



Media Release

United States and California take enforcement action against San Francisco for violations of Clean Water Act

May 1, 2024

Contacts: [Blair Robertson](#), Information Officer, Water Boards
[John Senn](#), Press Officer, U.S. EPA

SAN FRANCISCO – The Department of Justice, on behalf of the U.S. Environmental Protection Agency (EPA), and the Attorney General of California, on behalf of the San Francisco Bay Regional Water Quality Control Board, filed a civil complaint in federal court today against the City and County of San Francisco for claims of Clean Water Act violations spanning the last decade.

The complaint seeks financial penalties and improvements to remedy San Francisco’s repeated and widespread failures to operate its two combined sewer systems and three sewage treatment plants in compliance with the Clean Water Act and its permits. San Francisco failed to operate its combined sewer systems in a manner that keeps untreated sewage out of San Francisco Bay and its tributaries, streets, beaches and other areas with risk of human contact.

“Protecting San Francisco Bay, the Pacific Ocean and public health are critical priorities for EPA, and this complaint is a major step to improve how the San Francisco sewer system is managed,” said EPA Pacific Southwest Regional Administrator Martha Guzman. “EPA and our partners are committed to ensuring San Francisco comes into compliance with the Clean Water Act to protect clean water and local communities.”

“San Francisco’s aging wastewater system has exposed the public to risks for too long,” said Alexis Strauss, Chair of the San Francisco Bay Regional Water Quality Control Board. “This is the time to commit to an outcome which reduces sewage overflows and builds upgraded wastewater infrastructure. Our goal is to help San Francisco achieve a healthy Bay and coastline, which can be enjoyed by millions of residents and visitors every day.”

The United States and the San Francisco Water Board request that the Court order the City of San Francisco to cease further violations of the Clean Water Act and its



CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY

STATE WATER RESOURCES CONTROL BOARD

1001 I Street, Sacramento, CA 95814 • Mailing Address: P.O. Box 100, Sacramento, CA 95812-0100 • www.waterboards.ca.gov



permits and complete all actions necessary to ensure that the City complies in the future. On average each year since 2016, San Francisco has discharged more than 1.8 billion gallons of untreated sewage from its combined sewer systems into creeks, San Francisco Bay, and the Pacific Ocean, including areas popular for wading, swimming, surfing, kayaking and fishing. San Francisco is served by two combined sewer systems that collect domestic sewage, industrial and commercial wastewater, and stormwater in the same pipes. During heavy rains, when the sewage treatment plants are at maximum capacity, combined sewage is discharged from near-shore outfalls to creeks, the San Francisco Bay, and the Pacific Ocean without receiving disinfection treatment.

San Francisco's failure to take steps to minimize these discharges or provide disinfection treatment interferes with the state's designated uses for these water bodies, which include water contact recreation and protection of aquatic life. Untreated sewage contains pathogens such as *E. coli*, which can cause severe illness if ingested. Children, the elderly, people with weakened immune systems and pregnant women have a higher risk for adverse consequences from such illness than the general population.

In addition, San Francisco's combined sewer systems are in a state of disrepair, and the City's failure to properly operate and maintain them has led to additional combined sewage discharges that has put members of the public at risk for unknowingly coming into contact with untreated sewage. San Francisco has also consistently failed to properly notify the public about the presence of untreated sewage at popular water recreation locations, overflows from manholes onto sidewalks and streets and the risks of coming into contact with untreated sewage.

EPA has brought enforcement actions to require municipalities across the country to update their sewer systems and address similar Clean Water Act violations. Nationally, EPA has been working with states, municipalities, and trade organizations to develop tools to help communities work towards compliance with Clean Water Act requirements, including meeting applicable water quality standards.

The State Water Board and nine regional boards administer and enforce the Clean Water Act in California, improving water quality for communities and the environment while working with wastewater systems to help bring them into compliance. In [2023](#), the Water Boards took 260 wastewater enforcement actions under the Clean Water Act, with over six million dollars in assessed penalties.

San Francisco is one of approximately 750 communities in the country with combined sewer systems but is only one of two such systems in California. San Francisco began planning to address its combined sewer overflows in the 1970s and completed construction of planned controls over 25 years ago. Since completion of

those controls, no significant upgrades or updates have been made to the system to reduce combined sewer overflows and currently, the controls are insufficient to meet the requirements in San Francisco's Clean Water Act permits.

The complaint filed today can be found [here](#).

The [San Francisco Bay Regional Water Board](#) is a state agency that regulates wastewater treatment and discharge facilities, such as those at aggregate mining facilities. The Board's mission is to preserve, enhance, and restore the quality of the San Francisco Bay Region's water resources for the protection of the environment, public health, and all beneficial water uses.