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News & Insights

Environmental Attorney Joel Johnston - Water & Waste Digest

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https://www.wwdmag.com/regulations/what-county-maui-case-means-npdes-permits-utilities

What The County Of Maui Case Means For NPDES Permits & Utilities

The Supreme Court ruled in the case of The County of Maui, Hawaii vs. Hawaii Wildlife Fund that some groundwater should be regulated under the Clean Water Act through National Pollutant Discharge Elimination System (NPDES) permits.

"Generally, the case was about a wastewater treatment facility in Maui that was discharging through disposal wells into groundwater. That groundwater was then traveling a bit of a distance — though not that far — into the seawater, which is a navigable water of the U.S.," said Joel Johnston, an attorney for Hall Estill specializing in environmental and regulatory law. "Discharging pollution into a navigable water of the U.S. is absolutely covered by the Clean Water Act. This case was looking at whether or not those permitting obligations apply when that discharge is into the groundwater."

Attorneys

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