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Settlement reached in Montana's Colstrip lawsuit AP Associated Press

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By Matthew Brown
Associated Press Writer / May 2, 2008

BILLINGS, Mont.—An attorney in a water contamination lawsuit against eastern Montana's Colstrip power plant says the plant's five corporate owners have agreed to pay \$25 million to settle the case.

The 57 plaintiffs -- including some plant workers -- alleged plant officials knew the plant was contaminating water supplies beneath at least one Colstrip subdivision for four years before notifying the community. A second subdivision and trailer park also suffered contamination, the plaintiffs claimed.

Plaintiffs Attorney Jory Ruggiero said no sicknesses resulted, but he said many homeowners and the Colstrip Moose Lodge lost use of their underground wells.

"These companies fought every step of the way," Ruggiero said. "You can't hide the facts when you're testing wells and they're coming up contaminated."

The lawsuit, filed in 2003, had been scheduled to go to trial in early June. The defendants were PPL Montana, a subsidiary of PPL Corp., Puget Sound Energy, Portland General Electric Co., Avista Corp., and PacifiCorp.

The corporations jointly own the 2,100 megawatt plant, which is operated by PPL Montana to generate electricity for West Coast markets.

The contamination came from pollutants removed from the power plant's smokestacks to meet clean air requirements. At least two of the holding ponds where that waste was kept leaked.

The lawsuit also alleged another reservoir -- Castle Rock Lake, which provides water to operate the plant -- leaked in volumes great enough to raise the water level under the town and cause structural damage to some homes.

A PPL Montana spokesman, David Hoffman, said his company has acknowledged contamination, but only near the surface of Colstrip's aquifers and not in the vicinity of deeper residential wells.

PPL Montana bought into the plant in 1999 when it acquired the Montana Power Co. -- two years after the contamination problems emerged publicly.

"We certainly believe this tentative agreement is in the best interest of all parties involved," Hoffman said. "We recognize there had been some evidence of contamination in the shallow aquifer."

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of contamination in the shallow aquifer.

He said the two holding ponds where the contamination originated have since been lined with a rubber material meant to prevent further leaks. ■

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