



MOVING CLOSER TO A MORATORIUM ON COAL:

Early 2007 has seen a sea change in the movement for a moratorium on coal. While there are still approximately 140 proposed coal plants on the drawing board in the U.S., the hurdles facing coal development are growing. The fight against new coal has taken off with local community groups fighting coal development in their backyards; national campaigns calling for a moratorium; and the support of public figures such as Al Gore, NASA's James Hansen, and Sen. John Edwards. Our energy needs can be better met through energy efficiency and clean, renewable sources like solar and wind power. We have the momentum to close the chapter on dirty energy.

With this growing international movement, dozens of proposed coal plants have already been stopped. The abridged list below represents recent victories and should serve as a warning to those trying to build, operate and finance new coal development. It should also serve as inspiration to those of us working for a clean, green future.

PERMIT DENIALS, FAVORABLE RECOMMENDATIONS, OR PPA RULINGS:

- 6/05/2007 Florida Power and Light's proposed Glades County 1,960 megawatt coal plant permits are denied 4-0 by Florida Public Service Commission.ⁱ
- 5/2007 Delaware Public Service Commission orders Delmarva Electric to pursue wind energy from Bluewater Wind, nixing NRG Energy's bid for a 630 MW coal plant at Indian River, Delaware. ⁱⁱ
- 4/12/2007 Minnesota Public Utilities Commission's Administrative Law Judges recommend that Excelsior Energy's proposed Mesaba IGCC plant in Itasca County, MN, be denied a PPA, as it is not a least-cost resource, nor an "innovative energy project" under law. PUC decision pending. ⁱⁱⁱ
- 2/28/2007 Duke Energy is denied permits for one of proposed plants at the Cliffside development. The North Carolina Utilities Commission cites that efficiency and clean energy are viable alternatives.^{iv}
- 2/7/2007 The Oregon Public Utilities Commission denies the request by PacifiCorp (owned by MidAmerican Energy) to build two coal power plants totaling 1,100 megawatts. ^v
- 11/2006 St. Lucie County Commission (Florida) denies permits to Florida Power and Light's proposed coal power plant.^{vi}
- 9/28/2006 USEPA Environmental Appeals Board (EAB) overturned the air permit for Indeck Energy Services' proposed 660 megawatt coal-fired plant near Chicago.^{vii}

COAL PLANT PROPOSALS FACING ACTIVE LITIGATION:

- 5/8/2007 MidAmerican Energy sued by Sierra Club over Council Bluffs Plant in Iowa for violating air pollution rules. Plans to file 2nd lawsuit for violating emissions limits at two plants are expected.
- 5/30/2007 Sarah and Raymond Dean of Lawrence, Kansas, sue Kansas Department of Health and Environment over Sunflower Electric's proposed coal plants. In response to the recent Supreme Court *Mass v EPA* ruling – they hope to force regulation of CO₂.^{viii}

RAINFOREST ACTION NETWORK

221 Pine Street | 5th Floor | San Francisco, CA | 94104 | Tel (415) 398-4404 | Fax (415) 398-2732 | RAN.org

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- 4/2/2007 EarthJustice (representing Sierra Club) sues state of Kansas, challenging the state's refusal to hold an evidentiary hearing on the proposed Sunflower 2100-megawatt coal-fired power plant.^{ix}
- 4/20/2006 Wisconsin Public Service Commission asks attorney general to look into whether Wisconsin Public Service Corporation (WPS) broke the law when it withheld information about pollution control technology when it filed for a permit for a huge new coal-fired power plant known as Weston 4.^x
- 5/2005 Sierra Club sues Enviropower in US District Court, Southern Illinois District over proposed plant in Benton, Illinois. Sierra Club argues their air permit has expired and must re-apply. In October 2006, a federal judge orders construction to be halted.^{xi}

MISCELANEOUS CANCELLED PLANTS, AND REGULATORY HURDLES:

- 6/2007 – The Canadian province of Ontario announces a complete phase-out of all existing coal-fired plants by 2014 as part of efforts to confront climate change.
- 5/12/2007 Massey Energy faces \$2.4 billion lawsuit by the Federal government. They allegedly violated the Clean Water Act 4,633 times in the past 6 years in their Appalachian coal mining operations.
- 5/3/2007 Washington state passes ESB 6001, which sets strong goals for lowering state greenhouse gas emissions. It also effectively bars utilities from signing long-term contracts with coal-fired power plants.^{xii}
- 5/2007 The California Energy Commission passes rules effectively barring municipal utilities from signing new contracts with coal-fired plants. Similar rules were enacted in January focused on investor-owned utilities^{xiii}
- 4/2007 CMS Energy Corp was the planned operator and 15 percent equity partner in the Prairie State Energy Campus in Illinois. They pulled out their stake, stating the plant “does not meet [their] investment criteria, including the level of power purchase agreements for our share of output.”^{xiv}
- 2/2007 In Texas, the controversial TXU development is derailed when a buyout plan agrees to cancel 8 of 11 proposed coal plants there.^{xv}
- 12/2006 Rainforest Action Network sends letters to 54 international banks asking them to not fund TXU's coal expansion plans in Texas. Over one third agree and do not join the lending syndicate.

ⁱ http://www.palmbeachpost.com/business/content/business/epaper/2007/06/06/m1a_COAL_PLANT_0606.html

ⁱⁱ <http://www.delawareonline.com/apps/pbcs.dll/article?AID=/20070511/BUSINESS/705110343/1003>

ⁱⁱⁱ <http://www.mncoalgasplant.com/>

^{iv} <http://www.cleanenergy.org/mediaRoom/index.cfm?pressID=162&sortorder=state&flow=1>

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^{vi} http://www.palmbeachpost.com/business/content/business/epaper/2007/06/06/m1a_COAL_PLANT_0606.html

^{vii} <http://illinois.sierraclub.org/news/060928pr.htm>

^{viii} <http://www.forbes.com/feeds/ap/2007/05/30/ap3770344.html>

^{ix} <http://www.earthjustice.org/news/press/007/coal-plant-expansion-challenged-by-conservation-groups-1.html>

^x <http://www.sierraclub.org/environmentallaw/lawsuits/0242.asp>

^{xi} <http://www.sierraclub.org/environmentallaw/lawsuits/0274.asp>

^{xii} <http://www.governor.wa.gov/news/news-view.asp?pressRelease=569&newsType=1>

^{xiii} <http://www.sfgate.com/cgi-bin/article.cgi?f=/c/a/2007/05/28/MNG3BQ2HNG1.DTL>

^{xiv} <http://masshightech.bizjournals.com/stlouis/stories/2007/05/07/daily9.html>

^{xv} <http://www.environmentaldefense.org/article.cfm?contentID=5983>

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