

Mitchell, Williams, Selig, Gates & Woodyard, P.L.L.C.

Citizen Suit Enforcement/Clean Water Act: Charleston Waterkeeper and Charleston, South Carolina Water System Enter into Agreement

**Walter Wright, Jr.**

wwright@mwlaw.com

(501) 688.8839

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Charleston Waterkeeper and Charleston, South Carolina Water System (“CWS”) are stated, as noted by a February 2nd news release, to have entered into an agreement to address sanitary sewer overflows (“SSOs”).

Charleston Waterkeeper was represented by the Southern Environmental Law Center.

Sanitary sewer systems collect and transport domestic, commercial, and industrial wastewater and limited amounts of stormwater infiltrated groundwater to treatment facilities for appropriate treatment. Sanitary sewers are different than combined sewers, which are designed to collect large volumes of stormwater in addition to sewage and industrial wastewater.

Sanitary sewers on occasion will release raw sewage. These types of releases are called SSOs.

SSOs might be caused by:

- Blockages.
- Line breaks.
- Sewer defects that allow stormwater and groundwater to overload the system.
- Power failures.
- Improper sewer design.
- Vandalism.

Charleston Waterkeeper is stated to have sent CWS a Clean Water Act citizen suit notice of intent to sue to address SSOs. Most of the SSOs are stated to have occurred within the former St. Andrew’s Public Service District wastewater collection system. CWS is stated to have been forced to take over this system in 1995 via a South Carolina Department of Health and Environmental Control consent decree. CWS commits in the agreement to:

- Continue and expedite planned inspections, repairs, and replacements to its sewer system to reduce sewage overflow events in West Ashley according to agreed-upon deadlines;
- Carry out more rigorous pipe inspections where necessary in West Ashley;
- Send Charleston Waterkeeper, and make publicly available, quarterly reports on the progress of their pipe inspection and repair program in West Ashley; and
- Deploy a customer notification system that alerts customers when there is a sewage overflow event in their area. CWS and Charleston Waterkeeper encourage customers throughout the system, but

- especially in West Ashley, to sign up for customer alert notifications to receive timely notifications of overflow events.
- Recommend to its board the funding of a newly established sewer lateral line replacement grant program.

CWS is noted in the news release to have invested hundreds of millions of dollars to make significant improvements to sewer infrastructure in West Ashley and to the former St. Andrews sewer system. This is stated to have included:

- Closing two failed wastewater treatment plants.
- Eliminating illegal sewer bypasses that directly led to waterways.
- Implementing a nationally recognized inflow/infiltration reduction program.

A copy of the news release can be found [here](#).