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August 2, 2017

Ms. Tinka Hyde
Director
Great Lakes National Program Office
Environmental Protection Agency
77 West Jackson Boulevard
Chicago, IL 60604

Ms. Catherine R. McCabe
Acting Regional Administrator
Region 2
Environmental Protection Agency
290 Broadway
New York, NY 10007

Re: Federal investigation into Niagara Falls sewer discharge

Dear Ms. Hyde and McCabe:

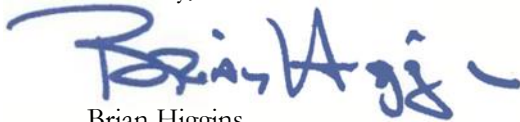
The Environmental Protection Agency (EPA) is no doubt aware of the substantial sewer discharge immediately below Niagara Falls on July 29 which significantly degraded water quality in the lower Niagara River. This morning, the *Buffalo News* quoted the New York State Department of Environmental Conservation (DEC) as indicating that "this discharge clearly violated water quality standards which prohibit discharges that adversely affect color, cause odor or cause a substantial visible contrast to natural conditions."

I understand that some regulatory authority is delegated by the federal government to the states, and in this case by the EPA to the DEC. While I have full confidence in the DEC, given the importance of this water body and its international nature, I write today to request that the EPA investigate this discharge as well to determine if there was any violation of the Clean Water Act of 1972 (as amended), its associated regulations, or the United States' obligations under the Boundary Waters Treaty of 1909 or subsequent international agreements.

This discharge is disconcerting not only because of the importance of the tourism industry in Niagara Falls, but also because of the significant and unique ecosystem in the Niagara Gorge downstream of the Falls. The preservation of vital resources like these are among the agency's most important responsibilities.

Thank you very much for your leadership in the protection of the environmental resources of the United States.

Sincerely,



Brian Higgins
Member of Congress