

For Immediate Release

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**Local Conservation Group Files Clean Water Act Lawsuit
Against City of Molalla
Second time the City is sued for pollution and mismanagement of its sewage plant**

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(Clackamas County) Bear Creek Recovery and local property owner Susan Hansen filed a lawsuit today in federal court against the City of Molalla to enforce the Clean Water Act for the protection of Bear Creek and the Molalla River. The lawsuit arises from the City's long history of violating the conditions of its Clean Water Act permit for the operation of its municipal sewage treatment plant.

Over the past five years, the City has violated its permit by spraying treated sewage water on unauthorized fields and in excessive quantities during the dry summer months. Several of the fields used by the City lie upland from or adjacent to Bear Creek, and those fields are also adjacent to irrigation systems relied upon by local farmers. The City has also violated permit requirements relating to its discharge to the Molalla River during wet months. The City of Canby gets its drinking water from the Molalla River downstream from the City's discharge location, and waters from both Bear Creek and the Molalla River flow to the Willamette River.

This is the second time that the City of Molalla has been sued for Clean Water Act violations at its sewage plant. The first suit, in 2006, involved many of the same violations that are at issue in the new lawsuit. That first suit resulted in a consent decree in federal court that required the City to comply with its permit and federal law. The consent decree expired in 2009 and since that time the City has continued its pattern of violations. The City's long history of unlawful conduct is caused by failing infrastructure, poor maintenance, and mismanagement of the sewage plant.

Bear Creek Recovery members are concerned over the potential risks that the pollution poses to the health of Bear Creek and the community. Susan Hansen, a local citizen and member of Bear Creek Recovery, is concerned over the water quality in Bear Creek. "I wish I could walk my dogs along Bear Creek in Igor Davies Park, but I would not risk having them drink the water from Bear Creek that runs from the City's irrigation fields." Treated sewage wastewater contains a level of E. coli that is not safe for human contact and could pose a risk to animals as well, both domestic and wild.

Bear Creek Recovery provided notice to the City back in January, warning City officials that the group intended to file a lawsuit to enforce the permit. Bear Creek Recovery and Susan Hansen decided to file the citizen suit after Oregon DEQ continually refused to bring an enforcement action. The local citizens are represented by the Crag Law Center, a public interest environmental law firm based in Portland, Oregon. "Bear Creek Recovery and Ms. Hansen are hopeful that this action will result in long-term real solutions that will protect drinking water, public health and the environment," says attorney Maura Fahey of the Crag Law Center.