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Media Contact: Eliet Henderson, (415) 856-0444 x101

EPA, Baykeeper Take Legal Action to Stop East Bay Sewage Spills

(Bay Area, CA) Today, San Francisco Baykeeper filed a complaint in federal district court to join the U.S. Environmental Protection Agency's (EPA) enforcement action against six East Bay cities and one sewage district for illegal sewage spills. This enforcement action is the culmination of years of Baykeeper efforts to hold East Bay cities accountable for leaky sewage collection systems that inundate the East Bay Municipal Utility District's (EBMUD) treatment plant with massive amounts of rainwater and sewage and cause major sewage spills to the Bay.

The federal district court granted Baykeeper's request for 'Intervenor-Plaintiff' status on January 22, 2010, giving Baykeeper the right to represent the interests of East Bay residents in negotiations on how the cities' sewage infrastructures will be overhauled.

"For too long, East Bay cities have deferred maintenance of their failing sewer pipes. Baykeeper will serve as the voice of East Bay citizens in this action," said Baykeeper Staff Attorney Jason Flanders. "The release of untreated sewage is an environmental hazard and a public health nuisance that should not be tolerated any longer."

The East Bay, like much of the Bay Area, contains thousands of miles of sewer pipes owned by individual cities. These "satellite" collection systems send sewage flows to a large wastewater treatment plant, owned by EBMUD, on the Bay's shore. The cities of Alameda, Albany, Berkeley, Emeryville, Oakland and Piedmont, and the Stege Sanitary District, send about 80 million gallons of sewage *per day* to EBMUD's wastewater treatment plant. While EBMUD is responsible for wastewater treatment, it does not own, and therefore cannot repair, the satellite sewer pipes that send unmanageable amounts of flow to the plant.

Baykeeper's previous legal actions to stop rampant sewage spills from the satellite facilities prompted the San Francisco Regional Water Quality Control Board to issue permits to the East Bay satellite facilities last November. The new permits have given EPA and Baykeeper the legal grounds to address the root of the East Bay's sewage spill problem.

Heavy storms last week caused EBMUD's three overflow plants to discharge a combined 90 million gallons of undertreated sewage into the Bay. Undertreated sewage contains pathogens and other pollutants that can cause a variety of illnesses in humans that come into contact with contaminated water and can poison the Bay's food web and local wildlife. One of EBMUD's overflow facilities is located at Point Isabel, and during wet weather, it discharges wastewater near a popular dog park and fishing site.

San Francisco Baykeeper is the Bay's pollution watchdog, using science and advocacy to enforce clean water laws and hold polluters accountable. For more information, visit us at www.baykeeper.org. ###