

Down to Earth

Clean & Healthful.
It's your right, our mission.

meic

NEWS FROM THE MONTANA ENVIRONMENTAL INFORMATION CENTER



V is for Victories!

**Get social
with MEIC!**



IN THIS ISSUE

- 2** V#1 - Otter Creek
- 3** V#2 - Rosebud Coal Mine
- 4** Smith River
- 5** V#3 - Colstrip Outage
- 6** Colstrip Update
- 7** Billings Air Pollution
- 8** NorthWestern Energy Resource Planning
- 11** Montanore Mine

Victory #1 - Otter Creek: A Landscape Spared

by Derf Johnson

Seldom visited and population sparse southeastern Montana is one of the more incredible and unique places in the state. It is a land of rolling hills dotted with sandstone faces and spires, and islands of clustered forests separated by a sea of prairie. It has an incredibly rich history and cultural importance to the people who still call it home. It is a vast and harsh country that cannot be truly appreciated until one sets foot in it. A friend once told me: "people don't fully understand

because it is perceived as a scrubland devoid of life. This couldn't be further from the truth – and the people who care for this place the most have proven that EOB matters.

These people care for EOB in a way unlike that in which other Montanans care for their landscapes. So much so that, earlier this year, they were able to bring a massive coal mine and accompanying railroad proposal to a screeching halt. They did this after decades of dogged effort to assure that the proposal would never move forward. Arch Coal, a publicly traded company with

billions in assets and one of the largest producers of coal in the world, declared bankruptcy, in early 2016, and soon after announced that it would be suspending its pursuit of a permit to strip mine coal in the Otter Creek Valley. Shortly afterwards, and as a direct result, the U.S. Surface Transportation Board denied the Tongue River Railroad's application to build the railroad needed to haul the coal from the mine to Asian markets. These decisions were the death knell for Arch Coal's plans to develop the largest coal mine in the United States, and gave the people

of southeastern Montana the peace of mind of knowing that this section of their home would not be turned into an industrial landscape for profit.

The odds of successfully beating back Arch Coal's plans were staggering. Arch Coal had already paid the State of Montana \$87 million to lease the sections of State land involved, and the State stood to benefit additionally from royalty payments if the coal was mined.

continued on page 9



Otter Creek Valley. Photo by Alexis Bonogofsky.

Montana until they become acquainted with eastern Montana."

It is sometimes referred to simply as EOB (East of Billings), owing both to its geographic position as well as its sociopolitical disposition. Some (western) Montanans have characterized EOB as a sacrifice zone – as a place where resource extraction and the type of industry that radically transforms landscapes and destroys ecological integrity is appropriate,

Cover Photo: Otter Creek Valley. Photo (c) Kestrel Aerial Services, Inc.

Victory #2 - Cleaner Water at a Montana Coal Mine

by Anne Hedges

The Rosebud coal mine, owned by Western Energy, exists solely to supply all of the coal for the Colstrip power plant. In early March 2016, a Helena district court judge ruled in favor of MEIC and threw out the mine's water pollution discharge permit. The court found that the Montana Department of Environmental Quality (DEQ) utterly failed to comply with the law when it issued the permit. The judge cited the requirements of the Montana Clean Water Act and Montana's constitutional right to a clean and healthful environment, as well as the fact that "common sense has a role in the application of legal standards." DEQ's action in approving the permit failed to meet all three criteria.

Every five years DEQ is required to renew water pollution discharge permits for facilities that have the potential to harm area waters. The discharge permit for the Rosebud mine expired in 2004 yet DEQ did not issue the renewal permit until 2012. MEIC and Sierra Club, represented by Shiloh Hernandez with the Western Environmental Law Center, challenged the permit on numerous grounds, and the district court agreed.

First, in the permitting process DEQ changed the classification of the stream that runs through the mining area so that water quality protections could be weakened, yet DEQ never went through the required legal process for reclassification. Weakening a stream's classification allows more pollution discharges.

Second, the same stream is currently classified as impaired under the law, with coal mining listed as a likely cause. DEQ is required to develop a clean-up plan for impaired streams prior to allowing additional pollution discharges. DEQ has not even begun to create that cleanup plan, but in court argued that its reclassification of the stream negated the need to do so.

Finally, the court found that DEQ's monitoring scheme for the water pollution discharges at the mine was arbitrary. DEQ's only required 20% of the discharge locations to be monitored. The judge agreed with MEIC and wrote: "Failure to monitor will certainly reduce the chances of finding discharges and will certainly reduce the regulation of water quality in an active mining area."

In summary, the judge wrote: "It is clear that compliance issues arise regularly with regard to discharges by the Rosebud mine, which are handled or not handled by state and federal regulators. This is a permit case, rather than a compliance case, but there is a general issue regarding the cumulative effect of the mine on Montana's water quality in streams...into which the Rosebud mine discharges. The renewal process is consistent with the requirement that DEQ regularly revisit our water quality. Yet the years taken by DEQ to renew this permit negate these requirements, or at least the effectiveness of the required procedures."

The Rosebud mine is the second largest coal mine in Montana and the second largest in the nation outside of Wyoming. The mine scar

continued on page 14

*Rosebud Coal Mine.
Photo (c) Kestrel Aerial
Services, Inc.*



Smith River Mine Application Seriously Flawed

by Derf Johnson

Back in December 2015, Tintina/Sandfire submitted their mine operating permit application to the Montana Department of Environmental Quality (DEQ). The permit, if approved, would allow them to move forward with their proposal to develop a large-scale copper mine on the most important tributary of the Smith River in Montana. Following their submittal DEQ had a 90-day review period to assess the “completeness” of the application, and

“Most importantly, the application did not include any analysis or discussion of the potential for the companies to expand beyond the currently proposed mine boundary and into their purported ‘50-year mining district.’”

to determine whether Tintina/Sandfire had submitted the necessary information.

Predictably, Tintina/Sandfire’s application was riddled with holes – so much so that DEQ issued a

62-page deficiency letter outlining some of the problems associated with the application. Unfortunately, DEQ did not identify all of the missing or incomplete information that it

Smith River. Photo by William Rahr.



Show your support for keeping the Smith River pristine and preventing a reckless hardrock mine from being developed on its most important tributary. You can order a free bumpersticker by filling out the online form at www.saveoursmith.com, or e-mailing your name and address to meic@meic.org.

needed to completely assess the major impacts that this proposal would be likely have.

Most importantly, the application did not include any analysis or discussion of the potential for the companies to expand beyond the currently proposed mine boundary and into their purported “50-year mining district.” The cumulative impacts associated with that expansion could have a major impact on the land and water in the area, and could turn the west side of the Little Belt Mountains into an industrial landscape.

Tintina/Sandfire also submitted incredibly deficient background fisheries information that did not fully assess or quantify the current, dynamic fishery that occurs in Sheep Creek as well as the Smith River basin.

MEIC will be actively participating in the permitting process, and has made opposing this mine one of its top organizational priorities.

Victory #3 - Who Should Pay When Colstrip Breaks Down?

by Anne Hedges

That was the question before the Montana Public Service Commission (PSC) recently. When one of the larger units at the Colstrip coal-fired power plant was out of service for almost 7 months in 2013, the PSC had to decide whether shareholders or electricity customers would pick up the tab. The PSC's answer was, surprisingly, the correct one: shareholders.

The 780-megawatt Unit 4 is owned by five utilities. All five owners are regulated utilities, but only one – NorthWestern Energy – serves Montana customers. The others serve West Coast markets. During the long outage, NorthWestern's customers had to pay \$21 million in fixed costs, including an allowance for profits, for Unit 4, even though it wasn't operating. The issue before the PSC was whether NorthWestern could charge its customers another \$8 million for replacement power.

The PSC is an elected body, comprised currently of five very conservative Republicans. On one side of the issue was NorthWestern, a regulated utility with a 30% interest in Colstrip Unit 4. On the other side were MEIC and Sierra Club, represented by Earthjustice, as well as the Montana Consumer Counsel.

In making its decision, the PSC had to decide if NorthWestern's costs for replacement power were prudently incurred. NorthWestern thought the answer was simple – of course its customers should pay, both for the overhead costs of the electricity that wasn't produced, as well as for the electricity that had to be purchased because of the breakdown.

The two-day PSC hearing included expert testimony from David Schlissel with the Institute for Energy Economics and Financial Analysis. Schlissel argued that a prudent utility would have done three things. First, it would have conducted a quick and inexpensive test to determine if the equipment was properly installed. Second,

it would have at least investigated whether it should have had insurance to cover such outages, considering that the same Unit broke down for a similar length of time just a few years earlier. And third, it would have investigated whether the contractor who probably caused the outage shared in the liability. NorthWestern did none of those things; it just assumed its customers would cover all of the costs.

Fortunately, three of the five PSC commissioners sided with consumers. They concluded that

“NorthWestern failed to demonstrate that it acted prudently in managing, operating and monitoring the plant. In fact, persuasive evidence exists regarding steps NorthWestern could have taken to mitigate or prevent the outage.”

The PSC was also displeased with NorthWestern's attempt to hide the cause of the breakdown. That information was only uncovered when Earthjustice, at the urging of Schlissel, insisted in the pre-hearing discovery process that the company provide a “root cause” analysis. It took months, but NorthWestern

“Fortunately, three of the five PSC commissioners sided with consumers. They concluded that ‘NorthWestern failed to demonstrate that it acted prudently in managing, operating and monitoring the plant.’”

continued on page 15

Colstrip Power Plant.



The Future of the Colstrip Plant Is Becoming Clearer

by Anne Hedges

It is hard to keep up with all of the news regarding the Colstrip coal-fired power plant in eastern Montana. The massive plant has two units built in the 1970s and two larger units built in the 1980s. The plant has six owners, all headquartered outside Montana. Most are regulated utilities in Washington and Oregon,

almost 1,000 miles away. The two older units were predicted to have a 30-year life when they were built 40 years ago. While they once provided

affordable and reliable electricity, that is no longer the case. This history creates the context for what is happening with the plant today. Here's a rundown.

First, Units 1 & 2 are no longer economic to operate. Talen Energy, the operator and second largest owner of the plant, wants out. That's

open market, it sold the hydro-electric system to NorthWestern Energy, a company based in South Dakota. PPL couldn't find a buyer for its coal plants, so it created Talen Energy to take the Colstrip and Corette plants off its hands.

In May 2016, Talen's CEO told Montana governor Steve Bullock that keeping the plant operating will result in the loss of millions of dollars by the end of the year. Energy expert David Schlissel, with the Institute for Energy Economic and Financial Analysis, concluded the same thing in a report, and recently found the situation even more dire when he updated his previous analysis. Now Talen has informed the other Colstrip owners that it will no longer function as the operator of the plant at the end of two years – or sooner if another operator can be found.

Recently, much political posturing has accompanied efforts to keep Units 1 & 2 operating despite their unprofitability. NorthWestern Energy's CEO Bob Rowe recently made it clear that NorthWestern sees additional ownership in Colstrip as too risky. The plant is facing enormous clean-up costs, and the price of electricity in the region is low enough that any new owner would lose money. Both David Schlissel and Montana economist Tom Power have provided detailed analyses of the extremely poor economics for any potential new owner.

Second, the transmission system that moves electricity from Colstrip to West Coast markets is increasingly valuable. While NorthWestern Energy's attorneys told a federal court in 2015 that implementation of the federal Clean Power Plan would result in the closure of all four Colstrip units and the dismantling of the transmission system by 2022, Rowe recently acknowledged that is not the case. At the Northwest Energy Coalition's conference in May 2016, Rowe admitted during questioning that the highly biased Bureau of Business and Economic Research report paid for and directed by NorthWestern only analyzed one possible compliance scenario and was not

continued on page 10

“First, Units 1 & 2 are no longer economic to operate. Talen Energy, the operator and second largest owner of the plant, wants out. That's not speculation, it's a fact.”

Montana PBS on Colstrip



Montana Public Television recently produced an excellent documentary on many of the problems facing the town of Colstrip. The show interviewed people from across the state, including MEIC's Anne Hedges, on what's happening to the town and why. To watch the show, go to <http://watch.montanapbs.org/video/2365761846/>

not speculation, it's a fact. Deregulation of Montana's electric utility industry allowed the former Montana Power Co. to sell its interest in the hydro-electric dams and coal plants to an unregulated owner, known as PPL. Initially, PPL made a fortune in Montana, but when it stopped making money by selling the electricity on the

Corette Plant's Closure Means Better Air for Billings

by Anne Hedges

Billings residents are breathing healthier air today than when the Corette coal-fired power plant spewed high volumes of harmful sulfur dioxide (SO₂) into the air. The U.S. Environmental Protection Agency's (EPA) recent announcement that the Billings area meets air quality standards for SO₂ is the end of a long and contentious debate. Fortunately, the result is cleaner air for the people in Billings.

In 2010 EPA adopted a standard for the amount of SO₂ that could be in the air. The new standard was no longer based on a long-term average of pollution in the air. Instead it reflected recent scientific data that found even short spikes in SO₂ concentrations to be extremely harmful to health. States were required to notify EPA if any areas violated this new short-term standard.

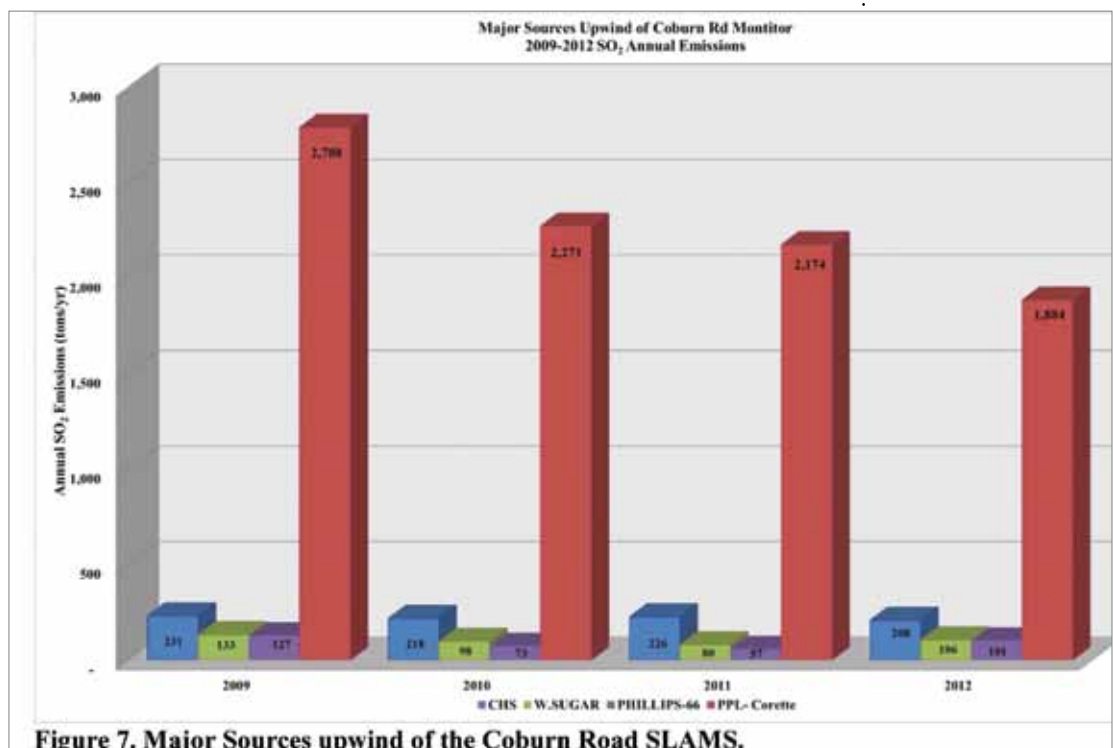
In Montana the debate started in 2011 when the Montana Department of Environmental Quality (DEQ) and major industrial polluters in Billings asserted that the Billings area was close enough to compliance that EPA should not designate it as failing to meet the new standard. Once an area is designated "nonattainment," polluters have to implement serious measures to decrease the pollution. Those efforts take time and can be expensive. Everyone knew the Corette plant was primarily responsible for the annual episodes of excessive SO₂ pollution in Billings (see chart). The big question was: should anything be done about it?

MEIC and Sierra Club, represented by Earthjustice, argued that DEQ's position was wrong. They said that the Billings area should be listed as nonattainment, and that the 1968-vintage Corette plant should be required to install modern air pollution control equipment. They submitted modeling to DEQ and EPA that showed the emissions from Corette were causing the violations of the SO₂ standard. The data was clear and in 2013 EPA did list that portion of the Billings area as nonattainment for SO₂.

The Corette coal-fired power plant was a dirty plant despite being relatively small. It was the second largest source of air pollution in Montana behind only Colstrip. In 2013 it emitted about 2,250 tons of SO₂. It also put about 1 million tons of greenhouse gases into the air each year.

"The Corette coal-fired power plant was a dirty plant despite being relatively small. It was the second largest source of air pollution in Montana behind only Colstrip."

continued on page 14



NorthWestern Energy's Plan Places a Risky Bet on Natural Gas

by Kyla Maki

Every two years NorthWestern Energy (NWE), Montana's largest electric utility, submits an "Electricity Supply Resource Procurement Plan" (Resource Plan) to the Montana Public Service Commission (PSC). The purpose of the Plan and the planning process that creates it is to provide a long-term vision of the resources that can meet the utility's electricity

"Relying on natural gas is a risky strategy and could unnecessarily increase costs for NWE's customers. Historically, natural gas prices have been extremely volatile, and are expected to continue to be volatile."

generation needs at the lowest cost and least risk to its customers. Despite this purpose, NWE's just submitted 2015 Plan takes a shortsighted approach to resource planning. It proposes new natural gas plants as the best option to meet the utility's identified needs over the next 20 years. The Plan also unwisely ignores opportunities for "demand response" measures and undervalues the potential of renewable energy. If NWE follows this Plan, its customers could be on the hook to pay for unnecessary and costly gas plants.

NWE anticipates that its greatest need will be for what are called "peak capacity resources." These are resources that can provide electricity during times when energy use is at its highest. These resources need to be flexible and able to be turned on quickly to serve peak needs during limited times throughout the year.

The 2015 Plan concludes that the most "economically optimal portfolio" (EOP) to meet peak capacity needs relies on gas plants of various sizes and types. In total, the EOP anticipates bringing in nearly 700 megawatts of gas-fired generating capacity into the company's electricity mix over the next 20 years.

Relying on natural gas is a risky strategy and could unnecessarily increase costs for NWE's customers. Historically, natural gas prices have been extremely volatile, and are expected to continue to be volatile in the future, due to increased demand and growing uncertainty about the long-term availability of natural gas supplies. Natural gas also has associated environmental impacts, such as methane and carbon dioxide emissions and negative effects on water quality and quantity. These risks should have been factored into NWE's economic analysis. Spending money on new gas plants to meet peak needs could also cause the utility to overbuild generation for peak times that only occur during a handful of hours each year. All the costs that would be incurred if NWE implements this Plan would be paid by NWE's customers.

NWE's Plan also all but ignores less expensive alternatives to new natural gas plants for meeting peak capacity needs. "Demand response" is one such alternative. Demand response involves creating a voluntary and temporary change in consumers' electricity use during peak times when the power system is stressed. In other words, demand response programs and measures can actually reduce peak needs, thereby avoiding the need to build new generating resources. Examples of demand response programs include customer incentives to turn off electric hot water heaters in the middle of the day when they are not being

continued on page 15

Solar Montana installing panels on a Helena, Montana home.



Otter Creek *(continued from page 2)*

The federal government also would have received royalty payments. Sadly, the vast majority of Montana's elected officials either supported the coal mine and railroad project, or covered at the idea of speaking out against it and the powerful coal industry. The permitting and administrative process at the Montana Department of Environmental Quality was largely slanted in favor of developing the mine, as the agency has become increasingly hesitant about reviewing permit applications through the lens of the law and the public interest.

To further complicate matters, the Tongue River Railroad had been proposed for decades, and powerful interests, including the Burlington Northern Santa Fe railroad, and candy billionaire Forrest Mars, stood to benefit enormously if it were permitted.

But the people who cared for EOB stood their ground. They organized, they attended every meeting, and they fought tooth and nail for their home. The proposal was contested every step of the way by native Americans, ranchers, activists, lawyers, and concerned citizens, all of whom saw this project for what it was: a temporary money-making scheme that would take private property, destroy cultural sites, pollute water, and contribute to global warming – all for the sake of allowing an international corporation to profit by shipping coal to Asia.



Otter Creek Valley. Photo by Alexis Bonogofsky, www.EastOfBillings.com

For the time being there will be no railroad running through the Tongue River Valley and there will be no coal strip mine at Otter Creek. This is something to celebrate. But we should also remain vigilant. 1.5 billion tons of mineable coal still sits under the Otter Creek Valley, and surely someone else, some day, will decide to try and mine and burn it, with little regard for the people and the place. 🌱

Contact Washington State Officials - Help Stop Montana Coal Exports!

Arch Coal and Lighthouse Resources submitted an application to the State of Washington for a permit to build a massive coal export facility, and we need your help to convince Washington to say NO! The Washington State Department of Ecology (WSDE) is currently preparing an Environmental Impact Statement, and has released a draft for public comment. We need you to contact WSDE, and ask that it select the NO ACTION alternative!

You can contact the WSDE by:

- Online: meic.org/category/get-involved/take-action/
- Online form for direct comments: www.millenniumbulkeiswa.gov/
- By Mail: Millennium Bulk Terminals EIS, c/o ICF International, 710 Second Avenue, Suite 550, Seattle, WA 98104

Photo by Alexis Bonogofsky.



Colstrip Plant *(continued from page 6)*

meant to be predictive of what will actually happen under the Clean Power Plan. Despite Rowe's comments, NorthWestern has failed to

“Third, the sheer size of the Colstrip plant and the associated Rosebud coal mine have resulted in severe pollution problems. Recent data show that Colstrip is the 3rd largest source of greenhouse gas pollution in the country.”

correct the record in its court case against the Clean Power Plan and to clarify that the report does not reflect the likely impact of the Clean Power Plan.

NorthWestern also needs to correct all of the politicians who spew the report's unsupportable conclusions as if they describe the inevitable outcome of reducing carbon pollution from the Colstrip plant.


Third, the sheer size of the Colstrip plant and the associated Rosebud coal mine have resulted in severe pollution problems. Recent data show that Colstrip is the 3rd largest source of greenhouse gas pollution in the country. The plant emits tens of thousands of tons of other air pollutants each year that are also harmful to public health and the environment.

Water quality in the Colstrip and Rosebud mine area has also been harmed by the operations of the plant and mine. One DEQ analysis said, of the area's stream: "Mining activity (open pit coal) surrounds the stream for much of the reach.... Where the mine has not obliterated the channel the stream habitat is not impaired." Compounding the water impacts from the mine are the 800 acres of waste ash ponds that leak millions of gallons of harmful pollution into the area waters each year. The Washington Utility Commission recently determined that the cost of cleaning up the ash

ponds associated just with Units 1 & 2 could be as high as \$200 million. These facts and others have caused the states of Oregon and Washington to recently pass laws that move their utilities away from relying on Colstrip electricity.

Finally, all these pollution problems have caused MEIC and Sierra Club, with the help of Earthjustice and Western Environmental Law Center, to file a number of lawsuits seeking to clean up the air and water in the area.

- One lawsuit involves the plant owners' failure to comply with the federal Clean Air Act and install modern pollution control equipment as the units have been upgraded over time.
- The second lawsuit involves DEQ's failure to require clean up of the leaking ash ponds in a timely manner. Settlement negotiations are underway in both these cases.
- A third lawsuit involves DEQ's failure to adequately regulate the Rosebud strip mine's impacts on area waters. In March 2016 State district court judge Kathy Seeley issued a favorable decision for MEIC, voiding the mine's water pollution discharge permit (see article on page 3).
- The fourth legal challenge is before the Montana Board of Environmental Review and involves an expansion at the mine and DEQ's inadequate analysis of the impact on area waters.

So what conclusions can be drawn about the future of the Colstrip plant? #1 - The two older units are dirty and increasingly unprofitable. #2 - There is a valuable resource in the existing transmission system that moves electricity to West Coast markets, but those markets want cleaner electricity. #3 - There are far cheaper and cleaner ways to generate electricity than burning coal. Proposals for geothermal and wind energy at or near the Colstrip plant are being considered. #4 - Montana needs political leaders who differentiate between the town of Colstrip and the Colstrip plant, and focus on helping the community diversify its economic base. 

Colstrip coal-fired power plant. Photo by Colin Ruggiero.



Montanore Mine Bought by Idaho Firm

by Jim Jensen

A new chapter has opened in the tortuous ownership history of the Montanore silver/copper mine proposed for the eastern border of the Cabinet Mountains Wilderness near Libby, MT. Idaho-based Hecla Mining Co. has bought Montanore's parent company, Mines Management, Inc., in a \$30 million all stock (i.e., no cash changed hands) deal announced May 24, 2016. Interestingly, Hecla's stock price dropped after the deal was announced

Mines Management, Inc., had notified the U.S. Securities and Exchange Commission earlier in the year that it did not have sufficient cash to continue as a going concern after June 1, 2016. Thus, it was not a surprise that MMI had to sell itself at a fire sale price. However, the sale has spawned at least two investigations by Wall Street law firms on behalf of MMI shareholders, who have alleged possible breaches of fiduciary duty and other violations of law.

Hecla, the oldest precious metals company listed on the New York Stock Exchange, is headquartered in Coeur d'Alene, ID. Last year Hecla purchased the Rock Creek Mine project on the western border of the Cabinet Mountains Wilderness near Noxon, MT, when it acquired Revett Minerals of Spokane.

Mining industry officials have long expected that the massive silver and copper deposits under the Cabinet Mountains Wilderness would ultimately have to be mined by a single entity. Perhaps this new ownership situation will result in a new and revised proposal for the entire underlying ore bodies.

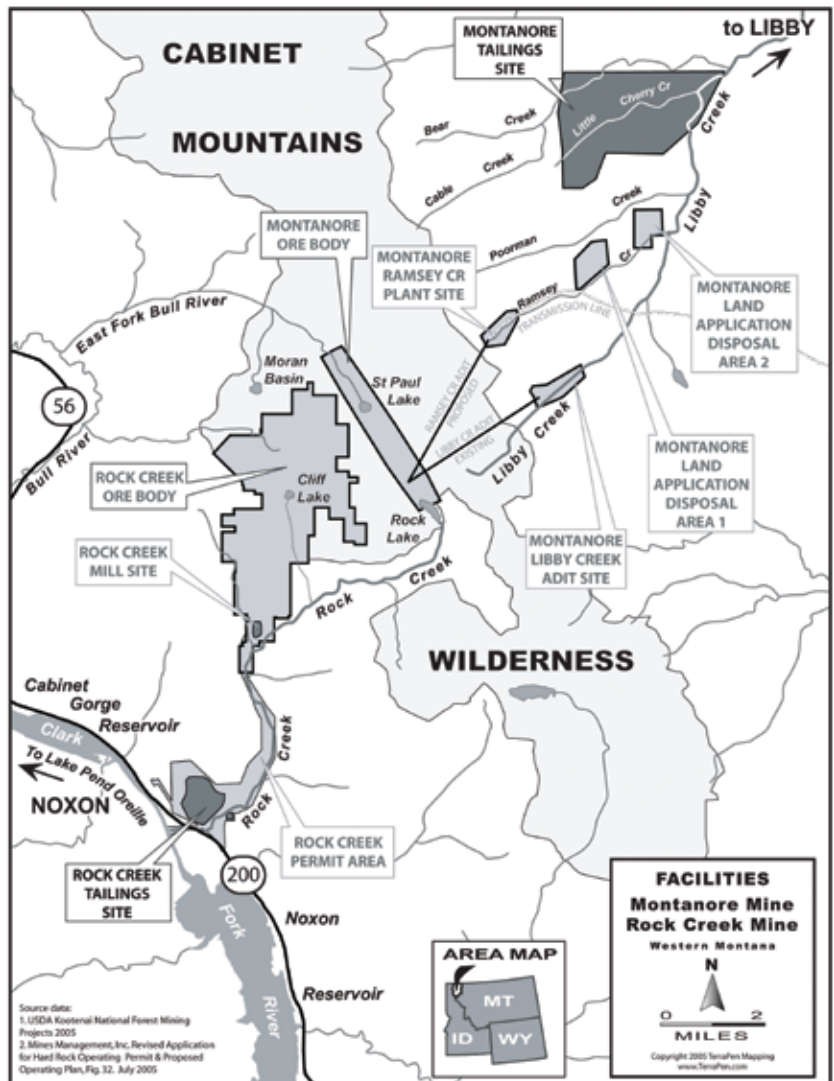
Regardless, Montanore is in the process of acquiring a water pollution permit from Montana's Department of Environmental Quality (DEQ) right now. Several organizations including MEIC have put the State on notice that its proposed permit is illegal, but DEQ seems to care little about preventing pollution from this mine.

Several environmental organizations (not including MEIC) have filed a federal lawsuit challenging the U.S. Forest Service's decision to approve the Montanore mine, because the project will be likely to drain lakes and streams in the wilderness area above.

The mine also places grizzly bears and bull trout squarely in the crosshairs of destruction. A separate lawsuit has been filed against the U.S. Fish and Wildlife Service for its decision under the Endangered Species Act that the mine would not affect the great bears.

There are sure to be more chapters in this 40-year-old story. ☺

Map courtesy of Save Our Cabinets.



MEIC Staff Changes

by Jim Jensen

Kyla Maki, MEIC's long-time Clean Energy Program director, has left MEIC for a position in the Montana Department of Environmental Quality's renewable energy program. There she will be involved in the State's design and implementation of renewable energy projects, and in the adoption of rules to implement President Obama's Clean Energy Plan. It cannot be overstated how much Kyla contributed to MEIC's successes while she was here. Her wickedly funny wit, her powerful intellect, and her grit and determination will be forever treasured as part of MEIC's history. And all of us on the staff will miss her very much.

Her replacement has been hired and will start work in July. He is Brian Fadie, a recent graduate of the University of Michigan's Masters in Natural Resources and Environment program. Brian previously was the technology director, state legislative lobbyist, and then executive director of ProgressNOW Nevada, a progressive policy organization. He has been deeply involved in landscape-level renewable energy planning, including the U.S. BLM's Desert Renewable Energy Conservation Plan. He is also a graduate of the New Organizing Institute's New Media Bootcamp. We welcome him aboard.

Coming this Summer - MEIC Specialty License Plate!

Help protect Montana's clean air and water by choosing an MEIC license plate! With an initial fee of \$40 and an annual renewal rate of \$20, it's an easy way to support MEIC's important work. The cost of the plate is simply added on to your current registration fee. The extra \$20 is tax deductible, and will go directly to protecting YOUR RIGHT to a clean and healthful environment. Proudly show your love for Montana's pristine landscapes and ensure their protection by placing MEIC license plates on your family's vehicles.

MEIC's specialty license plate is on track to be released in August 2016. Don't wait for your current plates to expire. Simply bring your old plates to your local County Treasurer's office and purchase your MEIC plates this Summer, and be one of the first to show off our design!



A Variety of Ways You Can Help MEIC

1. Join MEIC's monthly giving program

The Pledge Program is a simple but very effective way you can support MEIC. You design the program to best fit your budget and lifestyle. You can pledge any annual amount you choose and make payments in 12 or fewer installments. You could pledge \$240 for the year, and pay just \$20 a month—**that's only 66 cents a day!**

And it gets even easier. You can sign up to pay monthly with your credit card, or by automatic withdrawal from your bank account, and MEIC will take care of the rest. Pledge members help provide the staying power that keeps MEIC at the forefront of environmental advocacy in Montana.

2. Leave a bequest to MEIC

You can provide the financial security and long-term stability MEIC needs to weather unpredictable and cyclical funding by contributing to MEIC's Permanent Fund, our endowment. All gifts to the Permanent Fund are invested. Only the income earned on these investments is spent, and all of it goes to MEIC. Here are two ways you can contribute to MEIC's endowment:

1) The Permanent Fund accepts cash or property including stock, real estate, and life insurance. These contributions can be made directly to MEIC and are deductible as charitable contributions.

2) MEIC also has an endowment account at the Montana Community Foundation, which greatly expands the ways you can help MEIC while taking advantage of a Montana State income tax credit. Call the Montana Community Foundation at 406-443-8313 for more information.

3. Encourage others to join MEIC or give a gift membership

Members are the heart and soul of MEIC, and who better to spread the word than you give an MEIC gift membership or tell your friends and family why you joined MEIC and about the difference they can make for Montana's environment by joining with you. Every member means a lot. **Take advantage of our 2-for-1 gift membership program when you renew your MEIC membership -- when you renew, you can give an MEIC membership to a friend for FREE!**

I want to help protect Montana's environment by:

- Becoming an MEIC member.
- Renewing my MEIC membership.
- Joining the monthly pledge program.
- Donating to MEIC's permanent fund.
- Giving a gift membership.
- Making a special contribution.

Here are my dues or gift membership:

- \$250 (Sustainer) \$45 (Contributor)
- \$120 (Donor) \$30 (Basic)
- \$60 (Supporter) Other \$ _____

Name _____

Address _____

City _____ State _____ Zip _____

E-mail _____

Mail this form to:

MEIC
P.O. Box 1184
Helena, MT 59624

Thank you!

Join or Renew Today.

(406) 443-2520 • www.meic.org

Or use the postage-paid envelope enclosed.

Donate NOW by
Smartphone:



Thoughts from the Executive Director



by Jim Jensen

Here is the economic reality of energy in Montana. Coal is (at long last) the walking dead. Residential and

community solar are expanding rapidly. Wind is winning, even against natural gas. And energy efficiency and conservation are becoming embedded as societal norms.

Here is the political fantasy of energy in Montana. Governor Steve Bullock says coal is here for good. Both U.S. senators and our lone U.S. representative favor “all of the above” energy policies. Gubernatorial candidate Greg Gianforte

denies climate change, and wants more coal mined and burned for the common good. All of them claim to believe in the ultimate pipe dream of “clean coal” somewhere off in the future.

This is to say none have the guts to accept reality.

Shame on them all. Humanity actually needs political leaders who look through the windshield instead of the rear view mirror.

The political war against coal is real and necessary – the same way the wars on the plague and other scourges were real. And for the same ultimate reason: protecting our ability to survive as a free species on this earth.

The proper slogan of this effort should be “Kill Coal Before It Kills Us.” It is both a moral and biological imperative. ☺

Rosebud Mine *(continued from page 3)*

is easily visible when looking at Montana on Google Earth. The 25,000-acre (that’s over 40 square miles) mine has “obliterated” the stream that runs through it according to DEQ, yet DEQ continues to allow increased discharges from the mine. For too long coal mines have avoided strict compliance with the Clean Water

Act. MEIC hopes that this case, along with its recent victory in a case involving the Signal Peak coal mine, will be a wake-up call for DEQ and the coal mining industry that the era of lax compliance with clean water protections is finally coming to an end. ☺

Corette Plant *(continued from page 7)*

PPL’s decision to close and tear down the Corette plant in 2015 meant Billings could comply with the new SO₂ standard. And in May 2016, EPA removed the nonattainment designation because the Billings area was meeting the standard “as a result of the permanent and enforceable shutdown of the PPL Corette facility, whose emissions in 2009-2011 had been responsible for the area not previously meeting the [standard].”

Of course many Montana politicians from both political parties have been on the wrong

side of this issue from the beginning. Some Montana politicians have even said they persuaded EPA it had been wrong to list Billings as a nonattainment area in the first place. But anyone who claims that is wrong. EPA stayed focused on public health and did the right thing throughout the entire process despite political pressure. It protected Montanans’ lungs from the dangers of a dirty old coal plant. Thankfully, this story has a happy ending. ☺

NorthWestern Energy Plan *(continued from page 8)*

used. According to the Northwest Power and Conservation Council's latest Regional Power Plan, developing cost-effective and diverse demand response resources is the "least cost option" for providing new regional peaking capacity.

NWE's Plan states that the utility has "no current plans to implement demand response" measures. This conclusion is not based on a thorough, quantitative analysis of cost-effective demand response resources. This missing analysis could help reduce NWE's peak capacity needs and save its customers money.

NWE's Plan also undervalues additional low-cost renewable energy resources such as wind and solar generation. The utility does not plan to build or purchase any new renewable energy generation beyond the very minimal amount required by Montana's Renewable Energy Standard. Montana has a tremendous wind resource that is often strongest during Winter peak times. Utility-scale solar

installations could contribute to Summer peak needs. NWE should take advantage of these clean and affordable wind and solar resources with zero fuel costs, and add diversity to its energy mix and benefit its customers. Instead, NWE inexplicably rejects renewable energy generation as a viable addition to its portfolio.

A Plan that focuses on volatile natural gas rather than more sustainable and cheaper alternatives does not take a long-term view of resource planning. For the benefit of its customers, NWE should more accurately and thoroughly analyze renewable energy and demand response options in its future plans.

The PSC is now accepting comments on NWE's 2015 Resource Plan. There will be a public hearing on June 9, 2016 in Helena at the PSC office, and written comments can be submitted until August 19, 2016. NWE's Plan can be found by going to www.psc.mt.gov and searching under Docket # N2015.11.91. ☺

Colstrip Break Down Costs *(continued from page 5)*

eventually produced its internal report, which showed that the contractor most likely caused the outage. Despite this, NorthWestern never attempted to make the contractor pay for the cost of the outage. Apparently it thought it would be easier to charge its customers another \$8 million.

When NorthWestern bought a 30% share of Colstrip Unit 4 in 2009, it promised the plant would be cheap and reliable. Time has proven it to be anything but. Two long outages since that purchase prove the Unit doesn't perform as advertised.

Montanans already pay some of the highest electricity rates in the region. Should they really pay more for expensive and unreliable electricity

generated by the third largest greenhouse gas producer in the country? Of course not. Montana has one of the best wind resources in the nation, and its excellent solar potential has barely been tapped. The power plant at Colstrip has 800 acres of leaking ash ponds, outdated air pollution control equipment, and emits tens of thousands of tons of harmful air pollutants each year. Should Montanans really have to pay a premium for electricity that causes so many problems?

Kudos to those three commissioners who are looking out for the Montanans who buy electricity from a regulated monopoly. It's nice to see some regulators taking their jobs seriously. ☺

MEIC - a nonprofit
environmental advocate

Mailing Address:

P.O. Box 1184
Helena, MT 59624

Physical Address:

107 W. Lawrence Street, #N-6
Helena, MT 59601

Telephone: (406) 443-2520

Web site: www.meic.org

E-mail: meic@meic.org

Board of Directors

President: Bob Gentry, Missoula

Vice-President: Kim Wilson,
Helena

Secretary: Dustin Leftridge,
Kalispell

Treasurer: John Rundquist, Helena

Alexis Bonogofsky, Billings

Erin Farris-Olsen, Helena

Greg Findley, Bozeman

Steve Gilbert, Helena

Hannah Gimpel, Hamilton

Stephanie Kowals, Seattle

Greg Lind, Missoula

Bob Ream, Helena

Jennifer Swearingen, Bozeman

Staff

Mel Griffin, Donor Relations
Manager, mgriffin@meic.org

Anne Hedges, Deputy Director/
Lobbyist, ahedges@meic.org

James Jensen, Executive Director/
Lobbyist, jjensen@meic.org

Derf Johnson, Staff Attorney/Lobbyist
djohnson@meic.org

Sara Marino, Development
Director, smarino@meic.org

Adam McLane, Business Manager,
mclane@meic.org

Gail Speck, Office Assistant,
gspeck@meic.org

MEIC's purpose is to protect Montana's clean and healthful environment. The words "clean and healthful" are taken from the Montana Constitution, Article II, section 3 - Inalienable Rights, which begins: "All persons are born free and have certain inalienable rights. They include the right to a clean and healthful environment . . ."

Down to Earth is
published quarterly.
This issue is
Volume 42, Number 2.



MONTANA ENVIRONMENTAL
INFORMATION CENTER
P.O. Box 1184
Helena, MT 59624

Nonprofit
Organization
U.S. Postage
PAID
Permit No. 93
Livingston, MT

CHANGE SERVICE REQUESTED

Save the Date for MEIC's Rendezvous!

Mark your calendars for Saturday, September 10th for MEIC's 2016 Rendezvous.

Join us at Lindley Park in downtown Bozeman for a pig roast, silent auction, updates from MEIC's staff, and to celebrate our successes in the past year as we get ready for the 2017 legislative session.

Watch for more details, but save September 10th for food, fun, and friends!



Photo by Diane Ensign.