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# Our Power, Our Planet

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Using the Clean Water Act to protect our planet

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# Overview

Learning goal:

Small actions, big impact! Understanding how citizen suits can make a difference in watershed pollution

## Law

- Understand citizen rights under the Clean Water Act

## Action

- Understand the power of **Waterkeepers and citizen monitoring**

## Putting it into Practice

- **Case Study: Patapsco Wastewater Treatment Plant**

# Who we are



**Blue Water Baltimore:** Protecting and restoring the quality of Baltimore's rivers, streams, and Harbor to foster a healthy environment, a strong economy, and thriving communities.

**Chesapeake Legal Alliance:** Applying the power of the law to protect and restore clean water and promote healthy, resilient ecosystems for communities across the Chesapeake Bay watershed.



# The Law & Your Rights

Clean Water Act  
Section 402

The discharge of any *pollutant* by any person into Waters of the United States shall be unlawful unless in compliance with sections of the Clean Water Act, including Section 402. 33 U.S. §1311.

NPDES & Discharge,  
Monitor, Report

**Individual and general state NPDES Permits**  
**Reporting requirements under each**

Citizen Suits

To sue as a citizen, you must have Article III standing  
Representational Standing exists for organizations like Waterkeepers

Steps to take

Reporting illegal discharges to MDE/local waterkeeper  
Checking ECHO/Open MDE

# Baltimore Harbor Waterkeeper

Uses **science**, **policy**, and the **law** to protect and restore our local waterways.



WATERKEEPER® ALLIANCE

MEMBER

- **SCIENCE:**

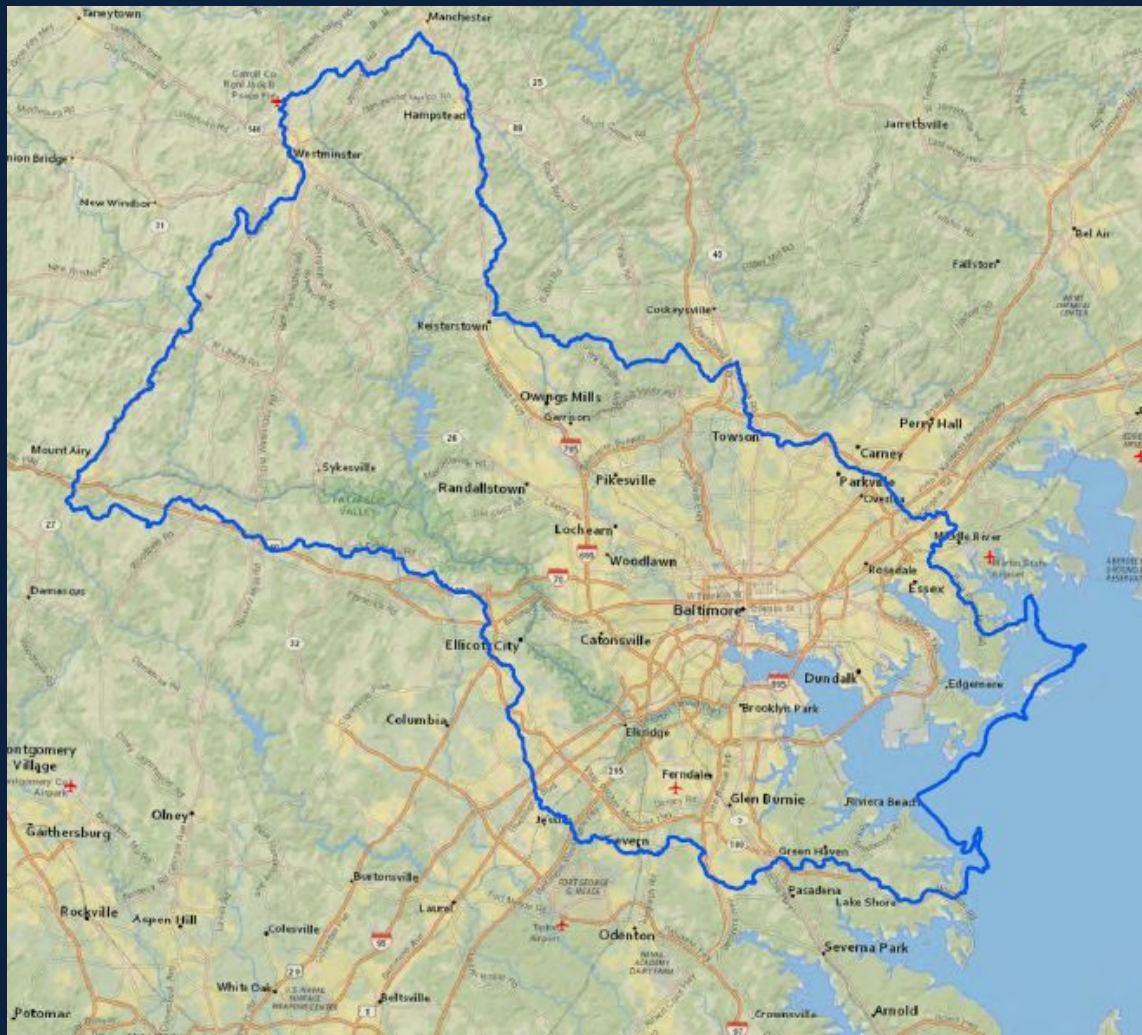
- Water Quality Monitoring
- Pollution investigations

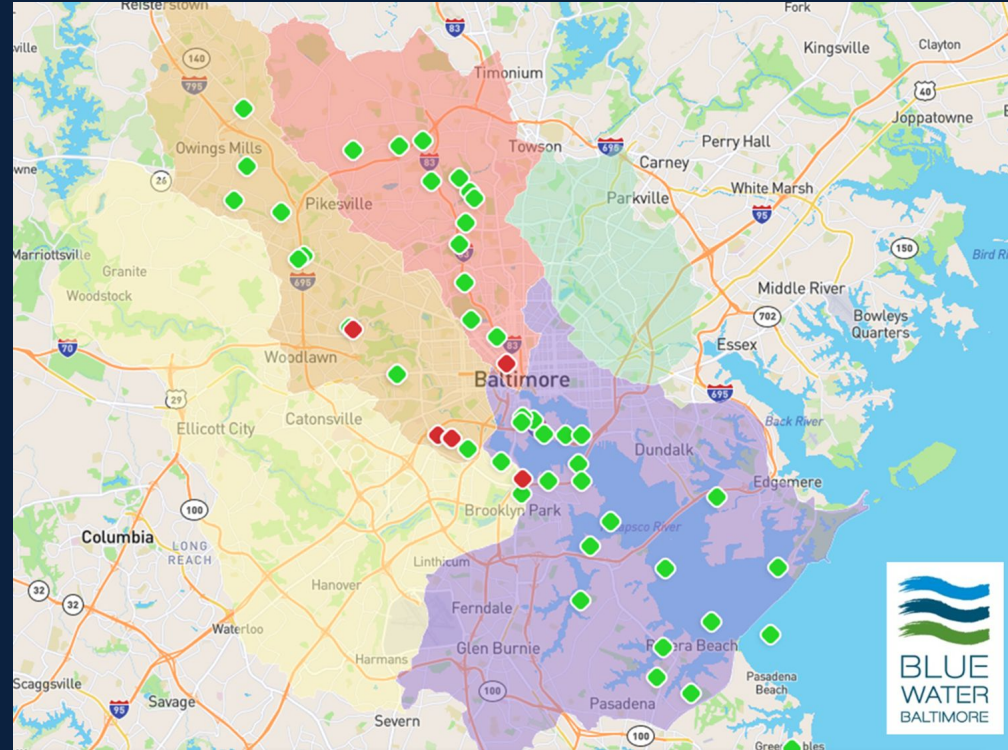
- **POLICY:**

- Legislative – Advocate for specific bills
- Regulatory – Advocate for stronger permits

- **LAW:**

- Enforce against polluters
- Ensure that government is doing its job





- Dissolved Oxygen
- Nutrients (N&P)
- Fecal Bacteria
- Chlorophyll a
- Salinity
- pH
- Water Clarity (Secchi depth)
- Water Temperature

The Walters Art Museum

# Baltimore

Horseshoe Casino Baltimore

FELLS POINT

Canton Waterfront Park

Fort McHenry National Monument...

WEST BALTIMORE

295

295

CHERRY HILL

ANSDOWNE

895

BROOKLYN

895

Patapsco Waste Water Treatment  
Recently viewed

Dundalk

Brooklyn Park

CURTIS BAY INDUSTRIAL AREA

Linthicum Heights

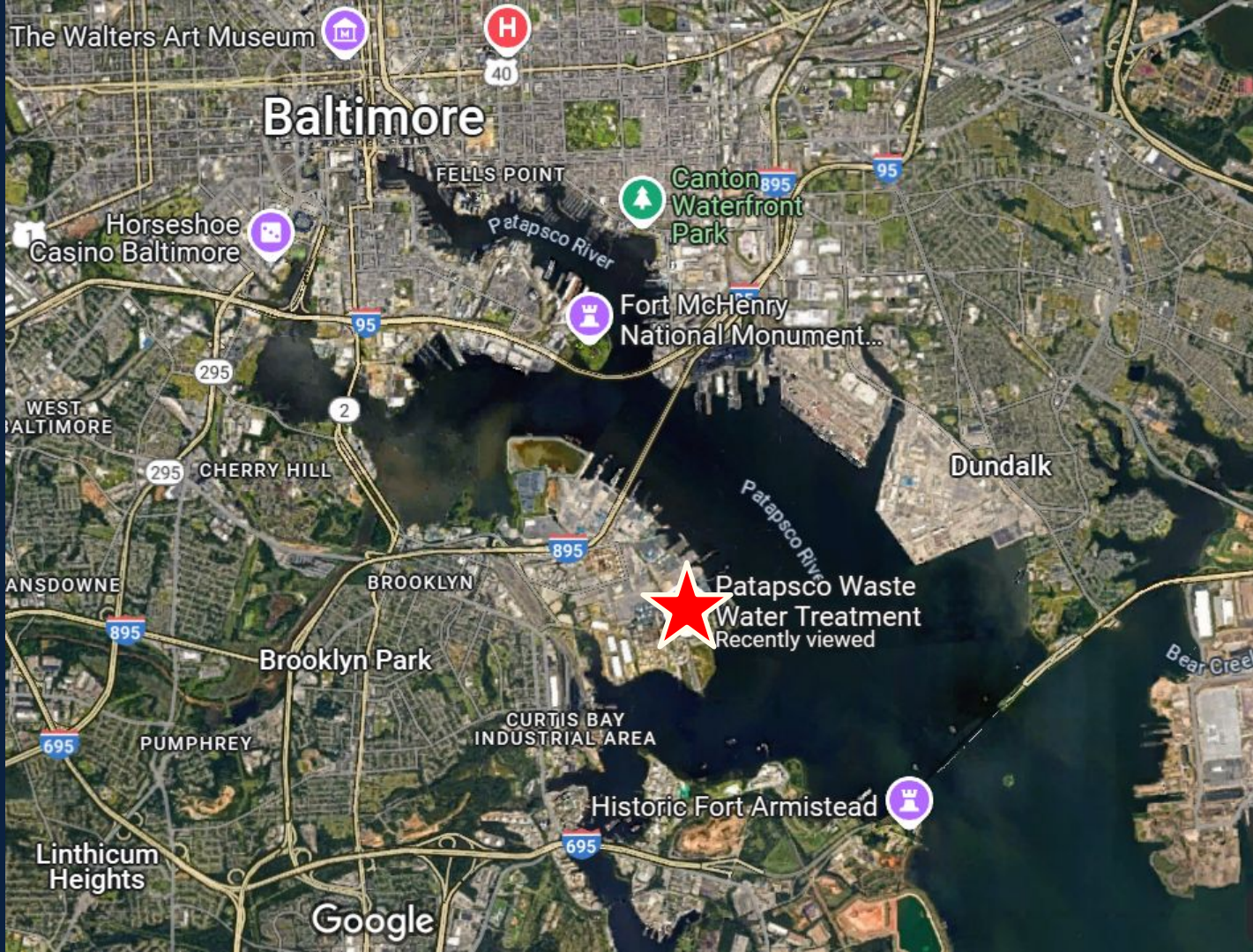
PUMPHREY

695

Historic Fort Armistead

Google

Bear Creek

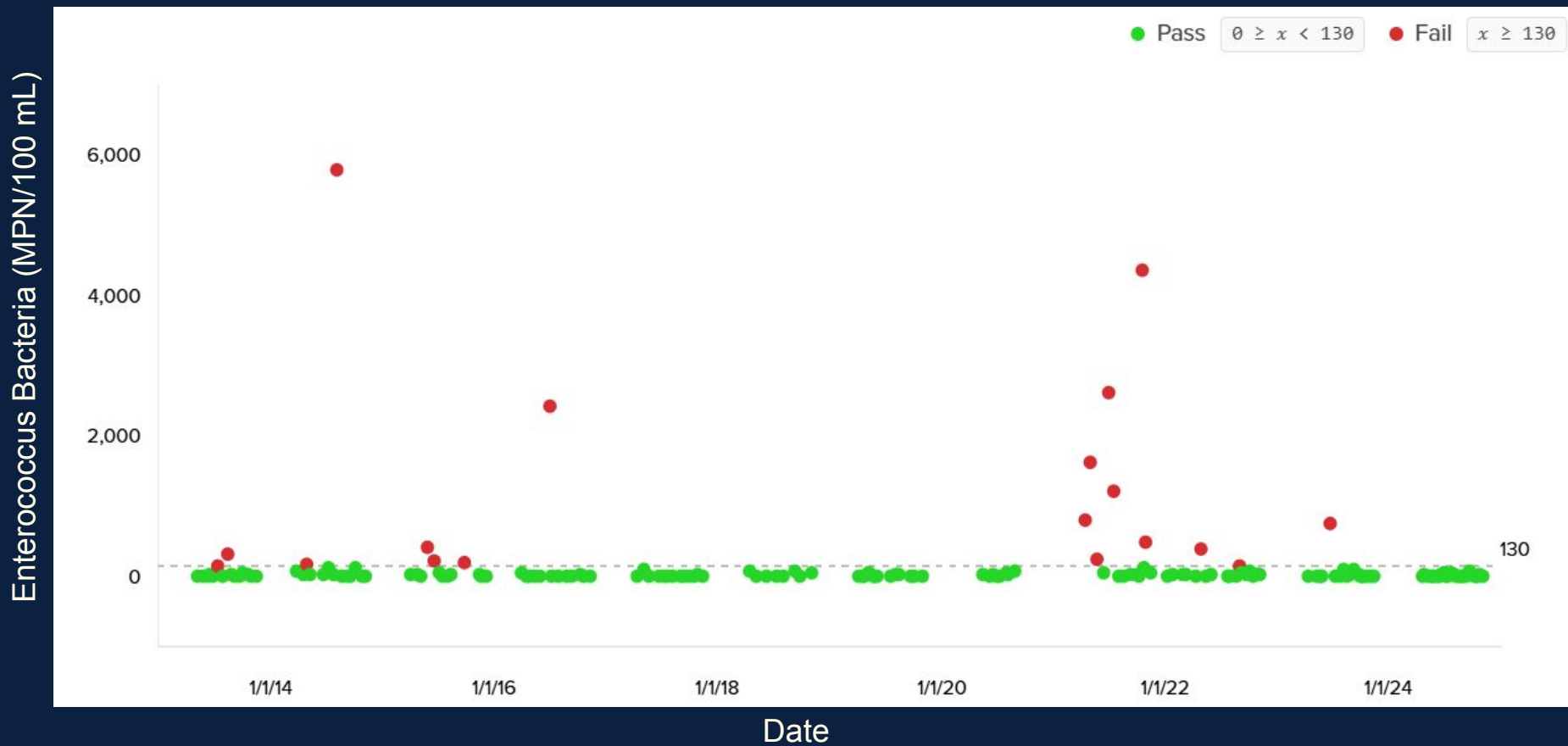


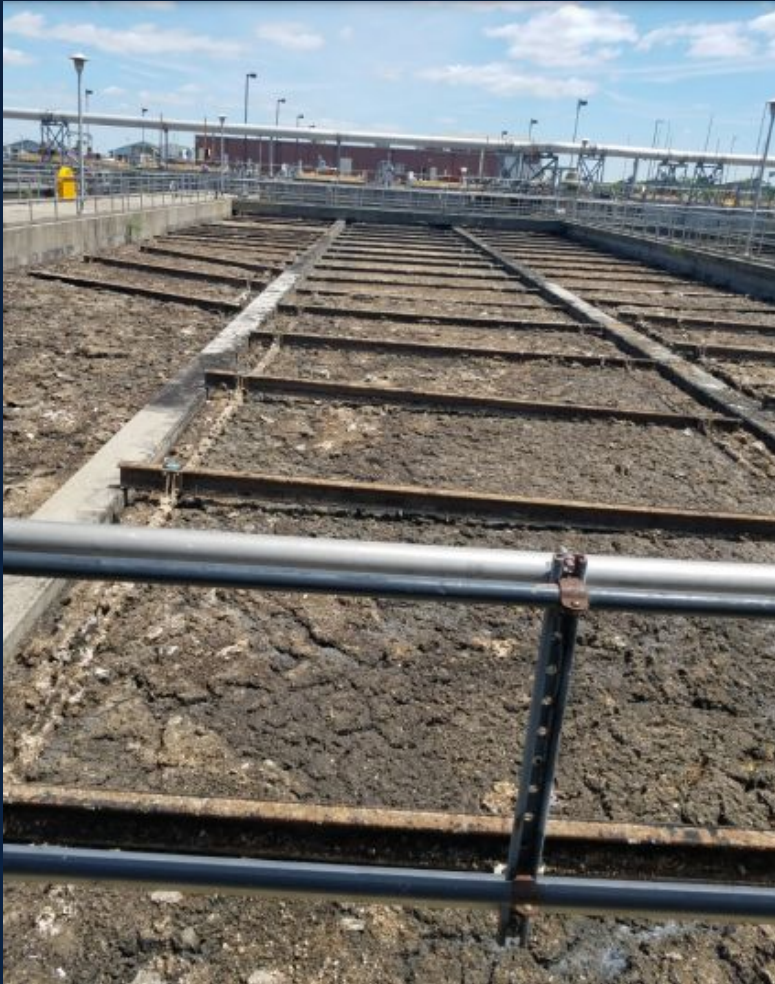


# CASE STUDY: PATAPSCO WASTEWATER TREATMENT PLANT



# Bacteria levels at Patapsco WWTP effluent pipe monitoring station (2013-2024)





## Patapsco WWTP – May 2021

- Widespread operations and maintenance deficiencies.
- Lack of automation; staffing vacancies; poor working conditions; lab deficiencies.
- Systemic issues caused by chronic backlog of solids in the system, causing cascading failures throughout the plant.
- At left: a PST rendered inoperable by the accumulation of FOGs.

## Patapsco Wastewater Treatment Plant – October 2021



“Trash” clogging conveyor belts



Manual FOG skimming at Primary Settling Tanks

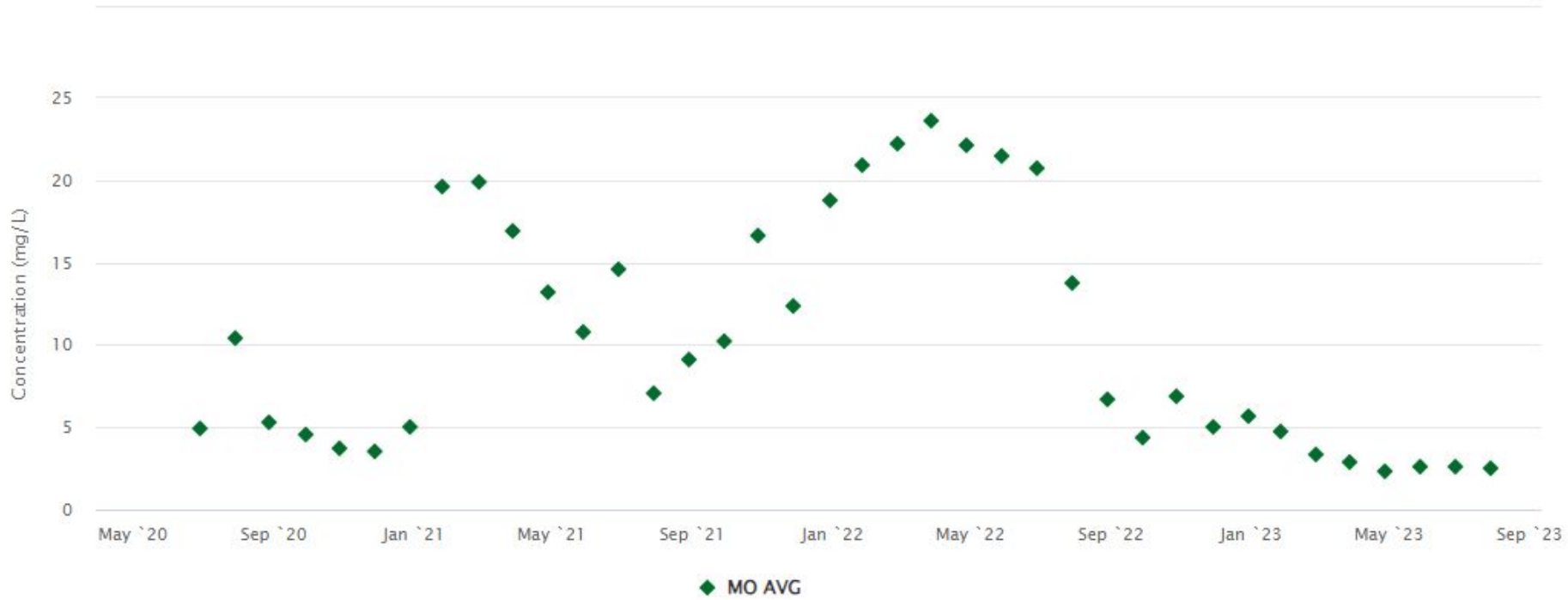
## Patapsco Wastewater Treatment Plant – May 2022



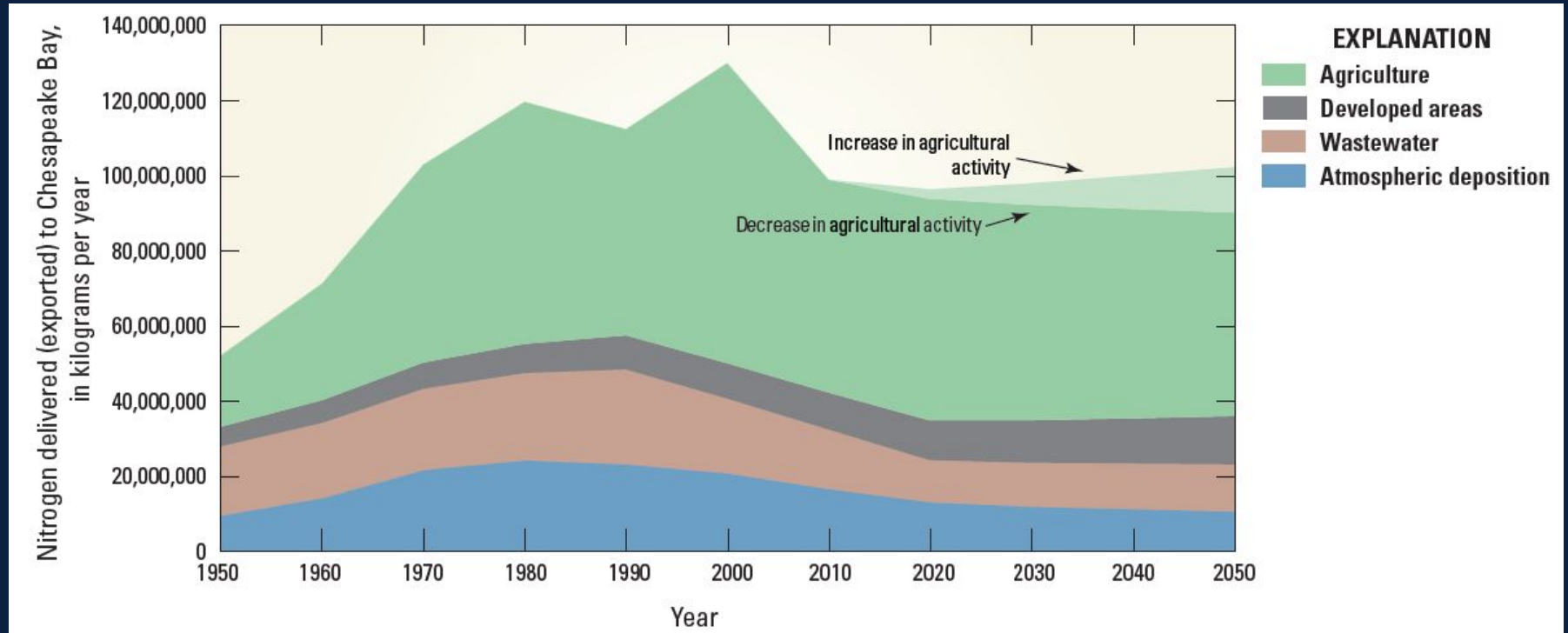
Final discharge with persistent foam/scum/solids, final effluent sample with amber color.

# Total Nitrogen [as N] at Patapsco WWTP Effluent

Concentration



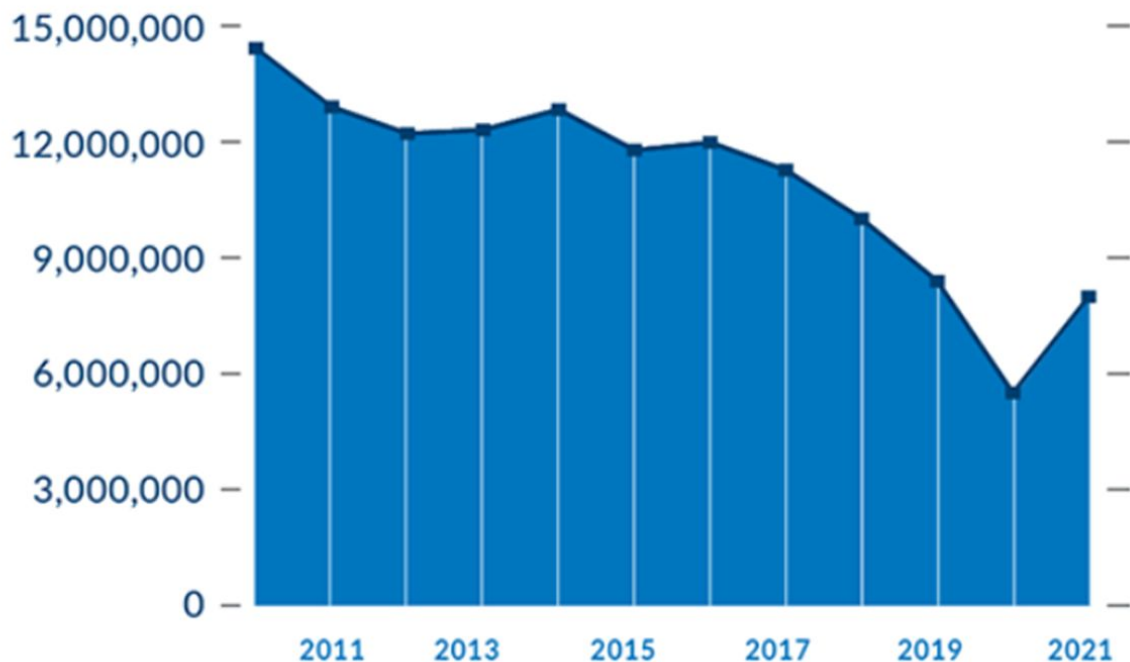
## Annual nitrogen loads exported to the Chesapeake Bay by source



Annual nitrogen loads exported to the Chesapeake Bay by source, 1950–2050. Fertilizer and manure are combined into a single agricultural source for the modeled time period. Only the future scenario for constant wastewater treatment technology is shown (Hopple and others, 2020, 2021). [Nitrogen in the Chesapeake Bay watershed—A century of change, 1950–2050](#)

# Maryland Wastewater

Nitrogen Load (lbs./yr.)



**CHESAPEAKE BAY FOUNDATION**

*Saving a National Treasure*

Source: Chesapeake Bay Program

Nitrogen pollution from wastewater plants in Maryland increased by 2.5 million pounds in 2021 compared to 2020.

CHESAPEAKE BAY FOUNDATION



# Litigation

## Parties

- Plaintiff: Blue Water Baltimore (Nonprofit org) (Represented by Chesapeake Legal Alliance)
- Plaintiff: Maryland Department of the Environment (State Agency)
- Defendant: Baltimore City (Owner/Operator of WWTPs)

## Process

- How this case came to the attention of BWB
- Litigation process (inception to settlement)

2020 PULITZER PRIZE IN LOCAL REPORTING

# THE BALTIMORE SUN

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THURSDAY, NOVEMBER 2, 2023

## Gaza exodus flooding Egypt

Israeli ground troops advance, preparing to enter Gaza City

By Najib Jobain, Jack Jeffery and Lee Keath  
Associated Press

RAFAH, Gaza Strip — Israeli ground troops have advanced to “the gates of Gaza City” in heavy fighting with combatants, the military said Wednesday, as hundreds of foreign nationals and dozens of seriously injured Palestinians were allowed to leave Gaza after more than three weeks under siege.

The first people to leave Gaza — other than four hostages released by Hamas and another rescued by Israeli forces — crossed into Egypt, escaping the territory’s growing misery as bombings drive hundreds of thousands from their homes, and food, water and fuel run low.

The U.S. State Department said some American citizens were among those who left, without giving specifics. It said it expected more Americans and other foreign nationals to get out of Gaza in coming days. Talks were reportedly ongoing among Egypt, Israel and Qatar, which has been mediating with Hamas, which has been designated as a terrorist group by the U.S. and others.

Heavy airstrikes demolished apartment buildings for the second



The Patapsco Wastewater Treatment Plant is one of two plants that will fall under a consent decree. JERRY JACKSON/BALTIMORE SUN

## City must fix wastewater plants, pay up to \$4.75M

Baltimore agrees to share information as part of deal to resolve pollution cases

By Christine Condon

millions of gallons of polluted... it still requires approval by the... outspoken in their frustration

## Key outcomes of lawsuit:

- A legally enforceable consent decree that holds the City accountable for past violations and creates an enforceable plan moving forward.
- Third-party oversight
- Enhanced transparency
- More public notification & signage
- \$4.75 Million penalty, including a \$1.9 Million SEP
- Stipulated Penalties
- Corrective Actions (aka work to be performed)

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**Chesapeake Bay  
Fiscal 2026 Budget Overview**

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Department of Legislative Services  
Office of Policy Analysis  
Annapolis, Maryland

January 2025

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For further information contact: Andrew D. Gray

[andrew.gray@mlis.state.md.us](mailto:andrew.gray@mlis.state.md.us)

*Analysis of the FY 2026 Maryland Executive Budget, 2025*

1

In the annual Chesapeake Bay overview to the MGA, there's a blurb about how the resolution of the violations at the two WWTPs basically single handedly put MD back on track.

"Progress: Maryland decreased loading by 3.5 million pounds of nitrogen between calendar 2022 and 2023, largely due to the full operational return of the Back River and Patapsco WWTPs"

# QUESTIONS?

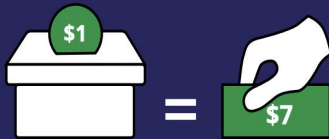


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[chesapeakelegal.org/support/donate/](https://chesapeakelegal.org/support/donate/)



To support Blue Water Baltimore's work go to:  
<https://bluewaterbaltimore.org/donate/>

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