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FOR IMMEDIATE RELEASE:

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REGIONAL WATER BOARD APPROVES FIREWORKS DISCHARGE PERMIT
Agency Strengthens Monitoring Requirements for Nation's First Fireworks Permit

(San Diego) December 12, 2007 – At the urging of San Diego Coastkeeper, the San Diego Regional Water Quality Board today approved the first National Pollution Discharge Elimination System (NPDES) permit in the nation regulating the discharge of fireworks under the Clean Water Act. The waste discharge requirements allow Sea World Adventure Park to continue up to 150 fireworks shows annually, but with specific protections to ensure dangerous chemicals that might fall into Mission Bay do not harm the public or natural environment.

“Under the federal Clean Water Act, any company that discharges pollutants into waters must get a permit. It’s a pretty simple concept,” noted Marco Gonzalez of Coast Law Group LLP, which has advocated for the permit. “We applaud the Water Board’s action as a precedent for other similar discharges throughout the state.”

By a six-to-one vote, the Board chose to include monitoring requirements beyond those proposed by its staff. Under the permit, monitoring is to take place three times per year (staff initially proposed two times), and the monitoring will take place immediately after the amusement park’s largest firework displays each year.

“We are thrilled the Regional Water Board increased monitoring requirements per our suggestion,” added Gabriel Solmer, Legal Director for San Diego Coastkeeper. “It is important to assess potential harm when it is most likely to occur, and before the pollutants are dispersed to other areas of the bay.”

Each night during the summer, Sea World’s “Sky Blast” show results in hundreds of pounds of fireworks shot from a barge located in eastern Mission Bay. Despite a daily rain of trash, spent fireworks debris, and even some fireworks that failed to discharge, into the bay after each event, Sea World had never secured a discharge permit until now. The company’s permit application came in response to San Diego Coastkeeper’s June 2006 filing of a 60-day Notice of Intent (NOI) to bring litigation against Anheuser-Busch, owner of Sea World, for failing to secure the required permit.

Because fireworks can contain a wide range of highly toxic chemicals, and these vary depending on type and origin of the specific firework, Coastkeeper believes the new permit will result in greater regulation of the activity at other theme parks and special events throughout

California and possibly the greater United States. A recent study (“Perchlorate Behavior in a Municipal Lake Following Fireworks Displays”) published in *Environmental Science & Technology* examined the potential environmental impacts of firework displays on waterways. (See <http://pubs.acs.org/cgi-bin/sample.cgi/esthag/asap/pdf/es0700698.pdf>)

“Fireworks contain dangerous chemicals that often make their way to local waters,” noted Solmer. “We must ensure that fireworks are used responsibly, including securing all proper permits. This is particularly important with regular displays that can have significant cumulative impacts. We hope other water agencies will follow the lead of the San Diego Board and issue permits for these activities.”

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Founded in 1995, San Diego Coastkeeper protects the region’s bays, beaches, watersheds and ocean for the people and wildlife that depend on them. We balance community outreach, education, and advocacy to promote stewardship of clean water and a healthy coastal ecosystem.

Coastkeeper is represented by Marco Gonzalez of Coast Law Group, a community-conscious law firm providing innovative solutions and practical advice to assist clients in achieving their personal goals and business objectives.