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**For more information, Contact:**

Pete Nichols, Program Director, Humboldt Baykeeper, 268.0664

Patty Clary, Executive Director, Californians for Alternatives to Toxics, 445-5100

**Citizen Groups Threaten Suit Over Poisonous Discharges Into Humboldt Bay**

**Eureka** Humboldt Baykeeper and Californians for Alternatives to Toxics (CATs) today gave notice to the owners of a former plywood mill on Humboldt Bay that they will be sued for violating the federal Clean Water Act, and other state and federal laws, unless they remedy the unregulated and dangerous discharge of toxic chemicals into Humboldt Bay.

Although the former Simpson mill is no longer operating, sampling has shown that such poisons as cancer-causing dioxin and the now-banned wood preservative pentachlorophenol (“penta”) are among the many persistent pollutants running off the site into the bay, the groups said in the 60-day notice of their intent to sue. Additionally, the Notice alleges that the parties have created a human health risk from the dioxin contamination around the site and discharges to Humboldt Bay, the Eureka Marsh, and groundwater.

The site, a former lumber mill and plywood manufacturing facility, is currently the location of Flea Mart by the Bay and is also used to store construction materials. The site is immediately adjacent to the popular Del Norte Street fishing Pier.

“These continuing discharges—all without the required permits—are seriously threatening the community and the ecology of Humboldt Bay, and are clear violations of clean water laws,” said Pete Nichols, Program Director of Humboldt Baykeeper, noting that tainted stormwater and groundwater is entering the bay and the Eureka Marsh.

“The recent testing done by the Humboldt Bay Harbor District and the City of Eureka clearly shows that there is a systemic dioxin problem in Humboldt Bay” Nichols said. “All of the sites sampled in the bay tested positive for dioxin. There are, most certainly, dioxin “hot spots” serving as sources for this wide-spread problem, and we believe this site is one of them,” he continued.

Patty Clary, whose non-profit group CATs aims to prevent harm from poisonous chemicals, also noted that the site owners’ failure to conduct the proper testing during and after a government-ordered removal of contaminated soil two years ago “left a toxic

mess.” She explained that penta degrades much faster than dioxin so that failure to detect toxic levels of one doesn’t mean the other isn’t still there.

The threat to sue from both groups was addressed to Simpson Timber, Preston Properties, Building Material Distributors, Inc., the North Coast Railroad Authority, and SHN Consulting.

Humboldt Baykeeper contends that a comprehensive dioxin study and clean-up plan should be developed. “Performing proper cleanups of the contaminated industrial sites around the bay is necessary to protect our community’s health and our ecological resources. Getting these properties back into productive use also increases our local tax base and reduces development pressures on our open spaces,” Nichols said.

Of the many pollutants cited in the suit, the presence of dioxin and penta pose the greatest concern. Dioxin is a potent carcinogen and disrupts the human endocrine system. Dioxin is particularly harmful to the developing fetus, and is known to bioaccumulate in the tissues of fish and shellfish causing a health hazard to people and wildlife that consume them.