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Conservationists Announce Lawsuit Against WSSC for Contaminating the Anacostia River and Threatening Public Health

Groups Charge Sewer Agency is Violating Federal Law

WASHINGTON, D.C. (September 22, 2004) - The Washington Suburban Sanitary Commission (WSSC) is illegally allowing sewers to overflow into Maryland streams and rivers, polluting the Anacostia River and its tributaries and endangering area residents' health, according to a lawsuit announced today by four conservation groups. One of the 10 largest water utilities in the nation, WSSC serves 1.6 million people in Montgomery and Prince George's counties.

According to WSSC's own reports to Maryland's Department of the Environment, from January 2001 through July of this year, WSSC's sewer system experienced 445 overflows that dumped more than 91 million gallons of raw sewage into streams and rivers in Montgomery and Prince George's counties. Discharges of raw sewage are illegal under the Clean Water Act.

"There has been a lot of press coverage lately on bureaucratic dysfunction at WSSC, but the bigger problem is that the agency is failing to do its job to protect public health," said Nancy Stoner, director of the Clean Water Project at the Natural Resources Defense Council (NRDC), one of the plaintiffs in the case. "It doesn't even have a system in place to monitor pipe breaks or sewer overflows, and has to rely on area residents to report them." Given WSSC's inadequate monitoring system, Stoner said that there were likely many more than 445 sewer overflows over the last three-and-a-half years. Those were just the discharges WSSC reported.

WSSC's system includes approximately 640 pipe stream crossings and hundreds of miles of sewer pipes that run alongside Maryland rivers and streams. The sewer pipes are more than 50 years old, and many are broken, decaying and exposed. The Anacostia Watershed Society (AWS), one of the plaintiffs in the lawsuit, has been documenting WSSC sewer system problems for several years, and estimates that there are hundreds of miles of broken and separated pipeline that may be leaking sewage into the water table in Maryland.

In addition, AWS has sampling data from several points along the Anacostia River in Washington and Prince George's County that suggests that sewage from WSSC's system is responsible for contaminating the Anacostia River. "We found higher concentrations of fecal coliform in the northern part of the Anacostia River by Bladensburg, Maryland, than downstream where the District of Columbia discharges sewage from its combined sewer system," said AWS President Robert Boone. "We conducted DNA testing on the fecal coliform and found that 14 percent of it was due to human waste. If the WSSC sewer system were working properly and in compliance with federal law, then there would be little or no human fecal coliform in the water."

Fecal coliform poses a significant threat to public health, said Bailus Walker, a professor of environment and occupational medicine at Howard University. â€œArea residents fish, swim, and paddle in Maryland rivers and streams, and when those waterways are contaminated with human waste, they are at risk for contracting such waterborne illnesses as gastroenteritis, which includes vomiting and diarrhea, and hepatitis.â€ Boaters on the Anacostia River in Maryland have contracted skin infections on their hands and bodies after coming into contact with the water, Walker added. And when sewers back up, local homeowners wind up with basements filled with sewage, which is a threat to their health.

A popular creek in Silver Spring, Sligo Creek, is one of the many waterways in the WSSC service area that are despoiled by sewage overflows. "Families and their pets like to come down to Sligo Creek on the weekends, and

we are concerned about their health," said Ann Hoffnar, co-president of Friends of Sligo Creek, one of the plaintiffs. "WSSC has a $466 million annual budget, so why can't it keep our waterways free of sewage?"

The four conservation groups filing the suit - NRDC, AWS, the Audubon Naturalist Society and Friends of Sligo Creek - are calling on WSSC to overhaul its sewer collection and pipeline system and establish procedures to monitor and prevent overflows.

"WSSC has to replace decaying pipes, rehabilitate others, and clean out and maintain the system as a whole," said Neal Fitzpatrick, executive director of the Audubon Naturalist Society. "Without a comprehensive approach to this problem, the number of sewage discharges will only increase as development spreads in the Maryland suburbs."

The Natural Resources Defense Council is a national, non-profit organization of scientists, lawyers and environmental specialists dedicated to protecting public health and the environment. Founded in 1970, NRDC has more than 1 million e-activists and members, served from offices in New York, Washington, Santa Monica and San Francisco. More information is available at NRDC's Web site, http://www.nrdc.org/.

The Anacostia Watershed Society is a non-profit environmental organization working to protect and restore the Anacostia River and its watershed. AWS seeks to fulfill its mandate of a swimmable and fishable river through its programs of education, action and advocacy. For more information, go to http://www.anacostiaws.org.

The Audubon Naturalist Society of the Central Atlantic States, Inc. fosters stewardship of the Washington region's environment by educating citizens about the natural world, promoting conservation of biodiversity, and protecting natural habitat. Founded in 1897, the independent, non-profit Society focuses its efforts in the mid-Atlantic region. For more information, go to "http://www.audubonnaturalist.org/.

The Friends of Sligo Creek is a local, volunteer organization with 500 active members. FoSC is committed to restoring to health the water quality, natural habitat and ecological well-being of the 8-mile creek and its watershed by bringing neighbors together to build awareness, improve natural habitat and protect the community's heritage. For more information, go to http://www.fosc.org.