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NEWS RELEASE

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Flambeau Mine Causing Illegal Water Pollution

Conservationists announce intent to file lawsuit over water pollution from Flambeau Mine

A Wisconsin conservation group and two individuals formally notified the Flambeau Mining Company (FMC) and the Wisconsin Department of Natural Resources (DNR) that they intend to file a lawsuit over water pollution caused by the partially reclaimed Flambeau Mine, near Ladysmith, Wisconsin, unless the pollution and related issues are fully addressed within 30 days by FMC and the DNR.

Flambeau Mining Company is a subsidiary of Kennecott Minerals, the same company that is attempting to open two new nickel-copper mines in Aitken County, Minnesota (the Tamarack Project) and Marquette County, Michigan (the Eagle Project).

The formal notification letter regarding illegal pollution at the Flambeau Mine site was sent to FMC and the DNR by Attorney Glenn M. Stoddard of Eau Claire, Wisconsin, on behalf of the Wisconsin Resources Protection Council (WRPC), Al Gedicks and Laura Furtman.

According to Stoddard: "The notice letter and potential lawsuit is based on the monitoring data that has been collected by FMC and provided to the DNR and WRPC. The data shows that runoff from the Flambeau Mine is in violation of applicable surface water quality standards and is illegally polluting a nearby stream and the Flambeau River. The data also shows that groundwater at the mine site is polluted and, at a minimum, requires expanded monitoring. However, the DNR has failed to properly regulate FMC and has, instead, allowed the company to violate the law and portray the Flambeau Mine as an environmental success story when it is not."

The WRPC is a conservation organization that was founded in 1982 to address concerns over mining in northern Wisconsin. Al Gedicks, of LaCrosse, Wisconsin, is WRPC's Executive Secretary and he is also one of the two individuals bringing the case.

"It appears that FMC has been glossing over its own data in order to claim that the Flambeau Mine is an environmental success story, when the data actually shows that the Mine is causing pollution just as we had predicted before it was permitted by the DNR back in 1991. We are pursuing this case now in order to bring out the truth and hold both FMC and the DNR legally accountable for the damage being done to our environment by the Flambeau Mine."

Laura Furtman, of Webster, Wisconsin, is the other individual bringing the case. Furtman said: "I am concerned about the DNR's lax approach to enforcement and FMC's poor science and claims of environmental success, because this sends the wrong message to citizens and Tribal members in northern Wisconsin and

other areas that are faced with new mining proposals. The facts show that the Flambeau Mine is anything but a success and is, instead, a serious environmental problem that neither the DNR nor FMC want to acknowledge publicly.”

The Flambeau Mine, located in Rusk County, Wisconsin, was an open pit metallic sulfide mine that produced 181,000 tons of copper, 334,000 ounces of gold and 3.3 million ounces of silver over its four-year life span (1993-1997). The Flambeau River formed the western boundary of the project area, and the pit itself was constructed to within 150 feet of the river. In late 1997, the 32-acre pit was backfilled with waste rock containing heavy metals, sulfides and sludge.

According to Dr. David Chambers, an expert in geophysics who reviewed FMC’s water quality data for WRPC, there are problems with both surface water and groundwater pollution at the Flambeau Mine site. In particular, a major area of concern involves a small tributary of the Flambeau River known as “Stream C.”

When FMC closed the mine, a drainage ditch and pond were constructed to collect polluted runoff coming from the mine site, and a second ditch was constructed to convey that water to Stream C. According to Chambers, who is the President of the Center for Science in Public Participation out of Bozeman, Montana, “Copper levels in Stream C exceed Wisconsin water quality standards both at the discharge point from the pond into Stream C and from Stream C as it flows into the Flambeau River.” He added, “The latest round of data I’ve seen shows copper levels about seven times higher than the Wisconsin standard at the pond’s outlet.”

A second issue relates to groundwater pollution at the Flambeau Mine site. Dr. Kendra Zamzow, an environmental chemist who works with Chambers, analyzed contaminant levels in a well drilled in the path of water flowing from the backfilled pit to the Flambeau River. She said: “There have been consistent and statistically significant violations of 1991 Flambeau Mine permit standards in this well, which is about 125 feet from the river. The heavy metal manganese, for example, is currently registering over four times higher than the permit standard”

WRPC has also taken issue with FMC’s monitoring program for tracking the biological effects of metals making their way into the Flambeau River from the mine site. The group enlisted the help of Dr. Ken Parejko, an aquatic biologist and Professor Emeritus at the University of Wisconsin-Stout, to evaluate FMC’s biological studies.

Parejko concluded that there were serious flaws in the company’s study design, making it “difficult to draw any conclusions regarding the presence or absence of a mining-related effect” on the Flambeau River. Yet, he added, “The combined observation of statistically significant increased copper concentrations in crayfish, walleye and sediment downstream from the mine site raises the possibility of a causal relationship.”

The conservationists are seeking a number of remedies for the pollution at the mine from the DNR and FMC, including but not limited to more restrictive permitting requirements, fines, remedial action, and increased monitoring at the site and in the Flambeau River.

More information and complete copies of the formal Notice Letter and supporting expert reports are available on WRPC’s website at: www.wrpc.net.

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