

November 20, 2013
FOR IMMEDIATE RELEASE

Jointly Issued by Ogeechee Riverkeeper & King America Finishing, Inc.

Contacts:

- Don Stack, Stack & Associates, P.C. (co-counsel for Ogeechee Riverkeeper);
dstack@stack-envirolaw.com / 404-525-9205
Hutton Brown, GreenLaw (co-counsel for Ogeechee Riverkeeper);
hbrown@greenlaw.org / 404-659-3122
- Christy Hull Eikhoff, Alston & Bird LLP (counsel for King America Finishing, Inc.)
– christy.eikhoff@alston.com / 404-881-4496

Ogeechee Riverkeeper and King America Finishing Reach Accord, Settle Legal Disputes

Ogeechee Riverkeeper (ORK) and King America Finishing have worked together to resolve a set of legal and regulatory battles that have been ongoing since a fish kill occurred in the Ogeechee River in May 2011. The settlement agreement puts in place comprehensive and stringent environmental protections and establishes programs to aid in restoration efforts along the river. The new terms alleviate ORK's prior concerns over the issuance of a new wastewater discharge permit for the Screven County textile manufacturing plant. ORK had mounted several legal challenges to the proposed permit, but will drop those challenges under the terms of the settlement agreement, which are memorialized in a Consent Decree being filed in federal court in Savannah today. For the more than two years that the permitting battle has been ongoing, King America has operated under strict technical and testing requirements dictated by the Georgia Environmental Protection Division.

Under the proposed Consent Decree, King America will make a \$2.5 million monetary contribution to ORK to fund the organization's continuing efforts to monitor and protect the ecosystem of the Ogeechee River. The manufacturing company has also already invested approximately half a million dollars towards the installation of new equipment in its wastewater treatment processes. King America will also spend another \$2.5 million on additional upgrades at its plant to ensure that the Ogeechee River is a clean and well-protected natural resource for all of Georgia's citizens.

“With the new measures set forth in our Consent Decree, along with the terms and conditions of the new permit, ORK is confident that King America's discharge will comply with the state and federal regulatory structure while protecting the vibrant biological and ecological life that thrives in and along the Ogeechee River,” said Riverkeeper Emily Markesteyn. “We believe that this new permit will protect the river,

and this settlement provides ORK with the means to not only closely monitor the river on an ongoing basis, but also creates a process for discussing changes to the permit in the event that any problems come to light. It is our belief that this is the first such provision ever implemented in Georgia. And with King America's substantial contribution to our organization, we will be able to continue to monitor and improve river conditions for years to come."

ORK intends to use the funds contributed by King America in this settlement to collect more comprehensive data on the Ogeechee than ever before and continue to serve as a watchdog for the health of the watershed. ORK will closely monitor river conditions upstream and downstream from King America and will expand its research and advocacy to eliminate harmful pollution from point and non-point sources along the Ogeechee. Through these and other programs, ORK will continue to serve as a regional and state leader of clean water advocacy through research, education, and legislative initiatives.

Environmental lawyer and advocate Don Stack commended King America Finishing for its efforts since the fish kill. "King America has stepped up to the plate and agreed to the most comprehensive water testing regimen that I've encountered in my nearly 30 years of advocating to protect the natural resources in the State of Georgia. I am glad that the company and ORK worked cooperatively to develop these programs, and we expect that King America will live up to their commitment to operate in an environmentally responsible manner."

Hutton Brown, senior attorney with GreenLaw and co-counsel for ORK alongside Stack & Associates, P.C., noted that the size of King America's monetary donation makes it one of the largest settlement payments in Georgia history by a company for water-based environmental claims.

King America also expressed satisfaction with the resolution. "After a long and productive dialogue with Ogeechee Riverkeeper, we are pleased that we have finally been able to make peace with one another," said Michael Beasley, President of King America. "We look forward to continuing to work cooperatively with them in the coming months and years."

After the May 2011 fish kill, it was discovered that King America had not updated its wastewater discharge permit when it installed new flame retardant lines at its plant in 2006. King America entered into a Consent Order with the State agreeing to pay more than \$1.3 million to fund Supplemental Environmental Projects. Those projects include third party monitoring of King America's discharge and analysis of both the wastewater and the river conditions. ORK will use some of King America's settlement contribution to retain independent experts to conduct additional investigation, monitoring, and analysis.

King America Finishing is located in Screven County, Georgia, and employs almost 500 workers from Screven, Bulloch, Jenkins and other surrounding counties.

King America produces flame resistant fabrics used in clothing to protect workers in the electric utility, petrochemical, and steel mill industries.

Through grassroots advocacy, public education and monitoring, ORK operates with a mission to protect, preserve and improve the water quality of the Ogeechee River basin. ORK has been instrumental in clean water advocacy in the state of Georgia for more than eight years.

For more information about the Ogeechee Riverkeeper, please visit: <http://www.ogeecheeriverkeeper.org>. For more information about King America, please visit: <http://www.kingamericafinishing.com/press.html>.

###