



FACT SHEET

United States and State of Illinois v. City of Cahokia Heights Clean Water Act Proposed Consent Decree

The Government Environmental Case

- EPA and Illinois EPA allege that when sewage or contaminated water from the City's sewage system spills into the waterways, it violates the federal Clean Water Act and the Illinois Environmental Protection Act.
- To resolve the violations, EPA, Illinois EPA, and the City have reached a settlement agreement. The proposed Consent Decree contains the settlement agreement.
- The proposed Consent Decree has been filed with the Court, but is not final yet. The public can comment on the proposed Consent Decree before it is final.

The Proposed Consent Decree

- What's in the proposed Consent Decree?
 - Development of a plan to inform the public of work on the sewer system.
 - Early Action Capital Improvement Projects: More than 80 individual projects throughout the community, such as lift station and sewer line repairs to be completed by 2028 or earlier.
 - Building an interceptor separating the Cahokia Heights sewer system from the East St. Louis sewer system by 2028.
 - Completion of work begun under EPA's administrative orders, including sewer investigations and work on specific known sewer overflows.
 - Assessment of the condition of the sewer system and creating plans for any repairs that are necessary.
 - Cleaning the sewers to remove debris that can contribute to backups.
 - An Illinois Environmental Project to fund repairs or replacements of residential private laterals (connections from houses to the City's sewer system) in certain areas of the City where special funds are available.
 - An assessment of whether the sewer system needs additional capacity and increasing capacity if needed.
 - Ongoing monitoring to determine the effectiveness of repairs and upgrades.
 - Reporting to EPA and Illinois EPA on the progress of sewer projects and when sewer overflows happen.



**Environment and Natural
Resources Division**
U.S. Department of Justice

- What's not in the proposed Consent Decree?
 - The US and State of Illinois case against the City of Cahokia Heights is only about operation of the sewer system.
 - The proposed Consent Decree does not address drinking water. There is currently an EPA administrative order in place under the Safe Drinking Water Act.
 - The proposed Consent Decree also does not address flooding. EPA and Illinois EPA do not have enforcement authority related to flooding.
 - The proposed Consent Decree does not address damage to homes or other private property.

How Can I Learn More?

- You can read the full proposed Consent Decree here:
www.justice.gov/enrd/consent-decrees
- EPA's administrative orders and inspection reports for sewer problems in the Metro East can be found here: <https://www.epa.gov/il/communities-east-st-louis-area-and-sanitary-sewer-overflows>

The Public Comment Process

- The public can comment on the proposed Consent Decree before it is finalized.
- The US Department of Justice (DOJ) will review the comments and consider whether changes to the Consent Decree are needed.
- DOJ will inform the Court about the comments and why changes are or are not needed.
- Comments can either be:
 - *Emailed to:* pubcomment-ees.enrd@usdoj.gov
 - *Mailed to:* Assistant Attorney General, U.S. DOJ—ENRD, P.O. Box 7611, Washington, DC 20044–7611
- Comments should be addressed to the Assistant Attorney General, Environment and Natural Resources Division, and should refer to *United States et al. v. City of Cahokia Heights*, D.J. Ref. No. 90-5-1-1-12434
- The deadline to submit a public comment will be posted to www.justice.gov/enrd/consent-decrees when the public comment period opens.