Louisiana Generating settles Clean Air Act suit

The Associated Press

A Louisiana electric generating company, owned by NRG Energy Inc., has agreed to a settlement at its Big Cajun II coal-fired power plant, which will result in the elimination of more than 27,300 tons of emissions per year, federal regulators said Tuesday.

The U.S. Department of Justice and U.S. Environmental Protection Agency said the proposed settlement involves Louisiana Generating's New Roads-based facility.

The deal, filed in federal court in Baton Rouge, will require Louisiana Generating to spend about $250 million to reduce air pollution, pay a $3.5 million civil fine and spend $10.5 million on environmental mitigation projects. The state will receive half of the civil penalty.

The proposed settlement is subject to a public comment period and final court approval.

"The Big Cajun II Power Plant is the largest source of illegal air pollution in Louisiana," said Ignacia S. Moreno, assistant attorney general for the Justice Department's Environment and Natural Resources Division. "This settlement will secure substantial reductions in harmful emissions from the plant which will have a beneficial impact on air quality for residents of Louisiana and downwind states, including low-income communities who have been historically overburdened with pollution. "

The reductions in emissions will occur through a combination of new pollution controls, natural gas conversion and annual emission caps at all three units at the Big Cajun II plant.

According to a release from the Justice Department, emissions of sulfur dioxide will be reduced by about 20,000 tons and nitrogen oxides by about 3,300 tons. Louisiana Generating will spend an estimated $250 million in capital costs to comply with the consent decree through the end of 2015. It also has agreed to further air pollution reductions by 2025, which will reduce sulfur dioxides by at least an additional 4,000 tons each year.

The governments alleged that Louisiana Generating violated federal and state law by continuing to operate Big Cajun II Units 1 and 2 without getting the required permits and installing modern air-pollution controls after the largest boiler modifications in the history of the plant were made at the facility.

Louisiana Generating will spend $10.5 million on environmental mitigation projects that will further reduce emissions including installing solar photovoltaic panels at local schools, government-owned facilities or buildings owned by nonprofit groups;

restore and protect land, watersheds, vegetation and forests; fund creation of one or more charging stations for electric vehicles in the South Louisiana area that are supplied with zero emission renewable energy sources and conduct energy efficiency projects.

In addition, the state will get $1.5 million to implement projects which could include retrofitting vehicles with pollution controls, truck stop electrification, buyback programs for dirty old motors and removal or replacement of oil-fired home heaters with ultra-low sulphur oil and outdoor wood-fired boilers.

The settlement marks the federal government's 24th settlement under its national enforcement initiative to reduce emissions from coal-fired power plants under the Clean Air Act's New Source Review requirements.

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The consent decree can be viewed at the Department of Justice website: www.justice.gov/enrd/Consent_Decrees.html .

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