



IOWA CHAPTER

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SIERRA CLUB CALLS FOR CRIMINAL CHARGES

The Iowa Chapter of the Sierra Club has called on the Environmental Protection Agency (EPA) and the U.S. Attorney's Office to initiate criminal charges against two employees of the Sioux City Sewage Treatment Plant for violating the federal Clean Water Act.

The Iowa Department of Natural Resources (DNR) learned through a whistleblower that two treatment plant employees had cheated in treating the sewage, in testing E. coli bacteria levels and in reporting the test results. They were releasing the improperly treated waste water into the Missouri River.

Jay Niday, the plant's operator-in-charge, and Pat Schwarte, the shift operator, intentionally failed to disinfect sewage treatment plant discharges, manipulated water quality test results and fraudulently reported the results over the course of several years.

"It is very disappointing to hear about the behavior of these employees," stated Debbie Neustadt, Chair of the Water Committee for the Iowa Chapter. "Iowans have a child-like belief that sewage treatment plant operators are following the rules and protecting the public."

As a result of the DNR's investigation, the pair were fired and permanently lost their wastewater treatment certifications in Iowa. However, the DNR determined that neither criminal charges nor fines were warranted. The EPA is also investigating but has not yet released any findings from its investigation.

"You can't fudge; you can't cheat; and a slap on the wrist is not enough," said Jim Redmond, a Northwest Iowa Group Sierra Club leader. "This is serious and it's unacceptable."

Sewage treatment plants are required to obtain a National Pollution Discharge Elimination System (NPDES) permit from the Iowa DNR. The permit states the maximum levels of pollutants that are allowed in the final treated water, before it is discharged into a river or stream. Permit holders are

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required to test the water five times per quarter between March 15 and November 15 to verify that they are satisfactorily disinfecting the water. The regulations are in place to protect the public health.

Once solids are removed from the sewage, chemicals are added to the remaining water to disinfect it. Then the water is discharged from the sewage plant into the river.

Wally Taylor, Legal Chair for the Iowa Chapter, indicated, “I am concerned that other sewage treatment plant operators are also disobeying their NPDES permits.”

The Iowa Chapter proposed in the letter that a criminal indictment will serve as a warning to other communities that NPDES permit compliance is required and that intentionally failing to do so will result in stiff penalties.

The letter is available at <http://sierraclub.org/sites/www.sierraclub.org/files/sce/iowa-chapter/news-releases/SiouxCitySewage%20LtrToUSATTY%20EPA.pdf>

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