



Press Advisory

January 17, 2018

U.S. EPA ADMITS IT WAS WRONG TO ACCEPT OHIO EPA LAKE ERIE RULING

Last May, the U.S. EPA approved a decision by the Ohio EPA to designate only limited shoreline areas of western Lake Erie “impaired,” refusing to extend that status to the open waters of the western basin and letting Ohio continue with voluntary cleanup efforts despite massive toxic algae blooms every summer.

The U.S. EPA now admits it was wrong to accept Ohio’s decision and environmental groups that filed a lawsuit in Federal District Court want Judge James Carr to order the U.S. EPA to formally rule the western basin impaired and begin a cleanup with mandatory goals and deadlines.

The Environmental Law and Policy Center (ELPC), based in Chicago and Toledo-based Advocates for a Clean Lake Erie are co-plaintiffs in that suit filed last July, seeking to overturn the U.S. EPA’s approval of Ohio’s limited decision.

Today, ACLE expressed hope that this latest development will lead to a mandatory cleanup, particularly of the 700,000,000 million gallons of raw animal waste spread annually on fields draining in to western Lake Erie. "The current USEPA administration may be opposed to implementing the Clean Water Act, but it is still the law of the land. With this suit and other actions ACLE intends to make the agency do its job to hold factory farms and other polluters accountable for what they've done to our lake."

Attached are:

- U.S. EPA’s “Withdrawal Letter” dated Jan. 12, 2018
- ELPC’s Motion for Summary Judgment

Also available on request are two Exhibits, "A" and "B" filed in support of the Motion for Summary Judgment. "A" is Michigan's Integrated Report to the U.S. EPA in which the state declared its portion of western Lake Erie impaired. "B" is a ruling from the U.S. EPA accepting Michigan's decision to do so. Contact Madeline Fleisher, Senior Attorney for ELPC at: (614) 569-3827