

From SELC's Executive Director

September 2020

Dear SELC Friends,

Welcome to the new normal. As my daily interactions with our staff now take place on the computer screen, I am filled with gratitude for my colleagues. Their strength, flexibility, resilience, and support for one another is remarkable, particularly as many are stretched to the limits of their capacities and beyond as they teach and care for their children, attend to family members, and deal with the stress created by the uncertainty of this pandemic, while making sure our mission-critical work moves forward. I have never been prouder to be part of the Southern Environmental Law Center.

Although 2020 will forever be known as the year of the coronavirus, it will also be known at SELC as a year of remarkable achievements. The year started with the January 2 announcement of our coal ash settlement with Duke Energy. The settlement, requiring Duke to clean up its remaining coal ash pits in North Carolina, represents the largest coal ash cleanup in U.S. history and the largest toxic waste cleanup in our region's history. All told, SELC's coal ash work has led to the cleanup of over 255 million tons of toxic coal ash sludge left behind by utilities to seep into our waterways and drinking water supplies for decades to come.

Five days later, we won yet another case involving the unneeded and highly destructive Atlantic Coast Pipeline when the U.S. Court of Appeals for the Fourth Circuit invalidated the air permit for the compressor station Dominion Energy planned to build at Union Hill. In one of the most important environmental justice decisions of the past 30 years, the court chastised the Virginia Department of Environmental Quality and Dominion for their shoddy analysis and poor treatment of the Union Hill community, reminding them that "environmental justice is not merely a box to be checked." In February, we won an important decision in the South Carolina Supreme Court upholding the rights of citizens to challenge state air permits when their health and welfare are threatened. In early March, we helped secure passage of groundbreaking legislation in Virginia that commits the state to a zero-carbon electricity grid by 2050, the first such legislation in the South.

A week later, COVID-19 changed our world, but our work did not slow down. Through the spring, we focused on countering the steady stream of rollbacks of bedrock environmental protections by the Trump administration, and on developing legal strategies to counter Dominion Energy efforts to restart construction of the Atlantic Coast Pipeline—which, due to our successful legal work, had been on hold since December 2018. Then, on a long July 4th weekend as we paused to collectively catch our breath, a remarkable thing happened. Late in the afternoon of Sunday, July 5, Dominion and Duke Energy quietly issued a press release announcing that they were finally giving up on their pipeline and cancelling the project due to "increasing legal uncertainty." Six years of hard work—over 40,000 hours of attorney time and \$1.6 million in expenses—had suddenly come to a successful end.

Never before has an interstate gas pipeline of this magnitude been stopped because of citizen opposition. We were honored to work with 15 committed citizen groups to stop this project, all of whom put in countless hours writing letters, submitting comments, attending public hearings, and helping develop the evidence we needed to support our legal arguments. The Atlantic Coast Pipeline could not have been stopped without their extraordinary commitment. It also could not have been stopped without the extraordinary efforts of the Southern Environmental Law Center. This victory stands as a testament to the success of SELC's multifaceted model and the resources we brought to this herculean effort—legal expertise, a deep understanding of utilities gained through years of work in state utility commissions, a deep understanding of federal



Jeff Gleason

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(Over, please)

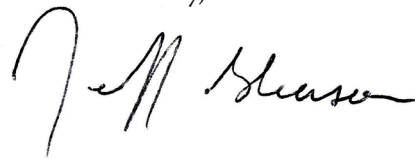
agencies, strategic communications, a strong presence in state legislatures and in Washington, D.C., and the staying power required for a sustained, multiyear effort.

While the Atlantic Coast Pipeline victory stands out in terms of its historic nature and the magnitude of the resources involved, we see the successful results of SELC's model play out across the region—a federal court ruling that Drummond Coal is violating the Clean Water Act at its abandoned Maxine Mine in Alabama; a Georgia Public Service Commission order requiring Georgia Power to add over 2,000 megawatts of new solar capacity and increase its energy efficiency programs; historic solar legislation that will greatly increase solar energy in South Carolina; and legal settlements requiring TVA to clean up the coal ash at its Gallatin and Allen power plants in Tennessee—to name just a few examples from the past year.

We recently published on our website reflections on the Atlantic Coast Pipeline victory from the SELC team that worked on the project. My favorite came from Katie Storer, an administrative and legal assistant who spent a good part of her life over the past six years working to stop this pipeline. She summed up her feelings with this observation: “Personally, it really showed me that if you want to achieve something that seems impossible, just take the first step. Then the next.”

So many of the uphill but ultimately successful efforts we have launched over the years have come down to just taking the first step. Taking that first step would not have been possible without the generous support of SELC's loyal and committed friends. I hope that you are as proud as we are of the results you have helped make possible. We have a lot of work before us, and we look forward to our continued partnership in the years ahead.

Sincerely,

A handwritten signature in black ink, appearing to read "Jeff Blum". The signature is fluid and cursive, with a large initial "J" and "B".