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SIERRA CLUB MOVES TO PROTECT PUBLIC HEALTH FROM SEWAGE OVERFLOWS
Despite Dangers, Bush Administration Cuts Funding for Sewage Improvements

Milwaukee, WI – The Sierra Club today took a step toward limiting illegal dumping of oil, grease and animal parts into the Milwaukee Metropolitan Sewage District (MMSD) system and surrounding waters. The Sierra Club, represented by the public interest law firm of Midwest Environmental Advocates, filed a lawsuit to force Emmpak Foods, Inc., a slaughterhouse and meat processing facility in Milwaukee’s Menomonee Valley, to clean up its act.

The Sierra Club is taking action to prevent sewage overflows and illegal pollution releases into the MMSD system to protect the Menomonee River and Lake Michigan. On August 13, 2004, the Sierra Club put Emmpak on notice of its violations of the Clean Water Act, giving the company sixty days to bring its facility into compliance before filing a federal lawsuit. When Emmpak did not clean up and pay penalties for its chronic violations, the Sierra Club filed suit to ensure consistent compliance with the Clean Water Act.

“Emmpak has been violating the Clean Water Act by dumping more oil, grease and animal parts into the MMSD than the law allows,” said Caryl Terrell, Chapter Director of the Sierra Club’s John Muir Chapter. “Oil and grease clogs sewer pipes and greatly increases the likelihood of disgusting sewage overflows during heavy rainstorms. It is time for Emmpak to obey the law for the first time in four and a half years.”

Since March of 2000, Emmpak has been operating under a MMSD Wastewater Discharge Permit. Public records indicate that Emmpak has chronically violated its permit’s pretreatment limit for oil and grease for four and a half years. Public documents revealed that livestock by-products, including cattle bones, ear magnets, bull rings and other offal have been found in MMSD sewer pipes near Emmpak’s slaughter facility outfall on West Canal Street. According to MMSD records, in the fall of 2001, a contractor needed to remove a “hardened debris pile” 20 feet long and 20 inches high consisting of materials disposed of by the slaughterhouse— “livestock bones, nose rings, stomach magnets, wire, etc.”

The problems addressed in the lawsuit have been compounded by the Bush administration, which has repeatedly lowered the bar for sewage systems across the country and left communities grappling with sewage – often discharged illegally – seeping into waterways during storms. Across the country, cities like Milwaukee are struggling with outdated sewage systems and a severe shortage of funds needed to fix problems. Instead of working with local communities to prevent sewage overflows, the Bush

administration is turning a blind eye to the problem, cutting crucial funding to maintain sewage systems and blocking a proposed rule that would have required improvements.

“The Bush administration is ignoring serious problems with sewer overflows, so citizens have to take action to protect communities like Milwaukee,” continued Terrell.

Despite the fact that the Environmental Protection Agency says sewage overflows are a serious threat to public health and safety, the Bush administration blocked a proposed rule that would have required municipal sewage systems to reduce sewage overflows and to inform the public when a sewage overflow occurs in their neighborhood so that people can take steps to protect themselves and their families. In addition, the Bush administration's 2005 budget proposes a \$500 million cut in the already-inadequate 2004 funding level.

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Fast Facts:

- The Sierra Club's members are more than 700,000 of your friends and neighbors. Inspired by nature, we work together to protect our communities and the planet. The Club is America's oldest, largest and most influential grassroots environmental organization.
- Midwest Environmental Advocates is Wisconsin's first and only non-profit, public interest environmental law center. Midwest Environmental Advocates provides legal representation and community organizing assistance to community groups who are working for clean air, clean water, and environmental justice. For more information, go to www.midwestadvocates.org.
- Midwest Environmental Advocates recently settled another water enforcement case against an industrial laundry, Cintas Corp., that had similarly sent excessive amounts of oil and grease into the MMSD system. The settlement provided \$47,000 to two local non profits to increase public access to the Milwaukee River by purchasing land for the Beerline B Bicycle Trail and to increase public awareness about water quality by purchasing water testing equipment, a boat, and a digital camera to monitor water quality problems in Milwaukee.
- Emmpak was formerly known as Emmbers Foods, and before that it was known as Peck Meat Packing Company. In 2001, Emmpak was purchased by Excel Corporation, which is the United State's third-largest meatpacking enterprise, operating sixteen slaughterhouses and meat processing plants in eleven states and Canada. Based in Wichita, Kansas, Excel Corporation is a wholly owned subsidiary of Cargill Food Solutions, Inc., one of the largest privately held corporations in the world with eight hundred operations in fifty-nine countries and with 2003 sales and revenues approaching sixty billion dollars.