

**ADVOCATES OBJECT TO PROPOSED AIR POLLUTION PERMIT  
FOR WE ENERGIES' MENOMONEE VALLEY POWER PLANT**

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In comments filed on Monday, the American Civil Liberties Union of Wisconsin Foundation (ACLU-WIF), the Black Health Coalition of Wisconsin (BHCW), and Midwest Environmental Advocates (MEA) objected to the Wisconsin Department of Natural Resources' (DNR's) proposed renewal air pollution permit for WE Energies' Menomonee Valley Power Plant. Their comments, which were submitted after more than 100 people appeared at a DNR public hearing in Milwaukee on November 4 to object to the permit, are based on the Plant's excessive air pollution emissions, the failure of the proposed permit to protect public health, and the DNR's failure to address and correct adverse environmental justice impacts of the Plant on Milwaukee's low-income and minority communities.

"Environmental justice issues are indisputably raised by WE Energies' Valley Generating Plant on Canal Street, in the City of Milwaukee. This Plant is the utility's oldest power plant that lacks modern air emission controls," noted Dennis Grzezinski, MEA Senior Counsel. "It is located in the heart of the State's largest majority-minority city, between the state's largest concentration of African-American residents to the north and its largest concentration of Hispanic and Asian residents to the south. While many other old coal-fired power plants in the state are shutting down or being upgraded, the Valley Plant has avoided installation of modern pollution controls."

Dr. Patricia McManus, President and CEO of BHCW, emphasized that "The adverse health impacts of air pollution, of which power plants are a major source, are well-recognized. Meanwhile, asthma, caused and exacerbated by air pollution, affects nearly 100,000 Wisconsin children under age 18; is far more common in southeastern Wisconsin; and is far more prevalent among blacks than whites. The problems are exacerbated by the fact that Milwaukee has been designated by the EPA as out of compliance with air quality standards."

Ms. Masiel Gomez, Chair of the Milwaukee Latino Health Coalition, noted that "The Valley coal plant disproportionately burdens communities of color in Milwaukee. The near southside of Milwaukee, which includes the largest Latino population in the state, also has the highest rate of uninsured in the state. People of the community are less likely to have the financial and healthcare resources to support themselves and their family when their health is harmed by coal plant emissions."

"In contrast to the negative effects created by the Valley Plant, WE Energies' coal-fired generating plant in Port Washington, a community with very few non-white residents, was razed and replaced with a cleaner, natural gas fueled plant. In Oak Creek, another overwhelmingly white community, four old coal generating units were retired, construction of the second of two new units with pollution controls is nearing completion, and four other old coal generating units are continuing in operation with installation of improved air emission controls," added Karyn Rotker, ACLU-WIF Senior Staff Attorney. "The different treatment given the Valley Plant raises questions of compliance with the requirements of Title VI of the Civil Rights Act and of federal environmental justice provisions. The DNR needs to address and correct this."

A copy of the comments filed by the groups is attached.