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Lead Sheath Telecom Cables/RCRA: California Sportfishing Protection Alliance and Pacific Bell Telephone Company Enter into an Settlement Requiring Removal

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The California Sportfishing Protection Alliance (“Alliance”) issued a September 18th news release stating that Pacific Bell Telephone Company, d/b/a ATT&T of California (“Pacific Bell”) has agreed to remove what are described as “abandoned telecommunications cables” located in Lake Tahoe.

In a 2020 Notice of Intent to Sue pursuant to the Resource Conservation and Recovery Act (“RCRA”) the cables were described as follows:

- Three submarine telecommunication cables.
- One submarine power cable.

The Alliance had alleged that such cables were discharging lead into Lake Tahoe.

Lead sheath power and telecom cables have been the subject of some attention over the past few years in part due to Wall Street Journal articles such as:

...Wall Street Journal, *America is Wrapped in Miles of Toxic Lead Cables*, July 9, 2023.

Subsequent to this article, the Environmental Defense Fund and two other organizations sent a July 17, 2023 letter to the United States Environmental Protection Agency (“EPA”) asking that EPA investigate:

...the uncontrolled release of lead into the water or surface soil from more than two thousand lead-sheath telecom and power cables across the nation with more than 300 of these cables posing a threat to the source of drinking water for communities.

The Environmental Defense Fund letter requested that EPA use Comprehensive Environmental Response, Compensation, and Liability Act authority and the Safe Drinking Water Act response authorities to address the issue.

The Alliance had argued that the Pacific Bell cables in Lake Tahoe constituted an imminent and substantial endangerment to human health and the environment in violation of RCRA. The organization has argued that the cables in Lake Tahoe are comprised of:

...paper-wrapped copper wires, inside a thick lead conduit, wrapped in spiral-wound steel rods and covered with bitumen/tar-impregnated fiber coating. Each foot of the lead-clad cables contains approximately 3.39 pounds of lead. There are approximately six miles of submerged cables.

The Alliance alleged that there are elevated levels of lead in water and sediment adjacent to the cables. The organization states the settlement will result in the removal of 107,000 pounds of lead from Lake Tahoe.

Linked documents can be found below:

- [A copy of the news release.](#)
- [Consent Decree.](#)
- [First Amended Complaint.](#)
- [A previous blog post on this subject.](#)