



Legislation Details (With Text)

**File #:** ID 21-0368    **Version:** 1    **Name:**  
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**File created:** 4/30/2021    **In control:** City Council  
**On agenda:** 5/4/2021    **Final action:** 5/4/2021  
**Title:** Resolution Authorizing the City Manager to Intervene in the Administrative Action Objecting to the City's Special Order By Consent with the North Carolina Department of Environmental Quality.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. RES 315-19.pdf, 2. 21-0368 RES SOC Intervention with NCDEQ.docx-.pdf

Date	Ver.	Action By	Action	Result
5/4/2021	1	City Council	adopt	Pass

Resolution Authorizing the City Manager to Intervene in the Administrative Action Objecting to the City's Special Order By Consent with the North Carolina Department of Environmental Quality.

Council Priority: Maintain Infrastructure and Provide Sustainable Growth Opportunities

Department: Water Resources  
Council District: All

Public Hearing: N/A  
Advertising Date/By: N/A

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**PURPOSE:**

Water Resources requests City Council authorization for the City Manager to intervene in the administrative action objecting to the City's Special Order by Consent (SOC) with the North Carolina Department of Environmental Quality (NCDEQ). The SOC addresses discharges of 1,4-dioxane, an unregulated constituent, from the T. Z. Osborne Water Reclamation Facility (TZO).

**BACKGROUND:**

In November 19, 2019, the Greensboro City Council approved a resolution to allow the Water Resources Director to negotiate a SOC with NCDEQ to address 1,4-dioxane levels being discharged from the T.Z. Osborne facility. After a public notice and public hearing process administered by NCDEQ, the SOC was approved in a unanimous vote at the March 11, 2021 meeting of the North Carolina Environmental Management Commission.

The Fayetteville Public Works Commission and the Southern Environmental Law Center (on behalf of the Haw River Assembly) filed a petition to challenge the SOC. The department requests City Council approval to intervene,

along with NCDEQ, to uphold the terms of the SOC.

**BUDGET IMPACT:**

Funds for outside legal counsel are budgeted in the Water Resources Enterprise fund account 501-7054-01.5412.

**RECOMMENDATION / ACTION REQUESTED:**

Water Resources requests City Council authorization for the City Manager to intervene in the administrative action objecting to the City's Special Order by Consent with the North Carolina Department of Environmental Quality.