



News Release

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HOLLAND BOARD OF PUBLIC WORKS RESPONDS TO FLIMSY SIERRA CLUB LITIGATION

Holland, MI—The Holland Board of Public Works today issued a response to the lawsuit filed December 15 in U.S. District Court by the Madison, Wisconsin law firms representing the San Francisco-based Sierra Club. The statement follows:

The City of Holland and the Board of Public Works are working to harness clean, advanced new technologies to meet the energy needs of our community. Those technologies include renewable resources, such as wind and biofuels, as well as clean, advanced, and efficient technologies that would permit the responsible use of our most abundant energy resource, coal.

This is not new. The Holland Board of Public Works has served this community responsibly and conscientiously for more than 100 years.

We firmly reject the fabricated allegations made against this community by the Sierra Club in a frivolous lawsuit filed December 15 in federal court. The suit is utterly without merit; it is a transparent attempt by the Sierra Club to poison the discussions our community is having about how best to meet our future energy needs.

We ask that HBPW's stakeholders consider these basic facts:

- The HBPW is in full compliance with state and federal law, and with the conditions of the air quality permit application for the James De Young facility.

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LITIGATION RESPONSE

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- The alleged “unlawful modifications” in the Sierra Club complaint were in fact normal repair and maintenance work that did not increase any emissions of air pollutants. The Sierra Club has brought suit against this community for repairing broken or worn equipment at the power plant.
- In filing the suit without properly notifying state and federal officials, the Sierra Club has willfully violated procedures established by the Clean Air Act more than 30 years ago.
- In reckless disregard for the well being of this community, the Sierra Club complaint asks a federal court to order the shutdown of the De Young facility in the dead of winter and demands that the community pay for the two out-of-state law firms the club has hired to carry forward its political agenda.
- At no time has the Sierra Club attempted to have a constructive dialog with the BPW regarding these issues. Their quick jump into frivolous litigation demonstrates a clear disregard for the best interests of our community.

The HBPW is fully prepared to challenge the threat that this flimsy suit presents to the reputation and the interests of our community.

End of Statement

The Holland Board of Public Works is a community-owned enterprise providing utility services to the Holland area. We are committed to improving the economic and environmental quality of the community in partnership with our customers, providing reliable services at the lowest rates achievable through innovation, efficiency, and professional operations. We provide electric generation and distribution, water and wastewater treatment to the City of Holland and selected areas.

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