**Department of Environmental Quality Divisions’ Comments**

**September 9, 2021**

**Mike Abraczinskas, Director of Division of Air Quality**

Director’s Remarks, written 8/27/21

Division of Air Quality (DAQ) Director Mike Abraczinskas

**Regional Haze State Implementation Plan**

DAQ’s pre-hearing draft of the *Regional Haze State Implementation Plan (SIP) for North Carolina Class I Areas for the Second Planning Period (2019 – 2028)*, is out for public comment through October 15, 2021. A virtual/digital public hearing will be held on Wednesday, October 6 at 6:00 pm EDT. DAQ intends to submit a final SIP to EPA after considering public comments.

This submittal will wrap up a multi-year effort and technical analysis focused on meeting the requirements of EPA Regional Haze Rule. Significant efforts and coordination with EPA have gone into finalizing the draft SIP that is out for public comment. As discussed in the July 7, 2021, meeting of the Air Quality Committee, this analysis shows significant additional progress, indicating the state’s Class I areas can expect visibility improvements between 5 and 13 miles through 2028. These additional improvements place the state even further ahead of the federal rule timeline in achieving natural background visibility conditions.

**Air Information Reporter (AIR) tool**

DAQ and the State Climate Office have partnered to build a new monitoring display tool – called the [**A**mbient **I**nformation **R**eporter](https://airquality.climate.ncsu.edu/air/), or AIR tool – that combines a variety of statewide weather observations (from the State Climate Office and the National Weather Service) with air quality monitoring data and forecasts from DAQ. It’s all packed/displayed in an innovative map-centered interface. It’s powerful enough to help forecasters track evolving air quality conditions, but accessible enough for the general public to use to quickly check on current conditions before stepping out the door. This map-based display of DAQ’s ambient air quality monitoring data is a significant advancement over prior data displays and significantly enhances the public’s ability to make informed decisions.

The tool has been developed with both desktop and mobile environments in mind, so whether you’re at home on your computer or out for a walk with only your smartphone, you have access to the data and features of the tool on any platform.

This is the first of many expected products to come out of the collaboration between the State Climate Office and DAQ. In the coming months, we will also be developing an Air Quality Portal for North Carolina, including educational resources and additional data displays such as a dashboard with current conditions and forecasts for locations across the state. [**https://airquality.climate.ncsu.edu/air/**](https://airquality.climate.ncsu.edu/air/)

**Michael E. Scott, Director of Division of Waste Management**

**NC General Assembly:**

* In the General Assembly, Session Law 2021-83 (S474) became effective July 8, 2021.  The session law revised some statute language for septage management in G.S. 130A, and requires that 15A NCAC 13B Rule .0832 “General Provisions” for septage management be revised to extend the permit length for septage land application sites and septage detention and treatment facilities from five years to ten years.  This proposed amendment to Rule .0832 is on the agenda for the September 8, 2021 meeting of the GWWMC to request to go to the EMC for public comment in November.
* Senate Bill 60 pertaining to the Municipal Solid Waste and Construction and Demolition Landfill Rules was scheduled to be heard at the House Environment Committee on 8/31.

**Rulemaking Updates:**

* On August 3, 2021, DWM staff out of the UST program held a virtual public hearing on the amendments to 15A NCAC 02N Criteria and Standards Applicable to Underground Storage Tanks that were required by S.L. 2018-14 and S.L. 2020-74.  The comment period was extended until August 27, 2021, and as of August 18, 2021, no comments have been received on the amendments.

**Additional Items:**

DWM would like to welcome Julie Woosley as the new Deputy Director within the Division of Waste Management. Julie previously served as the Hazardous Waste Section Chief in DWM.

DWM staff out of the UST program continue to respond to the Colonial Pipeline fuel release in Huntersville, NC. The one-year anniversary of the spill was on August 14 and Colonial has recovered over 1,100,000 gallons of free product currently. Private well sampling, surface water and groundwater monitoring continue around the site.

DWM continues to work on the Chemours site in Bladen County where a barrier wall is being designed to cut off groundwater flow to the Cape Fear River. The current design includes a barrier wall over a mile in length.

DWM will be adding additional staff to its Brownfields program to assist with the continued interest in redevelopment across the state.

# Brian Wrenn, Interim Director of Division of Energy, Mineral & Land Resources

* At the July EMC meeting, I mentioned a safety evaluation recommendation our Dam Safety program has issued to Duke Energy for the recent deaths at a low-head dam. The Dam Safety Program has completed an inventory of all low-head dams in NC and will be sending out a similar recommendation to their owners. The letters will request that the owners evaluate the dams they own and operate to identify safety measures already in place and determine the need for additional measures.
* On August 25, 2021, Dam Safety staff approved design plans to construct a sheetpile wall on three inactive ash basins at Duke Energy’s HF Lee Plant. The sheetpile wall will be constructed on the interior crest of the earthen dikes of inactive ash basins 1, 2, and 3. The sheetpile walls will provide stabilization to the earthen berms that are prone to erosion, sloughing, and flooding during large storm events.
* The Stormwater Program has recently hired two new full time staff members to assist with the NPDES Industrial Stormwater Permitting Program. Beginning September 1, Brittany Carson will be the General Permits Coordinator and Brianna Young started August 16th as the Individual Permits Coordinator. We look forward to their efforts in handling our large NPDES Industrial Permit work load.
* The Stormwater Program has completed its MS4 audits for 2021. Currently, over 60% of the 125 or so MS4 permittees have been audited, and the compliance rate is increasing each year as communities gain understanding of the expectations of the MS4 program.

In addition, we’ve received information about three new potential stormwater utilities being formed to administer their MS4 responsibilities: Town of Black Mountain, Town of Lowell, and Town of Newton.

# S. Daniel Smith, Director of Division of Water Resources

**High Rock Lake** - The Division of Water Resources (DWR) has scheduled an online public hearing for a proposed site-specific standard for chlorophyll-a in High Rock Lake in Davidson and Rowan counties. This Public Hearing is regarding the proposed revisions to the Surface Water Quality Standards for Class C Waters – 15A NCAC 02B .0211 and is scheduled for 6 p.m., Thursday, October 28, 2021. Written public comments are being accepted through November 15, 2021.

**Public Water Supply**. DWR’s Public water Supply Section has recognized 64 water treatment plants for surpassing federal and state drinking water standards in 2020.  The division’s Public Water Supply Section awarded the facilities the “N.C. Area Wide Optimization Award”, which is part of a state effort to enhance the performance of existing surface water treatment facilities.

DWR also recognized 13 facilities with the “Gold Star” honor, which is an award for systems that have received the N.C. Area Wide Optimization Award for 10 consecutive years.

**401 Water Quality Certifications**.

On August 23, 2021, DWR issued a 30-day public notice requesting comments for 12 draft 401 Water Quality General Certifications (GCs) that DWR will reissue as part of consideration of the U.S. Army Corps of Engineers’ Wilmington District (USACE) proposed reissuance of select Regional General Permits (RGPs).

Accordingly, DWR has provided the draft GCs to the public for review and comment as a first step towards certifying the proposed General Permits. [NC DEQ: Public Notices](https://deq.nc.gov/about/divisions/water-resources/water-quality-permitting/401-buffer-authorization/public-notices)

Comments should be emailed to: PublicComments@ncdenr.gov ; please include “401GCs” in the email’s subject line. Alternatively, comments may be mailed to the NC Division of Water Resources, Attn: Sue Homewood, 450 W. Hanes Mill Rd., Winston-Salem, NC, 27107. Comments must be received no later than close of business on September 24, 2021