Forcing illegal polluters to clean up their act

Environment Rhode Island wins for Newport’s beaches

Earlier this year, Environment Rhode Island settled our Clean Water Act lawsuit against the town of Middletown, which will help ensure that Newport-area beaches are clean and safer for swimming.

Newport’s beaches are a top destination for tourists from Rhode Island and across the country who flock to our shores for swimming, surfing, boating and fishing. These beaches aren’t just a fun vacation spot—they also form a core part of Rhode Island’s coastal ecology and economy.

Sewage where we swim?
But the sad truth is that First Beach and Atlantic Beach often receive a heavy dose of pollution—millions of gallons of wastewater laced with sewage and other pollutants.

Middletown’s sewer system was not designed to handle stormwater, so when heavy rain or snow melt deluges the system’s pipes, it discharges sewage into a small channel that leads right to these beaches.

 Needless to say, sewage pollution where we swim is not a good idea—it threatens the local wildlife and puts the health of beachgoers at risk. In this case, it’s also illegal under the federal Clean Water Act.

When local activists could not persuade officials to fix the problem, Environment Rhode Island joined them in 2008 to file a citizens’ suit under the Clean Water Act to compel Middletown to end its illegal sewage pollution.

This January, our efforts paid off. We filed a proposed settlement in federal court, forcing Middletown to agree to a series of steps to end its sewage discharges—and face stiff penalties if the town doesn’t follow through on its word. Media outlets from the Providence Journal to ABC News have been covering our Clean Water Act lawsuit. Despite our victory, the battle is not quite over.

Environment Rhode Island has a companion case against the City of Newport for similar pollution into its own harbor and Narragansett Bay. We will keep you updated as that suit progresses.

more online

Visit our website at www.EnvironmentRhodeIsland.org to read more about our Newport victory.
In circles in Washington D.C., questions about what steps we should take to protect our environment are almost always contentious and often divisive.

Yet with most of the people I meet traveling through Rhode Island, politics takes a back seat when it comes to the places we love, whether it’s a favorite state park, a beach or lake or river, or maybe even a local patch of woods. We don’t question whether it’s worth protecting these places—most of us struggle to understand how anyone could see it any other way.

That’s why this summer, Environment Rhode Island is working to strengthen protections for places we love, like Narragansett Bay.

As always, we’re documenting the problems, finding solutions and making our case to public officials. Yet we’re also banking on thousands of ordinary Rhode Islanders to speak up for the places we cherish most—a force that even Washington D.C. will find hard to resist.

John Rumpler
Senior Environmental Attorney

**Recent action**

**New auto emission standards build on states’ work**

New fuel economy and auto emission standards approved on April 1 by the Obama administration will reduce the nation’s oil dependence by 11.6 billion gallons by 2016—an amount equal to half the oil we import from Saudi Arabia each year in the United States.

These important standards were made possible thanks in part to the grassroots advocacy and action of Environment Rhode Island and our national federation—especially in Rhode Island and the 13 other states where our staff and citizen members helped win approval of state emission standards over the last decade. These state-level victories set the stage for the president’s announcement.

Still, the new clean cars standards face at least one last hurdle. Big Oil and their allies in Congress—led by Sen. Lisa Murkowski of Alaska—have pushed to block the Obama administration’s efforts to limit global warming pollution, including the new clean cars standards. Visit our website to take action and help fight back against these attacks in Congress.

**Earth Day push for energy independence**

Forty years ago, a group of Americans responded to a growing environmental crisis by organizing the first Earth Day. Roughly 20 million people took part in protests, teach-ins and rallies. In short order, Congress passed the Clean Air Act, strengthened the Clean Water Act, and created the Environmental Protection Agency.

Since that first Earth Day, we’ve made real progress on many fronts—but we’re even more dependent on foreign oil than we were then. So what better way to celebrate the 40th anniversary of Earth Day than to help break through the political logjam that’s holding America back from real energy independence? This April, Environment Rhode Island and our environmental allies across the country launched a massive petition drive, gathering 14,000 signatures for an online Declaration of Energy Independence. We delivered them to our senators on Earth Day, April 22.
In 1969, the abuse of America’s waterways hit a new low. Ohio’s Cuyahoga River—already infamous for the black oil that floated along its surface, the trash that lined its banks, and the complete absence of animal life within its waters—caught fire.

The incident, along with a Time magazine article that covered the fire and called the Cuyahoga the river that “oozes rather than flows,” helped spur the modern environmental movement, ultimately resulting in the passage of the Clean Water Act in 1972.

For decades, government officials and citizen activists have used the Clean Water Act to reduce industrial discharges into our waterways, large and small. When polluters balked, the EPA imposed tough penalties, compelling companies to clean up their act.

**Progress at risk**

Today, that progress is at risk due to two wrong-headed Supreme Court decisions brought forth by private developers and supported by other water polluters. In the words of a recent Environment Rhode Island study, these anti-environmental decisions “shattered the fundamental framework of the Clean Water Act” by placing thousands of polluters beyond the law’s reach.

In these decisions, a slim majority of Supreme Court justices ignored the Clean Water Act’s promise to protect all “waters of the United States.” Instead, the judges seized upon a single word—“navigable”—to call protections into doubt for one-fifth of the nation’s wetlands and more than half of America’s streams.

“We are, in essence, shutting down our Clean Water programs in some states,” said one EPA lawyer. “When companies figure out the cops can’t operate, they start remembering how much cheaper it is to just dump stuff in a nearby creek.”

An estimated 54 percent of our streams could now be open to unregulated dumping, threatening the drinking water for 500,000 people across Rhode Island. These streams and wetlands feed and protect major lakes, rivers and coastal waters, including Narragansett Bay.

**Bringing polluters within law’s reach**

Environment Rhode Island is calling on our congressional delegation to restore Clean Water Act protections to all of our waters. Yet a coalition of powerful polluters is pushing back. One polluter described the strategy: “If you can get Glenn Beck to say that government storm troopers are going to invade your property, farmers in the Midwest will light up their congressmen’s switchboards.”

This summer, we’re reaching out to people across Rhode Island to counter the polluters’ lobby and join us in our call to strengthen clean water protections for Narragansett Bay.

Restoring protections to Narragansett Bay

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New study promotes green buildings

Rhode Island families could save more than $2,500 per year on their energy bills by 2050 if we start investing in the energy efficiency of our buildings today. Environment Rhode Island researchers calculated the savings as part of a report released in March entitled “Building Better: How High-Efficiency Buildings Will Save Money and Reduce Global Warming.”

Our researchers pored over government data to estimate the energy savings, decreased fossil fuel use, money saved on energy bills, and pollution prevented if we committed to dramatically improving the energy efficiency of new and existing buildings. How much energy would we save across the country? Enough, we estimate, to power 235 million homes every year. And, as Environment Rhode Island’s Caitlin Seeley points out, “Most buildings last for decades; investing in energy efficiency locks in savings for years.”

Thanks in part to our advocacy, Rhode Island and other states have recently updated their building codes or are considering new updates. The Obama administration has provided $16 billion for efficiency-boosting weatherization programs, and more funding and programs could be on the way soon.

“Let’s not waste any more time, any more energy, or any more money on outdated buildings,” added Seeley. “We need to invest in efficiency to start building a better tomorrow.”

**Zero-energy buildings like the one above could save homeowners thousands of dollars.**
America could harness the power of the sun to supply 10 percent of our electricity by 2030 if we adopt a set of relatively simple policy solutions, according to a new report released by Environment Rhode Island this spring. Getting 10 percent of the nation’s power from solar energy would be more energy than we produce at every nuclear power plant in the country. Our report examined a wide variety of solar technologies and tools. Use of these technologies, while already occurring in places from Wal-Mart stores to Boston’s Fenway Park, could be greatly expanded through new investments in research and development, stronger renewable electricity standards and incentives, and green building codes.

“Americans shouldn’t need barrels of oil from a desert half a world away—in the most unsettled and dangerous region of the Earth—just to power a trip to the grocery store in Providence,” said Environment Rhode Island’s Caitlin Seeley. “How much easier and more secure would it be to harness the heat and light that strikes our rooftops every day?”

Solar has huge potential in Rhode Island. Visit our website to read the full report.