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## Colorado Gas, Oil Permits Flawed, Environmentalist Suit Says (1)

March 16, 2021, 11:26 AM; Updated: March 16, 2021, 12:55 PM

- **COURT:** Colo. Dist. Ct.
- **DOCKET:** Case not yet docketed.

Environmentalists took Colorado pollution officials to court Tuesday over general air permits issued by the state for oil and gas wells.

The Center for Biological Diversity and Sierra Club claim that the officials issued illegally lax air pollution permits to oil and gas companies in areas of the state that suffer from air quality issues.

Their complaint—filed at Colorado District Court in Denver—could “essentially grind to a halt permitting for oil and gas in Colorado,” Center for Biological Diversity senior attorney Robert Ukeiley told Bloomberg Law in an email.

The suit focuses on permits issued by the Colorado Department of Public Health and Environment Air Pollution Control Division.

The permits “claim to set emission limits on oil and methane gas industry emissions of ozone precursors and other pollutants,” the complaint said. “However, the permits do not require any testing to see if the oil and methane gas facilities emissions actually comply with those emission limits.”

### Out of Attainment

Air pollution from the approved oil and gas wells also contributes to smog in the Denver area, which has been out of National Ambient Air Quality Standard attainment for 16 years, according

to the complaint.

“Colorado’s rubber-stamping of thousands of fracking air permits for the past decade has come at a terrible price, triggering more asthma attacks in kids and stunting the growth of alpine wildflowers,” Ukeiley said in a statement.

An alleged lack of smokestack testing and public comment are also at issue in the lawsuit.

The Sierra Club has received funding from Bloomberg Philanthropies, the charitable organization founded by Michael Bloomberg. Bloomberg Law is operated by entities controlled by Michael Bloomberg.

**Cause of Action:** Clean Air Act.

**Response:** The Colorado Air Pollution Control Division said they “don’t provide comment on ongoing litigation.”

**Attorneys:** The plaintiffs are represented by Robert Ukeiley at the Center for Biological Diversity.

**The case is:** [Center for Biological Diversity vs. Colorado Department of Public Health and Environment](#), Colo. Dist. Ct., Case not yet docketed, Complaint 3/16/21

(Updated with comment from state pollution division)

To contact the reporter on this story: Jennifer Hijazi in Washington at [jhijazi@bloombergindustry.com](mailto:jhijazi@bloombergindustry.com)

To contact the editor responsible for this story: Rebecca Baker at [rbaker@bloombergindustry.com](mailto:rbaker@bloombergindustry.com); John Hughes in Washington at [jhughes@bloombergindustry.com](mailto:jhughes@bloombergindustry.com)