

# URGENT ACTION

## THREAT OF TOXIC RESIDUE LEAKS

**Over 4,000 families in India face serious risk from threats of leaks from Vedanta's red mud pond as the rainy season begins in June. Levels within the pond have already risen, amidst reports of two leaks in the last two months, threatening the communities' safety, health and livelihoods.**

On 5 April and 16 May 2011, following heavy rain, local communities in Orissa state reported leakages from the 28-hectare red mud pond, owned and operated by Vedanta Aluminium, through its walls, polluting local streams and creating anxiety among the communities at the downstream villages of Lanjigarh, Bundel and Basantpada.

On both occasions, company employees reportedly repaired the breaches and washed down the leak, but the communities are not aware of any attempts by the company to assess and clean up any damage that may have been caused by these leaks or to assess any resulting pollution of land and water this may have caused. It has been reported that the company denied any overflow from the pond and claimed that the rain had caused loose earth to flow from the pond's 30 metre tall wall which is sought to be raised. On 11 May, the Orissa State Pollution Control Board visited Lanjigarh to study the situation at the pond, but has not made its findings public.

Eye-witnesses say the pond's waste levels have significantly risen. During 2007-2009, the Orissa State Pollution Control Board highlighted concerns about the pond's design and maintenance, including queries about construction, and evidence of seepage of alkaline waste water (pH of 11.06) from the pond. It is not clear how these risks are currently being managed. Amnesty International consulted an international environmental expert and this expert's view was that the pond should be considered a high risk facility, both because of questions raised about its design and construction and experiences of periodic rainfall.

The local communities have been protesting that they were not being provided with information on steps that are being taken by the company and the state to prevent further breaches. They are also not being informed of the implications of increasing the red mud pond's capacity or the height of its wall. They fear that they could face a grave situation in the event of a breach during the rain expected from the monsoon which begins in June.

Vedanta's proposal for a five-fold expansion of this refinery is currently pending before the Orissa High Court after India's Ministry of Environment and Forests rejected it in October 2010 after finding that the project violated the country's environmental laws.

### **PLEASE WRITE IMMEDIATELY in English or your own language urging the authorities to:**

- Take immediate steps to protect the local communities from any contamination to water, land or air that has already occurred, including ordering a clean up and giving local communities access to effective remedies;
- Stop pumping any more red mud into the pond and ensure that no expansion of the refinery is allowed until action has been taken to adequately address existing problems in a manner that respects human rights;
- Immediately order an independent inquiry into the risks of overflow or leaks from the red mud pond as well as the report of the leak on 16 May 2011 and share these findings with local communities in an accessible manner, as well as sharing all other findings and reports undertaken;
- Publicly communicate measures being taken by the company and the local authorities to prevent any leaks or overflows from the pond during the monsoon rains and corrective measures which will be taken to protect local communities and the environment if any leaks or overflows occur.

### **PLEASE SEND APPEALS BEFORE 7 JULY 2011 TO:**

Minister of Environment and Forests

Jairam Ramesh

Paryavaran Bhavan, Lodhi Road,

New Delhi 110003, India

[jairam54@gmail.com](mailto:jairam54@gmail.com)

Salutation: Dear Minister

Chief Minister of Orissa

Naveen Patnaik

Naveen Nivas, Aerodrome Road

Bhubaneswar 751001, India

[cmo@ori.nic.in](mailto:cmo@ori.nic.in)

Salutation: Dear Minister

Also send copies to diplomatic representatives accredited to your country. Check with your section office if sending appeals after the above date.

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### ADDITIONAL INFORMATION

Watch video footage of the red mud pond at this link: <http://www.amnesty.org/en/news-and-updates/india-toxic-sludge-leak-vedantas-red-mud-pond-threatens-rural-communities-2011-06-0>

The refinery and red mud pond is owned and operated by the Vedanta Aluminium Limited, a subsidiary of the UK-based Vedanta Resources plc.

“The authorities are indifferent to the plight of the local communities who are being affected by these leaks occurring due to hour-long downpours. What will happen to us in future when the monsoon strikes and whom shall we believe?”

Residents of Lanjigarh village

Red mud is a highly alkaline toxic residue formed during the process of refining bauxite into aluminium and posing significant risks to human health and the environment. Careful management and robust regulatory oversight are necessary to effectively manage the risks associated with red mud. In October 2010, when the red mud pond at an alumina refinery at Kolontar in Hungary leaked and flooded local villages with red mud, several people died, dozens were injured and there was widespread environmental contamination.

The refinery and red mud pond in India are owned and operated by the Vedanta Aluminium, a subsidiary of the UK-based Vedanta Resources plc. They are situated in a sensitive location, only a kilometre from the river Vamsadhara, the region's main water source; four villages are very close to the refinery and eight others are downstream of the river. Local communities – mainly Majhi Kondh *adivasi* (indigenous) and Dalit communities who rely on agriculture for their livelihoods – have consistently raised concerns over the risks posed by the 28 hectare main red mud pond that is currently in use and the construction of an additional 60 hectare red mud pond, which is not yet operational. They have also been campaigning against the Vedanta's proposal for the refinery's five-fold expansion, arguing it would further pollute their land and water.

In September 2005, the Central Empowered Committee of the Supreme Court of India underlined that “...the location of the pond for the red mud, which is a mix of highly toxic alkaline chemicals and contains a cocktail of heavy metals including radioactive elements and the Ash pond on the Vamsadhara river may cause serious water pollution. The breach of the red mud and the ash pond may cause severe damages downstream. The potential of such an occurrence has not been properly assessed...”.

In its report *Don't Mine us out of Existence: Bauxite Mine and Refinery Devastate Lives in India* issued in February 2010, Amnesty International highlighted that testimonies of local people, together with the pollution documented by the Orissa State Pollution Control Board, raised serious concerns about negative impacts by the refinery's operations on the rights to water, health and livelihoods of the communities living in proximity to the refinery, which had not been adequately addressed by either the company or the authorities. Amnesty International called on the authorities to take prompt action to prevent any further contamination of the river and to address existing problems and also recommended that Vedanta urgently and fully address the existing negative environmental, health, social and human rights impacts of the refinery at Lanjigarh and that this should be done in genuine and open consultation with the affected communities.

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