Montana’s Department of Environmental Quality (DEQ) is the agency responsible for protecting our air and water – fulfilling every Montanan’s right to a clean and healthy environment. This responsibility includes monitoring and permitting the coal-burning power plant at Colstrip in Southeast Montana. Colstrip continues to pollute Montana’s air and water, in some cases egregiously, yet the DEQ is taking a hands-off approach and is years behind in renewing permits that set emissions limits for the plant.

**MORE THAN JUST A PERMIT**

Colstrip’s operating permits are more than an administrative piece of paper. The permit is an extension of trust between the people of Montana and those who are tasked with protecting them from pollution. The fact that Colstrip is operating without a proper permit is a breach of that trust.

**ASLEEP AT THE WHEEL**

Montanans treasure their Constitutional right to breathe clean air and drink clean water. However, the agency entrusted to defend this right - the Department of Environmental Quality - is asleep at the wheel when it comes to Montana’s biggest polluter, Colstrip. DEQ is years behind schedule when it comes to providing even the most basic operating permits for Colstrip. As Colstrip’s out-of-state owners net hundreds of millions of dollars in profits, they violate the law and put local residents at risk by polluting Montana’s water and air. We need to put the spurs to the DEQ. It’s time for the DEQ to start doing its job: putting the health of Montanans first by protecting the state’s air and water.

**AIR**

A Title V permit is an operating permit authorized by the Clean Air Act that most large polluters are required to obtain. This permit is intended to streamline regulation of air pollution by consolidating all pollution control requirements into a single, comprehensive source.

The Montana Department of Environmental Quality administers Montana’s Title V program, with oversight from the Environmental Protection Agency.

Big polluters are required to renew their permits every five years, yet Colstrip, the nation’s eighth dirtiest coal plant, has been operating with an expired Title V permit since 2010.
The National Pollutant Discharge Elimination System (NPDES) permit program, administered by the Montana DEQ, controls water pollution by regulating point sources that emit pollutants into waters of the United States.

The Rosebud Mine, located directly adjacent to the Colstrip Power Plant, is required to receive an MPDES permit. Still in operation, the mine’s current permit expired in 2004. The Rosebud owners, Western Energy Company, reapplied to the DEQ for a permit, and the process sat idle for nearly a decade. Finally, in May of 2012, the Montana DEQ issued an incredibly weak draft MPDES permit that is currently receiving public comment.

Colstrip generates an enormous quantity of coal ash waste, a toxic byproduct of burning coal. The ash is stored in ponds. Coal ash ponds were discovered to have been leaking deadly poisons like mercury and arsenic into groundwater for decades. In 2010 the DEQ issued a draft enforcement action against the Colstrip facility for its coal ash contamination. This action is designed to guide the clean up of the coal ash ponds by requiring the removal of toxic pollution that have seeped into the soil and groundwater. Although an extended public comment period closed in January of 2012, the DEQ has failed to take any further action.

The Department of Environmental Quality should perform the duties the public has entrusted it with— protecting Montanans from pollution. We need to demand the agency do its job, by putting Montana first and being a proper watchdog for Colstrip’s owners. Colstrip’s out-of-state corporate owners make millions by cutting corners on safety. For too long, the DEQ has given Colstrip violators a free pass while putting the health and safety of Montana families at risk. These corporations make hundreds of millions of dollars in profits each year, and can easily afford to be good neighbors by implementing the safeguards put in place to protect our air, water, and our way of life. Time and again, these polluters choose profits over people, and it is up to us to ensure the DEQ holds them accountable—history shows, that if we don’t, nobody will.

PLEASE WRITE THE MONTANA DEPARTMENT OF ENVIRONMENTAL QUALITY TODAY:

Richard Opper, Director
Montana Department of Environmental Quality
1520 E. Sixth Avenue
P.O. Box 200901
Helena, MT 59620-0901

E-MAIL Ropper@mt.gov
PHONE 406-444-2544  FAX 406-444-4386