

City of Cincinnati




Interdepartment
Correspondence Sheet

FOR YOUR INFORMATION

August 11, 2008

To: Mayor and Members of City Council

From: Milton Dohoney, Jr., City Manager 

Subject: **Northern Kentucky Eastern Regional Wastewater Treatment Plant Update**

This is to provide an update on efforts by the City of Cincinnati and Greater Cincinnati Water Works (GCWW) to resolve concerns regarding the Eastern Regional Wastewater Treatment Plant (ERWWTP). The ERWWTP is now open and operated by the Sanitation District No. 1 of Northern Kentucky (SD#1).

We have consistently expressed our concerns regarding this wastewater treatment plant located near Alexandria, Kentucky, upstream of our drinking water intakes. Last fall, the parties agreed to attempt to reach a mediated resolution of the disputes. GCWW and a private citizen from Northern Kentucky had challenged the permit issued by the Kentucky Environment and Energy Cabinet (Cabinet). Cincinnati also filed a court appeal in connection with the Cabinet's approval of SD#1's regional facility plan update. Both the permit challenge and the court appeal have been held in abeyance while mediation is underway.

Mediation efforts have been coordinated by a mediator who is experienced in complex regulatory matters. The United States Environmental Protection Agency has provided financial, technical, and logistical support for the mediation.

Some progress has been made. Cincinnati, SD#1, and the Cabinet have agreed on a framework for continuing mediation. Parties have agreed to bring together technical staff and, where appropriate, outside experts to continue technical discussions relating to evaluating potential treatment or operating procedure alternatives for implementation at the ERWWTP to address Cincinnati's concerns raised in its Permit Challenge. The working groups have two goals:

1. to develop a plan for evaluating potential treatment alternatives at the ERWWTP that may address GCWW's concerns; and,
2. to develop an agreed-upon notification procedure which would identify and address the types of events or conditions that would trigger notification to GCWW, the methods to be used to provide such notification, and the timing of such notification.

The working groups are preparing now and plan to begin meetings in August. If the parties reach a mutually-agreeable resolution, then the terms of the resolution may be incorporated into a legally binding, enforceable agreement. As the process progresses, parties have agreed not to discuss the mediation substance or process publicly, and the details of the discussions are confidential. The parties have agreed to refer any questions to the mediator.

Since the opening of the ERWWTP last fall, GCWW has increased monitoring of our source water with additional monitoring locations. Currently, GCWW performs over 600 tests per day throughout the system. Source waters are tested routinely to detect contaminants before they enter the Richard Miller Treatment Plant. GCWW tests the water throughout the treatment system and the finished water. Our tests of the drinking water show that the water is safe to drink. We will continue to take the steps necessary to ensure safe drinking water for our customers throughout the region.

Copy: David E. Rager, Director, Greater Cincinnati Water Works

A handwritten signature in black ink, appearing to read "D. E. Rager", is positioned to the right of the typed name.