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Louisiana Citizens Group Notifies Noranda & Kaiser of Plans to Sue Over Mercury Contamination

Group Says Pollution is Endangering Public Health and the Environment

Baton Rouge, LA –The Louisiana Environmental Action Network (LEAN), on behalf of concerned Louisiana citizens, notified the Noranda and Kaiser Aluminum companies recently that it intends to sue over Mercury pollution generated by an alumina refinery in Gramercy, Louisiana. LEAN and Public Justice, an impact litigation group based in Washington, D.C., say Noranda (and, during prior ownership of the refinery, Kaiser) have violated the Resource Conservation and Recovery Act (RCRA) by contaminating the Blind River and surrounding wetlands with alarmingly high levels of mercury. The groups have warned the companies that if immediate steps aren't taken to facilitate the "reduction or total abatement of mercury air emissions . . . [and] mercury-contaminated groundwater discharges" from the Refinery and clean up of existing contamination, they will take legal action.

The groups' notice letter notes that water and sediments in the wetlands adjacent to the refinery "are contaminated by mercury at levels that harm the environment and contribute to the high levels of mercury in fish in the Blind River." The level of pollution, the letter goes on to say, "has caused the State of Louisiana to advise the public to limit their consumption of fish caught in the Blind River." The refinery has been emitting mercury from as early as 1959 and recent monitoring has detected a plume of mercury in the air near the refinery and indicates that mercury has begun to leak into the shallow wetlands via groundwater.

"Noranda admits it and prior owner Kaiser have likely been releasing mercury into the air, without a permit, for nearly six decades," said Marylee Orr, executive director of LEAN. "Yet, the company has utterly failed to take any concrete steps to contain, reduce or clean-up the mess it has created here in Louisiana. As a result, there is a significant risk to human health, the environment and our food chain. If Noranda and Kaiser will not voluntarily take responsibility and address this alarming public health crisis, it is up to the citizens of Louisiana to take action. Our notice is meant to assure them that we intend to do just that."

"Mercury is a highly potent, extremely dangerous chemical that causes birth defects, poisons seafood and can even inflict neurological damage," said Richard Webster, attorney at Public Justice. "Yet, Noranda and Kaiser are continuing a six-decade habit of releasing it into the air and water around their refinery. The question isn't whether contamination is happening, but what Noranda plans to do to address it. That plan is already long overdue and if it not made within 90 days, the citizens of the local community have no choice but to take legal action."

The groups say they plan to pursue litigation against the companies within 90 days if there is no action to reduce the danger to local communities and no long-term cleanup plan for the site. Jones Swanson Huddell & Garrison, LLC will serve as Louisiana counsel in the litigation.

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