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Court Victory Forces Canada to Report Pollution Data for Mines

TORONTO - Great Lakes United, Mining Watch Canada and Ecojustice are hailing a landmark decision from the Federal Court of Canada released late yesterday that will force the federal government to stop withholding data on one of Canada's largest sources of pollution -- millions of tonnes of toxic mine tailings and waste rock from mining operations throughout the country.

The Federal Court sided with the groups and issued an Order demanding that the federal government immediately begin publicly reporting mining pollution data from 2006 onward to the National Pollutant Release Inventory (NPRI). The strongly worded decision describes the government's pace as "glacial" and chastises the government for turning a "blind eye" to the issue and dragging its feet for "more than 16 years".

"This is a huge decision for environmental justice in Canada," said Ecojustice lawyer Justin Duncan. Fellow lawyer Marlene Cashin added, "The court has unequivocally upheld the right of Canadians to know when the health of their communities and the environment is under threat from one of the country's largest sources of toxic pollution."

The lawsuit was filed in Federal Court in 2007 on behalf of MiningWatch Canada and Great Lakes United by Ecojustice (formerly Sierra Legal Defence Fund). The lawsuit alleged that the Minister of Environment broke the law when he failed to collect and report this pollution information from mines in Canada under the NPRI.

"This is a victory that should be celebrated from Smithers to Voisey's Bay," said MiningWatch Canada spokesman Jamie Kneen. "The public has a right to know what kind of toxic liabilities are being created every day. It's always been bizarre to us that the mining industry should not face the same reporting requirements as every other industrial sector, and we're pleased that the Court agreed with us."

In stark contrast, since 1998, the U.S. government has required mining companies to report all pollutants under the American equivalent of the NPRI, the Toxics Release Inventory (TRI). In 2005, the 72 mines reporting to the TRI released more than 500 million kilograms of mine tailings and waste rock -- accounting for 27% of all U.S. pollutants reported. With yesterday's court decision, pollution data from Canada's 80 metal mining facilities will now similarly have to be reported under the NPRI.

"Canadians living in places like Sudbury, with mining operations in their backyards, were blindfolded while millions of kilograms of carcinogens and heavy metals accumulated in tailings ponds and waste rock piles across the country," said John Jackson of Great Lakes United. "With this decision, the blindfold comes off and citizens can truly hold these companies to account for their pollution and the environmental and health dangers they pose."

For further information please visit <http://www.ecojustice.ca> or contact:

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