



Powder River Releases Wyoming Voices Storytelling Project

Powder River, in partnership with researchers at the University of Wyoming Haub School of Environment and Natural Resources, has unveiled Wyoming Voices, a pilot project looking at how storytelling may support communities in transition. Through this process, eight participants from Southwest Wyoming not only told their personal stories of loving and living in the region, but also had the opportunity to learn from each other. From this diverse group of people whose backgrounds and work experiences all differ comes a deeper story of the area that is more complex than just the economic forces bearing down on the region.

“I found that sharing my experiences living in Southwest Wyoming, and particularly the Kemmerer area, gave me an outlet to share what drew me here,” said Bill Price, a storyteller who lives in Kemmerer.



A fossil fish from Kemmerer.
(Photo by Bill Price, Wyoming Voices Participant)

“But more importantly, I learned more than I would have believed by listening to others’ experiences. Listening to the others in the group gave us all a strong bond. Reliving the emotion and thrill of my experiences brought back some wonderful feelings. I look forward to hearing other voices that will give me a chance to see Southwest Wyoming through their eyes. Participating in this project gave me chance to prove to myself that staying here was the right choice.”

Southwest Wyoming has become an epicenter in the nation’s energy transition away from coal.

This is illustrated by the upcoming retirement dates for units at both the Jim Bridger and Naughton coal plants, in Rock Springs and Kemmerer, respectively. These closures, and the mining jobs connected to them, will result in job losses and lost local tax revenue, but there has been little movement at the state level

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Pollution Inaction Puts Bridger Coal Plant at Risk

Dec. 31, 2021 marked an important deadline for the second unit of the Jim Bridger coal-fired power plant near Point of Rocks in Sweetwater County. Under a 2011 state plan, approved by the U.S. Environmental Protection Agency (EPA) in January 2014, the unit was supposed to have new control technology installed to reduce nitrogen oxide pollution. Yet, that deadline came and went thanks to an emergency order from Governor Gordon that gives the coal plant’s operator, Rocky Mountain Power, an additional four months to come into compliance.

In spite of having years to make the change, the fact that Rocky Mountain Power did not install the nitrogen oxide controls by the end-of-the-year deadline is no surprise to anyone. The company has



Jim Bridger Coal Plant

repeatedly said that it is not economic to install the pollution controls and has instead proposed to shut down unit 2, along with unit 1 of the plant that faces a similar deadline at the end of 2022, and convert the units to natural gas. However, the company’s plans do not appear anywhere in state or federal Clean Air Act permits. This disconnect between the company’s business plans and its air permits has left Rocky Mountain Power – and the State of Wyoming – scrambling to figure out how to keep the coal plant operating.

The situation has led to a high stakes negotiation between Wyoming, Rocky Mountain Power, and the EPA. A deal could still be reached that allows the units to convert to natural gas for peaking power purposes, giving the utility more time to run the units as coal plants

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Powder River Basin Resource Council (Powder River) is a grass-roots organization of individuals and affiliate groups dedicated to good stewardship of Wyoming's natural resources. Powder River was formed in 1973 and stands for the preservation and enrichment of our agricultural heritage and rural lifestyle; the conservation of Wyoming's unique land, minerals, water and clean air consistent with responsible use of these resources to sustain the livelihood of present and future generations; and the education and empowerment of Wyoming's citizens to raise a coherent voice in the decisions that will impact Wyoming residents' environment and lifestyle.

Powder River is a member of the Western Organization of Resource Councils (WORC). WORC member groups are Dakota Resource Council, Dakota Rural Action, Idaho Organization of Resource Councils, Northern Plains Resource Council, Oregon Rural Action, Western Colorado Congress, Western Native Voice and Powder River Basin Resource Council.

The services provided by Powder River include public education, community organizing and lobbying as permitted on behalf of its membership. Powder River is a non-profit, 501 (c)(3) tax-exempt organization.

Membership dues: \$30 for individuals, \$50 for families and \$20 for students and senior citizens. Powder River is dependent on contributions for its work; contributions, large and small, are welcomed.

Active Affiliate Organizations

- Alliance for Renewable Energy (ARE)
- Clark Resource Council (CRC)
- Cheyenne Area Landowners Coalition (CALC)
- Pavillion Area Concerned Citizens (PACC)
- Sheridan Area Resource Council (SARC)

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Powder River Breaks

Editor: Robin EH. Bagley
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 Photos by Powder River staff and members.

Message from the Chair

Dear Powder River Members and Friends,



Stepping outside one morning in the recent past, I listened to a rare thing here in my little town: silence. I was so charmed, so caught by this event that I determined to dedicate my next ramble in the *Breaks* to that absence of noise, which we almost never experience. Of course, as I tried to do a little research, I was distracted by definitions of decibels, by practices of seeking silence, by the spiritual virtues of silence, by the capitalistic practice of providing silence through noise-canceling headphones (\$49.95 to \$269.00 depending on your needs), and by my own memories of silence. Obviously, this isn't going to work.

Perhaps it will work; perhaps I just need to focus and think about how silence, or the pursuit of silence, is integral to our work. First, we must discuss where or when one can experience silence. Unless our sense of hearing is completely absent, we really don't experience silence. But we do experience quiet and are thus able to focus on introspection or on the slight noises we do hear. Most of

you readers love to go off alone in nature where you can be aware of bird chirps and twig snaps and the rattle of stream-turned stones. The swish of skis on the surface of snow, the plip as a fish breaks a still pond surface, the rustle of aspen leaves in a soft breeze calm us and create moments to appreciate the gifts of our life here in a lightly populated region. In order to fully perceive those moments, we are employing something the ancient Greeks called "prosoche." Prosoche is usually defined as "attention" but has a much deeper meaning, more along the lines of awareness, openness, or mindfulness. That is what I hope we can achieve as we move through this modern-day climate that boils around us.

Today is full of sounds that distract us from what is true and meaningful. The news proclaims the latest crisis looming or arrived. Clashing and exploding, we watch as the lives of distant people are thrown into ruin. We watch the polar bear struggle for its last breath; we watch as the flood waters rip away the walls of homes. Then the commercial commences, and announcers shout about detergents and banking and insurance while we return to making dinner or washing the car or whatever mundane and mostly meaningless task we have set before ourselves. Why can't we practice attentiveness, both to internal and external stimuli? Why can't we really feel compassion for those we have seen? Why can't we say, "I will do everything I can about climate change or industrial pollution or political inequity!" then really do it? I think it is because we can't find the quiet to allow ourselves to really think about what is going on.

It is up to each and every one of us to force a stop to this ridiculous pace and frenzy and pity party. Maybe we should spend a period of time each day just listening and experiencing, not judging, not feeling sorry for ourselves. Maybe we need to get over being so angry about nonsensical things that we add to the unnecessary noise. Maybe we'd best listen to the contribution we make to the cacophony.

In appreciating silence, we also learn to appreciate the well thought-out word. When a quiet person speaks, people tend to listen; when a shouter speaks, people tend to ignore. So, let us be select in what we say and to whom. Let us use our quiet and rational voices when we discuss issues with our neighbors and our politicians. Let us make the change that will bring the positive difference. Do not back down when you are right, but do not use meaningless, loud words to threaten. Reflect a bit on prosoche. Be quiet, be kind, be persistent, and we will all get where we need to go.

Joyce E. Evans

Powder River Solar Energy Production

Energy Produced: 289 kWh
 Carbon Offset: 441 lbs
 We have offset the equivalent of 5 trees in
 December 2021 & January 2022!



Did you know that Powder River has a YouTube Channel?

You can find us by going to YouTube.com and searching PowderRiverBasinRC. All of our solar stories and our oil & gas impact videos are available to watch.

The Future of the Western U.S.'s Largest Electric Cooperative Hangs in the Balance

If you are a rural electric cooperative customer-owner in Wyoming, you likely have a relationship to Tri-State Generation & Transmission. Tri-State serves customers in Wyoming, Colorado, and New Mexico, and like most multi-state utilities these days, it is challenged in serving the divergent politics across its service territory. In particular, Colorado is pushing Tri-State toward clean energy goals, while Wyoming is trying to keep its coal plants running, including the behemoth Laramie River Station near Wheatland.



Laramie River Station Coal Plant

In January, Tri-State released a landmark settlement regarding the company's 2020 Electric Resource Plan (ERP) before the Colorado Public Utilities Commission (CPUC). Tri-State agreed to reduce the greenhouse gas emissions related to its wholesale electricity sales in Colorado as follows: 26% in 2025, 36% in 2026, 46% in 2027, and 80% in 2030. These amounts will be calculated based on Tri-State's 2005 emissions baseline for wholesale sales in Colorado.

In releasing the deal, Duane Highley, CEO for Tri-State said, "Tri-State is grateful to our members, state officials, environmental advocates and labor representatives who worked with us to achieve this settlement, which is a meaningful advancement in our efforts to transform our cooperative as we responsibly serve reliable and affordable power to rural communities, for our members and Colorado."

"Tri-State has come a long way. This important agreement marks the first time Tri-State is committing to near-term, enforceable reductions in climate-changing greenhouse gas pollution," added Jon Goldin-Dubois, president of Western Resource Advocates. "While other utilities have commitments to reduce emissions in 2030, we know we don't have a moment to spare in drastically reducing the fossil-fuel pollution that causes climate change. This agreement will make significant progress in accelerating emission reductions in the West, all while reducing costs for customers and supporting communities most

impacted by the transition. We have much work to do, but Tri-State is to be commended for taking these steps to maximize near-term emission reductions, the most important action society can take to avoid the worst impacts of climate change."

As part of the plan, Tri-State added generation from two new wind projects in 2021, totaling 304 megawatts, and in November, 40% of the electricity consumed by its members came from renewable resources. Tri-State will add six additional solar projects by 2024, when 50% of the energy consumed

by its members will be renewable. With the resources identified in its plan, Tri-State anticipates 70% of the energy its members consume will come from renewable resources by 2030.

Meanwhile, in Wyoming, correspondence reviewed by Powder River through public records requests shows that the Governor and his staff have expressed concern to Tri-State over the company's clean energy goals. Wyoming officials have been working behind the scenes to keep coal in the Tri-State system.

This disconnect is coming to a head because once Tri-State loses customers for its coal plants in the more populated areas of its system, it will need to find new customers if it wants to keep those coal plants running. At a recent legislative committee meeting, Shawn Taylor of the Wyoming Rural Electric Association testified that Tri-State and the related company Basin Electric have been in negotiations with crypto-mining companies that could use "excess" power from the Laramie River Station once Colorado customers exit from coal. While these conversations are preliminary, they show that the cooperatives are looking for new power-hungry customers to keep coal going.

We urge all Tri-State member cooperative customers to start paying attention to where your power comes from, and Powder River looks forward to being a part of the conversation about the utility's future in Wyoming and across the West.

Shannon Anderson
Powder River Staff

Donate a Dependable Car to Powder River



Powder River staff members travel around Wyoming, and we put a lot of miles on our cars. We keep them well-maintained as we want the staff to travel safely. However, the vehicles do eventually wear out. In the past we have been lucky enough to have members donate cars in good condition, which is a wonderful gift for Powder River.

If you have a reliable, dependable car that you would like to donate, please contact the office at 307-672-5809. Thanks to all of our members for their continued support!

Powder River Staff

Bridger Lesson: Customers & Communities Pay when Utility & State Officials Close Eyes to Reality

The news about the Bridger Coal Plant in Southwest Wyoming has a lot of folks trying to understand what is really going on. The Governor says one thing; Rocky Mountain Power says another; conservation groups say something else, and then most recently, the Environmental Protection Agency has weighed in too. What it really boils down to is this: Rocky Mountain Power hastened the demise of the coal plant by not addressing its pollution issues.

Basically, the top brass at the utility and the state government had the power to plan for a long-known reality around coal pollution cleanup and simply didn't. That evasive approach from utility and government officials helped them avoid what they thought would be difficult conversations over the years. In fact, this inaction from leaders is what created an "emergency" situation for Wyoming customers and communities.

Rocky Mountain Power and the state knew that the Jim Bridger coal plant needed to cut its smokestack nitrogen oxide pollution way back in 2014. That's eight years ago. It's all part of Clean Air Act provisions to reduce haze pollution at national parks and wilderness areas, pollutants that also affect people's respiratory health. Those provisions date back to 1999 – more than 20 years ago. Literally every other power company in the West has taken steps over the years to deal with this reality affecting their coal plants, but not Rocky Mountain Power at Bridger.

Rocky Mountain Power took the approach that it could just bully its way around coal pollution cleanup at Bridger. But that attitude puts customers like me at risk. Like everyone, my family depends on affordable power bills. That affordability comes from the utility doing adequate planning and analysis for how much power our electric system needs and how to provide that power from generation resources that are the most affordable option.

Rocky Mountain Power's co-owner at the Jim Bridger coal plant, Idaho Power, has recognized this reality, as have the utility's customers in Oregon and Washington. This means if the Governor really gets his wish to save coal, only Wyoming customers are going to be left paying the bills. There just aren't enough of us to make that work and keep our power bills low.

By ignoring the need for pollution control at the Jim Bridger power plant, Rocky Mountain Power now has a resource "plan" that not only violates the Clean Air Act but also fails to consider whether closure of one of the units to cut pollution would be the smartest thing to do financially for customers.

In short, Rocky Mountain Power's willful ignorance and wishful thinking leaves it scrambling to figure out a Plan B when Plan A was right in front of it the whole time. Corporate executives are gambling with our utility bills, so they can afford to throw caution to the wind. The rest of us don't have that luxury. Workers, communities, and bill-payers are served better with a conservative approach that acknowledges reality and plans ahead.

And then there is our state government and the mantra you hear from the halls of the capitol that coal is a cheap abundant resource, and we can apparently run our coal plants forever, environmental and cost consequences be damned. By screaming that "not on [his] watch" will coal plants be closed, the Governor is ignoring basic facts. Coal generates a mere fraction of the power it did a decade ago, losing market edge to lower cost renewable energy and natural gas. This reality is coming crashing home to Wyoming, especially as we grapple with the need to reduce carbon pollution to avert catastrophic climate change. The Governor and Rocky Mountain Power want to appear like they're doing something, but they are actually putting the burden on citizens like us.

Let's call on the Governor to work with Rocky Mountain Power and EPA to find a path forward that keeps power rates low, helps address any job loss and tax revenue consequences of an early coal plant closure, and ensures that Wyoming isn't standing in the way of cleaner electricity. I'm confident that this can be achieved, but it's time to roll up our sleeves and get to work.

Elizabeth Cuthbert-Millett
Laramie

Editor's Note: This is reprinted from the Feb. 5, 2022 edition of the Casper Star-Tribune.

Welcome to a New Member of the Powder River Family

On Oct. 21, at 6:21am, Powder River's Executive Director Alyssa and her husband Kyle welcomed their daughter Rana Iris Duba to the world. Rana weighed in at 8lbs 11oz and is named after her great-great-grandmother who spent time at Eatons' Ranch outside Sheridan in 1919. Jill Morrison paused her all-too-short retirement to fill in for Alyssa while she was on parental leave in

November and December (thank you, Jill!!) Alyssa returned in January and is excited to work out of the Sheridan office more often so Rana can spend time with her Sheridan grandparents, Elizabeth and Kevin. Rana is a delight - here's hoping for in-person events in 2022 so she can meet you all!

Alyssa Duba
Powder River Staff



DEQ Caters to Industry

The Wyoming Department of Environmental Quality (DEQ) is failing to live up to its mission: “to protect, conserve and enhance the quality of Wyoming’s environment for the benefit of current and future generations.” The Wyoming DEQ is a prime example of a regulatory agency that is not serving the public interest or its mission but instead has been serving the corporate interests it is supposed to regulate. This phenomenon is known as “regulatory capture,” and it means a regulatory agency like DEQ is dominated by the politics of the corporate interests they regulate and not by their regulatory mission to protect the public interest. DEQ does have many dedicated employees, but unfortunately Wyoming politics seem to put corporate interests above those of lower-level dedicated employees and the public interest they are trying to serve.

The failure of DEQ to protect Wyoming’s water and air, but instead cater to political interests and corporate polluters is evident if you have been paying attention. The recent effort by DEQ to circumvent Clean Air Act requirements and allow the Jim Bridger coal plant to keep emitting toxic air emissions is one recent example. Regarding the oil and gas industry, DEQ is allowing Wyoming’s freshwater resources to be polluted by oil and gas wastewater being discharged into our streams, rivers, and reservoirs. This discharge into our freshwater streams can kill aquatic life, riparian vegetation, trees, and in some cases birds, wildlife and livestock which can be sickened from drinking the polluted water. Discharged wastewater can also pollute our drinking water. In recent years two communities, Pavillion and Clark, have had groundwater polluted by oil and gas activities. DEQ’s “voluntary remediation program” was charged with making sure industry cleaned up that contamination, but that has not happened.

Another recent example is the decades-long failure of DEQ to limit polluted oil and gas wastewater that is dumped into small streams that flow into Boysen Reservoir and the Wind River. Recently, a company called Aethon bought the Moneta Divide oil and gas resources from Encana. Aethon then decided it was too expensive to treat their polluted discharge and fracking wastewater, so they closed their wastewater treatment plant. DEQ allowed them to continue dumping the untreated polluted discharge water into creeks that flow into Boysen. If it were not for the recent actions of conservation groups, Powder River Basin Resource Council, the Wyoming Outdoor Council and the Natural Resources Defense Council, the oil and gas industry would be

dumping four times as much pollution down streams flowing into Boysen Reservoir. The burden to hire experts to demonstrate the flaws in industry’s proposal did not fall on DEQ, but were borne by these non-profit organizations.

Further, the groups’ investigations into what is still happening to these streams flowing into Boysen Reservoir is alarming. The oil and gas polluted discharge, which has been going on for years, has caused extensive erosion, left black gunk for miles, and damaged the aquatic life and character of the small receiving stream, Alkali Creek. Above the discharge the stream is clear, but below it, the stream oozes black sediment. One video captured by DEQ employees assessing the stream shows fish swimming away from discharge water as it joins with the receiving stream, Badwater Creek. To date, DEQ has failed to hold industry accountable for the damage and cleanup.

The oil and gas wastewater that DEQ permits to be dumped into our streams includes a toxic brew of pollutants. These pollutants include chlorides and salts, sulfates and sulfide, radioactive materials, barium, magnesium, benzene, toluene, xylenes and ethylbenzene—and the list goes on. Industry responds by proposing to do away with the problem by relaxing the permit requirements or downgrading the stream to make it legally acceptable to dump this pollution. DEQ, the regulator, caters to these requests to remove what industry claims as unnecessary or onerous permitting requirements, just like the earlier example where industry shut down the treatment plant, and now proposes to downgrade streams so they can dump more pollution into them. Most troubling of all, DEQ usually grants those requests—unless those of us in the public stand up and work to protect our water and air. The job of protecting our limited water, air, land, fisheries, and wildlife depends on you, the citizen, to get engaged and help protect Wyoming from an industry and a state agency that places corporate profits over our valuable and limited freshwater and public resources.

Jill Morrison
Story

Editor’s Note: This was reprinted from the Jan. 29, 2022 issue of the Casper Star-Tribune.

Sheridan Seed Library Gets Ready for Spring



Powder River’s Sheridan office is receiving 2022 seed donations from a variety of companies to restock the seed library at the Sheridan County Fulmer Public Library. The mission of the seed library is “to support a thriving community of

gardeners and seed savers, provide information and education about sustainable gardening and cultivate a culture of saving.”

Each spring dozens of gardeners and would-be gardeners take home flower and vegetable seed packets and are encouraged to save non-hybrid seeds to return to the library. A library card is not necessary, but those who use the seed library are asked to sign a checkout sheet located at the library’s information desk.

The seed library is open to anyone, and we especially encourage those contemplating gardening for the first time to explore what the seed library has to offer. Individuals can “check out” up to five packets per month while organizations can check out 20 packets per month. The seed library also has a variety of gardening guides for gardeners to take home, including how-to for saving seeds. Guides are located in binders underneath the seed (card) catalog.

Seed donors so far this year are: True Leaf Market, High Mowing Organic Seeds, Fedco Seeds, West Coast Seeds, Herman’s Seeds, Annie’s Heirloom Seeds, Territorial Seeds, and Baker Creek Heirloom Seeds.

Find the seed library on Facebook: www.facebook.com/SheridanCountySeedLibrary

For more information contact Pennie Vance at penniev@powderriverbasin.org or 307-672-5809.

Pennie Vance
Powder River Staff

High Stakes of Wyoming's Electric Power Future

PacifiCorp supplies electric power to portions of six states in the Northwest, including 70% of Wyoming, which is served by its subsidiary Rocky Mountain Power (RMP). The utility recently released its 2021 Integrated Resource Plan (IRP), which forecasts future demand for power in the region and the sources of electrical energy PacifiCorp has determined will meet this demand most efficiently and reliably. The Wyoming Public Service Commission (PSC) has solicited public comments by February 11, leading up to its review of the IRP.

The two-volume IRP is a formidable document with 850 pages of high-level analysis and supporting data. While the average ratepayer cannot be expected to wade through this comprehensive document, it nonetheless discloses potential generating resources that should command the attention of RMP's 142,000 Wyoming customers and all other individuals concerned about the energy future of Wyoming.

The Good

The IRP preferred portfolio identifies the chosen options to manage energy supply and demand. It offers many positive signals, especially related to climate change mitigation. It shows a mild increase in wind generation and a dramatic increase in battery storage relative to the 2019 IRP. It also shows an 88% reduction in overall carbon dioxide (CO₂) emissions over the 20-year planning period. And from the 2005 baseline, projected system CO₂ equivalent emissions are down 98% by 2050. Much of this reduction stems from the retirement of virtually all the coal assets under the preferred portfolio. These projections exclude the retrofitting of coal-fired power plants with carbon capture, utilization, and storage (CCUS), which is presented as a more expensive variant of the preferred portfolio.

The CCUS variant provides for retrofitting Unit 4 of the Dave Johnston plant in Glenrock with CCUS. The IRP states that incremental costs of the retrofit, borne 100% by Wyoming customers, would total \$271 million, exceeding the maximum cost recovery surcharge of 2% allowed by the state's low-carbon energy legislation (HB 200). The hypothetical rate increase figures to be closer to 10%. For this reason, PacifiCorp omitted CCUS from its recommended portfolio.

PacifiCorp solicited proposals from potential CCUS suppliers. Only one of the respondents expressed intent to complete a front-end engineering design study. None of them received DOE funds. The IRP appropriately states that capital cost, transportation infrastructure, the lack of available federal funding, and other factors still contribute to the risk and uncertainty of CCUS.

The Bad

Unfortunately, the IRP leaves open a contingency plan to include CCUS at Dave Johnston, pending regulatory developments and the review of CCUS proposals. But the downfalls of coal-based CCUS have been sufficiently demonstrated. HB 200 did not change reality by

“We should not dismiss the importance of this project to the Kemmerer community and to the advancement of nuclear knowhow. But neither should we close our eyes to the failure risks – financial, regulatory, and safety. It is unusual for ratepayers to take on such risks for experimental power generation projects...” – Ronn Smith

fiat. Boundary Dam and Petra Nova, the only utility-scale CCUS retrofit projects on coal plants in North America, both incurred higher costs and achieved lower performance than originally advertised. In April of 2020 Petra Nova, in Houston, shut down with the intent to restart on a seasonal basis. A year later the company announced the plant would be mothballed indefinitely.

Boundary Dam Unit 3, in Saskatchewan, has gained operating experience for eight years, yet the plant struggled with mechanical failures in 2021 and achieved only 37% CO₂ capture efficiency. Over its entire life, the plant has averaged 67% capture efficiency, compared

to the target rate of 90%. A technical report by company staff documented numerous operational difficulties that have impaired capture performance. These include fly ash carryover, scaling and fouling of heat exchangers, and a serious, yet unresolved foaming problem. SaskPower's decision to scrap plans to retrofit Units 4 and 5 with CCUS speaks for itself.

Most of SaskPower's problems are inherent to coal plants and will not go away with more experimentation. It's much more expensive to pull carbon from a coal-fired power plant than from other sources like fertilizer plants and hydrogen plants. Indeed, the only currently operating industrial carbon-capture projects the Energy Department (DOE) funded are an ethanol plant in Illinois and a hydrogen plant in Texas. The Wyoming Energy Authority recently granted three CCUS research funding requests (out of 17 proposals), none of which involve coal. The award stated, “these three proposals illustrated that their projects are at a scale sufficient to demonstrate commercial viability.”

The pursuit of ill-conceived, coal-based CCUS has persisted in part due to unwise and unwatched federal funding. A report by the Government Accountability Office diagnosed a high-risk CCUS selection and negotiation process, bypassing of cost controls, and lack of accountability for meeting milestones. The report warned that absent a congressional mechanism to provide greater oversight and accountability, DOE may expend significant taxpayer funds on CCUS demonstrations that have little likelihood of success. This warning might apply equally to Wyoming and PacifiCorp if the CCUS retrofit at Dave Johnston ever gains traction.

The (potentially) Ugly

The preferred portfolio includes plans for the Natrium advanced nuclear demonstration facility near Kemmerer. The plant's continuous capacity would only make up 3% of the utility's system-wide peak load. But the estimated \$4 billion capital investment, subsidized by TerraPower and DOE (subject to future appropriations), represents 16% of the company's 20-year revenue stream. We should not dismiss the importance of this project to the Kemmerer community and to the advancement of nuclear knowhow. But neither should we close our eyes

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to the failure risks – financial, regulatory, and safety. It is unusual for ratepayers to take on such risks for experimental power generation projects, especially when exhaustive prototype testing at scale was bypassed.

Contemporary nuclear power projects raise plenty of red flags. Units 3 and 4 of the Vogtle nuclear plant in Georgia, currently under construction, will be at least six years late coming online, while their capital costs have escalated from \$14 billion in 2017 to \$28.5 billion in 2021. The V.C. Summer nuclear project in South Carolina lost \$9 billion before it was abandoned. Customers of Georgia Power and South Carolina Electric & Gas will pay for these mistakes in the form of higher electric bills. In Utah, the Logan City Council voted to withdraw from an agreement to co-sponsor the NuScale nuclear plant, a collection of small modular nuclear reactors near Idaho Falls. They expressed concerns over inherent “first of a kind” risks, and cost estimates that ballooned from \$3.65 billion in 2017 to \$6.12 billion in 2021. NuScale’s completion schedule has been delayed nearly 15 years since its original announcement in 2008.

The IRP acknowledges that the marginal energy storage cost for the Natrium molten salt system exceeds that of lithium-ion batteries and far exceeds that of solar plus batteries. The Natrium technology has been promoted in part for its compact energy storage relative to batteries, but the cost of energy storage is the parameter most relevant to ratepayers. While the Natrium storage design has value as a demonstration project and may deliver unquantified ancillary benefits, the ratepayer should not subsidize an economically inefficient storage technology.

The experts may be wrong, but they paint a dismal picture of the future of nuclear power. The U.S. Energy Information Administration predicts that U.S. electricity generation from nuclear power will most likely decline from its 2019 share of 20% to 12% by 2050. Over the last two decades, the U.S. Nuclear Regulatory Commission received license applications for 31 new reactors, of which 29 were cancelled due to the lack of economic viability. Aside from nuclear power’s widespread budget and schedule overruns, cheaper alternatives abound. A 2021 report from Wall Street firm Lazard, estimates the cost of new nuclear energy at \$131 to \$204 per megawatt-hour compared to \$26 to \$50 for wind, and \$30 to \$41 for utility-scale solar. The cost differential will more than pay for storage batteries to back up renewable energy.

The money and momentum behind the Natrium project mean that it will probably get built. It certainly has an upside. But the PSC should ensure that attendant financial risks are shouldered entirely by PacifiCorp’s shareholders. This would not only relieve Wyoming ratepayers of an open-ended liability, but it might also encourage a more thorough risk evaluation by PacifiCorp.

**Ronn Smith
Powell**

Editor’s Note: A shortened version was published in WyoFile on Feb. 10, 2022. [WyoFile](#) is an independent nonprofit news organization focused on Wyoming people, places and policy.

Laramie to Install Solar & Electric Vehicle Charging Station at Fire Station



Laramie’s Fire Station #3

In continued efforts to mitigate greenhouse gas emissions and meet the City of Laramie’s 2050 carbon neutrality goal, the Laramie City Council signed a contract with Creative Energies Solar from Lander for the installation of a 25kW roof-mounted solar array and a curbside public electric vehicle (EV) charging station to be located at the Laramie Fire Department Station #3. This came about thanks to a grant from Rocky Mountain Power’s (RMP) Blue Sky program

and collaboration with Leo Pueblitz of Creative Energies, who began planning the project last summer. The RMP grant for \$39,465 covers just under half of the proposed cost of \$88,460, while the remainder will be provided by the City of Laramie.

Construction of the project will begin this August and is expected to be operational by September. RMP’s Blue Sky program is an opt-in program where utility customers can help fund qualifying renewable energy projects in RMP’s service area.

In 2020, more than 139,000 Blue Sky participants collectively supported 1,268,586 megawatt-hours of renewable energy, reducing their combined carbon footprints by 956,341 tons of CO₂e (CO₂ equivalent greenhouse gasses). To-date, they have funded 189 community-based projects, amounting to 10.6 terawatt-hours of renewable energy. This is the third Blue Sky project in the Laramie area in the last two years.

Pueblitz and other members of the Alliance for Renewable Energy of Laramie (ARE), continue to collaborate with local and regional stakeholders for the purpose of fostering a just transition to renewable energy and energy efficient infrastructure.

**Jarad O’Brien
Powder River Staff**

Wyoming Fails to Protect Clean Water from Oil & Gas Pollution

DEQ's Revised Permit for Aethon Lacks Critical Protections

Powder River and the Wyoming Outdoor Council (WOC) are raising ongoing concerns with the Wyoming Department of Environmental Quality (DEQ) about Aethon Energy's permit, issued Jan. 14, to discharge oil and gas wastewater into streams. After reviewing documents released to Powder River through a records request, Powder River and WOC believe the DEQ is moving forward with permit modifications that not only ignore recorded high concentrations of toxic chemicals but also remove future regular monitoring of pollutants, with potentially severe downstream impacts to fisheries and drinking water supplies.

"This permit is disappointing and has several problems," Joe Meyer, a water quality and fisheries expert, told Powder River. He added that the permit modifications are "not based on science."

In October 2021, Aethon applied for a major permit modification for wastewater associated with their Moneta Divide oil and gas field. Aethon discharges wastewater into Alkali Creek, which flows to Badwater Creek and then down to Boysen Reservoir and the Wind River, which are important fisheries and also serve as sources of drinking water for downstream communities.

According to documents from the records request, these discharges have exceeded the permissible pollutant limits on substances such as radium and barium, multiple times over the last year. Instead of taking action to bring Aethon into compliance, the new permit removes sampling requirements for these compounds, as well as other pollutants



A source of Aethon wastewater discharge.
(Photo from Wyoming DEQ)

like lead and mercury, altogether. Combined with high concentrations of chloride and sulfide, water quality has suffered. Pictures from the records request show cloudy, white water flowing directly to Badwater Creek. Without consistent year-round sampling and discharge limits, it is impossible to know what impacts may be occurring.

The records request also revealed high levels of benzene, toluene, ethylbenzene, and xylene (BTEX) at the discharge points. Benzene is a known carcinogen and is not naturally occurring, meaning the

BTEX levels are coming directly from oil and gas operations. Some samples over the last year found BTEX concentrations 500 times above the safe drinking water standard, and these toxic chemicals flow directly from the discharge points toward the drinking water source for Thermopolis. The permit fails to place a limit on BTEX concentrations or require instream testing in Badwater Creek despite clear evidence that high concentrations of these chemicals are being released from the oil and gas operations. While DEQ claims they need more data before they can act on these high BTEX concentrations, these pollutants continue to flow out of the natural gas field unchecked.

While these new permit conditions have unfortunately been approved, Powder River will continue to push for more consistent monitoring and timely enforcement.

Lottie Mitchell
Powder River Staff

Powder River Wants Member Input!

Strategic Planning Process Moves Forward

Powder River board and staff are preparing for a strategic planning session this year, and we want to hear from you! If you have feedback on any of the questions listed below, please let us know by March 31. You can reach out to Executive Director Alyssa Duba with any feedback via email at alyssa@powderriverbasin.org, phone (307-672-5809 ext. 800), or snail mail to our Lander office at 135 N. 4th Street, Lander, WY, 82520.

1. What are your thoughts on Powder River's strengths throughout the years?
2. In your opinion, where do we need improvement or any changes? Are we focused on the issues and areas in our

mission and of concern to our members and Wyoming people?

3. What are the changes that you see happening on the ground and politically in Wyoming, and how do we as an organization respond nimbly to these changes?
4. From your viewpoint what does Powder River offer that no other Wyoming organization does – do we do something unique?

Thank you for your input as we move forward with this process!

Sheridan Area Resource Council

Considers Resource Protection Proposals

The Sheridan Area Resource Council (SARC), a Powder River affiliate, held a Zoom meeting on Feb. 8 where members elected new officers, Roger Sanders as chair and Dudley Case as treasurer.

Roger briefly reviewed SARC's history of successful campaigns such as halting an environmentally unsound pumped storage project in the Big Horn Mountains, instituting a dark skies initiative for Sheridan, allowing citizens to opt out of mosquito spraying, and using least harmful chemicals for roadway ice control.

Roger also updated everyone on the status of SARC's most recent campaign to install a community solar project in Sheridan, which after review by Montana Dakota Utilities (MDU), eventually evolved into a potential community solar subscription program utilizing the rooftops of MDU's Sheridan buildings. Recent contact with MDU indicated the company is finalizing the financial analysis of the project and hopes to start the construction in 2022.

Members then considered issues that they would like SARC to focus on:

- Continue supporting the MDU proposed community solar project;

- Reviewing the U.S. Forest Service project proposed to kill sagebrush stands by chemical spraying in the Bighorn National Forest with concerns about negative impacts on water quality;
- Assisting local schools and government facilities install energy efficient lighting with the potential for funding through the Rural Energy Pilot Program (REPP), and
- Continuing the roadside cleanup project that SARC has participated in for a number of years.

The next meeting will be in March, at which time members will discuss the feasibility of the ongoing work and review the new project suggestions for further action.

SARC has a long history of supporting wise, environmentally conscientious, resource use and management issues in the larger Sheridan area, illustrated by a strong showing from Johnson County at the February meeting. We encourage anyone interested to join! For more information, contact Pennie Vance, organizer at penniev@powderriverbasin.org or 307-672-5809.

Pennie Vance
Powder River Staff

In Memory of Jon Huss

Jon Huss, 64, of Casper, a mountaineer and immigration lawyer, died Saturday, Dec. 11, 2021, after a long illness.

Jon summited Denali in Alaska, Aconcagua in Argentina, and Elbrus in Russia, as well as many smaller peaks. He only rarely hired guides. He spoke excellent Spanish and a little Russian, and made his way on his own with a few chosen companions.

Jon was the first full-time immigration lawyer in Wyoming, offering assistance with green cards (work permits), naturalization, and defense against deportation. As he liked to say: "In 20 years of doing immigration law in Wyoming, I've worked with someone from every country on earth. And most people in America don't even know where Wyoming is!"

Jon Brian Huss was born March 16, 1957, in San Mateo, California, the second of three sons born to Barbara Springston Huss and Marvin Huss, Sr. His father's job in sales had the family moving many times, to various California locations and then to Kansas City, Kansas where Jon attended high school, and finally to the Boulder, Colorado area.

Jon's mother Barbara saw his talent for languages and made it possible for him to work and study in Mexico and Ecuador, where he spent a summer giving vaccinations to villagers in the coffee fields. He attended Williams College in Massachusetts; came home to be with his mother after her devastating divorce, and after a day or two working in a Colorado oilfield went back to college at the University of Pennsylvania.

As a freshman at Williams, Jon had been recruited to the rowing team. He went back to school at Penn on an athletic scholarship. An excellent oarsman, he was chosen to represent the U.S. as a member of the eight-man boat at the 1980 Summer Olympics in the USSR; that



Jon bidding on a pie at a Powder River Harvest Celebration.

ended when President Jimmy Carter withdrew the U.S. from the competition in protest of the 1979 Soviet invasion of Afghanistan. Jon was nonetheless a lifelong Jimmy Carter fan.

A close friend from college encouraged Jon to come to Wyoming after graduation to work for the Powder River Basin Resource Council. He liked Wyoming, and has lived here ever since. He met his future wife, Anne MacKinnon, then a reporter for the *Casper Star-Tribune*, while he was working for Powder River, "For a little while I was newsworthy!" he said.

Frustrated at having to "stop at the courthouse door" when pursuing natural resource issues for Powder River members, he went to the University of Wyoming College of Law. A fine scholar, he studied classical Greek at UW while attending law school (he explained that he hadn't had much time for academics when he was on the college crew, so he wanted to make the most of his time at UW). Top of his class, he became editor of the law review and went on to clerk for U.S. District Court Judge Clarence Brimmer in Cheyenne. He then took a job with the law firm of Brown, Drew, Massey and Sullivan in Casper, having a few years earlier married MacKinnon, who was based in Casper.

Jon had learned mountaineering while in college, and he made time to take himself up the major mountains. He loved getting to the heights in any place he visited, and on those big mountains, he loved both the challenge and the view: across the clouds, all the way to the Pacific from the top of Aconcagua, for instance.

Not neglecting other sports, he bicycled the roads over mountain passes in Colorado, kayaked the Grand Canyon twice, and

continued on the following page

In Memory of Jon...Continued from previous page

raced in local triathlons. On long bicycle rides he memorized poetry he taped to his handlebars.

In 2000, Jon left the law firm, went with his wife and young son to Bolivia for six months, and came back determined to help people, opening up his one-man immigration law firm in Casper. He was known to make house-calls to clients all over the state. He made people laugh when they were scared speechless in immigration processes, and when possible he got them through it all so they could live and work in the US and raise their families here.

Big, strong and thoughtful, Jon went sure-footed through the world. He traveled with his wife and son to many places: Chile, Argentina, Bolivia, Peru, China, Nepal, Turkey, Germany, Czech Republic, Slovakia, Hungary, Romania, Bulgaria, and New Zealand. He tended to be looking for mountains most of the time. His humor, energy

and commitment powered his family. He welcomed retirement for more travel, and more fun.

He is survived by his wife of 35 years, Anne MacKinnon of Casper, and his son Ted of Jersey City, NJ; his mother, Barbara Anderson of Longmont, CO; his brothers Ian (Lisa) Huss and Marvin "Bif" (Ceil) Huss III both of Colorado Springs, CO; his father Marvin (Sally) Huss, Jr. of Colorado Springs, CO; and numerous nieces, a few nephews, many great-nephews and a few great-nieces.

A memorial will be held in Casper at a later date, when friends and family can plan ahead and travel. In lieu of flowers, please donate to the Powder River Basin Resource Council (www.powderriverbasin.org) or the Rocky Mountain Immigrant Advocacy Network (www.rmian.org).

Ranchers & Consumers Will Benefit from COOL

The last time I purchased a package of underwear, I checked where it was made. I was certain that, after reading the label, the materials used in the product were obtained in the USA, but the garment was assembled in another country. That was okay with me, so I made my purchase. Then I went to the grocery section of the store. I reached for a package of steak, and the label read "Product of the USA." Was I safe in making the same assumption about the origin of this high-end product as I was about my lowly underwear?

I took this question to an assortment of acquaintances: "What do you know about a package of meat if the label reads "Product of the USA?" The responses were all over the map. Some people thought the label suggested the animal had been born and raised in the United States, but it might have been sent to a foreign country for slaughter and processing. Others thought the animal had spent its entire life here and was processed here. Some suggested that this meant it was higher quality than other meats. Most were pretty sure it came from a Wyoming ranch. They were united only in the thought that beef was raised in the United States. They did not believe me when I explained they were mistaken, that they had been duped, that this label means nothing beyond the plastic being stretched over the package somewhere within the borders of the United States.

We Americans tend to believe our labels, and that is exactly why we need to institute a mandatory Country of Origin Labeling (COOL) rule. The time has passed for allowing reluctant meat processors, hesitant big-ag groups and foreign trade agreements to prevent the American consumers from knowing where their meat was born, raised, fed, and processed. The time for forcing independent meat producers in the United States to compete with cheap products produced in other countries is long gone.

Fortunately, a new campaign for reform has drawn the attention of some members of Congress. Senators Barrasso and Lummis have joined their colleagues from other mostly Western states and have sponsored a bill, the American Beef Labeling Act, to clarify and require country of origin labeling for meat. They deserve our thanks for taking this initiative. They will also require strong public comment in order to move this bill through our legislative bodies and see it through to becoming law.

Wyoming ranchers deal with incredible obstacles when raising the animals that eventually become part of our diet, including genetics, environmental conditions of their ranch, animal husbandry and veterinary practices, nutrition, and more. Then they must navigate a sales system that is stacked against them, selling on a market flooded with beef from foreign countries. And, finally, their product is sold in competition with beef gathered from all over the globe. The product presented to the consumer was obtained by a grocery supplier based on the lowest wholesale price to the supermarket. Why on earth would a young person want to go into the beef production business?

In addition to burdens on the livestock producer, cost and health risks to the consumer also play into this topic. People who are able are willing to spend more of their income on very good products. They will vote with their dollars. Those people will discriminate between carefully raised American beef and products that come from other countries. Beef raised in the United States might be their preference. This choice will be open to them with the passage of this bill.

There are other consumers in our country who do not have the luxury of being picky about their food purchases. It is my contention that those people also deserve to know the origin of the food they put on their tables. They, too, deserve good quality food, and they should not be paying more for poorer quality meats. This bill will increase the availability of higher quality products to every consumer in the United States.

Please support the efforts of our senators to get this legislation passed. Please purchase beef that really was raised in Wyoming if you possibly can, and please expect the United States to be more concerned about the origin of your steak than it is with where my package of underwear was made.

Joyce Evans
Fort Laramie

Editor's Note: This is reprinted from the Feb. 15, 2022 issue of WyoFile. WyoFile is an independent nonprofit news organization focused on Wyoming people, places and policy.

Pollution Inaction...Continued from page 1

without the additional nitrogen oxide controls until a natural gas pipeline and other infrastructure could be built to facilitate the gas conversion. Regardless, any proposed permit change will have to go out for public notice and comment, at both the state and federal levels, a situation that likely will take months to resolve, even if everyone – including the conservation organizations like us who have a right to weigh in – are on the same page. This likely means there will be a period of time when Bridger unit 2 will have to shut down to comply with the Clean Air Act.

At this point, you might be wondering how does a multi-billion dollar sophisticated utility like Rocky Mountain Power find itself in this situation, scrambling to buy more time and figure out a new plan. The answer to that question comes from a late-in-the-game proposal to roll back the pollution control requirements. That proposal got approved by the Wyoming Department of Environmental Quality (DEQ) in 2020, but it sat at the EPA until the end of the last administration. While Rocky Mountain Power told utility commissioners and stakeholders across its six-state region that it was sure EPA would approve the plan, low and behold, the new administration is not so keen on the proposal. To our credit, we have said since the beginning that the state plan is technically deficient and legally inadequate, violating key requirements of the Clean Air Act. Go figure, the EPA is now listening to those comments, and the agency's own analysis backs it up.

Last month, the EPA announced that it is proposing to deny the state's plan amendment, noting that Wyoming and Rocky Mountain Power have failed to justify a switch from the pollution control requirements.

"After thorough review and extensive efforts to work with the State, EPA is proposing to determine that Wyoming's plan to remove and weaken current pollution control requirements in place for the Jim Bridger plant is inconsistent with the Clean Air Act," said EPA Regional Administrator KC Becker in releasing the proposed decision. "While we look forward to public comment and continued opportunities for engagement, our evaluation of information provided to date indicates the State's revision to its 2014 regional haze plan is a step backward for visibility in our parks, wilderness areas, and communities."

A comment period on the EPA's proposed decision wrapped up Feb. 17. Powder River, along with allied groups Sierra Club and National Parks Conservation Association, submitted comments supporting EPA's action and demonstrating that the pollution controls are still required under the Clean Air Act.

EPA is expected to make a final decision soon. In the meantime, the high stakes political negotiations continue. For our part, we'll be continuing our decade-long effort to find to a resolution that is the best outcome for utility customers, workers at the plant, and our clean air resources. Stay tuned!

Shannon Anderson
Powder River Staff

Wyoming Voices...Continued from page 1

to help plan for the coming transition in a way that includes people on the ground in these impacted communities.

The storytelling project aims to elevate local voices in the ongoing conversation about how these communities can thrive as the transition moves along. The stories can help drive change as well as identify what community members themselves see as priorities and opportunities in their communities. Though each video is only a few minutes long, they show the depth and breadth of people's lived experiences in the region, why they value the area, and why they stay despite economic uncertainty.

"A person traveling through southwestern Wyoming once told my grandfather, 'Anyone who would live here has never lived anywhere else,'" said Roger Varley, a storyteller from Point of Rocks in Sweetwater County. "As for me, I never take for granted that the beauty



Looking down from the top of a wind turbine.
(Photo courtesy of Clayton Flint, Wyoming Voices participant)

of this place escapes most people. Whether it's a howling blizzard, a battering dust storm, or just a plain old hot dry day, I can't NOT see the beauty. I may not be able to make someone else see what I see, but if they listen, they will know my passion for it. That is why telling my story is important."

StoryCenter, a non-profit organization that specializes in digital storytelling, facilitated the process to help each person create their stories and share their unique perspective. The Equality State Research Network at the University of Wyoming provided funding. Powder River and Haub

School researchers are continuing community-based research around these stories through 2022. Powder River's YouTube Channel and the organization's website host the eight unique stories: www.powderriverbasin.org/what-we-do/coal. For more information on the video series, contact Powder River at 307-672-5809 or email mirwin@powderriverbasin.org.

Powder River Staff



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Save the Date

2022

14 Feb. - March 11 Wyoming Legislature

18 March Board Meeting, Online

22 April Shepard Symposium on Social Justice

Planned Giving and Estate Planning Gifts

The Powder River "family" has been thinking a lot about the future lately, because, as the saying goes, "We aren't getting any younger." We want to make sure this organization remains viable for future generations in the same way it serves today's members. So we're inviting you, our extended family of members and donors, to consider including Powder River in your estate plans.

Your gift would create a living legacy allowing Powder River to continue our work far into the future and helping ensure Wyoming remains the place we know and love for our kids and grandkids.

As one long time Powder River member, Digger Moravek stated, "I want to raise Hell long after I'm gone." You too can do this through a bequest to Powder River.

The two easiest ways to include Powder River in your estate planning take little time (and no legal assistance).

- **THROUGH YOUR RETIREMENT ACCOUNT** (Your IRA, Roth-IRA, SEP-IRA, 401(k), or other such account): Name *Powder River Basin Resource Council* as a Primary beneficiary for a percentage. One percent, 10%, 25% or whatever you wish. You can do this through the account custodian, or often even on the custodian's website in a few minutes (Powder River's Tax ID is 74-2183158).

- **THROUGH YOUR LIFE INSURANCE POLICY:** - Name *Powder River Basin Resource Council* as a primary beneficiary of any percentage of your life insurance policy. You can do this through your insurance agent or the insurance company, or often even on your insurance company's website in only a few minutes (Powder River's Tax ID is 74-2183158).

If you are preparing a formal will or living trust document, you can include Powder River Basin Resource Council as a primary beneficiary of a specific dollar amount or percentage of your estate. If you already have such an instrument, you can have it revised to include Powder River. This is probably best done through your attorney.

Finally, there are several more complex tax-advantaged ways to contribute to Powder River's future and receive continuing income and tax advantages during your lifetime. These include "charitable remainder trusts" and sale of appreciated and depreciated securities. Please consult your legal and financial advisors about how you can use such tools to support Wyoming's most effective grassroots member organization, and how you might benefit.

If you have any questions, please give Powder River a call at 307-672-5809

Thank you!

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