Hot Issue / Briefing Paper

Mountaire Farms DE Contamination of Groundwater with Excess Nitrate

Date: January 18, 2018 **Lead Staff Contact/Phone #: Amy Cohen/ x 3296**

Issue/Topic:
DNREC initially estimated approximately 40 to 60 homes would need sampling. Mountaire has reached out to 88 homeowners in the area offering to drill new deeper drinking water wells.

Background:
In 2003 EPA issued the above referenced Order and identified 11 residences (map attached) that were affected by Mountaire's spray irrigation practices. Seven residences remain under that Order the other four homes were demolished or designated not to be used as residences.

Direction/Decision:

Deliberative Process / Ex. 5

ORC has spoken with the Attorney General's Office about working cooperatively and committed to continue these conversations.

Deliberative Process / Ex. 5

Political Interest (local/state/federal/tribal):
EPA has recently received two FOIA requests regarding the EPA 2003 1431 Order on Consent. There is significant local press interest. Two public meetings have been held. A civil suit is being investigated by residents. DNREC has expressed desire to work cooperatively with EPA. Delaware Department of Justice is looking at pursuing a criminal complaint against Mountaire Farms.

Follow-up:
We have been having periodic conversations with DNREC and earlier this week they have agreed to work cooperatively with EPA to have Mountaire Farms supply a permanent alternate source of drinking water for the affected residents. A meeting between DNREC and EPA is being scheduled for the last week of January.