

BLUE RIDGE ENVIRONMENTAL DEFENSE LEAGUE

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VIRGINIA SUPREME COURT AGREES TO HEAR NORTH ANNA APPEAL

Today the Blue Ridge Environmental Defense League announced that Virginia's highest court has agreed to hear their appeal of a Dominion-Virginia Power permit. On December 10th, the court certified:

Upon the petition of the Blue Ridge Environmental Defense League, Inc. and others, an appeal is awarded them from a judgment rendered by the Court of Appeals of Virginia.

Louis Zeller, Campaign Coordinator for the League, said, "This represents a huge hurdle that we have cleared in the appeals process. Next, we will explain to the Supreme Court how the Court of Appeals was wrong and how we are right." Opening briefs in this case are due on January 19, 2011.

In 2009 the Circuit Court of the City of Richmond ruled in favor of Blue Ridge Environmental Defense League and concluded that the State Water Control Board's 2007 decision to issue an NPDES heated wastewater permit for the North Anna electric power plant was "not in accordance with the law." Both Dominion-Virginia Power and the Commonwealth of Virginia appealed this decision, sending the case to the Virginia Court of Appeals, the state's intermediate appellate court. The Court of Appeals reversed the lower court based on a "waste heat treatment system" exemption and deference to the state in interpreting its own regulations.

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