

Press Release

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U.S. Environmental Protection Agency Releases Comments Questioning Sufficiency of the Draft Environmental Impact Statement for Desert Rock

FARMINGTON, NEW MEXICO—September 12. On August 24, 2007, the United States Environmental Protection Agency (EPA) Region 9 submitted detailed comments to the Bureau of Indian Affairs (BIA) concerning the Draft Environmental Impact Statement (DEIS) for the proposed 1,500 megawatt (Mw) Desert Rock Energy Project on the Navajo Nation near Shiprock, New Mexico. The EPA noted “unresolved concerns” and determined that the BIA has provided “insufficient information” for the project to move forward as currently proposed.

Local citizens opposed to Desert Rock, which would be the third major coal fired power plant in the Shiprock area, state that the EPA’s comments confirm the deficiencies of the DEIS for Desert Rock.

“We commend EPA’s recognition that Desert Rock presents unresolved environmental justice issues. The two existing power plants and three coal mines in the region have created a legacy of disproportionate impacts to the *Diné* people,” said Dailan Long of *Diné Citizens Against Ruining our Environment (C.A.R.E.)*, “Like its predecessors, Desert Rock will result in the permanent removal and relocation of Navajo Nation tribal members including elders many of whom only speak Navajo, do not have phones, electricity or running water, and use these areas for ceremonial, customary and medicinal purposes. The BIA and industry have to date failed to treat local *Diné* people humanely.”

“The EPA rightfully notes that the DEIS for Desert Rock fails to evaluate the impacts of continued dumping of coal combustion wastes in Navajo Mine with no valid conclusion concerning the legacy of dumping practices in the region.” said Brad Bartlett, attorney with the *Energy Minerals Law Center*. “Tens of millions of tons of hazardous coal combustion waste have already been dumped in the existing Navajo Mine from the existing Four Corners Power Plant. Desert Rock would expand the Navajo Mine by 17,000 acres and increase the unmitigated dumping of these wastes ten fold.”

“The EPA comments on the Desert Rock DEIS reinforce unresolved environmental and economic problems for Sithe Global’s proposal,” said Mike Eisenfeld of the *San Juan Citizens Alliance*. “The notion that Desert Rock is a clean coal-fired power plant has been clearly refuted. It is now time for the BIA and the Navajo Nation to move beyond

the ill-advised, conceptual Desert Rock project to economic development for the Navajo Nation that truly accounts for economic and environmental progress and success.”

EPA’s comments include the unevaluated impacts to groundwater from continued and expanded Coal Combustion Byproducts (otherwise known as coal combustion waste) disposal in Navajo Mine (the proposed source of coal for Desert Rock); the failure of BIA to require aquifer testing and impact assessment; the lack of a groundwater monitoring program for the project; deficient conclusions concerning groundwater; insufficient particulate matter emission calculations for air quality impacts; improper conclusions concerning mercury content of coal proposed to be burned for Desert Rock; and failure to include a public health discussion that includes the latest scientific information about air pollution and public health, including impacts from ozone.

In addition, the EPA documented several deficient Environmental Justice issues including lack of local citizen access to power and no proposed mitigation in the DEIS; the failure to identify information concerning potential relocation of minority and low-income populations as a result of Desert Rock; and the failure to properly evaluate the potential impacts of Desert Rock on groundwater and agriculture.

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