



FOR IMMEDIATE RELEASE
July 28, 2015

DEP Accepting Public Comments on Proposed Settlement for Ash Spill into Delaware River

Wilkes-Barre, PA – The Pennsylvania Department of Environmental Protection (DEP) is accepting public comment on a proposed settlement for natural resource damages with Talen Generation, LLC, formerly known as PPL Generation, LLC, and Martins Creek, LLC, formerly known as PPL Martins Creek, LLC. The settlement is associated with the August 2005 ash spill at the Martins Creek Steam Electric Station in Lower Mount Bethel Township, Northampton County.

The spill occurred after a wooden stop log in the Ash Basin No. 4 discharge structure failed, causing an estimated 100 million gallons of ash material to spread across local fields and into the Oughoughton Creek and the Delaware River.

“DEP would like to hear from the public on this important and final piece in the resolution of this matter. A significant amount of time and effort has been spent on assessing impacts from the spill and crafting this settlement. We believe this is a sound and well developed approach to addressing the Department’s claims for damages to the natural resources of the region,” said Mike Bedrin, Director of DEP’s Northeast Regional Office in Wilkes-Barre. “Any comments the Department receives will be considered in the final determination of settlement.”

The proposed settlement calls for the payment of \$1,325,200 to fund dam removal and mussel restoration projects on tributaries to the Delaware River in the area of the spill. From that amount, \$373,050 will be paid to the New Jersey Department of Environmental Protection for New Jersey-based restoration projects under a separate agreement with that agency.

In May 2008, DEP reached a separate settlement with PPL that required payment of a \$1,500,000 civil penalty and corrective action for violations of various state statutes associated with the ash spill. That settlement preserved the Department’s claims for natural resource damages, which are now being resolved in this action and requires public comment.

Natural resource damages may occur at sites such as rivers or streams as a result of releases of hazardous substances, such as ash, or oil. States and state agencies, including the DEP, can act as “trustees” on behalf of citizens to pursue claims for natural resource damages.

DEP is working in conjunction with members of a Natural Resource Damage Assessment Team, which includes representatives of the New Jersey Department of Environmental

Protection, the Pennsylvania Fish and Boat Commission, and the Delaware River Basin Commission.

DEP staff, working in conjunction with members of the Natural Resource Damage Assessment team, had extensive involvement in overseeing and permitting cleanup of the spill. This included reviewing and commenting on three phases of cleanup, as well as PPL's Phase IV Completion Report that addressed residential property and shoreline inspections, sediment and surface water sampling, and ecological investigations, such as damage to mussels.

Persons wishing to comment on the proposed settlement documents are invited to submit comments in writing to: Colleen Connolly, Pennsylvania Department of Environmental Protection, 2 Public Square, Wilkes-Barre, PA 18701-1915. TDD users may contact the Department through the Pennsylvania Relay Services at 800-645-5984. The public comment period will end on September 23, 2015. Copies of the settlement documents are available in the Department's Wilkes-Barre offices and also the Bethlehem offices, located at 4530 Bath Pike, Bethlehem 18017. An electronic copy is also available on the Department's Northeast Regional Office webpage. To access, go to www.dep.state.pa.us, click on "Regional Resources" in the left hand column, then click on the Northeast Regional Office icon, go to the right hand of page and click on "Community Resources."

After the public comment period ends, the Department will file a response to significant written comments or indicate that no such comments were received.

MEDIA CONTACT: Colleen Connolly 570-826-2035

#