

Foul Play - Raw Sewage Continues to Pour into the City's Waterways. By Marcelle Hopkins and Courtney Reimer, Village Voice. December 20, 2005.

Think about snow, but remember the rain. Last October's days of torrential downpour produced dozens of rain-soaked newspaper photos and tons of factoids—if it had been snowfall, there would have been over 110 inches of it. It also resulted in the dumping of thousands of gallons of raw sewage into New York City's many waterways.

But this spillage wasn't a freak accident. Every week, raw sewage pours into the city's rivers, estuaries, and ocean. **And those responsible are not going to clean up their act; they are just changing the rules.**

A deal between the state and city of New York lowered water quality standards to allow the city to keep dumping an average of 140 million gallons of untreated sewage a day into New York City's waterways, said Brad Sewell, attorney for the Natural Resources Defense Council.

That's enough to fill about 280 Olympic- sized swimming pools. Every day.

"New York City is the only place in the country that has lowered standards for swimmable and fishable waters," said Sewell. "And once they're lowered, there's no turning back."

When New Yorkers flush their toilets and take showers, wastewater combines with rainwater in the same sewage treatment plants. Those plants barely have enough capacity to treat the wastewater alone. When it rains, sometimes as little as a tenth of an inch, treatment plants unload excess sewage through more than 500 pipes along New York City's 500 miles of coastline, says Reed Super, attorney for Columbia University's Environmental Law Clinic.

Instead of fixing the problem, last year the city made a deal that relieves it of its obligation to meet federally mandated clean-water standards. The Department of Environmental Protection, which runs the city's sewage treatment plants, entered into a "memorandum of understanding" with the state department of environmental conservation, which sets and enforces water quality standards.

Under this agreement (2005) , the city will spend \$2 billion to improve its sewage treatment system and bring dumping down by less than 20 percent by the year 2022. In the meantime, the state will lower its water quality standards to meet New York City's level of pollution.

To watchdog groups, the deal reeks as much as the water. "The state department of environmental conservation is saying, 'Look, we know you guys are having trouble meeting these standards,' " says Debbie Mans, policy director of the environmental group New York/New Jersey Baykeeper. "Instead of addressing the problem, they're just raising the bar," she added, so the city won't have to stop polluting.

Ian Michaels, a spokesman for the Department of Environmental Protection, said some of New York's waterways will never be able to meet clean-water standards, even if the dumping stopped. "The city and state agreed," said Michaels, "that money could be better spent on other types of water quality improvement projects."

While the city and state deem certain bodies of water a lost cause, some say the problem is only going to get worse. Opponents fault the plan for not taking into account population growth, which will eat up the excess treatment capacity created by the improvements. Environmentalists estimate that after 17 years and \$2 billion, the city will still be dumping about 40 billion gallons per year. "We'll just be treading dirty water," Super said.

A Department of Environmental Protection employee who asked not to be named says overflow is not a bad thing, considering the alternative. "Instead of backing up into people's homes and streets, we dump into the water," he said.

Another employee at the Department of Environmental Protection-run Paerdegat pumping station in Brooklyn's Jamaica Bay says, "When we dump, it's so diluted, there's not much impact."

Andrew Novick begs to differ. He says he almost lost a leg from it.

In front of the launch dock at the Sebago Canoe Club, which shares the Paerdegat Basin with the pumping station, Novick points to a four-inch-long scar along his right shin.

"I had a cut and it got infected," he says. "My doctor told me, 'If you were here one day later, you would've been in trouble.' " The doctor was mystified by the bacteria causing his infection.

Novick, who chairs the canoeing committee for Sebago, is convinced the infection was caused by sewage-polluted water having dripped onto his leg from his canoe and kayak paddles.

"We were in a toilet bowl," Novick says, recalling the days following a massive sewage overflow into the Paerdegat Basin this past summer. "I saw raw sewage, feces, toilet paper, condoms, feminine napkins, sludge-covered plastic soda bottles."

While the state is tweaking the law to help the city, the Natural Resources Defense Council, Riverkeeper, New York/New Jersey Baykeeper, and Long Island Soundkeeper are challenging the Department of Environmental Protection.

"Sewage overflow has been a problem for decades, and the city has done absolutely nothing about it," says Evan Thies, spokesman for City Councilmember David Yassky, who opposes lowering the water quality standards. "The message here is that the city can weasel out of water quality laws, and that's just wrong."