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Press contact:
Jasmine Zimmer-Stucky, Power Past Coal coalition co-director, 503.929.5950

Environmental community counters coal industry's legal attack on public health

LONGVIEW, WASHINGTON - The Washington Environmental Council, Friends of the Columbia Gorge, Climate Solutions, and Sierra Club today [intervened](#) to defend the state's decision to deny a necessary water quality permit for the proposed Millennium Bulk Terminals coal export facility.

The company has sued the Washington State Department of Ecology in Cowlitz County Superior Court after the agency [denied a Clean Water Act permit](#) due to the significant risks that the project poses to the Columbia River and communities throughout the Pacific Northwest. This is one of three separate lawsuits the company has filed against the state, which has denied necessary permits for the project on [three separate occasions](#) this year, citing extensive risks to public health, clean water and clean air, as well as the company's lack of transparency over its plans and financial backing.

Members of the Power Past Coal coalition issued the following statements:

"This project threatens the safety of Washington's families, our health, and our economy," said Becky Kelley, President of Washington Environmental Council. "The State of Washington has rejected the project three times already based on the facts. We are intervening today to defend the state for doing its duty: they looked at the facts and enforced the law."

"Millennium's coal export project, the largest in the country, would increase cancer rates, asthma, heart attacks and strokes," stated Regna Merritt, Power Past Coal coalition co-director. "We must ensure that the hundreds of thousands of people who voiced opposition to coal export are not derailed by Big Coal's efforts to overturn this permit denial."

"The impacts caused by hauling 44 million tons of coal annually by rail in open topped coal cars through our communities and the Columbia River Gorge National Scenic Area are unacceptable and violate numerous provisions of state law," said Michael Lang, Conservation Director of Friends of the Columbia Gorge. "The Department of Ecology got it right when they denied this project."

Background:

On September 25, 2017 the Washington Department of Natural Resources (DNR) rejected a key state approval for Millennium's proposed coal export terminal in Longview, Washington. In its decision, DNR cited Millennium's failure to obtain multiple permits, inconsistencies in their site plans, missing critical information, and the overall best interest of the state as reasons for the denial. Because DNR manages state-owned aquatic lands, including the Columbia River, Millennium needs DNR's approval to build new docks and dredge the river to make room for massive coal ships. DNR memo rejecting site authorization can be found here: <http://columbiariverkeeper.org/wp-content/uploads/2017/10/10242017-Memo-to-NW-Alloys.pdf>

On September 26, 2017 the Washington Department of Ecology denied a necessary water quality permit for the proposed Millennium Bulk Terminals coal export facility in Longview, citing the project's negative impacts on climate, clean air and water. The decision can be found here: <http://www.ecy.wa.gov/programs/sea/fed-permit/pdf/201001225WQC15417.pdf>

If built, Millennium would be the largest coal export facility in North America, sending up to 44 million tons of Powder River and Uinta Basin coal per year to Asian markets that are quickly turning away from coal-fired power. The state's own analysis found that the climate pollution from this project would be [equivalent to adding 8 million cars](#) to the road at a time when our changing climate is contributing to catastrophic forest fires and stronger hurricanes. Millennium would also add up to sixteen trains a day traveling between the Powder River Basin and Longview, tying up traffic and impacting public safety response times in rail communities across the Pacific Northwest and contributing to [higher rates of cancer](#) in low-income communities, including Longview's Highlands neighborhood.

In addition to lawsuit against Ecology, Millennium has appealed of the agency's denial of the Clean Water Act permit to the state's Pollution Control Hearings Board:

<http://www.millenniumbulk.com/wp-content/uploads/2017/10/PCHB-Notice-of-Appeal-with-Exhibits.pdf>

Millennium's complaint to Cowlitz County Superior Court against the Department of Ecology:

<http://www.millenniumbulk.com/wp-content/uploads/2017/10/Complaint-and-Petition-for-Judicial-Review-and-Declaratory-and-Injunctive-Relief-with-Exhibits.pdf>

Power Past Coal's motion to intervene in the case:

<https://drive.google.com/a/sierraclub.org/file/d/1QH712RzUZ6ucyD8uR2Uz466la7yI3qGI/view?usp=sharing>

Power Past Coal is an ever-growing alliance of health, environmental, clean-energy, faith and community groups and businesses working to stop coal export off the West Coast.

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