

NORTH CAROLINA  
ENVIRONMENTAL MANAGEMENT COMMISSION

512 N. Salisbury Street  
Archdale Building - Ground Floor Hearing Room  
Raleigh, North Carolina

January 9, 2020  
9:00 a.m.

**Dr. Stan Meiburg, Chairman, Presiding**

*In the event the previously scheduled committee meeting adjourns prior to the estimated adjournment time, the other committee meeting may be called to order, by the Chairman, fifteen minutes after the previous meeting adjourned.*

**I. Preliminary Matters**

1. Call to Order

North Carolina General Statute § 163A-159(e) mandates that at the beginning of any meeting of a board, the chair shall remind all members of their duty to avoid conflicts of interest under this Subchapter. The chair also shall inquire as to whether there is any known conflict of interest with respect to any matters coming before the board at that time.

2. Approval of minutes from November 14, 2019 ([attached](#))

**II. Action Items**

1. [20-01](#) **Request to Proceed to Public Notice with the Proposed Removal of EPA Disapproved Swamp Designation and Portion of Management Strategy from a Section of the Cape Fear River, NC**  
(DWR) Elizabeth Kountis and Pam Behm

**[POWERPOINT PRESENTATION](#)**

[Attachment A – LCFR Memo](#)

[Attachment B – 15A NCAC 02B .0227 w/Sw Removed One Sheet](#)

[Attachment C – 15A NCAC 02B .0311 w/Sw Removed One Sheet](#)

[Attachment D – Regulatory Impact Analysis](#)

**Additional Attachments**

[Attachment A](#) - Report of Proceedings for Cape Fear River Proposal

- [Attachment A](#) - ROP Addendum for May 2016 EMC

Related petition for rulemaking records, including minutes documenting the EMC's decision which was presented at the July 11, 2019 full EMC meeting.

<https://deq.nc.gov/about/divisions/water-resources/water-resources-commissions/environmental-management-commission-9>

2. **20-02** Request for Approval to hold a Public Hearing for the Consolidation of the Metropolitan Sewerage District of Buncombe County and the Cane Creek Water and Sewer District of Henderson County, per NCGS 162A-68.5  
(DWR) Christyn Fertenbaugh

**POWERPOINT PRESENTATION**

[Attachment A – House Bill 758 v6](#)  
[Attachment B – Submittal Package to EMC](#)  
[Attachment C – MSD Inclusion Impact Analysis Presentation](#)

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3. **20-03** Request Approval of Proposed Rule Revisions, Regulatory Impact Analysis, and to Proceed to Public Hearing on Periodic Rule Readoption and Amendments for 15A NCAC 13B Rules .0546, .1105, .1111, .1628, and Proposed Section .1800 Financial Assurance Requirements for Solid Waste Management Facilities  
(DWM) Ed Mussler and Sarah Rice

**POWERPOINT PRESENTATION**

[Attachment A - 15A NCAC 13B .1800 Rule Text](#)  
[Attachment B - 15A NCAC 13B .1800 Regulatory Impact Analysis](#)

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4. **20-04** Request Approval of Proposed Rule Revisions, Regulatory Impact Analysis, and to Proceed to Public Hearing on Periodic Rule Readoption and Amendments for 15A NCAC 13B Rules .0531 - .0545, and .0547 for Construction and Demolition Landfill Facilities and .1601 - .1627, .1629 - .1637, and .1680 for Requirements for Municipal Solid Waste Landfill Facilities  
(DWM) Ed Mussler

**POWERPOINT PRESENTATION**

[Attachment A - 15A NCAC 13B C&D Landfill Rule Text](#)  
[Attachment B - 15A NCAC 13B MSW Landfill Rule Text](#)  
[Attachment C - 15A NCAC 13B C&D and MSW Landfill Regulatory Impact Analysis](#)

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5. **20-05** Request Approval of Proposed Rule Revisions, Regulatory Impact Analysis, and to Proceed to Public Hearing on 15A NCAC 13C Rules .0301 - .0308 Voluntary Remedial Action Oversight by Registered Environmental Consultants  
(DWM) Janet Macdonald and Charlotte Jesneck

**POWERPOINT PRESENTATION**

[Attachment A - 15A NCAC 13C Rule Text](#)  
[Attachment B - 15A NCAC 13C Regulatory Impact Analysis](#)

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6. **20-06** Request for Approval of Proposed Rule Revisions, Regulatory Impact Analysis and to Proceed to Public Hearing on Readoption of Group 6 Air Quality Rules 15A NCAC 02D .0403, .0500, .0900, .1400, .1700 and .2615 and Repeal of .0615 (549)  
(DAQ) Joelle Burleson

**POWERPOINT PRESENTATION**

[Attachment A – Group 6 Rule Text](#)

Attachment B – [https://files.nc.gov/ncosbm/documents/files/DEQ\\_2019-12-06.pdf](https://files.nc.gov/ncosbm/documents/files/DEQ_2019-12-06.pdf)

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7. **20-07** Request Approval to Proceed to Public Hearing on an Additional Risk Management Option for Proposed Rule Adoption on Control of Emissions from Log Fumigation Operations, 15A NCAC 02D .0546 and Rule Amendment to Toxic Air Pollutant Guidelines, 15A NCAC 02D .1104 (548)  
(DEQ) Patrick Knowlson

**POWERPOINT PRESENTATION**

[Attachment A – Group 6 Rules](#)

[Attachment B – Fiscal Note](#)

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**III. Information Items**

1. **20-IF-01** Update on the Status of the NPDES Permitting Rules 15A NCAC 02B .0400 & .0500 and 02H .0100, .0400, & .1200  
(DWR) Mike Templeton

**POWERPOINT PRESENTATION**

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2. **20-IF-02** Nutrient Rules Readoption Update from December 19, 2019 Meeting of the Rules Review Commission  
(EMC Counsel Phillip Reynolds)
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**IV. Concluding Remarks**

By Directors ([Comments](#))  
By Committee Chairs  
By Commission Members  
By Counsel  
By Chairman

Adjournment 01-09-20