



# Department of Justice



## ENVIRONMENTAL PROTECTION AGENCY

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### **CITY OF JEFFERSONVILLE, INDIANA, AGREES TO UPGRADE SEWER SYSTEMS TO COMPLY WITH CLEAN WATER ACT**

WASHINGTON—The city of Jeffersonville, Ind., has agreed to make extensive improvements to its sewer systems that will significantly reduce the city's longstanding sewage overflows into the Ohio River in a comprehensive Clean Water Act settlement with federal and state government, the Justice Department, the U.S. Environmental Protection Agency (EPA) and the state of Indiana announced today.

According to a consent decree filed today in federal court, the city is required to develop and implement a comprehensive plan to reduce, and where feasible, eliminate overflows into the Ohio River from its combined sewers by calendar year 2020 or 2025, depending on Jeffersonville's financial health; implement a plan with specific actions to improve the capacity, management, operation, and maintenance of its sanitary sewer system to eliminate overflows of untreated sewage; and eliminate all discharge points within its sanitary sewer system.

According to the investigation, throughout the year, Jeffersonville's sewer system is overwhelmed by rainfall, resulting in discharges of untreated sewage and overflows of sewage combined with storm water into the Ohio River, totaling millions of gallons each year. Under this settlement, the city will improve its sewer system to minimize, and in many cases, eliminate those overflows at a cost likely between \$100 and \$150 million.

"The federal Clean Water Act requires cities like Jeffersonville to eliminate or reduce their sewage overflows into the nation's rivers, lakes and oceans," said John C. Cruden, Acting Assistant Attorney General for the Justice Department's Environment and Natural Resources Division. "This settlement requires Jeffersonville to take steps to prevent sewage spills and overflows into the Ohio River. We're pleased that the city has agreed to take these important steps that will improve water quality in the Ohio River and protect public health."

"EPA is committed to protecting health and the environment by bringing aging sewer systems into compliance with the Clean Water Act," said Bharat Mathur, EPA's Acting Region 5 Administrator. "We are pleased that the city of Jeffersonville has committed to make improvements that will significantly improve water quality in the Ohio River."

“This was not an easy settlement to reach, but the agreement is fair to all sides. It has been very frustrating to all that wastewater flowed into the Ohio River and nearby streams after heavy rains because of aging infrastructure inadequate to the capacity,” Indiana Attorney General Greg Zoeller said. “Violations of the Clean Water Act were all too frequent. The city is agreeing to uphold its environmental responsibilities, and ultimately the public – those who live and work near the Ohio River – will in the long run benefit from these improvements.”

“IDEM partnered with U.S. EPA, the U.S. Attorney’s office, the Indiana Attorney General’s office and the city of Jeffersonville to reach an effective agreement for eliminating pollutants from Jeffersonville’s combined sewer system,” said Commissioner Thomas Easterly of the Indiana Department of Environmental Management. “That agreement includes green infrastructure provisions, such as installing pervious pavers and a rain garden along the river front, which will serve as a model for other cities around the nation. This agreement will improve the quality of life for their community and others downstream.”

In addition to improving its sewer system, Jeffersonville has agreed to pay the United States a civil penalty of \$49,500 and the state of Indiana a civil penalty of \$8,250, provided that Jeffersonville implements two environmental projects identified in the settlement that are designed to improve water quality in the city at a cost of more than \$248,000.

The city of Jeffersonville is located in Clark County, Ind., on the north bank of the Ohio River, directly across the river from Louisville, Ky. Jeffersonville has a population of approximately 30,000. Of Jeffersonville’s total sewered area, 15 percent is served by combined sewers while 85 percent is served by separate sanitary sewers. The combined sewers are located in the older, downtown portion of Jeffersonville and lack sufficient capacity to transport all of the combined sewage that it receives to Jeffersonville’s wastewater treatment plant during rainfall events. As a result, Jeffersonville commonly discharges the combination of sewage and storm water through one or more of its 13 combined sewer overflow outfalls that discharge to the Ohio River.

In the past, the United States has reached similar agreements with numerous municipal entities across the country including Nashville, Tenn.; Mobile, Ala.; Knoxville, Tenn.; Toledo, Ohio; Hamilton County (Cincinnati), Ohio; Louisville, Ky.; Indianapolis, Ind.; Fort Wayne, Ind.; Ironton, Ohio; and the Sanitation District No. 1 in northern Kentucky.

The consent decree, lodged in the U.S. District Court for the District of Indiana, is subject to a 30-day public comment period and approval by the federal court. A copy of the consent decree is available on the Justice Department Web site at [http://www.usdoj.gov/enrd/Consent\\_Decrees.html](http://www.usdoj.gov/enrd/Consent_Decrees.html).

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