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## Groups threaten to sue Colo. mine over emissions

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Arch Coal Inc.'s West Elk coal mine in Gunnison County, Colo. WildEarth Guardians/Flickr

Environmentalists yesterday threatened to sue a coal company if it does not curb air pollution from Colorado's largest coal mine.

A coalition of conservation groups sent a [notice of intent to sue](#) Arch Coal Inc. if it doesn't act within 60 days to curb volatile organic compounds venting out of its West Elk mine roughly 200 miles west of Denver.

Activists have spent years trying to halt operations and expansions at the mine, located on a 19,100-acre mining concession that allowed lawmakers to pass the 2012 Colorado Roadless Rule, protecting 4.2 million acres of the Gunnison National Forest.

In 2017, WildEarth Guardians appealed to state regulators over volatile organic compounds — gases like benzene and butane that create ground-level ozone when exposed to sunlight ([Greenwire](#), Oct. 20).

In yesterday's notice, the groups said Arch still lacks a permit for those emissions in violation of the Clean Air Act.

"If coal mining operations are going to continue, the company must comply with the law," said Alli Melton, an attorney for the Center for Biological Diversity, one of the groups behind the notice.

WildEarth Guardians, High Country Conservation Advocates and the Sierra Club also signed on.

The same groups successfully sued to block an expansion at West Elk earlier this year ([E&E News PM](#), Nov. 8). Judge R. Brooke Jackson of the U.S. District Court for the District of Colorado revoked the Bureau of Land Management's approval and ordered the agency to redo the National Environmental Policy Act analysis.

"New mining would unquestionably involve the release of methane, and potentially impact the perennial streams not considered within the agencies' decisions," [wrote](#) Jackson, an Obama appointee.

Environmentalists say the mine is Colorado's largest industrial emitter of methane, a potent greenhouse gas.

"There are legal protections in place that call for reasonable steps to limit air pollution and protect public health, and we intend to ensure these provisions work for Coloradans," Sierra Club attorney Nathaniel Shoaff said.