

GRAND CANYON TRUST
SIERRA CLUB

**SAN JUAN POWER PLANT TO CUT
AIR POLLUTION**

FOR IMMEDIATE RELEASE:

March 10, 2005

Contacts:

Jim Hannan
Rio Grande Chapter
Sierra Club
(505) 988-5760

Rick Moore
Associate Director
Grand Canyon Trust
(928) 774-7488

Reed Zars
Attorney
(307) 760-6268

FARMINGTON, NM— Thousands of tons of air pollution, linked to serious health problems and haze across the Colorado Plateau, will no longer be dumped into Four Corners' skies under an agreement reached between the Grand Canyon Trust, Sierra Club, and Public Service Company of New Mexico (PNM). The agreement resolves a lawsuit brought against the San Juan power plant three years ago under the enforcement authority granted to citizens by the Clean Air Act.

Operated by PNM, San Juan is a 1,600-megawatt, coal-fired, power plant located near Farmington, New Mexico. In 2003 the plant spewed more than 14,500 tons of sulfur dioxide, 25,000 tons of nitrogen oxide, and 750 pounds of highly toxic mercury into the region's air.

Local residents were happy about the news. "The San Juan power plant has been dumping pollution into our air for years, which has put the health and well-being of me and my neighbors at risk. We all have a responsibility to maintain our quality-of-life for future generations and this agreement means we'll soon be breathing cleaner air and viewing clearer skies," said Verl Hopper, a member of both the Sierra Club and the Grand Canyon Trust, and an Aztec, New Mexico resident.

After the citizens prevailed at trial, the New Mexico Environment Department joined in discussions to clean up the power plant. "Today, New Mexico has shown once again that we are a national leader in clean energy," said Governor Bill Richardson. "This historic agreement will take more than 16,000 tons

of pollution out of our air, which is the equivalent of removing half a million cars from New Mexico's roads."

The Grand Canyon Trust and Sierra Club filed a lawsuit in May 2002 alleging that PNM was violating its air quality permit at San Juan. One of the key allegations was that the plant was regularly violating its opacity limit (the density of the plume of tiny, toxic particles coming out of the plant's smokestacks). In February 2004, after a trial before Federal Judge Bruce Black in late 2003, the Court rejected PNM's excuses for violating its pollution limits. To avoid a second trial to count the number of violations, PNM agreed in May 2004 that it had violated the opacity limit at San Juan 42,008 times. In August of 2004 the Sierra Club, Grand Canyon Trust, PNM, and NMED began negotiating a settlement of the case. Today's consent decree is the product of those discussions.

"The environment of the Four Corners region, and the health of current residents and future generations are the big winners in the agreement with PNM to clean up San Juan," said Rick Moore, Associate Director of the Grand Canyon Trust. "The Trust appreciates both the wisdom provided by Congress when it gave citizens the right to enforce the Clean Air Act, and PNM's decision to not continue litigation which may have taken years to resolve."

The agreement, memorialized as a federally enforceable consent decree lodged with the court, requires additional pollution control equipment to reduce sulfur dioxide by several thousand tons; the installation of state-of-the-art "low NOx burners" to reduce nitrogen oxide emissions by more than 10,000 tons; the installation of "baghouses" (giant vacuum bags); and the installation of activated carbon pollution control equipment to reduce mercury by as much as 80 percent.

"We are excited about this agreement, including PNM's commitment to install the mercury pollution control equipment -- a first in the western United States," said Susan Martin, Chairperson of the Rio Grande Chapter of the Sierra Club. "The San Juan basin has the highest levels of measured mercury in the West; so installing equipment to reduce mercury at the San Juan plant is a common sense solution that will have a positive impact on the entire West."

FOR ADDITIONAL BACKGROUND INFORMATION ON
THE SAN JUAN POWER PLANT VISIT:

www.grandcanyontrust.org

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