

# ENVIRONMENTAL NEWS

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## EPA ASKS COURT ACTION TO STOP POLLUTION OF LAKE SUPERIOR

William D. Ruckelshaus, Administrator of the Environmental Protection Agency, today asked the Department of Justice to file suit against the Reserve Mining Company to halt pollution of Lake Superior by Reserve's ore processing plant at Silver Bay, Minnesota.

In a letter to Attorney General John N. Mitchell, Ruckelshaus said that Reserve's daily discharge of 67,000 tons of taconite tailings "endangers a unique natural resource". The volume put into the Lake by the company is many times greater than the total volume of material carried into the Lake by its tributaries, he added. The Environmental Protection Agency Administrator requested the Department of Justice to institute legal action requesting a federal district court to set "a schedule of time within which the company must terminate the pollution."

Ruckelshaus added that a notice had been issued to Reserve on April 28, 1971, calling formal attention to its violation of water quality standards, and that in an effort to reach an amicable solution, EPA had employed the consulting firm of Roy F. Weston, Inc., of West Chester, Pennsylvania, to determine the feasibility of alternative methods of total and partial on-land disposal. Weston, after extensive investigation, reported five alternative plans, all of which were rejected by Reserve Mining Company, leading to the present impasse.

The EPA Administrator said that Reserve raised many objections to each of the plans, and that this could have led to "endless discussions and technical arguments, with little possibility of a fruitful conclusion." Ruckelshaus said, "My responsibility is to protect the environment, and I intend to discharge that responsibility as expeditiously as possible." He further said, "I have concluded with regret that our dispute cannot be resolved without the assistance of the court, and for that reason I have on this date forwarded the matter to the Department of Justice for appropriate legal action."

Ruckelshaus noted that the States of Wisconsin, Minnesota, and Michigan have frequently expressed a continuing concern in protecting the purity of Lake Superior. These States are parties to the Lake Superior Federal-State enforcement conference. For that reason, he said he has written to the respective Governors suggesting that they consider intervention in the proposed action and participation with EPA and the Department of Justice in seeking an end to the pollution.

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