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Environmental News

FOR IMMEDIATE RELEASE

(Kansas City, Kan., Aug. 4, 2011) - The Metropolitan St. Louis Sewer District (MSD) has agreed to make extensive improvements to its sewer systems and treatment plants, at an estimated cost of $4.7 billion over 23 years, to eliminate illegal overflows of untreated raw sewage, including basement backups, and to reduce pollution levels in urban rivers and streams, the Department of Justice and the U.S Environmental Protection Agency (EPA) announced today. This injunctive relief is historic in its scope and importance to the people of St. Louis.

The settlement reached between the United States, the Missouri Coalition for the Environment Foundation and MSD, requires MSD to install a variety of pollution controls, including the construction of three large storage tunnels ranging from approximately two miles to nine miles in length, and to expand capacity at two treatment plants. These controls and similar controls that MSD has already implemented will result in the reduction of almost 13 billion gallons per year of overflows into nearby streams and rivers.

MSD will also be required to develop and implement a comprehensive plan to eliminate more than 200 illegal discharge points within its sanitary sewer system. Finally, MSD will engage in comprehensive and proactive cleaning, maintenance and emergency response programs to improve sewer system performance and to eliminate overflows from its sewer systems, including basement backups, releases into buildings and onto property.

“We are fully committed to vigorous enforcement of the Clean Water Act, and will continue to work in partnership with EPA to advance the goal of clean water for all communities in our nation’s cities,” said Ignacia S. Moreno, Assistant Attorney General for the Justice Department’s Environment and Natural Resources Division. “The people of St. Louis, including those who live in minority and low-income communities, will receive tangible, lasting benefits from this significant settlement.”

“St. Louis, America’s Gateway City, grew up alongside the Mississippi. Unfortunately, for too long it treated the river's tributaries as a dumping ground for

sewage," EPA Regional Administrator Karl Brooks said. "By moving forward with this Clean Water Act settlement, the community is facing its responsibilities. This agreement will bring jobs and long-term economic investments while significantly improving the environment for future generations."

Today's settlement will also significantly advance the use of large scale green infrastructure projects to control wet weather sewer overflows by requiring MSD to invest at least $100 million in an innovative green infrastructure program, focused in environmental justice communities in St. Louis. Environmental justice communities include low-income or minority communities who have suffered a disproportionate burden from air, water or land pollution. Green infrastructure involves the use of properties to store, infiltrate and evaporate stormwater to prevent it from getting into the combined sewer system. Examples of potential green infrastructure projects include green roofs, bioretention, green streets, rain barrels, rain gardens and permeable pavement.

MSD, in conjunction with the city of St. Louis economic redevelopment authorities, will transform numerous vacant or abandoned properties to productive use – helping to revitalize disadvantaged communities and resulting in cleaner air and green space. MSD will conduct public education and outreach, and collaborate with local residents and neighborhood groups, including those representing minority and/or low-income neighborhoods, in selecting the locations of green infrastructure projects.

MSD has also committed to spending $230 million in a mitigation program to alleviate flooding and another $30 million in an enhanced pipe lining program, both of which are focused exclusively in environmental justice areas. These programs and the pioneering green infrastructure program of the settlement will further the Department of Justice and EPA's work to advance environmental justice.

In addition to improving its sewer system and treatment plants, MSD will spend $1.6 million on a supplemental environmental project to implement a voluntary sewer connection and septic tank closure program for low-income eligible residential property owners who elect to close their septic tanks and connect to the public sewer. MSD will also pay a civil penalty of $1.2 million to the United States.

MSD's sewer system collects and treats domestic, commercial and industrial wastewater from a population of approximately 1.4 million in the city of St. Louis and nearly all of St. Louis County. The system covers more than 525 square miles, and includes seven wastewater treatment plants, 294 pumping stations and more than 9,630 miles of sewer lines, making it the fourth largest sewer system in the United States.

The settlement resolves the claims brought by the United States in a lawsuit filed in June 2007 which the Missouri Coalition for the Environment Foundation later intervened under the citizen suit provisions of the federal Clean Water Act. In that lawsuit, among other things, the United States alleged that on at least 7,000 occasions between 2001 and 2005, failures in MSD's sewer system resulted in overflows of raw sewage into residential homes, yards, public parks, streets and

playground areas.

Overflows pose a significant threat to public health and water quality because raw sewage can have high concentrations of bacteria from fecal contamination, as well as disease-causing pathogens and viruses. These overflows can occur in basements, backyards, city streets, and directly into stream and rivers. This settlement goes a long way in preventing these overflows.

Today's settlement is the latest in a series of Clean Water Act settlements that will reduce the discharge of raw sewage and contaminated stormwater into United States' rivers, streams and lakes. Keeping raw sewage and contaminated stormwater out of the waters of the United States is one of EPA's National Enforcement Initiatives for 2011 to 2013. The initiative focuses on reducing discharges from sewer overflows by obtaining cities' commitments to implement timely, affordable solutions to these problems, including the increased use of green infrastructure and other innovative approaches.

The settlement, lodged today in U.S. District Court for the Eastern District of Missouri, is subject to a 30-day public comment period and court approval. A copy of the consent decree and its appendices is available at www.justice.gov/enrd/Consent_Decrees.html [1] **.**

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Learn more [2] about the consent decree with the Metropolitan St. Louis Sewer District

Learn more [3] about EPA's civil enforcement of the Clean Water Act

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