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Settlement reached on Mirant power plant issues**FOR IMMEDIATE RELEASE**

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RICHMOND, VA. -- The Commonwealth of Virginia, in cooperation with Maryland, the U.S. Environmental Protection Agency and the U.S. Department of Justice, announced a far-reaching agreement today to settle alleged air quality violations at the Mirant Potomac River power plant in Alexandria.

The proposed consent decree stems from a notice of violation that the Virginia Department of Environmental Quality issued against Mirant in September 2003 for allegedly exceeding the Potomac River plant's permit limit for nitrogen oxide emissions. The settlement will require improved pollution control technology and reduction of nitrogen oxide emissions, which contribute to ozone pollution, at the coal-fired Potomac River plant beginning this year. In addition, the settlement requires Mirant to make similar improvements at three larger coal-fired plants in Maryland.

"This is an important agreement that will bring much cleaner air to Alexandria and Northern Virginia, Maryland and the District of Columbia," DEQ Director Robert G. Burnley said. "Virginia's leadership in resolving this complex case means we will see significant improvements at four power plants in the region, to the benefit of millions of people."

In reaching this settlement, Virginia concluded that achieving significant pollution reductions from all four Mirant facilities was more beneficial than the smaller improvements that could be made at the Potomac River plant alone. "The settlement will bring a total reduction of 29,000 tons per year of ozone-forming nitrogen oxides by 2010," Burnley said. "That is 23,000 tons more than the entire amount emitted by the Potomac River plant in 2003."

In a separate agreement with DEQ and in cooperation with the local community in Alexandria, Mirant has agreed to conduct a study of the Potomac River plant's emissions. The study will use computer modeling to determine whether key pollutants such as ozone and mercury exceed air quality standards. If they do, Mirant will be required to reduce the pollution.

Highlights of the settlement include:

- By 2010, nitrogen oxide emissions during the May-through-September ozone season will decline from recent levels of 2,100 tons to 1,475 tons at the Potomac River plant in Alexandria. The facility also is required to install state-of-the-art pollution control equipment.
- Also by 2010, nitrogen oxide emissions during ozone season will drop from the 2002 level of 19,249 tons per year to 5,200 tons from the four Mirant plants combined. Year-round nitrogen oxide emissions will decline from 45,000 tons to 16,000 tons.
- The three Maryland plants (in Charles County, Montgomery County and Prince George's County) currently have no nitrogen oxide emission limits. The settlement imposes limits on these plants and the Alexandria plant during ozone season and on an annual basis.
- The air quality improvements must be made at the Mirant facilities, not through trading of emission credits. This will ensure that these air quality improvements focus specifically on the Northern Virginia-Maryland-D.C. region.
- The large reductions in nitrogen oxide emissions will help improve water quality in the Chesapeake Bay and its tributaries by lowering the amount of airborne nitrogen that contributes to nutrient pollution in the water.

- Mirant will complete several environmental projects at the Potomac River plant, at a total cost of at least \$1 million, to reduce pollution from airborne particles. These projects are expected to reduce particle pollution by more than 47 tons annually from the Alexandria plant's ash silos, trucks, coal piles and other equipment. The projects were developed in cooperation with the city of Alexandria.
- Mirant will pay a civil penalty of \$500,000 to be divided evenly between Virginia and the United States.

The agreement was reached through the joint efforts of DEQ, the Office of the Attorney General in Virginia, EPA, the Justice Department and the Maryland Department of the Environment.

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