

November 10, 2010

Mayor Gary Starr, a member of the Board of Trustees (the “Board”) of the Northeast Ohio Regional Sewer District (the “District”) issued a public statement today regarding his views of the District’s ongoing negotiations with the US Environmental Protection Agency (the “EPA”) and the Ohio Environmental Protection Agency (the “Ohio EPA”) regarding alleged violation of the Clean Water Act by the District. The District is in active negotiations with the EPA and the Ohio EPA to bring to a close a process that began approximately seven years ago.

The Board respects the views of each of its trustees. However, the views of any individual trustee should not be construed to represent the policies, positions or views of the Board. The Board has established a thorough, deliberative and open process that encourages trustees to share their views and to hear and consider the views of the District’s ratepayers. On going negotiations involving threatened litigation is not disclosed in order to protect the integrity of the negotiation process. The Board is disappointed that Mayor Starr has chosen, without the Board’s knowledge, to hold a press conference to express his personal views rather than continue to follow the public process observed by the entire Board.

Mayor Starr’s public announcement, unfortunately, contains several mis-statements of fact. The Board’s deliberative process regarding its plans to mitigate Combined Sewer Overflows has, at all times, been open to the public. Details of the proposed consent decree with the EPA and the Ohio EPA are scheduled to be released to the public on November 12<sup>th</sup>, followed by outreach sessions across the communities that comprise the District. A full public hearing was scheduled on the consent decree and its impact on rates and ratepayers was scheduled for November 18<sup>th</sup>. The earliest a scheduled vote on the final terms of consent decree could occur is December 2, 2010 subject to the Board’s ability to delay the vote further if it believes that more time for deliberations is needed.

The consent decree is not in final form and the final terms have not been agreed to by the management of the District, the EPA or the Ohio EPA. Once these approvals are obtained, the consent decree must be approved by the Board, after which it will be filed with a federal court and published in the Federal Register for a public comment period of not less than thirty (30) days. Only after this process has been completed will the consent decree become binding. The District and the Board are each represented by separate legal counsel in this process and will continue to observe the policy of not disclosing confidential matters that are still the subject of negotiations until such time as the Board determines that their disclosure will not violate the agreed terms of the negotiations or jeopardize the rights of the District and its rate payers.



**Darnell Brown**  
**President**  
**Northeast Ohio Regional Sewer District**  
**Board of Trustee's**