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FOR IMMEDIATE RELEASE

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Terrace residents go to court to fight for clean air

Terrace. Lynda Gagné and Charles Claus are heading to the BC Supreme Court, again, in their quest to challenge a permit issued by the BC Government's Ministry of Environment to allow an increase in sulphur dioxide emissions from the Kitimat Rio Tinto Alcan (Alcan) aluminum smelter to 42 tonnes per day, up from an earlier limit of 27 tonnes per day. As asthma sufferers, the pair are concerned about the impacts of the odourous and toxic sulphur dioxide on their properties, health and livelihood in nearby Terrace.

Gagné and Claus have already been to the BC Supreme Court once – winning an order from Mr. Justice MacKenzie that the Environmental Appeal Board (EAB) should relax its standards for when appellants will be heard and reconsider its initial decision to deny them standing to appeal the BC Government's approval of the emissions. But on April 17, 2014 the EAB again denied Gagné and Claus standing to appeal— arguing that the impacts on them are “speculative”.

“We are facing increased sulphur dioxide in our air, our lungs, our forests, our water, our gardens, our local farms, and our food” said Gagné. “It is nonsensical for Alcan and the EAB to say we don't have standing to challenge the appeal, especially after the company included Terrace residents in its community consultations over the emissions increase,”

The EAB agreed to hear from two residents of Kitimat, but refused to hear the residents of downwind Lakelse Lake and Terrace, including Gagné and Claus.

West Coast Environmental Law is providing some of the funds for the challenge through its Environmental Dispute Resolution Fund. Andrew Gage, a lawyer with West Coast, explained: “We funded this appeal because we believe that shutting the door on British Columbians who are concerned about their health is wrong. Good environmental decisions need to be transparent and involve everyone who believes that they may be impacted.”

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