

# San Diego Coastkeeper Settles Lawsuit with San Diego Gas & Electric Over Toxic Runoff from Power Poles

SAN DIEGO, CA, UNITED STATES, October 28, 2024 /EINPresswire.com/ -- San Diego Coastkeeper ("Coastkeeper") and Ecological Rights Foundation ("ERF") reached an agreement with San Diego Gas & Electric ("SDG&E"), resolving a lawsuit concerning polluted stormwater runoff from SDG&E maintenance yards where wooden utility poles and other wood waste treated with the chemical Pentachlorophenol (PCP) are stored. Coastkeeper and ERF sent a formal



"Notice of Intent to Sue" letter to SDG&E in July 2023, alleging the utility stored PCP-treated poles at several of its maintenance yards without using appropriate protective measures to prevent or control toxic runoff, in violation of the Resource Conservation and Recovery Act. The settlement was approved by a federal court judge in the Southern District of California, following collaborative discussions between the plaintiffs and SDG&E that led to the agreement.

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*Phillip Musegaas, Executive Director of San Diego Coastkeeper*

Coastkeeper and ERF's investigations revealed elevated levels of dioxins and furans in the stormwater runoff from multiple SDG&E yards, as well as significant contamination of the soil. The runoff from the sites at issue ultimately drains into numerous waterbodies across the County including Chollas Creek, San Diego Bay, Rose Creek, Mission Bay, Forrester Creek, San Diego River, Agua Hedionda Lagoon, Escondido Creek, San Elijo Lagoon, Santa Maria Creek, San Dieguito River, Lake Hodges, and others.

“This settlement is a clear win for clean water in San Diego, given that these PCP-treated utility

poles pose a significant threat to human health and the environment,” said Phillip Musegaas, Coastkeeper’s Executive Director. “Coastkeeper appreciates SDG&E’s willingness to find a solution that will protect the environment without affecting the company’s operations. We continue to strive for outcomes like this, where swift, collaborative action leads to impactful resolutions.”

PCP, a wood preservative used since the 1930s, contains substantial quantities of chemicals known as dioxins and furans, which are classified as persistent organic pollutants (POPs) because they resist breaking down naturally. As the toxic component of “Agent Orange,” dioxins have long been known to cause cancer and birth defects in humans, and lasting damage to the environment. Many countries have banned its use because of its harmful effects on humans and the environment.

Through a collaborative settlement, SDG&E, a subsidiary of Sempra and the largest provider of electricity and gas to San Diego County, has agreed to cease the use of PCP-treated poles at many facilities, clean up any remaining toxic residue, and implement a suite of improvements to dramatically reduce or eliminate its discharge of PCP, dioxins, and furans at all sites.

SDG&E’s requirements for correcting the toxic discharge include:

- Removing all utility PCP-treated utility poles from its facilities AND/OR constructing stormwater controls to ensure the appropriate containment of future runoff.
- Preparation of stormwater maps of all SDG&E facilities for monitoring by Coastkeeper and other groups
- Implementing measures to reduce the presence of solid waste at facilities
- Mandatory stormwater sampling to assess stormwater pollutant levels
- Annual reporting to ensure implementation of the Consent Decree

Coastkeeper and ERF will continue to work with SDG&E as these changes are implemented over several years.

#### About Coastkeeper

Founded in 1995, San Diego Coastkeeper protects and restores San Diego County’s bays, beaches, watersheds, and ocean for the people and wildlife that depend on them. Coastkeeper balances community outreach, education, science, advocacy, and legal enforcement to promote clean water stewardship and a healthy coastal ecosystem. For more information, visit [sdcoastkeeper.org](http://sdcoastkeeper.org).

#### About Ecological Rights Foundation

EcoRights’ purpose is to educate the public about environmental practices that cause harm to human health, the environment, and other natural resources and to seek redress from those harms through litigation or alternative dispute resolution. EcoRights represents citizens in protecting California’s waterways from pollution and securing the multitude of benefits that flow from clean, vibrant waters: safe drinking water; abundant and diverse wildlife populations;

healthy recreational opportunities; and economic prosperity from commercial fishing, tourism, and other commercial activities that depend on clean water.

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