 

March 9, 2021

FOR IMMEDIATE RELEASE

**Citizens for a Healthy Bay and Puget Soundkeeper Alliance Announce Suit Over Pollution from Electron Dam**

*Groups stand with the Puyallup Tribe of Indians and are suing to hold Electron Dam owners accountable for discharges of pollution from the dam*

Seattle, WA – On March 9, 2021, Citizens for a Healthy Bay (“CHB”) and Puget Soundkeeper Alliance (“PSK”) filed a lawsuit against the operators of the Electron Dam to enforce the federal Clean Water Act against energy company, Electron Hydro LLC (“Electron”), the owner and operator of the Electron Dam on the Puyallup River. The action focuses on water pollution from the dam and related construction and maintenance operations.

Electron Hydro LLC is a subsidiary of Tollhouse Energy Company out of Bellingham, WA, whose president is Thom Fischer. In summer 2020, Electron placed old artificial field turf into the river during a construction project in the dam’s spillway. In late July 2020, a large amount of plastic and rubber debris associated with the turf broke free and washed down stream.

The Puyallup River is a home spring chinook salmon, which are important to Tribal and non-Tribal fishers alike. The fish also are a critical food source of endangered Southern Resident orcas.

On October 28, 2020, CHB and PSK sent a Notice of Intent to Sue Electron over the discharges of field turf and plastic liner and for related pollution violations. After CHB and PSK sent their notice letter to Electron Hydro, the United States filed an enforcement action against that company. With the filing today, CHB and PSK announce their intentions to join the United States in enforcing the Clean Water Act against the owners and operators of the Electron Dam.

CHB and PSK take this action on behalf of their constituents, members, and supporters in order to represent their interests in a healthy and pollution-free Puyallup River and Commencement Bay.

Regulated by the Clean Water Act, Electron is required to meet federal and state requirements when discharging pollution into the Puyallup River. CHB and PSK allege that Electron has violated the Clean Water Act in the following ways:

* Violations of the federal CWA certification required for construction and maintenance work, and for conducting work in violation of the required state CWA certification;
* Illegal and unpermitted discharges associated with the work Electron is doing pursuant to the stop work orders, to winterize the site, make the fish ladder passable, and prevent washout of the diversion structure;

“When I first read the story about the turf discharge into the river, my heart went out to the Puyallup Tribe. What’s happening at Electron Dam appears to be undermining the Tribe’s work to protect the salmon populations and fishery in the Puyallup River. That discharge appeared to be an egregiously brazen act of pollution, and Mr. Fischer and his companies must be held accountable for any illegal pollution and damage they have caused,” said Melissa Malott, Executive Director of Citizens for a Healthy Bay. “CHB stands with and supports the Puyallup Tribe, and we intend to hold Electron accountable for any damage they have caused this river and our community.”

"We are thankful that our federal government is taking a stand against Electron’s pollution, and we look forward to bringing vital local and regional expertise and engagement to the case," said Katelyn Kinn, Puget Soundkeeper's Clean Water Attorney.

CHB and PSK are represented in this action by Kampmeier & Knutsen, PLLC an environmental law firm with offices in Seattle, Washington and Portland, Oregon.

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Citizens for a Healthy Bay is a community-based, environmental non-profit whose mission is to engage people in the cleanup, restoration and protection of Commencement Bay and surrounding waters of the South Sound.

Puget Soundkeeper is an environmental non-profit whose mission is to protect and preserve the waters of Puget Sound. Since 1984, Soundkeeper has filed over 200 legal actions and all funds from successful settlements go to restoring polluted waterways in the region through the Puget Sound Stewardship & Mitigation Fund.

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