

Press Release
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Clean Air Act Settlement to Eliminate Nearly 29,000 Tons of Harmful Emissions Millions in the Maryland, Washington, D.C., Metro-Area to Benefit

ALEXANDRIA, VA. – A federal district court in Alexandria, Virginia today approved a joint federal-state Consent Decree with Mirant Mid-Atlantic, LLC, which requires significant reductions of nitrogen oxide (NOx) emissions from all four of Mirant's power plants in the Washington, D. C. area. The settlement agreement is the result of a joint enforcement action by the U.S. Environmental Protection Agency (EPA), the State of Maryland and the Commonwealth of Virginia for NOx emission violations at Mirant's Potomac River plant during the 2003 ozone season.

In addition to the Potomac River plant in Alexandria, Mirant operates three plants in Maryland: the Morgantown plant in Charles County, the Chalk Point plant in Prince George's County and the Dickerson Plant in Montgomery County. Under the Consent Decree approved today by U.S. District Court for the Eastern District of Virginia, by 2010, Mirant will reduce its annual NOx emissions at all four of its plants by 29,000 tons and its ozone season NOx emissions by approximately 15,000 tons. Most of the emission reductions will occur at the three Maryland plants. To achieve these reductions, the Decree further requires installation of state-of-the-art NOx pollution controls this year and in 2008 on the two coal-fired units at the Morgantown Plant, Mirant's largest plant.

"Court approval of the Consent Decree is the last step in this long negotiation – it means that the Decree is now fully effective and enforceable. The Consent Decree secures significant year-round and ozone season air quality benefits for Maryland and the entire Washington metropolitan area in the years preceding the effective date of the Healthy Air Act," said Maryland Department of the Environment's Air & Radiation Management Administration Director (Tad) S. Aburn. "These reductions come at a critical time and will further the State's efforts to meet the federal standards for ozone and fine particulate matter in the Washington area by the 2010 deadline."

NOx emissions contribute to the formation of ground level ozone and fine particulate matter. The Washington, D.C. area does not currently meet federal ambient air quality standards for ozone or fine particulate matter. Under the Clean Air Act, attainment of the ozone and fine particulate standards are demonstrated based upon air quality in the three years preceding the attainment deadline.

The NOx emission reductions secured by the Decree will also benefit the Chesapeake Bay, which suffers from nutrient pollution caused in significant part by atmospheric deposition of nitrogen from power plants and other emitters of nitrogen oxides.