

Clean Water Act Enforcement/City of Clewiston, Florida: Public Employees for Environmental Responsibility Overfile Request to U.S. Environmental Protection Agency



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The Public Employees for Environmental Responsibility (“PEER”) submitted what is described as an “Overfile Request” to the Region 4 Office of the United States Environmental Protection Agency (“EPA”) regarding a wastewater treatment facility in Florida.

PEER’s November 13th Overfile Request asks that EPA:

... initiate immediate action against the City of Clewiston (Clewiston or Permittee) in connection with the imminent and substantial threat to public health presented by the repeated violations of its National Pollution Discharge Elimination System (NPDES) permit issued by the State of Florida, Department of Environmental Protection (FDEP) under its delegated authority pursuant to the Clean Water Act.

PEER asks EPA, despite the delegation of the Clean Water Act program to FDEP, to assert primary jurisdiction over the Clewiston NPDES permit to address the alleged violations.

Clewiston is stated to operate a wastewater discharge facility pursuant to an NPDES permit. The wastewater discharge facility is located in Hendry County, Florida, and is stated to constitute a major discharger into Sugarland Drainage District Canal Number 3, a receiving wetland that is a Class III fresh waterbody.

PEER alleges that the facility has been in noncompliance for each of the past 12 quarters. Further, the letter states that the majority of the violations have been for flow violations. However, alleged violations of total Phosphorus limits are also referenced.

A copy of the PEER letter can be found [here](#).