

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

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|---------------------------|---|--------------------------------|
| _____ |) | |
| NATURAL RESOURCES DEFENSE |) | |
| COUNCIL, INC., |) | |
| |) | |
| Plaintiff, |) | Civil Action No. 08-1363 (RJL) |
| |) | |
| -v.- |) | |
| |) | |
| UNITED STATES DEPARTMENT |) | |
| OF STATE, et al., |) | |
| |) | |
| Defendants. |) | |
| _____ |) | |

DECLARATION OF ZORA MILLARD

I, Zora Millard, declare as follows:

1. I am over the age of eighteen years and suffer from no legal incapacity.

This declaration is based on my own personal knowledge, information, and belief.

2. I first became a member of the Natural Resources Defense Council (“NRDC”) in November 1996, and I have maintained continuous membership since September 2006. I joined NRDC and other environmental organizations because I am concerned about the extent to which government allows industries to pollute air and water and the effect of their pollution on wildlife and on human health. I depend on NRDC and other environmental organizations for much of the information I get about environmental issues.

3. I live in Borger, Hutchinson County, Texas, just over five miles from the ConocoPhillips refinery located in that town. I have lived in Borger for the past 37

years. My daughter, son-in-law, and their young daughter live in Borger as well, on the other side of town, very close to the refinery.

4. The ConocoPhillips refinery in my town already releases terrible smells, which I worry cannot be good for the air, or the people and animals that breathe it. I am very concerned about adding anything additional to the air beyond what is already there. I am concerned that existing air pollution already harms people's health, and I want to avoid adding to it. The air quality in Borger used to be much worse when several carbon black plants were operating. It is better now, but I never want to go back to those dirty conditions.

5. I have learned that the ConocoPhillips oil refinery in my town has contracted to process Canadian tar sands crude oil from the proposed Keystone oil pipeline. I have heard about the extraction of oil from Canadian tar sands and am concerned that refining it will add even more pollutants to the air than refining conventional crude oil already does.

6. I am concerned that more air pollution from the refinery could hurt my health and that of my family, especially my one-year-old granddaughter who lives very close to the refinery, and her mother who has lots of allergies. I know that the Borger refinery has already expanded and that the local residents have had no say in that expansion. Any expansion should use the best pollution preventions available. I would like information on how much new pollution the expansion to the refinery will add to the local air and water. I feel that the federal government should research what effects this expansion and refining of tar sands oil will have on the health of people working at the

plant and those living near it. I do not have good information on this pollution, but I would like to.

7. I am also very concerned that expanding the refinery and refining tar sands oil will increase emissions of greenhouse gases and contribute to climate change. I garden extensively and have noticed that in the past 10 years, I have had many more sinus problems. I do not know the exact reason for this, but I worry that greenhouse gas emissions and climate change might affect the kinds of plants growing in Borger now and when they bloom. It also seems more humid now than when I moved here, which may contribute to more mold spores. I would like more information on these emissions from the refinery.

8. I am particularly concerned that climate change has affected the weather and that increased emissions from the Borger refinery can only make this worse. I grew up in the mountains in Colorado, and it is now far hotter there in the summer than when I was young. My son lives in Oklahoma City, and when it rains there, it now tends to come in extremely heavy storms. In Borger, we do not have a clear spring and fall season like we used to, and we get tornadoes in almost every season, which never used to be the case. In addition, we used to own a boat and use it on Lake Meredith, which is about 15 miles from my house and which was full in the 1980s. Now the lake is about half full and the docks are all stranded above the water. At the very least, I would like to know whether the expansion at the Borger refinery has already contributed to climate change. I also want to know whether future expansions and processing of tar sands in Borger and at other refineries that will get oil from the Keystone pipeline will contribute even more to the problem of climate change.

I declare under penalty of perjury that the foregoing is true and correct.

Dated: 10/16/08

/s/ Zora Millard
Zora Millard

CERTIFICATE OF SERVICE

I, Selena K. Kyle, hereby certify that on October 17, 2008, I served the foregoing document:

DECLARATION OF ZORA MILLARD

on the following counsel via the Court's electronic filing system:

Luther L. Hajek
U.S. DEPARTMENT OF JUSTICE
P.O. Box 663
Washington, DC 20044
(202) 305-0492
luke.hajek@usdoj.gov

Timothy K. Webster
SIDLEY AUSTIN, LLP
1501 K Street, NW
Washington, DC 20005-1401
twebster@sidley.com

I declare under penalty of perjury that the foregoing is true and correct.

Executed October 17, 2008:

/s/ Selena K. Kyle
Selena K. Kyle