

Midwest Environmental ADVOCATES

pro bono publico

FOR IMMEDIATE RELEASE

July 30, 2008

CONTACT: Betsy Lawton, Attorney, Midwest Environmental Advocates
(608) 251-5047 ext 2 *or* blawton@midwestadvocates.org

Gulf of Mexico Dead Zone Second Largest, Groups Petition EPA to Set Standards and Establish Clean Up Plans for Phosphorus and Nitrogen Pollution

Madison, WI -- Today, conservation groups from Wisconsin and eight other states bordering the Mississippi River petitioned the federal government to set and enforce numeric standards to limit nitrogen and phosphorus pollution in the Gulf of Mexico and Mississippi River basin, and to develop cleanup plans for those water bodies.

[The petition](#) to the U.S. Environmental Protection Agency follows Monday's announcement that this year's Gulf of Mexico Dead Zone is the second largest to date, measuring 8,000 square miles. The Dead Zone, an area of water where oxygen levels are too low to support marine life, is caused every year by nitrogen and phosphorus pollution that flows into the Gulf from the Mississippi River. This year's Dead Zone was projected to be the largest ever, as heavy flooding in the Midwest and increased crop production was anticipated to increase nitrogen and phosphorus pollution in waterways, but researchers who mapped the Dead Zone said Hurricane Dolly churned up the waters, restoring some oxygen to the zone's edges.

Petitioners state the EPA has disregarded its responsibility under the federal Clean Water Act to limit pollution in the Mississippi River. In 1998, the EPA called on states to adopt specific limits on nitrogen and phosphorus pollution, threatening to enact its own limits if states had not complied by 2003. Every state along the Mississippi has thumbed its nose at that and other deadlines set by EPA, but so far, the federal government has not stepped in to supply the urgently needed protections. Earlier this year, the National Academy of Sciences issued a [report](#) that called the Mississippi River an "orphan", concluding that "the EPA has failed to use its mandatory and discretionary authorities under the Clean Water Act to provide adequate interstate coordination and oversight of state water quality activities along the Mississippi River."

Without numeric pollution standards, Wisconsin and other states along the Mississippi River have suffered severe water quality problems. This summer, local communities have coped with the detrimental effects of nitrogen and phosphorus pollution, ranging from foul-smelling water to algae blooms, beach closings and even health threats, such as toxic algae and contaminated drinking water. These conditions adversely affect the recreation,

sporting, tourism, fishing and boating industries, summer mainstays for Wisconsin's economy. Sadly, the health threats of nitrogen and phosphorus pollution are much worse. Reports of people, pets and livestock sickened and even killed by coming in to contact with or ingesting algae-laden waters are not uncommon in Wisconsin and other Mississippi River states.

Betsy Lawton, attorney at Wisconsin's Midwest Environmental Advocates, says "EPA action is essential to protect the health of our waterways. After ten years of inaction, we are asking the EPA to fulfill its promises and use its Clean Water Act authority to reduce nitrogen and phosphorus pollution." Lawton called on the Wisconsin Department of Natural Resources to alleviate nitrogen and phosphorus pollution in the state by developing state limits for nitrogen and phosphorus.

Water from approximately two-thirds of Wisconsin's land area drains into the Mississippi River. Wisconsin contributes about 2.7 percent of the total nitrogen and 2.4 percent of the total phosphorus that reaches the Gulf of Mexico. The largest overall contributor is Illinois at 16.8 percent and 12.9 percent, respectively.

The EPA is required by law to respond to the petition within a reasonable time frame.

###

Midwest Environmental Advocates, Inc. (MEA) is a non-profit environmental law center located in Madison, WI, working to protect the public's right to clean air, clean water, clean government, and responsible land use. See www.midwestadvocates.org for more information.