



Sludgefree UMBT

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UPPER MOUNT BETHEL RESIDENTS FILE MASSIVE SEWAGE SLUDGE LAWSUIT

A community-wide lawsuit was filed today in the Northampton County Court of Common Pleas to stop the damages caused by sewage sludge dumping in Upper Mount Bethel Township. Sludge Free UMBT President, John Gorman, stated, "Since sludge dumping began 11 ½ months ago, we have received reports from more than 100 residents who have been adversely affected by the sludge. Airborne fumes, creating offensive odors travelling from the sludge sites, have made working and recreating outside unbearable. In addition, these irritating odors have caused burning eyes, nose, throat and difficulty breathing for many. Drinking water wells have been contaminated. All around the sites residents have been prevented from enjoying their homes and yards."



In a separate lawsuit that was settled earlier this year, Synagro, the largest sludge hauler in the US, is forever barred from dumping type B sewage sludge on three parcels of land in Upper Mount Bethel Township. Together with the Delaware Riverkeeper Network, Sludge Free UMBT successfully challenged the Pennsylvania DEP's approval of three type B sewage sludge permits. They established that the DEP had failed to consider the impact sludge dumping would have on the "Special Protected Waters" section of the Delaware River -- the drinking water source for 15 million people in Easton, Trenton and Philadelphia.

Today's lawsuit was filed by 112 Upper Mount Bethel residents who have sustained damages caused by type A sewage sludge which is not regulated by the DEP and therefore could not be stopped by the earlier lawsuit. Gorman stated, "The DEP does not require testing for any chemical pollutants that go down the drain and into the central sewage system. These include flame retardants, pharmaceuticals, fuels, solvents and PCBs. The terms "type A" and "type B" only pertain to levels of certain indicator pathogens, such as E.coli or Salmonella, and 9 heavy metals. They have nothing to do with other bacteria, viruses, endotoxins or prions. The health effects associated with all types of sewage sludge are related to these unregulated pollutants."

Indeed, in 2007, Milwaukee Public Schools closed 30 fields and playgrounds after type A sewage sludge that met the "most stringent safety regulations" created numerous health and safety problems. Chemical analyses of Milwaukee's type A sludge revealed that tons of it, which had already been spread across Milwaukee County, were contaminated with high levels of cancer-causing PCBs. Until the topsoil could be removed and buried at a hazardous waste site, the City was required to fence off the fields where over 16,000 youths and adults played softball, soccer and kickball.

“The community-wide lawsuit includes two of the parcels of land that were the subject of the previous legal action which successfully proved the DEP wasn’t protecting Pennsylvania’s environment. Rather, they were acting as Synagro’s permitting agency.” said Gorman. “The people of Mount Bethel are not waiting for the DEP to decide that sludge dumping on land isn’t safe – the impacts are already mounting. People are already experiencing first-hand the adverse effects from tons of Philadelphia’s sewage sludge being trucked into our rural community and dumped on the land. If sludge dumping is having this effect on the local community, we can only imagine the long term impact it will have on the drinking water supply for millions.”

The 112 plaintiffs in this suit are represented by Chris Nidel, Esq. of Nidel Law, PLLC, a Washington D.C. based law firm, and John Kotsatos, Esq. of the Law Offices of John E. Kotsatos, PLLC based in Northampton County, Pennsylvania. Attorneys Nidel and Kotsatos previously litigated *Gilbert v. Synagro* (90 A.3d 37 (2014)), a case of first impression filed against Synagro which went before the Supreme Court of Pennsylvania.