



CHATTAHOOCHEE RIVERKEEPER®

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Chattahoochee Riverkeeper and Southern Environmental Law Center threaten to sue City of Atlanta for Clean Water Act violations

ATLANTA – Chattahoochee Riverkeeper, represented by the Southern Environmental Law Center, told the Atlanta Department of Watershed Management that it would have 60 days to stop discharging illegal levels of pollution from the R.M. Clayton Water Reclamation Center into the Chattahoochee River or the groups will file a lawsuit in federal court for Clean Water Act violations.

A 60-Day Notice of Intent to Sue is required under the Clean Water Act. If the city does not correct violations after 60 days, the groups will move forward with a federal lawsuit.

The R.M. Clayton facility is Atlanta's largest wastewater treatment plant. The plant receives millions of gallons of the city's wastewater every day and is permitted to release up to 100 million gallons of treated wastewater per day into the Chattahoochee River.

In March 2024, Chattahoochee Riverkeeper (CRK) detected dangerously elevated levels of E. coli bacteria in the Chattahoochee River and traced the source to the R.M. Clayton plant's outfall into the river. Daily testing conducted by CRK at the outfall found E. coli levels were on average 340 times higher than the amount recommended by the U.S. Environmental Protection Agency for safe water recreation.

CRK notified the City of Atlanta and Georgia Environmental Protection Division (EPD) that the plant was discharging large amounts of E. coli and other pollutants into the river, threatening public health, wildlife, and the river's ecosystem.

After news spread of unsafe conditions in the river, the City of Atlanta initially attributed the plant's failure to both heavy rainfall and multiple discharges of illicit substances into the plant. But an inspection conducted by Georgia EPD revealed that the facility is in a state of disrepair, with problems at all stages of wastewater treatment and numerous safety hazards.

From March to June, CRK pressured city leadership to address operational failures and expedite repairs at the plant. Ongoing monitoring by CRK at the plant's outfall has revealed sporadic spikes in E. coli levels as recently as June 6. Exposure to E. coli bacteria can cause serious illness, especially in young children, the elderly, and the immunocompromised.

“We have serious concerns about the high levels of organic material and nutrients entering the river from the plant’s discharge, which violate the plant’s permit,” says Jason Ulseth, CRK’s Riverkeeper and executive director. The contaminants, including ammonia and phosphorus, contribute to low oxygen levels in the river which are detrimental to aquatic life.

“The city’s proposed corrective action plan is inadequate to ensure the plant complies with the Clean Water Act,” says Ulseth. “Disruptive events like heavy rainfall will recur in the future, and the city should take proactive measures to ensure that its facilities are effectively maintained and operated.”

Based on the pattern of ongoing serious violations in the discharges from the plant and on the City's lack of transparency, CRK and the Southern Environmental Law Center are prepared to file a lawsuit against the City of Atlanta. Pursuant to the Clean Water Act, CRK and SELC will seek an injunction to prohibit the ongoing egregious violations of the City's wastewater permit, as well as civil penalties, attorney's fees and costs.

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About Chattahoochee Riverkeeper:

Chattahoochee Riverkeeper’s mission is to educate, advocate, and secure the protection and stewardship of the Chattahoochee River, including its lakes, tributaries, and watershed, in order to restore and conserve their ecological health for the people and wildlife that depend on the river system and in recognition of the important ecosystem functions provided throughout the region and planet. For more information, visit www.chattahoochee.org.

About Southern Environmental Law Center:

The Southern Environmental Law Center is one of the nation’s most powerful defenders of the environment, rooted in the South. With a long track record, SELC takes on the toughest environmental challenges in court, in government, and in our communities to protect our region’s air, water, climate, wildlife, lands, and people. Nonprofit and nonpartisan, the organization has a staff of 200, including more than 120 legal and policy experts, and is headquartered in Charlottesville, Va., with offices in Asheville, Atlanta, Birmingham, Chapel Hill, Charleston, Nashville, Richmond, and Washington, D.C. southernenvironment.org