WHAT IS ACJ?

In 1989, Atlantic States Legal Foundation (ASLF), joined by NYS DEC, signed a settlement agreement (Consent Judgment) with Onondaga County, which formed a legally based prescription for mitigating pollutants in Onondaga Lake and its tributaries. These pollutants were caused by wastewater discharges from the Metropolitan Syracuse Wastewater Treatment Plant (METRO) and sewage overflows from its Combined Sewer System operated by Onondaga County. Since its establishment, this settlement agreement, later known as the Amended Consent Judgment (ACJ), has governed Onondaga County’s water quality improvement obligations for over three decades. The ACJ became a pioneering case of national significance in 2009 as its fourth stipulation was the first federal consent order that included the use of green infrastructure (GI), such as rain gardens, green roofs, tree planting, porous pavement, and rain barrels, in conjunction with conventional gray infrastructure (drainage pipes, storage facilities, and a treatment plant) to manage the Combined Sewer Overflows (CSOs). Significant CSO reductions and upgrades to METRO under ACJ has brought Onondaga Lake into compliance with water quality standards. Combined with the industrial cleanup efforts by Honeywell, Onondaga Lake has made a remarkable recovery over the life of the ACJ and has unquestionably become a vastly more valuable community asset. However, three CSO receiving tributaries of Onondaga Lake still have remaining water quality standard violations that need to be addressed by continued effort after ACJ.

ACJ TIMELINE

- **1988**
  - LAWSUIT
  - ASLF filed a citizen suit against Onondaga County for Metro wastewater discharge and CSO pollution in Onondaga Lake and its tributaries, citing benchmarks set forth in Clean Water Act

- **1989**
  - CONSENT JUDGMENT
  - Initial Metro Consent Judgment was entered. Onondaga County is required to upgrade Metro wastewater treatment plant

- **1998**
  - ACJ BEGINS
  - Metro Consent Judgment was amended, becoming Amended Consent Judgment or ACJ, which established a schedule for achieving required water quality goals by December 1, 2012

- **2006**
  - 3RD STIPULATION
  - ACJ received its 3rd stipulation, extending deadlines for major milestones

- **2008**
  - SAVE THE RAIN
  - Save The Rain Gray & Green Infrastructure Program was launched

- **2010**
  - 4TH STIPULATION
  - Landmark 4th stipulation to ACJ authorized the County to utilize balanced Gray and Green infrastructure for CSO abatement, replacing originally planned large regional treatment facilities

- **2014**
  - 95% CSO CAPTURED
  - 95% CSO capture goal accomplished, 4 years ahead of ACJ milestone schedule

- **2018**
  - ACJ NEARLY SATISFIED
  - All ACJ requirements were met except for Fecal Coliform in CSO receiving tributaries

- **2021**
  - ACJ CLOSED
  - ACJ was closed upon agreement among all parties involved and replaced with an administrative state order between Onondaga County and DEC, continuing investigating fecal coliform compliance and developing CSO Long-Term Control Plan
**TOTAL INVESTMENT RELATED TO ACJ**

**Total Investment to Improve Water Quality Under ACJ**

- $700 Million
- $1 Million

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**ACJ IMPACT ON CSO**

**Operational CSOs**

- Red = Pre-ACJ (1998)
- Green = Post-ACJ (2020)

- Capture Rate
  - 72%
  - 12%
  - 74%
  - 98.1%

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**GRAY AND GREEN INFRASTRUCTURE UNDER ACJ**

**Gray Infrastructure**

- Total Volume of Combined Sewage Treated
  - 448 Million Gallons
  - 10 Million Gallons

**Green Infrastructure**

- Resulted CSO Reduction
  - 144 Million Gallons
  - 10 Million Gallons

**Total Investment**

- $305 Million
  - $1 Million

**Projects Built 2009 - 2020**

- 17 Projects

**Metro Upgrade Investment**

- $109 Million
  - $1 Million

**Total Trees Planted**

- 7500+
  - 500 Trees