

## Open Letter to Marathon Taxpayers and City Council

FOLKs – Friends of the Lower Keys, is an environmental group with more than a thousand supporters – many Marathon taxpayers. We’re currently suing Marathon because its shallow sewage wells pollute our waters and put our fisheries and tourism-based economy at risk.

Since 2007, Marathon has discharged over **3 billion** gallons of partially treated sewage into 12 shallow wells, just 90-120’ deep, that allow the pollution to travel almost immediately to the nearshore waters. The Keys geology is highly porous limestone, known as karst, riddled with voids, tunnels and conduits that act as pipelines moving sewage rapidly into our nearshore waters. Pollution in the nearshore waters promotes algal overgrowth that kills important seagrasses and contaminates the nurseries for our fisheries with pharmaceuticals, hormones, endocrine-disrupting drugs and excess nutrients.



Past City Councils made costly mistakes when they decided to use shallow wells instead of the deep well called for in the 2000 Monroe County Sanitary Master Plan. This decision to use twelve shallow wells all around Marathon (rather than one deep well) is exactly what the Courts and the Legislature have been trying to eliminate from the Florida Keys since the early 1990s. In 2010, the Legislature required Marathon to drill the deep well [in the Master Plan] by 2015, but Marathon has ignored that law to date.

Federal law controls whether Marathon's shallow wells violate the federal Clean Water Act; State DEP permits do not control this decision. Marathon risks substantial legal and expert fees, and a civil penalty that can be as high as \$100 million dollars based on the last 5 years of Marathon's violations of the Clean Water Act.

Why should taxpayers have to pay for repeated mistakes? The new City Council should stop wasting taxpayer's money on lawyers and instead use federal grant monies to drill the deep well to correct the problem. There are millions of dollars available in federal financing to pay for the deep well.

We hope the new City Council will not ignore the law, repeating the mistakes of the past. The jury trial on this Clean Water Act case will be July, 2023. Instead, let's get the deep well drilled, and avoid the millions in penalties, lawyers' fees, and the pollution of our fragile marine resources. Our environment and our economy depend on it!

Please visit the FOLKs website at [www.friendsofthelowerkeys.org](http://www.friendsofthelowerkeys.org). The Studies section contains numerous scientific reports showing that shallow sewage wells don't work.