

Press Release from the Southern Environmental Law Center and Harpeth River Watershed Association
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Sewage Treatment Plants Illegally Discharging Waste into Tennessee's Harpeth River, Conservation Group Charges

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Nashville, TN – Citing ongoing permit violations over sewage discharge into Tennessee's Harpeth River, a conservation group has charged that three sewage treatment facilities are violating the Clean Water Act and that failure to address the pollution will result in a lawsuit.

The 60-day notice of intent letter – sent late Monday by the Southern Environmental Law Center on behalf of the Harpeth River Watershed Association – details how the City of Franklin Sewage Treatment Plant, Berry's Chapel Utility Sewage Treatment Plant, and Cartwright Creek LLC-Grasslands Sewage Treatment Plant have repeatedly violated pollution limits in their permits. The resulting sewage discharge has significantly degraded the Harpeth River, a source of drinking water and a very popular recreation area in Williamson, Davidson and Cheatham counties.

“This has been an ongoing problem that demands immediate action in order to improve the Harpeth River's water quality and to protect communities within the watershed,” said Annie Passino, staff attorney for the Southern Environmental Law Center's Nashville office. “We're hopeful that all parties will come to the table and work together to monitor the sewage pollution levels and restore the river's health.”

The Clean Water Act and the Tennessee Water Quality Control Act require sewage treatment plants to obtain permits for the discharge of their treated wastewater. The permits held by these three facilities limit discharge amounts and set specific requirements for monitoring and reporting these discharges. Yet in the past 5 years, the Harpeth River Watershed Association has identified approximately 1495 numeric violations (violations related to the amount of pollutants discharged), 18,600 monitoring violations (days out of compliance in the monitoring period), 385 reporting violations, as well as hundreds of other violations of the permits held by the three facilities. Meanwhile, TDEC is considering new draft discharge permits that may not set discharge limits sufficient to ensure compliance with state water quality standards for the Harpeth River.

The Harpeth River, which flows for 125 miles through middle Tennessee, is designated one of the few State Scenic Rivers while it flows through Davidson County in Nashville, downstream from the three sewage treatment plants. Yet despite its importance, the river already does not meet the state's water quality criteria in several respects and is listed as impaired due to unacceptably high nutrient levels and associated low levels of dissolved oxygen.

“The Harpeth is one of the unique freshwater river systems in the Southeast, but unfortunately we have reached a critical point where this sewage discharge threatens the health of the river, especially during the summer months when the river is naturally a low flowing river and already experiencing poor water quality from upstream sources,” said Dorie Bolze, executive director of the Harpeth River Watershed Association. “We hope to work in partnership with the sewage treatment plants, local governments, and state and federal agencies – as our organization has done for many years – to find and implement solutions that will protect this important and beloved river.”

The Franklin sewage treatment plant serves approximately 62,000 people and is designed to release 12 million gallons of sewage discharge daily. This makes it the largest source of discharge in the entire Harpeth River

watershed. Because of the river's characteristic low flows, especially during the summer, a significant portion of the river's water downstream from the City is treated effluent – anywhere from 35 to 90 percent depending on the summer conditions in the river, according to estimates.

“We know the water quality of the Harpeth suffers as a result of this sewage discharge during the summer months because there are years of data that show the river does not meet water quality standards downstream of each sewer plant as well as for over 50 river miles downstream through the State Scenic river section and through parts of the Harpeth River State Park in Davidson and Cheatham Counties,” said Bolze. “But we don't even understand the full extent of the problem because some of the legally required monitoring and reporting just isn't happening. This poses too serious a risk for the river for that to continue.”

For copies of the 60-day notices and more details on the water quality conditions in the Harpeth River: www.harpethriver.org/programs/water/studies

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About the Southern Environmental Law Center

The Southern Environmental Law Center is a regional nonprofit using the power of the law to protect the health and environment of the Southeast (Virginia, Tennessee, North and South Carolina, Georgia, and Alabama). Founded in 1986, SELC's team of nearly 60 legal and policy experts represent more than 200 partner groups on issues of climate change and energy, air and water quality, forests, the coast and wetlands, transportation, and land use. www.SouthernEnvironment.org

About Harpeth River Watershed Association

The Harpeth River Watershed Association (HRWA) is a 501(c)(3) not-for-profit, science-based conservation organization dedicated to protecting the State Scenic Harpeth River and clean water in Tennessee. For nearly 15 years, HRWA has collaborated with landowners, businesses, local, state, and federal decision makers and other to put solutions in place to maintain healthy regions, reduce pollution, and restore streambanks so that the Harpeth River meets water quality standards set for people and wildlife. Current programs include: River Restoration & Wildlife Protection, Water Quality Protection, and Outreach & Recreation.

The 125 mile-long Harpeth River begins in Eagleville and flows through both rural and developed landscapes before emptying into the Cumberland River near Ashland City. The Harpeth River Watershed includes the main river and over 1,000 miles of tributaries that drain an area of land approximately 870 square miles across Rutherford, Williamson, Davidson, Hickman, Dickson and Cheatham Counties. www.harpethriver.org