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TITLE 15A – DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES

Notice is hereby given that the Department of Environment and Natural Resources, Division of Water Resources (DWR), on behalf of the Environmental Management Commission (EMC), intends to hold a public hearing with the intent to review water quality regulations in Title 15A NCAC 02B .0100-.0110, .0201-.0228, .0230-.0231 and .0300-.0317 located at 15A NCAC 02B Regulations.

Under Section 303(c)(1) of the federal Water Pollution Control Act (Clean Water Act), each state is required to hold a public hearing, at least once every three years, for the purpose of reviewing applicable water quality standards and, as appropriate, modifying and adopting standards. This process is referred to as the "Triennial Review". North Carolina (NC) Division of Water Resources (DWR), on behalf of the Environmental Management Commission (EMC), is providing this notice to initiate a Triennial Review of water quality standards regulations in Title 15A NCAC 02B .0100-.0110, .0201-.0228, .0230-.0231 and .0300-.0317 located at 15A NCAC 02B Regulations.

Under the Clean Water Act, NC is delegated authority to establish the water body classifications and applicable water quality standards to protect human health and the aquatic environment. Per this delegation, the state is expected to adopt water quality standards (WQS), which include numeric and narrative criteria and designated use classifications, as well as antidegradation provisions, to protect all uses of the waters of the state. Requirements to establish these standards is authorized to the EMC by NC General Statutes (NC GS §143-214.1 and 215.3(a)). Water quality standards are used in various ways such as setting NC's National Pollutant Discharge Elimination System (NPDES) permit limits and evaluating the conditions of the surface waters of the state per Clean Water Act Sections 303(d) and 305(b). Changes to regulations could affect permitting, monitoring, and assessment programs.

No specific changes are proposed by the EMC with this notice. In addition to water quality criteria, use classifications and antidegradation policy, the state will accept comments on variances from surface water quality standards including: two chloride variances for Mt. Olive Pickle Company (Wayne County) and Bay Valley Foods, LLC (Duplin County); a variance from the narrative color standard for Evergreen Paper Products (Haywood County); and Clean Water Act Section 316(a) thermal variances.

Public Hearing:
Date: November 19, 2013
Time: 1:30 PM
Location: Ground Floor Hearing Room,
Archdale Building,
512 N. Salisbury Street,
Raleigh, NC

Comment Period:
Opens: November 1, 2013
Closes: 5:00 PM, January 3, 2014

Comment Procedures:
It is important that all interested and potentially affected persons or parties make their views known to the EMC whether in favor of, or opposed to, any and all of the current regulations. As the state and US Environmental Protection Agency (US EPA) have a strong interest in assuring that the decisions are legally defensible, are based on the best scientific information available, and are subject to full and meaningful public comment and participation, clear records are critical to the administrative review by the EMC and the US EPA.

The public hearing will be recorded. It will consist of a presentation by DWR staff at 1:30 PM, followed by an open comment period. The EMC appointed hearing officer may limit the length of time that you may speak, if necessary, so that all those who wish to speak will have an opportunity. You may attend the public hearing to make verbal comments and/or submit written comments. You may present conceptual ideas, technical justifications, or specific language you believe is necessary and relevant to 15A NCAC 02B surface water quality classifications and standards regulations. No items will be voted on and no decisions will be made at this hearing.

All written comments, data or relevant information received by 5:00 PM, Friday, January 3, 2014 will be considered and included in this Triennial Review hearing record.

Please submit to:
Connie Brower
DENR/Division of Water Resources/Water Planning Section
1611 Mail Service Center
Raleigh, NC 27699-1611

By fax: (919) 807-6497
Or e-mail to: Connie.Brower@ncdenr.gov

Additional questions should be directed to:
Connie Brower
(919) 807-6416.

In case of inclement weather on November 19th, 2013, a continuance date for the public hearing has been established as December 3rd, 2013, 1:30 PM, Ground Floor Hearing Room, Archdale Building, 512 North Salisbury Street, Raleigh, NC. A recorded message regarding any continuance to the hearing record will be available at the above noted telephone number