



NEWS RELEASE

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Honolulu City and County liable for thousands of Clean Water Act Violations

Honolulu, Hawai'i -- Federal judge David Ezra has found the City and County of Honolulu liable for over 4,000 violations of the federal Clean Water Act (CWA) in a citizen lawsuit brought by the Sierra Club, Hawaii Thousand Friends and Our Children's Earth Foundation (OCE).

"This important ruling will allow the citizens of O'ahu to press the city to take the actions needed to comply with the Clean Water Act and keep our ocean waters clean and safe," said Jeff Mikulina, director of the Sierra Club, Hawai'i Chapter.

The judge found that the City's sewage discharges from its Sand Island wastewater treatment plant fail to meet CWA standards due to its excessive levels of bacteria, pesticides, and other pollutants. The judge further found that the city failed to construct a disinfection facility at the Sand Island plant years past the deadline for doing so, another violation of the CWA. The judge totaled up more than 4,000 violations of bacteria and other violations, but held that more briefing would be needed for him to arrive at a total number of the city's pesticides discharge limit violations. The Judge's order came in response to a lawsuit filed by the citizens' groups in 2004.

"The court's ruling underscores the message we have urged for years, that the city's poorly operated sewage system is not meeting the clean water mandates of federal law and change is urgently needed," said Donna Wong, executive director of Hawai'i's Thousand Friends.

"We intend, as citizen watchdogs, to continue to press for solutions to Honolulu's sewage mess," said OCE's spokesman Mike Costa.

The Court's summary judgment order resolves the city's liability for its CWA violations. The next step will be for the court to determine what remedy to impose on the city, including ordering upgrades to the sewage treatment system such as biological treatment. The court could also impose multi-million dollar fines against the city, but the environmental groups intend to ask the court to require the city to fund locally beneficial environmental restoration projects in lieu of such fines.

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Founded in 1892, the Sierra Club is the nation's oldest and largest grassroots environmental organization, with over 700,000 members across the country. The Sierra Club actively promotes conservation by influencing public policy through grassroots activism, public education, lobbying and litigation. www.sierraclub.org

Since 1980, Hawai'i's Thousand Friends has advocated for protection of the environment, cultural resources, and human health and responsible land use planning in Hawai'i, bringing several prior lawsuits against the City and County of Honolulu for violations of the Clean Water Act at the Sand Island, Honouliuli, and Kailua Wastewater Treatment Plants. www.hawaii1000friends.org

Founded in 1998, Our Children's Earth Foundation is a nonprofit organization dedicated to protecting the public, especially children, from the health impacts of pollution. Through a combined strategy of litigation, education and advocacy, OCE empowers individuals, families and local communities to participate in decisions that impact environmental quality. www.ocefoundation.org.