



Winyah Rivers Alliance Seeks to Hold Active Energy Renewable Power Accountable for Unpermitted Pollution

On August 11, 2020, the Southern Environmental Law Center (SELC), on behalf of Winyah Rivers Alliance and its Lumber Riverkeeper, notified Active Energy Renewable Power (AERP) that its unpermitted discharges of industrial stormwater pollution into the Lumber River must stop. If AERP does not obtain a required stormwater discharge permit within 60 days and otherwise remedy these ongoing violations, Winyah Rivers Alliance is prepared to hold the company accountable for its pollution and ensure its compliance with the Clean Water Act by going to federal court.

Industrial Stormwater Pollution:

AERP is currently operating a sawmill and other timber operations at its industrial site in south Lumberton. As part of these operations, AERP is storing woody materials – including logs, wood chips, and sawdust – in open piles on site. All of these materials are exposed to rain and leach harmful pollutants into the nearby Lumber River and its tributaries.

This is referred to as “industrial stormwater” pollution, and facilities like AERP are required under the Clean Water Act to have a permit to ensure that this pollution does not cause a violation of state water quality standards. **AERP does not have a permit for these discharges.**

Wood debris and leachates from this stormwater runoff can disrupt the freshwater ecosystem and negatively impact its use and enjoyment by people who live and fish, paddle, or otherwise use the river, including by:

- Reducing oxygen levels and increasing acidification, which can cause fish and other aquatic wildlife to suffocate;
- Increasing nitrogen, phosphorus, and suspended solids pollution, which can cause algal blooms and oxygen depletion that harms aquatic species and makes the river unsuitable and unsafe for swimming, paddling, and other recreational uses.

The Lumber River is designated as a federal and state Natural and Scenic River due to its outstanding natural, scenic, educational, geological, recreational, historical, fish and wildlife, scientific, and cultural values. Winyah Rivers Alliance is working to protect this special place and the people of Lumberton and Robeson County who use and enjoy it.

Other Concerns:

In our role as watchdogs of the Lumber River watershed, Winyah Rivers Alliance and its Lumber Riverkeeper remain vigilant about other issues that have the potential to impact the Lumber River and its communities, both human and natural. These include:

- Future **wastewater discharges** from AERP’s planned pellet mill, which will require a separate permit.
- **Contamination** of the soil and groundwater at AERP’s industrial site by toxic solvents.
- Previously untested **air emissions** from the pellet mill’s new steam explosion process.
- **Cumulative impacts** of AERP’s water and air pollution on the community, which is already disproportionately burdened by numerous sources of industrial pollution.

*Local voices on projects that may affect local waters are vital.
[Please join as a member](#) so we can continue to fight to protect the Lumber River
and all rivers in the greater Winyah Bay watershed.*

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