



# U.S. Environmental Protection Agency

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### North Dakota Region Citizens to Breathe Cleaner Air in \$100 Million NSR Power Plant Settlement

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(Washington, D.C. - April 24, 2006) The air quality in North Dakota and surrounding regions will improve significantly because the federal government and the state of North Dakota are requiring two utilities to reduce emissions of two harmful pollutants by more than 33,000 tons per year.

The Department of Justice and the U.S. Environmental Protection Agency today announced settlement of a case alleging violations of the New Source Review (NSR) provisions of the Clean Air Act against Minnkota Power Cooperative and Square Butte Electric Cooperative—member-owned rural utilities—that will reduce emissions of sulfur dioxide (SO<sub>2</sub>) by about 23,600 tons per year and nitrogen oxides (NO<sub>x</sub>) by more than 9,400 tons annually from the Milton R. Young Station—a lignite coal-fired power plant near Center, North Dakota. This is the first NSR settlement with a power plant utility in the Western United States.

Sulfur dioxides and nitrogen oxides cause severe respiratory problems and contribute to childhood asthma. These pollutants are also significant contributors to acid rain, smog and haze, which impair visibility in national parks. Air pollution from power plants can travel significant distance downwind, crossing state lines and creating region-wide health problems.

"The substantial reductions in SO<sub>2</sub> and NO<sub>x</sub> emissions from the M.R. Young Station, a very large source of air pollution in this area of the country, will have an extremely beneficial impact on air quality in North Dakota," said Sue Ellen Wooldridge, assistant attorney general for the Justice Department's Environment and Natural Resources Division. "We are pleased that Minnkota and Square Butte have decided to come into compliance and take on the responsibility for reducing the pollution from their plants."

"Today's settlement again demonstrates this administration's commitment

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to secure major pollution reductions and to achieve the benefits envisioned by the Clean Air Act," said Granta Y. Nakayama, EPA assistant administrator for the Office of Enforcement and Compliance Assurance. "EPA is committed to taking vigorous, nationwide enforcement action to ensure that companies make compliance with the standards of the Clean Air Act a top priority."

EPA estimates that the pollution controls and other measures required by today's consent decree would cost the utilities more than \$100 million.

Today's settlement resolves allegations that modifications at the M.R. Young Station triggered NSR requirements including the requirement to obtain permits and install the best available control technology (BACT). The allegations are similar to others made by the federal government as part of an initiative to bring operators of coal-fired power plants into compliance with the NSR provisions of the CAA. In 2005, the M. R. Young Station was the second largest source of NOx pollution in the nation by pounds of NOx per megawatt hour.

Under today's proposed consent decree, the utilities will install pollution controls at each of the two M. R. Young steam-generating units. At M. R. Young Unit 1, they will install a new state-of-the-art SO2 pollution flue gas desulfurization device (scrubber) to reduce SO2 emissions by at least 90 percent, and Unit 2 will upgrade its existing scrubber to attain SO2 emission reductions of 90 percent. Both units will install systems to reduce NOx emissions by at least 40 percent and in addition, the utilities will later install whatever NOx controls that North Dakota determines to be the best available control technology for those units. The NOx controls will be installed beginning in 2007 with final NOx controls operational by the end of 2011.

Minnkota and Square Butte will fund \$5 million in renewable energy development projects, including wind power projects in their service area of North Dakota and Minnesota. The wind power generated will displace approximately five megawatts of coal-fired power and thereby further reduce emissions from these coal-fired plants.

This is the tenth settlement that the federal government has entered into to address Clean Air Act NSR violations by coal-fired power plants nationwide. The combined effect of the settlements achieved to date will be to reduce emissions of harmful pollutants by more than 973,000 tons each year, through the installation and operation of about \$5.6 billion worth of pollution controls.

The proposed consent decree will be lodged with the U.S. District Court for the District of North Dakota, and will be subject to a 30-day public comment period.

[Information on today's proposed consent decree](http://epa.gov/compliance/): [epa.gov/compliance/](http://epa.gov/compliance/)

resources/cases/civil/caa/minnkota.html

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