aimed at restoring hundreds of lakes and streams in the Adirondacks still suffering the damages of acid rain pollution. By investing in scientific solutions, the Adirondack Acid Rain Recovery Program will help identify the most efficient and effective approaches to reversing acid rain's continuing harms to the Adirondack environment.

Funding for the environmental benefit program was obtained by the Attorney General's office in a multi-state settlement with Cinergy Corp., now Duke Energy Corp., over violations of the federal Clean Air Act.

"The Adirondacks are one of New York's most treasured natural resources, providing tremendous recreational, ecological and economic benefits to our state," **Attorney General Schneiderman** said. "As progress is made in reducing acid rain pollution, hundreds of lakes and streams in the Adirondacks are still struggling to recover from this pollution. The Adirondack Acid Rain Recovery Program will speed the recovery of hundreds of lakes and streams by identifying the most effective tools available for reversing the damages of acid rain. Through this program and my office's continued legal action against acid rain polluters, we will help to restore the Adirondacks for future generations of New Yorkers."

Although acid rain has decreased significantly in recent years as a result of federal and state efforts to limit air pollution, parts of the Adirondacks have been slow to recover due to the lingering effects of acid rain pollution in the region. In fact, scientists believe that over 500 water bodies in the Adirondacks continue to suffer from the damage caused by acid rain.

The program is a response to recommendations made by scientists and policymakers, who, in conjunction with the New York Academy of Sciences and New York State Energy Research and Development Authority (NYSERDA), have developed key priorities for reversing acid rain pollution and its impacts in the Adirondacks.

The program, intended to jumpstart research projects for reducing the impacts of acid rain pollution and advancing recovery in the Adirondack environment, will be administered by NYSERDA and will be conducted through an open, competitive project solicitation and grant award process. It is expected that some projects will involve the testing of newly-designed methods for neutralizing acidity in soils and waters. NYSERDA anticipates funding complementary efforts to address the damages of acid rain in the Adirondacks.

Acid rain is caused when air emissions of sulfur dioxide (SO₂) and nitrogen oxides (NO_x), generated predominately by coal-fired power plants, interact in the atmosphere to form acid compounds that fall back to earth as acid rain. Because of their unique geology, the Adirondacks are particularly sensitive to acid rain. When acid rain falls on the Adirondacks, it acidifies forest soils (thus reducing growth and survival of tree species) and acidifies lakes and other waterbodies (which harms the growth and survival of fish and other aquatic organisms.). These environmental damages in-turn reduce recreational and economic opportunities in the region.

Neil Woodworth, Executive Director of the Adirondack Mountain Club (ADK), said, "The launch of the Adirondacks Acid Rain Recovery Program marks a significant milestone in the long battle to protect the Adirondacks from the destruction caused by acid rain. ADK applauds and thanks Attorney General Schneiderman for taking this initiative to help restore our precious Adirondack lakes, streams and forests, as well as the wildlife and recreational opportunities they support, for the benefit of all New Yorkers for generations to come."

Dr. Tim Tear, Director of Science for The Nature Conservancy in New York, said, "Our own research indicates that many lands and waters in the Adirondacks are still suffering the impacts of acid rain and that new tools are needed to speed the ecological recovery of these treasured areas. We applaud Attorney General Schneiderman for developing the Adirondack Acid Rain Recovery Program as this effort is vital to fully restoring these invaluable State resources."

Diane Fish, Acting Executive Director of the Adirondack Council, said, "The Adirondack Council is thrilled that Attorney General Schneiderman is using the money won from lawsuits against polluters to create the Adirondack Acid Rain Recovery Program. The newly created program will enable the use of modern science to speed the recovery of our lakes, rivers and wildlife from decades of abuse from Midwest smokestacks."

Ron Urban, Chairman of the New York Council of Trout Unlimited, said, "Acid rain has had a severe impact on all of New York's watersheds, but especially on the cold waters of the Adirondacks where some of the last populations of native brook trout

still survive. Trout Unlimited commends Attorney General Schneiderman for establishing the Adirondack Acid Rain Recovery Program to find new and innovative solutions to reclaiming these critically important coldwater resources and aiding the survival of our irreplaceable heritage species."

Funds for the Adirondacks Acid Rain Recovery Program were obtained in a 2010 settlement with Cinergy Corp. after the company failed to install technology for controlling SO₂ emissions at its Midwestern coal-fired plants in violation of the New Source Review provisions of the federal Clean Air Act. In addition to providing funds to establish the program, the settlement required Cinergy to modify its operations and control pollution at its facilities - steps that have reduced SO₂ emissions by 35,000 tons per year, according to a recent federal government estimate.

Today's announcement comes on the heels of other legal actions that Attorney General Schneiderman has taken in his fight to improve the air for New York's families and environment. These actions include:

- The Attorney General is suing the current and former owners of a major Pennsylvania electric power plant - Homer City Station - over multiple violations of the federal Clean Air Act that cause more than 100,000 tons of SO₂ pollution to enter New York - more than twice as much of this harmful pollutant as all power plants operating in New York state combined.
- Early last month, Attorney General Schneiderman, leading a coalition of seven states, notified the federal Environmental Protection Agency (EPA) of his intent to sue the agency for violating the Clean Air Act by failing to address methane emissions from the oil and natural gas industry. EPA has determined that methane is a powerful climate change pollutant emitted by the industry in large quantities but has failed to directly limit these emissions.
- Also last month, after legal actions by Attorney General Schneiderman's office and partnering states, the EPA adopted national air quality standards that protect the public from the adverse health effects of fine particulate matter - commonly known as "soot" - as is required under the federal Clean Air Act. The Attorney General lauded the new standards as a major victory for the public's right to breathe clean, healthy air.

The new program is being handled by Policy Analyst Jeremy Magliaro and Chief Scientist Alan Belenz of the Attorney General's Environmental Protection Bureau. The program is being supervised by EPB Deputy Bureau Chief Lisa M. Burianek, Bureau Chief Lemuel M. Srolovic and Executive Deputy Attorney General for Social Justice Janet Sabel.

A copy of the 2010 settlement with Cinergy Corp. can be found here:

www.ag.ny.gov/sites/default/files/press-releases/2013/MOU_AG_NYSERDA_Agreement_30830.pdf