



Judge Supports Permit Denial of Green Bay Incinerator Residents' Clean Air Protected By City's Permitting Process

FOR IMMEDIATE RELEASE: January 11, 2013

CONTACT: Dennis Grzezinski, Senior Staff Attorney, dennisg@midwestadvocates.org, (414) 455-0739
Stacy Harbaugh, Communications & Outreach Coordinator, sharbaugh@midwestadvocates.org
Dean Hoegger, President, Clean Water Action Council of Northeast Wisconsin, contact@cleanwateractioncouncil.org, (920) 421-8885

GREEN BAY, WI – A Green Bay area incineration plant that was proposed to convert trash into energy will not be constructed, according to a Brown County Judge. On Wednesday, the City of Green Bay successfully defended itself against a challenge to the Common Council's action in revoking a conditional use permit for the project that had been obtained on the basis of misrepresentations that the plant would be clean and non-polluting.

"This court decision is good news for the people of Green Bay who need their city to fairly regulate companies' use of local lands," said Dennis Grzezinski, Senior Staff Attorney with Midwest Environmental Advocates. "It is also good news for municipalities' ability to prevent developers from misrepresenting the nature of their projects and then hiding behind untruthfully obtained permits. We want Wisconsin to be a leader in renewable energy, but incinerating garbage at the expense of clean air is something cities should guard against. Developers need to understand that they must truthfully and accurately describe the nature and impact of their projects."

Midwest Environmental Advocates represented the [Clean Water Action Council of Northeastern Wisconsin](#), a Green Bay area citizens' organization, in its request to the Green Bay Common Council to revoke the conditional use permit after the [Oneida Seven Generations Corporation](#) misrepresented the extent to which their incinerator would not produce hazardous solid wastes or vent air emissions.

The permit revocation followed a lengthy, well-attended Common Council hearing held in response to the Clean Water Action Council's request and council members recognized the desire of the public to have an opportunity to be heard on significant projects in the future. Wednesday's court decision reiterated the city's right to revoke the permit because of the company's misrepresentations of their environmental impact.

"Residents will be expecting changes from the city which will provide for greater public participation," stated Dean Hoegger, president of Clean Water Action Council.

Midwest Environmental Advocates is a public interest organization that uses the power of the law to support of communities fighting for environmental accountability. Learn more about the Midwest Environmental Advocates on the web at midwestadvocates.org, like MEA on [Facebook](#) or follow @MidwestAdvocate on [Twitter](#).

###