

## SIERRA CLUB LEGAL DEFENSE FUND

Dear Supporter:

You may have thought the battle for clean water was won with passage of the Clean Water Act in 1972.

Far from it. Behind the shield of the current administration in Washington, many of the biggest, richest, and most powerful industries in America violate the Clean Water Act every day without any fear of effective enforcement by the government.

According to the federal government's General Accounting Office (GAO), noncompliance with the Clean Water Act by industry is "widespread, frequent and significant" across the country. Unfortunately, so is nonenforcement: a follow-up GAO report revealed that since 1981, the number of Clean Water Act violations prosecuted by the Environmental Protection Agency and the Department of Justice declined precipitously after this administration took office.

Consider just these few cases, out of hundreds:

- \* In California, Shell Oil, Union Oil, Pacific Gas & Electric and the Tosco Corporation have -- among them -- filed reports with enforcement agencies showing that they repeatedly dump phenol, industrial acids, oil, grease, chromium, ammonia nitrogen, iron, copper and untreated solid wastes into San Francisco Bay.
- \* In New York, Alcoa, Philips ECG, Interpace and other industrial polluters have -- among them -- dumped copper, cyanide, lead, zinc, chromium and other metals and chemicals into the state's rivers and the Great Lakes.
- \* In Louisiana, some of the country's largest and most persistent polluters are dumping -- without penalty -- an almost unbelievable array of solid wastes and petrochemicals into the Mississippi River and the state's famed bayous.

In short, the Clean Water Act, under which all of this is illegal, is not being enforced. Thanks to the foresight of the citizens who lobbied for the Clean Water Act and the legislators who passed it, a mechanism does exist for us to take the initiative where government and industry have failed.

That mechanism is the "citizen enforcement" suit, and the Sierra Club Legal Defense Fund -- acting on your behalf and as coordinator for the Sierra Club and other national organizations -- has responded to the government's lack of enforcement by joining forces in nearly 100 citizen enforcement suits to date. The Sierra Club Legal Defense Fund is coordinating suits for the Sierra Club with other conservation law groups, including Natural Resources Defense Council, Trial Lawyers for Public Justice, and Advocates for the Public Interest.

But we need your special support to continue the fight for clean water.

(over, please)

Citizen enforcement suits are extremely expensive.

Costs of the four suits we've filed on San Francisco Bay alone could run as high as \$130,000 -- for legal staff, technical research, outside consultants, expert witnesses and other court costs.

And that's just four out of the many more that will have to be tried. We think it's worth it, however, because, unlike officials at the EPA and the Department of Justice, the Sierra Club Legal Defense Fund has not waived from the national goal -- established by Congress -- of totally eliminating water pollution in America's lakes, rivers and coastal waters in our lifetime.

To date, the Sierra Club Legal Defense Fund and its allies have been very successful. Victories in over a dozen cases have forced major polluters to clean up their operations in compliance with the law and put others on notice that they can no longer dump their toxic wastes, heavy metals and other refuse into the public's waters.

The high success rate of the first citizen enforcement suits -- and the threat of further action -- has up until now persuaded many other polluters to seek cooperative settlements in advance of costly court battles.

Unfortunately, that's not true any longer. The anti-regulatory atmosphere in Washington is now encouraging corporations to fight these costly court battles -- even in the face of their own corporate records of Clean Water Act violations!

Which is why your support is so crucial for us today. What is an almost unnoticeable business expense to Shell Oil, Union Oil, and Alcoa is financially debilitating to SCLDF and our public interest allies.

That's why I'm urging you to send as generous a contribution as you can to the Sierra Club Legal Defense Fund today. Your previous gifts have helped us win some critical, precedent-setting cases. But now the big polluters are raising every conceivable (and some not-so-conceivable) factual contention to escape the law.

Your next gift will help us beat them in court. And it will serve notice to the polluters that -- to you -- the Clean Water Act means just that: clean water.

I know I can count on you. My deepest thanks.

Sincerely,



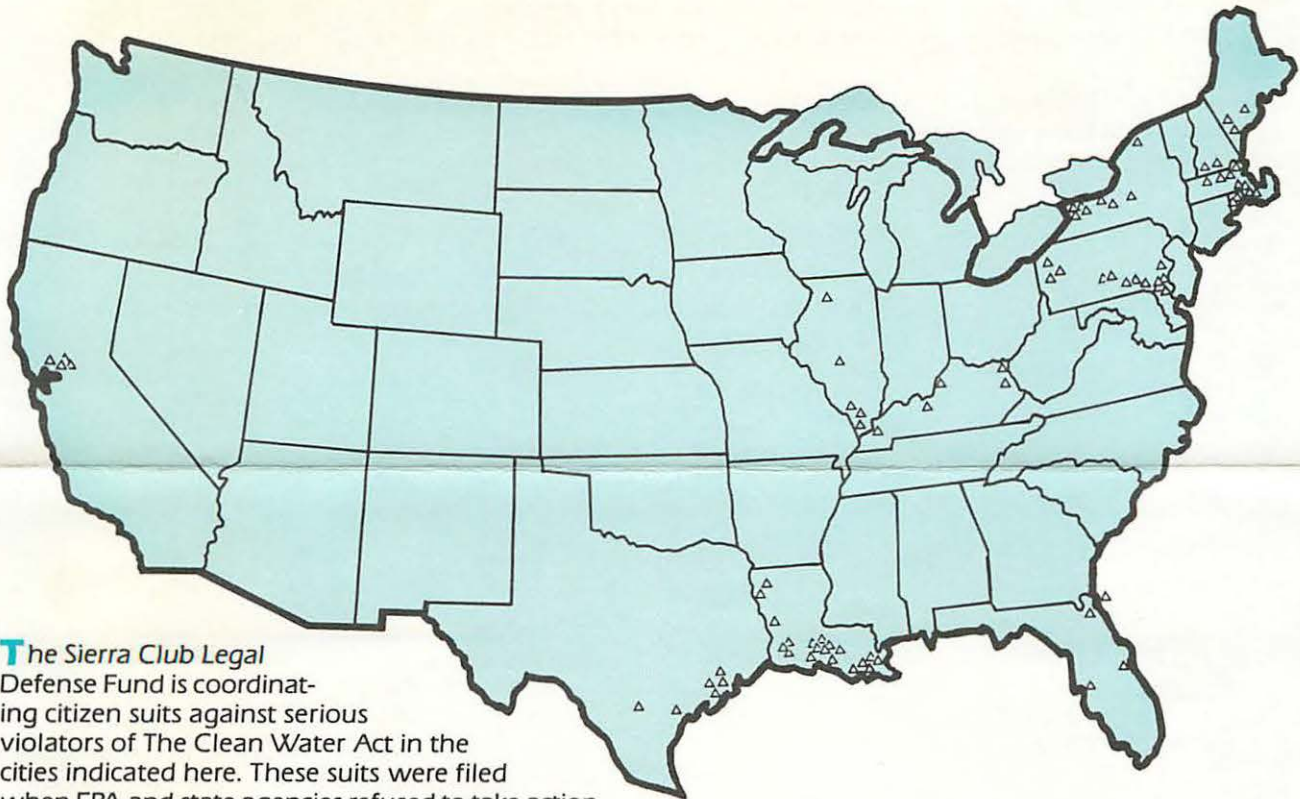
Vawter "Buck" Parker  
Coordinating Attorney

VP:sf

P.S. Your contribution is tax-deductible.

# CLEAN WATER ACT

## CITIZEN ENFORCEMENT SUITS



**T**he Sierra Club Legal Defense Fund is coordinating citizen suits against serious violators of The Clean Water Act in the cities indicated here. These suits were filed when EPA and state agencies refused to take action against polluters. We're active because someone needs to stop these polluters **now** and prevent further damage to our water.

### CALIFORNIA

Martinez (3)  
Rodeo

### FLORIDA

Fernandina Beach  
Jacksonville  
Palm Bay  
Tampa

### ILLINOIS

Kincaid  
Mt. Morris  
Pinckneyville  
Romeoville  
Williamson County

### KENTUCKY

Ashland (2)  
La Grange  
Louisville  
Murray  
Paintsville

### LOUISIANA

Baton Rouge (3)  
Cotton Valley  
Denham Springs  
Geismar (3)  
Lake Charles (3)  
Mansfield  
Meraux  
Mt. Airy  
New Orleans (2)  
Norco  
Plaquemine

### MAINE

Augusta  
Lisbon  
Oxford

### MASSACHUSETTS

Amesbury  
Athol  
Attleboro (2)  
Groton  
North Attleboro  
North Dighton  
South Lowell  
Taunton

### NEW HAMPSHIRE

Nashua  
Winchester

### NEW YORK

Buffalo  
Grand Island  
LeRoy  
Massena  
Oakfield  
Oneida  
Seneca Falls  
Wolcott

### PENNSYLVANIA

Berks County  
Butler  
Coatesville  
Columbia  
Delaware County  
Harrisburg (2)  
Mercersburg  
Northampton (3)  
Petroia  
Philadelphia  
Phoenixville  
Upper Merion Township  
York

### RHODE ISLAND

Coventry  
Westerly

### TEXAS

Clute  
Fort Bend County  
Freeport  
Houston  
San Antonio  
Victoria