CLEAN WATER ACTION

Clean Water Currents

Fall 2016 • Volume 44, No. 2

The Clean Water Action Newsletter

EPA Bans Discharge of Fracking Wastewater from Sewage Plants

EPA recently finalized a rule under the Clean Water Act to protect rivers and drinking water supplies from direct discharges of fracking wastewater by municipal sewage plants. EPA's update to the Effluent Guidelines under the Clean Water Act prohibits oil and gas companies from sending wastewater from "unconventional" oil and gas operations for disposal at sewage plants (Publically Owned Treatment Works or POTWs).

Clean Water mobilized grassroots support for the issue and coordinated the technical response from NGOs. The final rule was a major victory — fracking produces millions of gallons of wastewater that contains heavy metals, radioactive materials, chemical additives from the fracture fluids, high salt content, and other harmful pollutants. These contaminants pass through sewage treatment processes and threaten drinking water supplies, in addition to potentially harming effective sewage treatment itself. Clean Water's deep understanding of the

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PHOTO: MYRON ARNOWITT

Above: Waste Treatment Corporation plant in Warren, PA, which was sued by Clean Water Action for discharging for discharging oil and gas wastewater into the Allegheny River.

★ ★ ★
A Candidate for President, Standing Up for Water
★ ★ ★

In late September **HILLARY CLINTON** confirmed that we can count on her administration to protect clean water when she spoke out in support of the Clean Water Rule. This commonsense safeguard reaffirms that the small streams and wetlands which feed the drinking water sources for 1 in 3 Americans and filter pollutants are protected under the Clean Water Act. Donald Trump has pledged to rescind it.

The same week, the Clinton campaign restated her support for lifting the "Halliburton Loophole", the Safe Drinking Water Act exemption for fracking.

Read more about the importance of both of these statements: **www.cleanwater.org/vote-for-water**

GETTING THE LEAD OUT

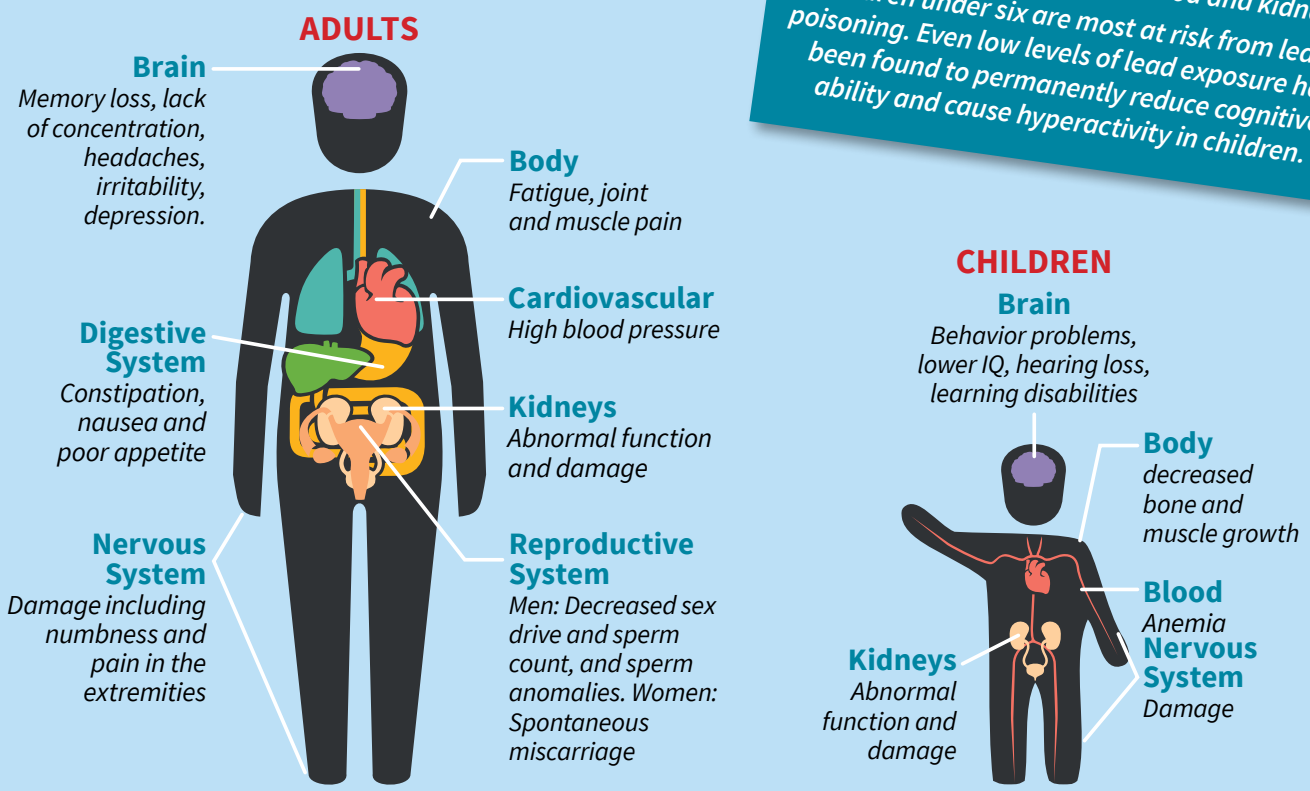
Lead is a highly poisonous metal and can affect almost every organ in the body and the nervous system.

Exposure to lead from drinking water is less common than other pathways yet, as demonstrated in Flint, MI, can have serious consequences. Lead can enter drinking water when service lines, pipes in the home and other plumbing fixtures, or solder that contain lead corrode. Older homes, especially those built before 1986, are more likely to have lead service lines, fixtures and solder. However, even newer "lead-free" fixtures could contain up to eight percent lead until 2013.

To protect public health, we must reduce lead exposure at the drinking water tap. Find out what Clean Water Action is doing to get the lead out at www.cleanwater.org/lead-drinking-water. Learn more about the health impacts of lead below.

Health Impacts of Lead

Exposure to high levels of lead can cause severe damage to the brain, blood and kidneys. Children under six are most at risk from lead poisoning. Even low levels of lead exposure have been found to permanently reduce cognitive ability and cause hyperactivity in children.



Fracking Wastewater *continued from page 1*

nuanced threats to drinking water led to this strong final rule from EPA.

John Noël, National Oil & Gas Campaigns Coordinator for Clean Water Action, said, "Sewage plants are not designed to treat and discharge wastewater created in modern oil and gas development. EPA's action closes the gap in federal regulations that leaves drinking water sources and local waterways vulnerable to contamination from oil and gas wastewater." Noël continued, "The oil and gas industry will have to continue to scramble to find ways to manage the millions of gallons of wastewater it produces every day in a way that doesn't threaten drinking water."

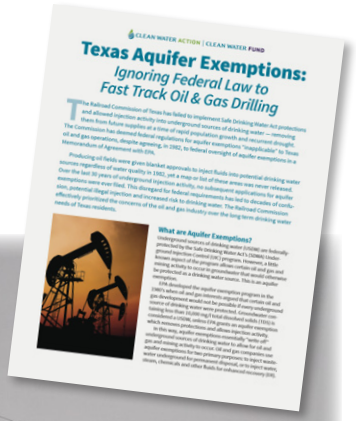
Why is Texas Oil & Gas Wastewater Being Injected Into Sources of Drinking Water?

A new report from Clean Water Fund **(see www.cleanwater.org/tx-ae)** exposes how oil and gas companies in Texas have injected wastewater and other fluids into potential drinking water sources with a green light from the Railroad Commission, the state oil and gas regulatory agency.

For decades, Texas has ignored federal requirements to protect drinking water in an effort to make oil and gas development easier. In a nod to the oil industry's massive influence in Texas, regulators waived federal requirements for companies to get an exemption from the Environmental Protection Agency (EPA) in order to inject potentially toxic fluids into drinking water sources that could be used in the future.

The Railroad Commission gave the industry what it wanted instead of protecting the long-term drinking water needs of Texas residents.

The report found a huge lack of oversight and transparency, along with poor record keeping in the Railroad Commission's Underground Injection Control (UIC) Program. More needs to be done to protect drinking water as Texas deals with a growing population and recurrent drought.



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The Railroad Commission has failed to implement Safe Drinking Water Act protections.

Clean Water Action is calling for a dramatic overhaul of aquifer exemption oversight in the Railroad Commission's UIC program. This is the first phase of work in Texas to protect drinking water from being handed over to the oil and gas industry. The report garnered a lot of media attention including coverage by the Associated Press, ABC News, Texas Tribune, Dallas Morning News, and industry publications. Stay tuned for more.

PHOTO: COURTESY OF CATHY MCKENNA VIA FLICKR CREATIVE COMMONS

A Range Resources oil rig across the street from a public park in Denton, TX.

Zombie Water Pollution Permits Threaten Public Health

Water pollution permits are important because they require all major polluters — power plants, refineries, pulp mills, sewage treatment plants, and other industries that dump pollutants into rivers, lakes, and bays — to control and limit their water pollution. These permits are supposed to be updated every five years to ensure that polluters are using the latest technology to minimize pollution and to consider changes in water quality that could necessitate stricter limits.

In practice too often these expired permits are simply rubber-stamped by state permit writers. Some of the 17,000 expired pollution permits have not been updated for decades, giving many polluters a free pass to dump harmful heavy metals and chemicals into our water. These outdated "zombie permits" threaten the health of people who fish or swim or rely on drinking water sources from these surface waters, not to mention the wildlife that depend on unpolluted water for their survival.

Nationwide over 25% of major water pollution permits are outdated, including many permits for toxic wastewater discharges from coal-burning power plants. Last year the U.S. Environmental Agency (EPA) issued long-overdue protections to control toxic water pollutants from power plants, but these protections won't be effective unless states update their pollution permits.

To address this significant backlog of outdated permits EPA recently proposed to strengthen its oversight of state permits. EPA's proposal is a critical first step toward modernizing its water pollution control program and to make it harder for state permit writers to simply rubberstamp lax permits. EPA's proposal could be significantly improved if it established a process by which impacted communities could provide input on which expired permits should receive the highest priority for updating. Many communities have been waiting for decades for states to take action on outdated and weak permits.

Clean Water Action, along with thousands of our members, submitted comments urging EPA to take swift action to end the practice of rubberstamping zombie permits and to strengthen its proposal by allowing communities to provide input on which permits need to be updated in order to protect public health and the environment. We expect EPA to issue a final policy by the end of this year and will continue to work with our environmental allies to push the agency to end this reckless practice of allowing lax water pollution permits to languish for decades.

Court Decision Strengthens Coal Ash Protections

PHOTO: NESKEZ / SHUTTERSTOCK

Communities long burdened with coal ash now have a few more tools available to better protect themselves from this toxic pollution. Earlier this year the DC Circuit Court of Appeals approved a motion that will tighten environmental and public health safeguards for coal ash disposal. Clean Water Action is part of a coalition of public interest organizations represented by Earthjustice that brought litigation challenging some of the weak components of the U.S. Environmental Protection Agency's (EPA) coal ash rule.

In response to the Court's decision, electric utilities can no longer claim that "inactive" coal ash disposal sites (sites no longer receiving coal ash waste) are exempt from critical safeguards. These facilities will now have to monitor for groundwater contamination, be required to respond quickly to clean up any spills or leaks, and be required to monitor and maintain a site for 30 years after it closes. These protections are vital because toxic chemicals can leak from coal ash disposal sites decades after they close, contaminating groundwater or nearby streams. Utilities can no longer "pollute in place" by simply draining toxic wastewater from a coal ash site and then capping it in place.

As part of the Court decision EPA has agreed to add boron to the list of pollutants that can trigger clean-up actions at coal ash disposal sites upon detection. Boron was not included on EPA's original list when the agency issued the final coal ash safeguards in December 2014, even though it is one of the most frequent pollutants detected in water contaminated with coal ash. Including boron on the assessment monitoring list will enable contamination to be detected and cleaned up up more quickly, better protecting communities from harm.

Despite these positive decisions from the Court, there are still weaknesses in EPA's coal ash rule and our organizations continue to push for even stronger health and environmental safeguards to fully protect those communities are most vulnerable to coal ash pollution.

HARMFUL ALGAE BLOOMS

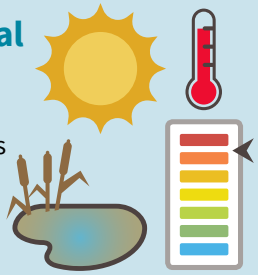
In summer 2014 the residents in and around Toledo, Ohio were told not to drink, cook, or bathe with the water from their faucets. A massive growth of toxic blue-green algae got into Toledo's drinking water intake and the system had to be flushed. This toxic algae is mainly caused by nutrient pollution from farming activities with a little help from runoff from municipal wastewater systems and a boost from climate change. Learn more about Harmful Algae Blooms at www.cleanwater.org/HAB

Causes of Algae Blooms

TOXIC ALGAE BLOOM

Environmental Conditions

- Abundant light
- High temperatures
- High pH levels
- Stagnant water
- Excess nutrients

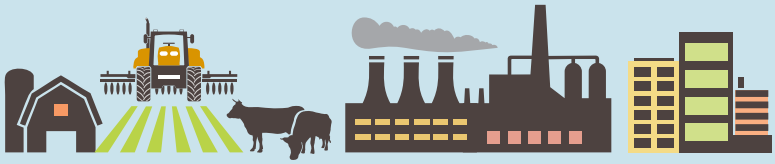


Sources of Excess Nutrients

Agriculture:
Fertilizer runoff (nitrogen & phosphorus) and animal waste

Industry:
Chemical discharge and waste

Urban Life:
Sewage and waste runoff



Climate Change

Climate change is increasing the frequency and severity of blooms due to:

- Increases in water and air temperature
- Increases in droughts and flooding
- Changes in salinity
- Increased amount of CO_2
- Sea level rise and coastal upswelling

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