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Leaky Sewage Regulations Challenged in Court
Peconic Baykeeper Commences Legal Initiatives to Halt Sewage Pollution

Forty-one years ago the Clean Water Act (CWA) was passed through a united Congress. When the Clean Water Act became a law in 1972, two-thirds of America's waterways were polluted. Our country's preeminent law protecting the nation's waters, set goals of, "fishable and swimmable waters" by 1983 and by 1985 it called for "zero discharge of pollutants."

Today, however, a third of the nation's waters are still contaminated. Sadly, this statistic includes an overwhelming majority of our waters in Suffolk and Nassau County. Clearly stated by Kevin McAllister, the Peconic Baykeeper, "if you're a Suffolk County resident and you live near a body of water, chances are it is polluted."

In partnership with the Long Island Soundkeeper, we are announcing the commencement of legal action pursuant to the Federal Clean Water Act against the New York State parks department for its failure to have Clean Water Act sewage discharge permits for State Park operated facilities located at Robert Moses, Heckscher, Sunken Meadow, Wildwood, Belmont Lake State beaches and parks. Astonishingly, three of those parks operate outdated cesspools, which were required by federal law to have been closed and upgraded by 2005.

A major source of pollution to Long Island's surface waters comes from onsite wastewater disposal systems (OWDS), especially in Suffolk County. Peconic Baykeeper was the first and, for many years, the only voice identifying the link between nitrogen (and other pollutants) from these systems to the occurrences of harmful algal blooms and the degraded state of our bays. Brown Tide blooms are currently present in Great South, Moriches, Quantuck and Shinnecock bays.

"DEC has failed to comply with the legal mandates of the Clean Water Act and state law, both of which require strict permit limits on the discharge of nitrogen, in order to protect water quality," said Baykeeper's attorney, Reed Super. "Peconic Baykeeper is using the law in conjunction with the latest scientific and technology to compel government regulators to remedy this environmental crisis."

Long Island's economy is derived from our aquatic environment and for far too long our island community has turned a blind eye to the mortality of our own lifeblood, our waters. Right now the health of our waters is rapidly declining and under great threat, while any effective enforcement and protection has been sacrificed. An unstable environment equals an unsustainable economy.

In response to the inaction of the State of New York and Suffolk County to address pollution from sewage discharges, Peconic Baykeeper filed an Article 78 action in New York State Supreme Court and served notice of our Intent to Sue in Federal Court under the provisions of the U.S. Clean Water Act.

Urgent action is imperative. Peconic Baykeeper, through its counsel, Super Law Group, LLC is suing the New York State Department of Environmental Conservation to ratchet down nitrogen effluent through more stringent discharge standards.

The Article 78 legal action comes on the heels of the New York State Department of Environmental Conservation (DEC) dismissal of Peconic Baykeeper's September 2012 Petition imploring the DEC to effectively address water pollution from sewage discharges. Peconic Baykeeper has identified 1,338 sewage treatment plants and septic systems operating without adequate measures to protect surface waters.

Whether you live, work, or play on Long Island, this has real implications for all of us. Clean water is a right. Peconic Baykeeper, your Water Warrior, has and will continue to defend that right for the good of all.

Please join us for a formal announcement to be held at **Kingston's Clam Bar**, 130 Atlantic Avenue, West Sayville, NY 11796 at 10:00 a.m. Food an beverage will be served.

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