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Neuse **RIVERKEEPER[®] Foundation Reaches Settlement Agreement with the City of Raleigh Regarding Groundwater Cleanup at Wastewater Plant**

Raleigh, NC – After two years of negotiations, the Neuse **RIVERKEEPER**[®] Foundation and Upper Neuse **RIVERKEEPER**[®] have reached a Settlement Agreement with the City of Raleigh resolving concerns with sludge over-application at the Neuse River Wastewater Treatment Plant (WWTP). “The City has negotiated in good faith and made some very positive changes in the past few years,” commented Upper Neuse **RIVERKEEPER**[®] Alissa Bierma. “We now have a solution and a working relationship that will benefit the River long-term.”

In the spring of 2002, the Upper Neuse **RIVERKEEPER**[®] encouraged a former City of Raleigh Public Utilities Department (CORPUD) employee to come forward publicly with concerns about sludge handling and other issues at the Neuse River WWTP. An investigation by N.C. Department of Environment and Natural Resources (NC DENR) revealed violations of CORPUD’s permits. The City was assessed and paid penalties amounting to \$73,650 for 124 violations related to the over-application of sewage sludge in 2001 and 2002.

As a result of CORPUD's over-application of sludge in prior years, NC DENR determined that the groundwater under the Neuse WWTP is contaminated by nitrate (NO³) above levels prescribed by its rules. On July 31 2007, NC DENR issued a notice to the public that CORPUD had applied for a variance related to the cleanup of the contaminated groundwater. The Neuse **RIVERKEEPER**[®] Foundation submitted comments that opposed the City’s request for this variance. Since the close of the comment period, CORPUD and the Neuse **RIVERKEEPER**[®] Foundation have resolved their dispute over the variance request.

Since 2002, CORPUD has undertaken dramatic steps to improve the physical plant and the operating procedures at its Neuse River WWTP. These improvements have led to a significant reduction in actual discharge of pollutants to the Neuse River. The City has also made voluntary permit modifications to debit their NPDES permit limit by the amount of nitrate predicted to leach from groundwater into the Neuse River. Given the recent improvements, the Neuse **RIVERKEEPER**[®] Foundation has agreed not to oppose CORPUD's request for a variance under 15 NCAC § 2L.0113, relating to the cleanup of the groundwater contamination associated with previous over-application of sludge at the Neuse River WWTP.

In settling their dispute, the Neuse **RIVERKEEPER**[®] Foundation obtained CORPUD's agreement to the following conditions which will further improve water quality on the Neuse River:

- CORPUD has agreed to construct subsurface treatment wetlands on site which will remove approximately 28,500 – 42,800 lbs. of nitrogen annually.
- CORPUD has agreed to purchase credit for approximately 4,000 lbs. of nitrogen (annual) from an off-site riparian buffer restoration project implemented by a third party.
- The City invited the Neuse **RIVERKEEPER**[®] Foundation and its authorized representatives to visit and inspect any of the City's wastewater facilities and facilities associated with the Nitrogen Mitigation Plan at the Neuse River WWTP.
- The City will submit annual reports to DWQ with a copy provided to the Foundation concerning its implementation of the Nitrogen Mitigation Plan and its compliance with any other conditions of the variance, as well as provide access to relevant monitoring data.
- The City Manager agrees to present to the Raleigh City Council for its consideration a resolution relating to low-impact development as proposed and submitted by the Foundation.

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