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not, presumably for the same reason. Consequently, the Permit provides the City no notice of what is required for compliance regarding 1,4 dioxane, and application of the narrative standard on which the violations are based, has in effect has been applied "after the fact".

The City believes neither of the additional two alleged violations of the Permit regarding reporting are valid because, as explained above, there is no numerical limit in the Permit, nor is the narrative standard that the City allegedly violated stated in the Permit. Consequently, 1,4 dioxane is unregulated by the Permit and there is no basis for requiring compliance with the Permit conditions which involve reporting and/or investigating unusual discharges of 1,4 dioxane from or to the WWTP. Since there is no limit or standard in the Permit, the City would not be on notice as to what incidents would trigger such reports and investigations.

Although the City disagrees with the alleged violations, it shares the Division's concerns regarding the effects of discharges of 1,4 dioxane into surface waters of the State. The City has for several years worked proactively to identify industries that discharge 1,4 dioxane to its WWTP and has worked with them to achieve significant reductions. The City has already indicated that it wants to work with the Division to develop a mutually acceptable settlement order establishing measures to be taken to further identify sources and reduce the 1,4 dioxane discharged to and from the WWTP and a schedule for implementing those measures. Such a settlement order should not only continue to reduce the T.Z. Osborne WWTP's 1,4 dioxane discharge, but may assist the Division in developing technically based, reasonable and achievable goals for 1,4 dioxane discharges.

Greensboro representatives look forward to meeting with you and other Division representatives to discuss this response and the possibility of resolving the alleged violations by means of a Special Order by Consent.

Very truly yours,



H. Glenn Dunn