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Alaska's Certification of Discharge Permit for Red Dog Mine Threatens Alaska's Water Resources, Jeopardizing Health and Jobs

Native Villages and Conservation Groups File Appeal of State's Certification

Anchorage, Alaska: Despite legal deficiencies with the State's certification of a reissued National Pollution Discharge Elimination System (NPDES) permit for the Red Dog Mine, the Alaska Department of Environmental Conservation (DEC) gave the Environmental Protection Agency (EPA) the green-light to reissue a permit that does not comply with the Clean Water Act and threatens Alaska's water resources, placing the health and jobs of village residents in jeopardy.

The Native Village of Kivalina IRA Council, the Native Village of Point Hope IRA Council, Alaska Community Action on Toxics, the Northern Alaska Environmental Center, and Kivalina residents Enoch Adams, Jr., Joseph Swan, Sr., Leroy Adams, Andrew Koenig, and Jerry Norton today appealed the DEC certification of the NPDES permit to ensure that DEC does its job to safeguard Alaskan's water resources, and the health of its citizens. The appellants are represented by the Center on Race, Poverty and the Environment and Trustees for Alaska, nonprofit law firms.

The Red Dog Mine has chronically violated the discharge limits in its current NPDES permit for over a decade, resulting in the discharge of significant levels of toxic chemicals, including cyanide and ammonia, into Red Dog Creek. Red Dog Creek flows into Ikalukrok Creek and the Wulik River, the source of drinking water for the City of Kivalina. "This new permit is a license to pollute. While we support economic development, we are also extremely concerned about our drinking water and about the health of Wulik River fish, which are an important source of food for our village," said Enoch Adams, a resident of Kivalina. "The mine's discharges harm the area that residents of Point Hope and Kivalina use for subsistence and the State has to do its part to ensure that the water, plants and animals that residents rely on are safe to consume," said Pam Miller of the Alaska Community Action on Toxics.

Teck Alaska, Inc., the operator of Red Dog Mine, applied for a new NPDES permit to expand mining operations into the Aqqaluk Deposit, which lies adjacent to its current Main Pit. The proposed permit removes or relaxes many discharge limits and allows more pollution of several waterbodies. The groups submitted extensive comments identifying the inadequacies with the State's draft certification during the public review process; nonetheless, DEC recently certified a permit that violates federal Clean Water Act and Alaska water quality standards.

“The duty of the DEC is to ensure that any discharge permits issued by EPA are sufficiently protective of Alaska's water resources and comply with Alaska's water quality standards,” said Brook Brisson, Clean Water and Mining Program Director at the Northern Alaska Environmental Center. “When DEC approves permits with weaker discharge limits and unnecessarily large mixing zones, DEC fails in its duty to protect our water quality.”

“Permitting agencies' compliance with the law is a win-win situation for everyone: our resources, health, and subsistence are protected and it creates certainty for permittees, safeguarding jobs, revenue and investment,” said Carl Johnson, attorney at Trustees for Alaska. “It is unfortunate that Alaska has chosen to certify a Red Dog permit that does not protect the resources of Kivalina and Point Hope nor give Teck certainty in this process.”

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