



HERE'S THE

RIGHT FOR YOU RIGHT NOW!
TOYOTA



Click here for factory specials available in **Western Washington.**

NEWS / HOME

LOCAL

Eastside

Snohomish County

COLUMNISTS

Nicole Brodeur

Danny Westneat

Sherry Grindeland

On Politics

Inside The Times

Here and Now

The Rev. Dale Turner

BUSINESS/TECH

NATION/WORLD

POLITICS

CONSUMER

EDUCATION

OBITUARIES

SPECIAL PROJECTS

OPINION

SPORTS

ENTERTAINMENT

HEALTH

TRAVEL /
OUTDOORS

LIVING

PACIFIC NW
MAGAZINE

COMICS / GAMES

PHOTOGRAPHY

NWCLASSIFIEDS

NWSOURCE

SHOPPING

SERVICES

ADVERTISING

Friday, August 27, 2004 - Page updated at 12:00 A.M.

Canadian firm counters tribes' suit over pollution

By [Christopher Schwarzen](#)
Times Snohomish County bureau

In an attempt to avoid U.S. Superfund laws, a Canadian mining conglomerate yesterday sought to dismiss a federal lawsuit against one of its smelters accused of dumping tons of pollution into the Columbia River for nearly a century.

Mining conglomerate Teck Cominco, which operates a smelter in Trail, B.C., filed the motion against the Confederated Tribes of the Colville Reservation's lawsuit, which asks the courts to force Teck Cominco's compliance with an Environmental Protection Agency order.

The EPA wants Teck Cominco to clean up pollution in the Columbia River and Lake Roosevelt under Superfund laws. The company is accused of dumping lead, arsenic and other carcinogens into the Columbia. The amounts violated U.S. limits but were legal under Canadian laws. The EPA also is investigating mercury deposits it says are linked to the smelter.

But a successful defense of the lawsuit by Teck Cominco also ends the EPA's attempts to require cleanup of the Columbia River, according to company officials.

"It's the same issue because the basis for the Colville suit is the [EPA] order," said Doug Horswill, the company's senior vice president of environment and corporate affairs.

And the smelter can't be held to U.S. Superfund regulations because of its Canadian location, Horswill said.

EPA officials said yesterday their enforcement order is separate from the lawsuit and is not being challenged in court. The EPA contends U.S. Superfund rules do apply to Teck Cominco because of its land holdings in the United States and the pollution's location.



[enlarge](#) GREG GILBERT / THE SEATTLE TIMES, 2003

Teck Cominco's Trail, B.C., smelter sits on a hill above the Columbia River a few miles north of the Washington border.

- [E-mail this article](#)
- [Print this article](#)
- [Search archive](#)
- [Most read articles](#)
- [Most e-mailed articles](#)

LOCAL NEWS SEARCH

Today Archive

[Advanced search](#)

ADVERTISING

Find Your Graduating Class



I graduated in:

1996	▲
1986	▬
1976	▬
1966	▬
1956	▼

classmates.com

Mineral deposits from an Alaskan mine are processed in Trail, and deposits from a soon-to-be-opened mine in Pend Oreille County also will be sent to Trail. Pollution from those processes have and will end up in the Columbia River, said EPA regional spokesman Bill Dunbar.

"Last we checked, the Columbia River does run south of the Canadian border," Dunbar said. "We've only told Teck Cominco to address pollution on American soil and waters."

The arguments over the EPA's powers have ratcheted into an international debate. In February, U.S. State Department officials traveled to Ottawa to discuss a potential settlement of the ongoing dispute. Canada later sent the United States a cleanup proposal outside Superfund law, Teck Cominco said. U.S. officials have ignored it.

"It's a very big issue for us to try and encourage the parties that matter — the Canadian and U.S. government — so that we can get on with what we want to do," Horswill said.

The company has pledged \$13 million to study health impacts of the pollution and pay for cleanup independently of EPA oversight. But the EPA has moved forward with the studies on its own instead of waiting for the dispute to be settled.

Tribal members said yesterday they were not surprised by Teck Cominco's filings and are ready to challenge them in court. "It doesn't change anything," said D.R. Michel, one of the plaintiffs in the case.

ADVERTISING

Mortgage Rates Hit Record Lows!

Click Your Current Rate

7.00% & above
6.00%-6.99%
5.00%-5.99%
4.00% & below

Bad Credit OK Easy Comparisons. More Choices. Bigger Savings.SM

Lower MyBills.com

© 2005, LowerMyBills, Inc.

Christopher Schwarzen: 425-783-0577 or cschwarzen@seattletimes.com

Copyright © 2004 The Seattle Times Company

[E-mail this article](#)

[Print this article](#)

[Search archive](#)



[Get all your Seahawks sports coverage delivered for only \\$1.95 a week.](#)

[More local news headlines...](#)

[seattletimes.com home](#)

[Home delivery](#) | [Contact us](#) | [Search archive](#) | [Site map](#) | [Low-graphic NWclassifieds](#) | [NWsource](#) | [Advertising info](#) | [The Seattle Times Company](#)

[Copyright © 2005 The Seattle Times Company](#)

[↑ Back to top](#)

