

News Release

For immediate release (Thursday July 13)

Sierra Club gives City of Spokane 60 days to stop dumping raw sewage in the River

City needs to upgrade and fund monitoring and maintenance

Contacts:

- Rachael Paschal Osborn (Sierra Club) 328-1087 (mobile: 954-5641)
- Rick Eichstaedt (Center for Justice) 835-5211

SPOKANE -- In the wake of the latest raw sewage spill to the Spokane River, Sierra Club gave the City of Spokane 60 days to remedy its combined sewage overflow system before taking further legal action against the City.

“A responsible City does not expose its citizens to raw sewage,” said Rachael Paschal Osborn, a public interest water lawyer and coordinator of the Spokane River Project of the Sierra Club’s Upper Columbia River Group. “With this action Sierra Club intends that the City will stop risking public health.”

The 60-day notice points out that the City is in violation of the Clean Water Act because of

- continuing dry weather CSO (combined sewage overflows) discharges into the Spokane River and surrounding tributaries,
- significant data gaps in CSO monitoring, and
- failure to perform necessary maintenance and monitoring under its NPDES permit, which has resulted in such dry-weather discharges.

Each of these activities is a direct violation of the City’s discharge permits issued under the federal Clean Water Act.

The violations are of serious concern to Sierra Club because they involve the discharge of significant amounts of raw sewage, toxics, and other health hazards often during dry weather months. Often these events occur when the river flow is extremely low and unknowing river users are more likely fishing, canoeing, kayaking, swimming, walking along the shore, or other river-related activities. Additionally, these discharges are preventable, and should not be allowed to continue.

Under the Clean Water Act, dumping raw sewage and other violations of the City’s permits carries fines up to \$30,000 per day. “We believe it would be vastly cheaper for the City to fix the system than to pay the fines,” said Rick Eichstaedt attorney with the Center for Justice and representing Sierra Club. “The City’s violations are extensive.”

Sierra Club’s letter is addressed to Mayor Dennis Hession and copied to the United State Attorney General, Regional Director of EPA, and the Washington State Director of the Department of Ecology. The City of Spokane has 60 days to review and correct its CSO program. If it does not do so, Sierra Club may file a lawsuit in federal court.

The City regularly dumps raw sewage in the Spokane River. The Washington Department of Ecology permits the City to dump sewage during storm events without penalty, and has given the City until 2017 to fix the problem. The state, however, does not permit the City to dump sewage during dry weather. It is during the summer months when the River gets the heaviest public use, and people and the River are most vulnerable to the public health threats created by CSO overflows.

Sewage overflows also worsen the phosphorus problem in the River, the focus of a negotiated settlement announced on Wednesday by the River's polluters and the Washington Dept of Ecology. Phosphorus depletes the River of oxygen, threatening a unique urban fishery and toxic algae blooms especially in Lake Spokane.

In 2004 the Spokane River was named America's 6th most endangered river by American Rivers because of sewage effluent, toxins such as mine wastes and PCBs, and low stream flows caused by overpumping the Aquifer and dam operations at Post Falls. "To save the Spokane River the community must embrace the River and demand its protection," added Eichstaedt.

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