



Judge Allows Teck Mining Lawsuit Alleging Decades of Toxic Pollution to Continue

Lawsuit states Teck released lead, zinc, mercury and other harmful chemicals into the Columbia River

SEATTLE – Senior U.S. District Court Judge, Lonny Suko, has denied a motion from Teck Mining Company (TSE: TCK) to dismiss a lawsuit alleging that the mining giant dumped hazardous chemicals and pollutants into the Columbia River for decades, leading to a host of diseases and health problems for those living downstream in the Northport, Wash., area, according to attorneys at Hagens Berman.

The judge's order allows the suit to continue to the discovery or evidence-gathering stage on claims that Teck polluted the region and harmed class members because it was negligent in handling toxins or because its smelter operations are inherently dangerous. [Judge Suko's order denied Teck's motion](#) to strike the proposed class action and agreed with the plaintiffs that it was premature to reach that decision preemptively without discovery.

"We're pleased with Judge Suko's decision and look forward to carrying this case onward for the residents and families in the Northport area who have endured such tremendous damages to their health and their home for so long," said Steve Berman, managing partner of [Hagens Berman Sobol Shapiro](#). "We've found that these toxic pollutants have wreaked havoc to the area's forests, crops and livestock, and have greatly impacted the health of residents in the area."

Teck owned and operated a smelter in Trail, B.C., approximately 20 miles north of Northport, since 1896. According to the complaint filed by Hagens Berman on Dec. 20, 2013, in the United States District Court for the Eastern District of Washington, Teck has a long history of toxic discharges and emissions, which have allegedly contributed to a disproportionately high instance of disease for those living downstream of the Trail smelter.

The lawsuit alleges that many of the toxins Teck releases from its smelter, including aluminum, antimony, arsenic, cadmium, copper, lead, manganese, mercury, silica, sulfur dioxide, thallium and zinc are known to cause serious diseases including cancer, inflammatory bowel disease, neurological disease, respiratory disease and endocrinological disorders, which also have been reported at elevated levels in the Northport area.

According to the [lawsuit against Teck](#), a health survey found that instances of Crohn's disease and ulcerative colitis in Northport were 10 to 15 times higher than expected for a population its size. Ulcerative colitis and Crohn's disease represent some of the most challenging diseases in all of medicine. Caused by a weakening in the gut barrier, they are regarded as incurable diseases, and patients usually require lifelong heavy medication and multiple devastating surgeries like bowel resection, proctocolectomy, ileostomy and ileal pouch-anal anastomosis. Another study indicated that area residents suffered from thyroid or endocrine disorders at six times the rate of the general population, and also found elevated rates of arthritis, cancer, brain aneurisms and Parkinson's disease.

Hagens Berman's complaint details the court's findings from a related matter that Teck discharged at least 9.97 million tons of slag—a byproduct of the smelting furnaces at the Trail smelter—into the

Columbia River between 1930 and 1995, with at least 8.87 million tons carried downstream. The court estimated that the slag contained at least 7.300 tons of lead and 255,000 tons of zinc.

According to the complaint, several other contaminants have been intentionally discharged by the Trail smelter into the Columbia River, including mercury, cadmium, arsenic and antimony, as well as airborne emissions of sulfur dioxide.

The lawsuit also describes multiple leaks and spills, including a major incident in 1980 that released 6,300 pounds of mercury into the Columbia River and 15 tons of sulfuric acid into the air.

The lawsuit alleges that Teck is liable for personal injuries caused by decades of releasing pollutants in the Northport area, and seeks damages to be determined at trial.

More information about the case can be found at <http://www.hbsslaw.com/cases-and-investigations/cases/Teck-Mining-Company>.

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Hagens Berman Sobol Shapiro LLP is a consumer-rights class-action law firm with offices in nine cities. The firm has been named to the National Law Journal's Plaintiffs' Hot List seven times. More about the law firm and its successes can be found at www.hbsslaw.com. Follow the firm for updates and news at [@ClassActionLaw](#).

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