

NEWS RELEASE

For Immediate Release

May 30, 2012

Contacts: Linda Weiss, 701-575-4234, lkweiss@pop.ctctel.com
Wayde Schafer, 701-530-9288, wayde.schafer@sierraclub.org
Carrie La Seur, 406-696-8700, claseur@plainsjustice.org

ND Groups File Lawsuit on PSC Commissioners' Conflict of Interest

Cramer, Kalk and Clark accept \$54,000 in contributions from coal companies they regulate

BISMARCK – Today, the Dacotah Chapter of the Sierra Club and Dakota Resource Council officially filed a citizens' lawsuit regarding North Dakota Public Service Commissioners' (PSC) violation of campaign contribution rules in federal surface mining law. The suit details \$54,000 in campaign contributions from coal company interests and PSC regulatory decisions directly related to the companies.

“We are suing the Secretary of the Interior for failing to make sure that federal conflict of interest rules for surface mining regulators are implemented in North Dakota, as required by law,” said Linda Weiss, Vice-chair of Dakota Resource Council.

The lawsuit stems from the acceptance of campaign contributions by North Dakota Public Service Commissioners' Kevin Cramer, Brian Kalk, and Tony Clark, from coal companies. Particularly troubling was a donation from South Heart Coal, LLC, which has a surface mining permit application to mine coal near South Heart, ND currently pending before the PSC.

“Since 2006, all three commissioners have accepted campaign contributions from coal company owners, officers, employees, and political action committees, for a total of more than \$54,000,” said Sierra Club's Wayde Schafer. “We are talking about accepting large sums of money from companies in clear violation of a federal law. It's a cut-and-dry conflict of interest and we won't stand for it!”

The lawsuit was filed under the Surface Mining Control and Reclamation Act of 1977 (SMCRA) for declaratory relief and a compliance order, together with costs and fees. The two organizations seek a declaration by the court that the federal surface mining law has been violated. They further request an order forcing Secretary of the Interior Ken Salazar to substitute a federal surface mining regulatory program for the state program until the state program can be made consistent with federal law.