

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

**TENNESSEE CLEAN WATER)
NETWORK and TENNESSEE SCENIC)
RIVERS ASSOCIATION,)**

Plaintiffs,)

v.)

TENNESSEE VALLEY AUTHORITY,)

Defendant.)

**NO. 3:15-cv-00424
CHIEF JUDGE CRENSHAW**

ORDER

On January 30 through February 2, 2017, the Court held a bench trial on the remaining Clean Water Act (“CWA”) claims filed by the Tennessee Clean Water Network and Tennessee Scenic Rivers Association (“Plaintiffs”) against the Tennessee Valley Authority (“TVA”) relating to TVA’s operation of a coal-fired power plant about five miles south of the city of Gallatin, Tennessee. For the reasons discussed in the accompanying Findings of Fact & Conclusions of Law, the Court hereby directs the entry of judgment for the Plaintiffs on Claims A, C, D, E.b, and E.e and judgment for TVA on Claims B, E.a, E.c and E.d. The Court further holds that no civil fines shall be assessed against TVA in light of the substantial costs expected to be associated with remediating its violations.

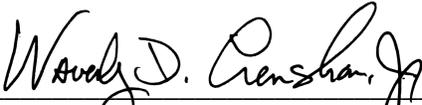
TVA is ordered to wholly excavate the ash waste disposal areas designated in the accompanying Findings of Fact & Conclusions of Law as the Ash Pond Complex and the Non-Registered Site and shall relocate the excavated coal ash waste to a lined impoundment with no significant risk of discharge into the waters of the United States. Within thirty days of the entry of

this Order, TVA shall file an itemized proposed timetable for compliance, including a proposed schedule for filing periodic updates with the Court.

The injunctive relief granted by this Order shall be considered a minimum obligation and should not be construed to restrict, conflict with, or foreclose any more comprehensive relief arising out of the litigation currently ongoing in Tennessee state courts or any other litigation, proceeding, administrative process, or other source of law. If any injunction or other obligation arises out of that or any other action that directly conflicts with the obligations imposed by this Court, TVA and/or Plaintiffs shall file motions with the Court seeking modification or clarification of this Order.

The Court hereby directs the Clerk to enter judgment in accordance with Federal Rule of Civil Procedure 58.

IT IS SO ORDERED.



WAVERLY D. CRENSHAW, JR.
CHIEF UNITED STATES DISTRICT JUDGE