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Attorneys for Protestants

BEFORE THE ENVIRONMENTAL QUALITY COUNCIL  
OF THE STATE OF WYOMING

_____	)	
IN THE MATTER OF:	)	
BASIN ELECTRIC POWER COOPERATIVE,	)	AFFIDAVIT OF
DRY FORK STATION,	)	JILL MORRISON
AIR PERMIT CT-4631	)	
_____	)	

I, Jill Morrison, being duly sworn upon oath, do depose and say:

1. The facts set forth in this affidavit are based upon my personal knowledge. If called as a witness, I could and would testify to these facts. As to those matters which reflect an opinion, they reflect my personal opinion and judgment on the matter.
2. I currently work as a community organizer for Powder River Basin Resource Council (“Powder River”). I have worked for Powder River for 17 years.
3. Powder River Basin Resource Council is a nonprofit organization with approximately 1,000 members, most of whom live in eastern Wyoming. Powder River is dedicated to the conservation of Wyoming’s unique land, water, air and minerals consistent with the responsible use of those resources to sustain the livelihood of present and future generations and the preservation and enrichment of Wyoming’s agricultural heritage and rural lifestyle. Powder River is also dedicated to the education and empowerment of Wyoming citizens in understanding and participating in our democratic and regulatory process so citizens can effectively participate

in decisions that impact their lives and communities. Powder River members and employees live, ranch, farm, work in local towns and communities, raise families, and enjoy the wonderful outdoor environment in Wyoming, as well as visit nearby national parks.

4. Powder River became involved in meetings and information sessions about the proposed Dry Fork Station in late 2005. We submitted our first scoping comments on the proposed EIS in January 2006 and continued to follow the project proposal. In 2007, we organized wider involvement and assistance from a coalition of organizations (including Sierra Club and Wyoming Outdoor Council) to submit comments on the draft EIS and on the proposed air permit for the Dry Fork Station. The comments were drafted in a collaborative process with input from air quality experts, engineers, and attorneys. The initial comments were then revised and finalized by the coalition organizations.

5. Powder River also organized our concerned and affected members as well as concerned citizens from other groups to participate in public comments at the hearing for the Dry Fork Station proposed air permit on June 28, 2007. Several concerned citizens attended and spoke. I attended and presented a letter on behalf of the Northern Cheyenne tribe and then also gave my own comments about DEQ's requirements under the state and federal statutes, our concerns about the failure of the DEQ to require BACT, and the failure to protect Class I airsheds. I submitted additional testimony from a professional engineer, Mr. Bill Powers, that showed the feasibility of using coal gasification and the need to include it in the BACT analysis.

Additionally, I submitted a letter, drafted by several state attorney generals and addressed to the Kansas Department of Health, that discussed the serious environmental and health impacts from increasing carbon emissions.

Karla Oksanen, a member of Powder River who lives near the proposed Dry Fork mine, testified about the air quality problems in Gillette and showed photographs of the poor air quality that residents are subjected to from existing coal mines and coal plants in the area. She demonstrated 50 year old technology in the hearing by bringing in an old manual typewriter and made the analogy that we do not use old technology for our work and we should not use old technology for producing electricity from coal. Kevin Lind, Powder River's director, testified about the need to look at BACT and at a minimum require the use of supercritical or ultra-supercritical boiler technology to minimize pollution. Steve Thomas of the Wyoming chapter of the Sierra Club spoke about the need to reduce the air pollutants and the need to require BACT. A couple of other Sierra Club members from South Dakota testified about their concerns over impacts to the Class I airsheds in South Dakota and urged DEQ to require BACT.

6. Powder River and the coalition of organizations continued to push for changes regarding the proposed Dry Fork Station at the Draft EIS scoping hearings and in conversations with Basin Electric Power Cooperative regarding the feasibility of supercritical technology.

7. In mid-October 2007, I scheduled a meeting for some Powder River members and staff with Rob Hurless, the Governor's energy advisor, to discuss our concerns with the old technology being proposed for the Dry Fork project and the requirements of looking at other technologies under the BACT analysis. The Dry Fork air permit was issued just prior to our meeting with Mr. Hurless. A primary purpose of the meeting with Mr. Hurless was to provide information about the increasing use and availability of supercritical and ultra-supercritical boiler technology. We also wanted to express our concern over choices made by the Department of Environmental Quality's Air Quality Division to only look at the back end of the BACT analysis in reviewing a permit, which limits the agency's ability to properly evaluate all other available

technologies that are less polluting. DEQ has informed us that it only looks at the back end of the permit and BACT analysis; DEQ says this is a choice, not a requirement, in the way it has chosen to analyze permits. We wanted to emphasize to Mr. Hurlless that DEQ could and should change this practice and may need leadership from the Governor to push forward new and cleaner technologies for coal.

8. It has been a priority of the Powder River's membership since we formed in 1973 to ensure protection of our air quality. In fact, Powder River passed a resolution at our annual meeting in 2003 aimed at the need to reduce greenhouse gas emissions, and at our annual meeting in 2006, we passed a resolution endorsing IGCC technology in an effort to help move forward new technologies to cut pollution from coal fired power production. We have participated at every opportunity in the environmental review and permitting process of the Dry Fork project to demonstrate the need and ability to utilize the best technology to ensure we produce our coal fired power in ways that reduce emissions which threaten public health and contribute to global warming and climate change. Powder River has been a leader in organizing and working for both the use of renewable energy sources, efficiency measures and the application of best available pollution controls, including IGCC and a supercritical boiler technology.

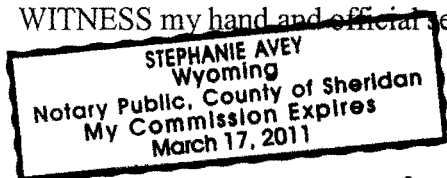
I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge, information and belief.

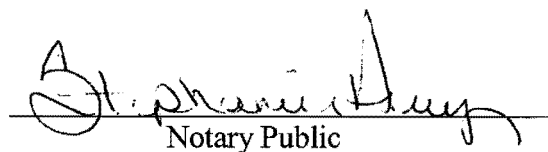
DATED this 24 day of January, 2008.

  
\_\_\_\_\_  
Jill Morrison

Subscribed and sworn to before me this 24 day of January, 2008.

WITNESS my hand and official seal.



  
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Notary Public

My Commission expires: March 17, 2011.