

1 15A NCAC 02B .0501 is proposed for readoption without substantive changes as follows:

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3 **15A NCAC 02B .0501 PURPOSE**

4 The purpose of this Section is to set forth the requirements of the Environmental Management Commission for
5 monitoring and reporting the quantity and quality of wastewater discharges to, and their effects upon, the water
6 resources of the state.

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8 *History Note: Authority G.S. 143-215.64; 143-215.68;*

9 *Eff. February 1, 1976;*

10 *Amended Eff. December 1, ~~1984~~, 1984;*

11 *Readopted Eff. <date>.*

1 15A NCAC 02B .0502 is proposed for readoption without substantive changes as follows:

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3 **15A NCAC 02B .0502 SCOPE**

4 This Section shall apply to all persons subject to the provisions of G.S. 143-215.1.

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6 *History Note: Authority G.S. 143-215.64; 143-215.68;*

7 *Eff. February 1, ~~1976~~ 1976;*

8 *Readopted Eff. <date>.*

1 15A NCAC 02B .0503 is proposed for amendment as follows:

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3 **15A NCAC 02B .0503 DEFINITIONS**

4 Unless the context otherwise requires, the terms used herein shall be as defined in G.S. ~~143-213~~ 143-212 and 143-213;
5 the federal Clean Water Act (33 U.S.C. 1251 et seq.); 40 CFR Parts 122, 124, and 125; and as follows:

- 6 (1) "Biological monitoring" shall mean the sampling or testing of the biological integrity of surface
7 waters and measurements of impacts including accumulations of pollutants in tissue, toxicity
8 monitoring, and characterization of instream biological populations.
- 9 (2) "Classified water pollution control facility" means a treatment works classified by the Water
10 Pollution Control System Operator Certification Commission pursuant to Chapter 90A of the North
11 Carolina General Statutes as class I, class II, class III, or class IV facility, or such other
12 classifications as the Water Pollution Control System Operator Certification Commission may
13 hereafter adopt.
- 14 (3) "Commercial laboratory" means any laboratory which analyzes water samples for a fee.
- 15 (4) "Composite sample" ~~means~~ means a sample gathered over a 24 hour period by continuous sampling
16 or combining grab samples in such a manner as to result in a total sample which is representative of
17 the wastewater discharge during the sample period. This sample may be obtained by methods given
18 below, however, the Director may designate the most appropriate method, number and size of
19 aliquots necessary and the time interval between grab samples on a case-by-case basis. Samples
20 may be collected manually or automatically.
- 21 (a) Continuous - a single, continuous sample collected over a 24 hour period proportional to
22 the rate of flow.
- 23 (b) Constant time/variable volume - a series of grab samples collected at equal time intervals
24 over a 24 hour period of discharge and combined proportional to the rate of flow measured
25 at the time of individual sample collection, or
- 26 (c) Variable time/constant volume - a series of grab samples of equal volume collected over a
27 24 hour period with the time intervals between samples determined by a preset number of
28 gallons passing the sampling point. Flow measurement between sample intervals shall be
29 determined by use of a flow recorder and totalizer, and the preset gallon interval between
30 sample collection fixed at no greater than 1/24 of the expected total daily flow at the
31 treatment system, or
- 32 (d) Constant time/constant volume - a series of grab samples of equal volume collected over a
33 24 hour period at a constant time interval. This method may be used in situations where
34 effluent flow rates vary less than 15 percent. The grab samples shall be taken at intervals
35 of no greater than 20 minutes apart during any 24 hour period and must be of equal size
36 and of no less than 100 milliliters. Use of this method requires prior approval by the
37 Director.

Commented [TM1]: Change: Updated organizational names and addresses (8, 9, 22). Updated sources of materials (22). Corrected punctuation (4).
Effect: Technical corrections.

Commented [TM2]: Change: Expanded to include other applicable definitions, many established since original rule was established. Federal rules are incorporated by reference at 2B .0511.
Effect: Technical corrections

- (5) "Daily" means every day on which a wastewater discharge occurs except Saturdays, Sundays and legal holidays unless otherwise specified by the Director.
- (6) "Design flow" means the average daily volume of wastewater which a water pollution control facility was designed, approved and constructed to treat.
- (7) "Design treatment capability" means a water pollution control facility's capacity to achieve a specified degree of reduction in waste constituents at a specified design flow, to meet specified limits or removal efficiencies.
- (8) "Director" means the Director of the Division of ~~Environmental Management, Water Resources or Division of Energy, Mineral and Land Resources, or both, Department of Environment, Health, and Natural Resources~~, Environmental Quality, whichever is the permitting authority in a particular instance; or his designee.
- (9) "Division" means the Division of ~~Environmental Management, Water Resources or the Division of Energy, Mineral and Land Resources, or both, Department of Environment, Health, and Natural Resources~~, Environmental Quality, whichever is the permitting authority in a particular instance.
- (10) "Domestic wastewater" means water-carried human wastes together with all other water-carried wastes normally present in wastewater from non-industrial processes.
- (11) "Downstream" means locations in the receiving waters below (downstream of) a point of waste discharge after a reasonable opportunity for dilution and mixture as specified in the Commission's "Rules, Regulations, Classifications and Water Quality Standards Applicable to the Surface Waters of North Carolina."
- (12) "Effluent" means wastewater discharged following all treatment processes from a water pollution control facility or other point source whether treated or untreated.
- (13) "Flow" means the total volume of wastewater discharged from an outlet during any given period.
- (14) "Grab sample" means an individual sample collected instantaneously. Samples of this type must be representative of the discharge or the receiving waters.
- (15) "Industrial establishment" means any industrial, business, commercial or governmental enterprise which produces water carried wastes.
- (16) "Influent" means the wastewater entering a water pollution control facility.
- (17) "Monitoring" means a program of sample collection, analysis, and observation sufficient to quantify various aspects of waste streams, treatment plant operations and environmental impacts.
- (18) "Point source" means any discernible, confined, and discrete conveyance, including, but not specifically limited to, any pipe, ditch, channel, tunnel, conduit, well, discrete fissure, container, rolling stock, or concentrated animal feeding operation from which waste is or may be discharged to the waters of the state.
- (19) "Quarterly" means occurring four times during a 12-month period at a frequency of once per each interval of three consecutive months.
- (20) "Quarterly Average" means the average of all samples taken over a quarterly period.

Commented [TM3]: Change: Added reference to DEMLR, since the stormwater permitting program is no longer a part of DWR.
Effect: Technical correction. The intent of 2nd sentence is to avoid having to name both divisions in every case.

- 1 (21) "Sample" means a representative portion of the wastewater from water pollution control facilities
2 or of receiving waters.
- 3 (22) "Standard Industrial Classification" (SIC) code means those four-digit numerical designations set
4 forth in "The Standard Industrial Classification Manual," (~~Superintendent of Documents, U.S.~~
5 ~~Government Printing Office~~) classifying industries according to the type of activity (relating to
6 major products manufactured or principle services furnished) in which they are engaged. For the
7 purposes of this Section, each industry or unit of government shall be classified by SIC numbers
8 applicable to each activity carried on by such establishment or unit which results in a discharge of
9 wastewater. In addition, any industrial establishment or unit of government which collects or
10 discharges domestic sewage is hereby assigned SIC number 4952. The Standard Industrial
11 Classification Manual, as used in this Section, is hereby incorporated by reference, including any
12 subsequent amendments and editions. A copy is available for inspection at the central office of the
13 Division of ~~Environmental Management~~ Water Resources, 512 North Salisbury Street, Raleigh,
14 North Carolina. ~~Copies~~ The classifications found in the manual may also be obtained ~~accessed at the~~
15 ~~GPO Bookstore, Room 100, 275 Peachtree Street NE, or Post Office Box 56445, Atlanta GA 30343~~
16 ~~at a cost of twenty-four dollars (\$24.00)~~ https://www.osha.gov/pls/imis/sic_manual.html.
- 17 (23) "Storet number" means a number which designates a test or measurement according to the analytical
18 procedure used or a method of measurement and units of measurement. Storet is an acronym for the
19 water quality data storage and retrieval computer system of the Environmental Protection Agency.
- 20 (24) "Toxic substances" means any substance, or combinations of substances, including disease-causing
21 agents, which, after discharge, and upon exposure, ingestion, inhalation, or assimilation into any
22 organism, either directly from the environment or indirectly by ingestion through food chains, has
23 the potential to cause death, disease, behavioral abnormalities, cancer, genetic mutations,
24 physiological malfunctions (including malfunctions or suppression of reproduction or growth) or
25 physical deformities in such organisms or their offspring or other adverse health effects.
- 26 (25) "Toxicity monitoring" means controlled toxicity testing procedures employed to measure lethality
27 or other harmful effects as measured by either aquatic populations or indicator species used as test
28 organisms from exposure to a specific chemical or mixture of chemicals (as in an effluent) or
29 ambient stream conditions.
- 30 (26) "Unit of government" means any incorporated city, town or village, county, sanitary district,
31 metropolitan sewerage district, water or sewer authority, special purpose district, other municipality,
32 or any agency, board, commission, department or political subdivision or public corporation of the
33 state, now or hereafter created or established, empowered to provide wastewater collection systems
34 or wastewater treatment works.
- 35 (27) "Upstream" means locations in the receiving waters near but above (upstream of) a point of
36 wastewater discharge and unaffected by the discharge.

(28) "Water pollution control facilities" or "facility" means "treatment works" as defined in G.S. 143-213.

(29) "North American Industry Classification System" (NAICS) code means those six-digit numeric designations used to classify business establishments according to the processes employed to produce goods or services. For the purposes of this Section, each industry or unit of government shall be classified by NAICS codes applicable to each activity carried on by such establishment or unit which results in a discharge of wastewater. In addition, any industrial establishment or unit of government which collects or discharges domestic sewage is hereby assigned NAICS number 221320. The North American Industry Classification System Manual, as used in this Section, is hereby incorporated by reference, including any subsequent amendments and editions. The classifications found in the manual may also be accessed at <https://www.census.gov/eos/www/naics/>.

*History Note: Authority G.S. 143-213; 143-215.68;
Eff. February 1, 1976;
Amended Eff. <date>; April 1, 1993; December 1, 1984.*

Commented [TM4]: Change: EPA rules now refer to this system in addition to, or in lieu of SIC codes.
Effect: Technical correction/ update.

1 15A NCAC 02B .0504 is proposed for readoption without substantive amendment as follows:

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3 **15A NCAC 02B .0504 CLASSIFICATION OF WASTE SOURCES**

4 (a) All persons subject to the requirements of these Rules shall determine the standard industrial classification (SIC)
5 number or North American Industry Classification System number or both, as specified by the Director, for each type
6 of activity (required to be reported under Rule .0506 of this Section) in which they are engaged by reference to the
7 ~~Standard Industrial Classification Manual~~ appropriate classification manuals.

8 (b) Environmental Management Commission hereby assigns SIC number 4952 and NAICS number 221320 to every
9 industrial establishment or unit of government which collects or discharges domestic wastewater, whether from on-
10 premises bathrooms, restrooms, kitchens, dining rooms, water pollution control facilities, or from any other source.

11 (c) The owner or person in responsible charge of every water pollution control ~~facility~~ facility which receives a
12 wastewater influent from more than one ~~source~~ source shall determine and report to the Department of ~~Environment,~~
13 ~~Health, and Natural Resources~~ Environmental Quality the name and ~~standard~~ industrial classification number(s) for
14 each applicable activity(ies) of every industrial establishment contributing wastes containing toxic substances, in toxic
15 quantities, and also every industrial establishment contributing an average daily wastewater influent of one percent or
16 more of the design flow of the facility or in excess of 100,000 gallons per day, whichever is less, and shall report such
17 other information as is required by Rule .0505 of this Section; provided; however, that it is not required that the name
18 and SIC or NAICS number of any source contributing domestic sewage influent only be reported hereunder.

19 (d) The average daily influent volume contributed by any one source may be computed by dividing the total volume
20 of wastewater discharged by the source during the reporting year by the total number of days that the source operated
21 during the reporting year.

22
23 *History Note: Authority G.S. 143-215.64; 143-215.68;*

24 *Eff. February 1, 1976;*

25 *Amended Eff. <date>; April 1, 1993; December 1, 1984; November 1, 1978.*

Commented [TM1]: Change: Updated agency name.
Effect: None – technical correction.

Commented [TM2]: Change: Added reference to the new
system, for completeness.
Effect: Ensure consistency with federal requirements.

1 15A NCAC 02B .0505 is proposed for amendment as follows:

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3 **15A NCAC 02B .0505 MONITORING REQUIREMENTS**

4 (a) General. Every person subject to this Section shall be required to establish, operate and maintain a monitoring
5 program consistent with their National Pollutant Discharge Elimination System (NPDES) Permit or as required by the
6 Director.

7 (b) Wastewater and Stream Flow Measurement.

8 (1) A device or method, approved by the Director for determining the rate of flow of all discharges of
9 wastewater whether treated or untreated shall be provided at those point sources of which monthly
10 reports of monitoring tests and measurements are required unless specifically excepted by the
11 Director as not significant. All water pollution control facilities shall install, operate, and maintain
12 continuous flow measuring with recording devices or totalizing devices, if approved by the Director,
13 or shall employ other flow measuring or flow control methods approved by the Director and shall
14 submit monthly reports of such data as required in Rule .0506 of this Section. The permittee shall
15 install appropriate flow measurement devices consistent with approved engineering and scientific
16 practices to ensure the accuracy and reliability of measurements of the volume of monitored
17 discharges. Devices selected shall be capable of measuring flows with a maximum deviation of less
18 than 10 percent from true discharge volumes. Flow measurement devices shall be accurately
19 calibrated at a minimum of once per year and maintained to ensure that the accuracy of the
20 measurements is consistent with the accepted capability of that type of device. The flow
21 measurement device and location shall be approved by the Director prior to installation. Records of
22 flow measurement device calibration shall be kept on file by the permittee for a period of at least
23 three years. At a minimum, data to be included in this documentation shall be:

24 (A) Date of flow measurement device calibration

25 (B) Name of person performing calibration.

26 (2) A reading of the U.S. Geological Survey stream flow staff gauge or reference point shall be made
27 at the time of stream sampling in those instances so determined the Director.

28 (c) Sampling.

29 (1) Frequency and Location. Except as otherwise provided herein, all industrial establishments and
30 units of government shall take influent, effluent and stream samples at such locations and with such
31 frequency as shall be necessary to conduct the tests and analyses required by Rule .0508 of this
32 Section.

33 (2) Establishment of Sampling Points:

34 (A) Sampling points as required in Rule .0508 of this Section shall be established for collecting
35 influent and effluent samples for each facility.

Commented [TM1]: Change: Updated organizational names and addresses, and updated sources of materials (d)(4).

Effect: Technical corrections.

(B) Sampling points shall be established in the receiving waters at one or more upstream locations and at one or more downstream locations. These locations shall be specified by the Director.

(3) Collection of Samples:

(A) Samples collected in receiving waters shall be grab samples.

(B) Samples of the influent and effluent of the water pollution control facility or other point source shall be composite samples, except as provided in Rule .0505 (c)(3)(C) of this Section, or for facilities with design flows of 30,000 gallons per day or less unless required by the Director. The Director may specify the methods of sample collection as to type of sample and type of composite sampling required.

(C) The following influent and effluent tests shall be made on grab samples and shall not be made on composite samples:

- (i) dissolved oxygen,
- (ii) temperature,
- (iii) settleable matter,
- (iv) turbidity,
- (v) pH,
- (vi) residual chlorine,
- (vii) coliform bacteria (fecal or total),
- (viii) cyanide,
- (ix) oil and grease,
- (x) sulfides,
- (xi) phenols,
- (xii) volatile organics.

(4) Stream sampling may be discontinued at such times as flow conditions in the receiving waters or extreme weather conditions will result in a substantial risk of injury or death to persons collecting samples. In such cases, on each day that sampling is discontinued, written justification for the discontinuance shall be specified in the monitoring report for the month in which the event occurred. This provision shall be strictly construed and may not be utilized to avoid the requirements of this Section when performance of these requirements is attainable. When there is a discontinuance pursuant to this provision, stream sampling shall be resumed at the first opportunity after the risk period has ceased.

(d) Biological and Toxicity Monitoring. Biological and Toxicity monitoring may be required when, in the opinion of the Director, such monitoring is necessary to establish whether the designated best use of the waters as determined by the Environmental Management ~~Commission~~, Commission is being or may be impaired or when toxic substances are known or suspected to be present in the facility's discharge.

(e) Tests and Analyses.

- (1) If a water pollution control facility receives waste influent from two or more sources, every test required by Rule .0508 of this Section for the standard industrial classification number applicable to the sources shall be performed one time, and it shall not be necessary to repeat such tests for each source; however, the tests shall be performed at the intervals specified by Rule .0508 of this Section for the applicable industrial classification requiring the most frequent test interval.
- (2) If analyses of samples of any effluent or any receiving water (collected by the state or a public agency) indicate a violation of effluent ~~limitations, limitations~~ or water quality standards ~~or indicate exceedances of stream action levels~~ or that a violation of water quality standards ~~or exceedances of stream action levels~~ may result under any projected ~~conditions~~ conditions, including minimum stream flow and temperature extremes, the Director may require the person responsible for the violation or potential violation to monitor the pollutants or parameters at such points and with such frequency as he determines appropriate. If the source of the pollutant is unknown, the Director may require monitoring for specific pollutants from any suspected discharger.
- (3) If the wastewaters discharged by any water pollution control facility violate any effluent limitations or water quality standards ~~or exceeds any stream action levels~~ or contribute to the violation of water quality standards ~~or exceedance of stream action levels~~ established by the Environmental Management ~~Commission~~ Commission, the facility shall perform and report such additional tests and measurements at such frequencies and for such periods of time as the Director may require.
- (4) Approved Methods of Analysis.
- (a) Methods. The methods used in collection, preservation and analysis of samples shall conform to the guidelines of the Environmental Protection Agency codified as 40 CFR Part 136, which is hereby incorporated by reference including any subsequent amendments and editions. ~~Copies may be obtained from the New Orders, Superintendent of Documents, PO Box 371954, Pittsburgh, PA 15250-7954 at a cost of three hundred forty dollars (\$340.00) per edition. The single volume containing 40 CFR Part 136 may be obtained at a cost of thirty dollars (\$30.00). The current version of these regulations can be accessed free of charge at <http://www.gpo.gov/fdsys/>.~~ Other analytical procedures shall conform to those found in either the most recent approved edition of "Standard Methods for the Examination of Water and Wastewater", (published jointly by the American Public Health Association, the American Water Works Association, and the Water Environment Federation), or "Methods for Chemical Analysis of Waters and Wastes", 1983, or subsequent editions or other methods as approved by the Director. Standard Methods for the Examination of Water and Wastewater is hereby incorporated by reference including any subsequent approved amendments and approved editions. ~~Copies may be obtained from the American Water Works Association, 6666 West Quincy Avenue, Denver CO 82535 at a cost of one hundred sixty dollars (\$160.00) per edition. The current version of these methods may be viewed at <http://www.standardmethods.org>.~~ Methods for Chemical Analysis of Waters and

Commented [TM2]: Change: Removed references to NC's action level policy, disapproved by EPA in latest triennial review.
Effect: Conforms with NC water quality standards rules.

Wastes is hereby incorporated by reference including any subsequent amendments and editions. These methods (document EPA-600-4-79-020) can be accessed free of charge at <http://nepis.epa.gov>. Copies may be obtained from the NTIS, 5285 Port Royal Road, Springfield, VA 22161 at a cost of fifty dollars (\$50.00) per edition. All material incorporated by reference in this Rule is available for inspection at the Central office of the Division of Environmental Management Water Resources, 512 North Salisbury Street, Raleigh, North Carolina 27626-0535 27604.

(b) Method Sensitivity. All test procedures must produce detection and reporting levels that are below the permit discharge requirements and all data generated must be reported to the approved detection level or lower reporting level of the procedure. Monitoring required for permit application or to determine compliance with effluent limitations or applicable water quality standards shall be performed using sufficiently sensitive methods in accordance with 40 CFR 122.21(e)(3) or 122.44(i), which are hereby incorporated by reference, including any subsequent amendments and editions. If no approved methods are determined capable of achieving detection and reporting levels below permit discharge requirements, then the approved method with the lowest detection and reporting level must be used. Biological testing shall be performed in accordance with 15A NCAC 2B .0103(b).

Commented [TM3]: Change: Edited and updated to reflect applicable federal regulations, and edited for clarification.
Effect: Technical correction and clarification.

(5) Approval of Laboratories. Analytical determinations made pursuant to the monitoring and reporting requirements of this Section shall be made in adequately equipped laboratories staffed by person(s) competent to perform tests. Only monitoring programs which provide for the making of analytical determinations by qualified employees of the owner or by a laboratory certified by the Division under 15A NCAC 2H .0800 or 15A NCAC 2H .1100 will be considered adequate.

(f) Process Control Monitoring Testing: The Director may require, on a case-by-case basis, process control monitoring testing suitable for the size and classification of the facility.

History Note: Authority G.S. 143-215.64; 143-215.66; 143-215.68;
Eff. February 1, 1976;
Amended Eff. <date>; April 1, 1993; December 1, 1984; November 1, 1978.

1 15A NCAC 02B .0506 is proposed for readoption with substantive amendments as follows:

3 **15A NCAC 02B .0506** **REPORTING REQUIREMENTS**

4 (a) General:

5 (1) Every person subject to this Section shall file certified monitoring reports setting forth the results of
6 tests and measurements conducted pursuant to NPDES permit monitoring requirements.

7 (A) Monthly monitoring reports shall be filed no later than 30 calendar days after the end of
8 the reporting period for which the report is made.

9 (B) Reports filed pursuant to the requirements of Subparagraph (a)(1) of this Rule shall be
10 submitted in a manner consistent with the requirements of 40 CFR Part 3, which is hereby
11 incorporated by reference including subsequent amendments and additions. Where
12 submittal of printed documents is allowed, of such submittals shall be made on forms
13 furnished or in a format provided or approved by the Director and shall be submitted in
14 duplicate to:

15 ATTN: CENTRAL FILES
16 DIVISION OF ~~ENVIRONMENTAL MANAGEMENT~~ WATER RESOURCES
17 ~~POST OFFICE BOX 29535~~
18 MAIL SERVICE CENTER 1617
19 RALEIGH, NORTH CAROLINA 27626-0535; 27699-1617

20 (C) A copy of all reports submitted to the Director pursuant to this Section shall be retained by
21 the owner of each ~~water pollution control~~ permitted facility for a period of at least three
22 years from the date of submission and be readily available to the Division for inspection.

23 (D) In order to document information contained in reports submitted to the Director pursuant
24 to this Section, the owner of each pollution control facility is required to retain or have
25 readily available for inspection by the ~~Division~~ Division the following items for a period
26 of at least three years from report submission:

27 (i) the original laboratory reports from any certified laboratory utilized for sample
28 analysis. Such reports must be signed by the laboratory supervisor, and must
29 indicate the date and time of sample collection and analysis, and the analysts'
30 name;

31 (ii) bench notes and data logs for sample analyses performed by the pollution control
32 facility staff or operator in responsible charge, whether or not the facility has a
33 certified lab; and

34 (iii) copies of all process control testing.

35 (E) In situations where no discharge has occurred from the facility during the report period,
36 the permittee is required to submit a monthly monitoring report giving all required

Commented [TM1]: **Change:** Updated organizational names and addresses.
Effect: Technical corrections.

Change: Revised to allow for electronic submittal of reports.
Effect: Reflects promulgation of 40 CFR 3, Electronic Reporting, which is incorporated by reference in 2B .0511, etc.

- 1 information and indicating "NO FLOW" unless the Director agrees to waive the reporting
2 requirement during extended conditions of no discharge.
- 3 (2) Every person subject to this Section shall report by telephone to either the central office or
4 appropriate regional office of the Division as soon as possible but no later than 24 hours after
5 occurrence or on the next working day ~~(however, if the occurrence is one which may endanger the~~
6 ~~public health, or fish or wildlife, and contact with the central office or the appropriate regional office~~
7 ~~cannot be made, such person shall report as soon as possible to the State Highway Patrol Warning~~
8 ~~Point in state 1-800-662-7956 or out of state 919-733-3861)~~ following the occurrence or first
9 knowledge of the occurrence of any of the following:
- 10 (A) Any failure of a collection system, pumping station or treatment facility resulting in a by-
11 pass without treatment of all or any portion of the ~~wastewater~~.wastewater;
- 12 (B) Any occurrence at the water pollution control facility which results in the discharge of
13 significant amounts of wastes which are abnormal in quantity or characteristic, such as the
14 dumping of the contents of a sludge digester, the known passage of a hazardous substance
15 through the facility, or any other unusual ~~circumstances~~.circumstances; or
- 16 (C) Any process unit failure, due to known or unknown reasons, that renders the facility
17 incapable of adequate wastewater treatment, such as mechanical or electrical failures of
18 pumps, aerators, compressors, etc.;
- 19 except that if the occurrence is one which may endanger the public health or fish or wildlife, and if
20 contact with the central office or the appropriate regional office cannot be made, such person shall
21 report as soon as possible to the NC Emergency Operations Center 24/7 at 1-800-858-0368 (toll-
22 free) or 919-733-3300.
- 23 (3) Persons reporting such occurrences by telephone shall also provide a written report to the Division
24 in letter or electronic form setting out the information required in Subparagraph (a)(4) of this Rule
25 and pertinent information pertaining to the occurrence. This report must be received by the Division
26 within five days following first knowledge of the occurrence.
- 27 (4) All reports required to be filed by this Section shall contain the following information in addition to
28 such other information as is required for the particular report:
- 29 (A) name of facility,
30 (B) water pollution control facility location,
31 (C) the class assigned to the water pollution control facility,
32 (D) the water pollution control facility permit number assigned by the Department of
33 ~~Environment, Health, and Natural Resources~~Environmental Quality to the permit or other
34 approval document issued by the Environmental Management Commission under which
35 the discharge is made,
36 (E) contact ~~name and name~~, telephone ~~number~~number, email address, and mailing address,
37 (F) estimated nature and extent of environmental damage caused by the incident.

Commented [TM2]: Change: Updated contact information and reordered the SubParagraph for clarity.
Effect: Technical corrections.

- 1 (5) Any person desiring confidentiality for any influent information submitted shall specify the influent
2 information for which confidentiality is sought and shall justify such request to the Department of
3 ~~Environment, Health, and Natural Resources, Environmental Quality, and~~ and, if such request is
4 approved by the ~~Director~~ Director, shall by an appropriate ~~stamp~~ stamp indicate the location of such
5 information on each report filed thereafter.

6 (b) Monthly Monitoring Reports:

- 7 (1) Every person operating a monitoring system required by this Section shall file a monitoring report
8 once each month which includes the data for the samples collected during the month. This report
9 shall be filed no later than 30 calendar days after the end of the reporting period for which the report
10 is made.
- 11 (2) Monthly monitoring reports shall be reviewed, compliance status determined, certified by signature,
12 and submitted by the following:
- 13 (A) For a corporation: by a responsible corporate officer. For the purpose of the Section, a
14 responsible corporate officer means:
- 15 (i) a president, secretary, treasurer or vice president of the corporation in charge of a
16 principal business function, or any other person who performs similar policy or
17 decision-making functions for the corporation, or
- 18 (ii) the manager of one or more manufacturing production or operating facilities
19 employing more than 250 persons or having gross annual sales or expenditures
20 exceeding twenty-five million dollars (\$25,000,000) (in second quarter 1980
21 dollars), if authority to sign documents had been assigned or delegated to the
22 manager in accordance with corporate procedures.
- 23 (B) For a partnership or sole proprietorship: by a general partner or the proprietor, respectively;
24 or
- 25 (C) For a municipality, State, Federal, County, or other public agency: by either a principal
26 executive officer or ranking elected official;
- 27 (D) Duly authorized representative of the person described in Paragraphs (b)(2)(A), (B) and
28 (C). A person is a duly authorized representative only if:
- 29 (i) The authorization is made in writing by a person described in Paragraphs
30 (b)(2)(A), (B) and (C);
- 31 (ii) The authorization specified either an individual or a position having responsibility
32 for the overall operation of the regulated facility or activity, such as the position
33 of plant manager, operator of a well or well field, superintendent, a position of
34 equivalent responsibility, or an individual or position having overall responsibility
35 for environmental matters for the company. (A duly authorized representative
36 may thus be either a named individual or any individual occupying a named
37 position.); and

- 1 (iii) The written authorization is submitted to the Permit Issuing Authority.
2 ~~Permittees~~A permittee authorizing another individual to sign as representative in
3 no way relinquishes any responsibility for the permit or his responsibility to
4 remain familiar with the permit ~~conditions, conditions~~ and limits, including any
5 modifications, and for the compliance data reports for the permit.
- 6 ~~(E)~~(3) Permittee Certification by Signature.
- 7 (A) The permittee signing the report certifies to the following statement: "I certify, under
8 penalty of law, that this document and all attachments were prepared under my direction
9 or supervision in accordance with a system designed to assure that qualified personnel
10 properly gather and evaluate the information submitted. Based on my inquiry of the person
11 or persons who managed the system, or those persons directly responsible for gathering the
12 information, the information submitted is, to the best of my knowledge and belief, true,
13 accurate, and complete. I am aware that there are significant penalties for submitting false
14 information, including the possibility of fines and imprisonment for knowing violations."
- 15 (B) The monthly report shall also be certified by the operator in responsible charge of a
16 classified treatment facility or by the manager of an industrial establishment which has a
17 point source of waste discharge and which does not have a classified water pollution
18 control facility.
- 19 ~~(3)~~(4) In addition to the information required on all reports [see Subparagraph (a)(4) of this Rule] the
20 following information shall be submitted in monthly monitoring reports:
- 21 (A) ~~name~~Name of person or group collecting sample or making observation;
22 (B) ~~name~~Name of person or group that analyzed sample;
23 (C) ~~name~~Name of operator in responsible charge of the facility and the grade certificate held;
24 (D) ~~sampling~~Sampling point for each sample;
25 (E) ~~date~~Date and time (on 2400 hour clock basis) at which each grab sample was collected;
26 (F) For composite samples:
27 (i) date on which collection of composite samples is commenced,
28 (ii) time of starting and ending of composite sample period on 2400 hour clock basis;
29 (G) ~~wastewater~~Wastewater flow in million gallons per day (~~MGD~~);(MGD), or in units
30 specified in the permit;
31 (H) Results of analyses (reported to the designated number of figures with a properly placed
32 decimal point as indicated on each report sheet) together with the proper storet number (to
33 be furnished by the Division) for the analytical procedure used and the reporting units shall
34 be those specified by the NPDES permit or current enforcement document, unless modified
35 by the Director;
36 (I) Only numeric values will be accepted in reporting results of fecal coliform testing. The
37 reporting of "too numerous to count" (TNTC) as a value will constitute a violation;

- (J) The results of all tests on the characteristics of the effluent, including but not limited to NPDES Permit Monitoring Requirements, shall be reported on monthly report forms;
- (K) The monthly average of analysis for each parameter and the maximum and minimum values for the month shall be reported;
- (L) Certification by the Operator in Responsible Charge (ORC) as to the accuracy and completeness of the report and that he/she has performed and documented the required visitation and process control.

(c) Additional Reporting/Monitoring Requirements:

- (1) When a facility is operated on an independent contract basis, the operator in responsible charge shall notify the owner of the facility in writing of any existing or anticipated conditions at the facility which may interfere with its proper operation and which need corrective action by the owner. The notice shall include recommendations for corrective action.
- (2) Two ~~copies~~ printed copies, or an electronic copy, of the signed notice to the owner shall be sent to the Division ~~as an attachment to~~ no later than the next monthly monitoring report.
- (3) A log demonstrating visitation at the proper frequency for the assigned classification, including dates and times of visits, and documentation of proper process control monitoring shall be maintained and shall be submitted to the Division upon request. Copies of all information must be readily available for inspection for a period of three years.

- (d) All information submitted will be classified as public information unless determined otherwise by the ~~Director~~ Director in accordance with 15A NCAC 02H.0115.

History Note: Authority G.S. 143-215.1(b); 143-215.64; 143-215.65; 143-215.68;
Eff. February 1, 1976;
Amended Eff. <date>; August 2, 1993; April 1, 1993; December 1, 1984; November 1, 1978.

Commented [TM3]: Change: Added cross-reference to the rule pertaining to confidential information
Effect: Technical change – clarification.

1 15A NCAC 02B .0508 is proposed for readoption with substantive changes as follows:

2
3 **15A NCAC 02B .0508 TESTS AND MEASUREMENTS APPLICABLE TO SICS**

4 (a) Determination of Type and Frequency of Tests and Measurements:

5 (1) Introduction. The tables set forth in this Rule are designed to indicate, for any particular water
6 pollution control facility or point source, the minimum standard tests and measurements which are
7 to be performed, the minimum frequency with which the tests and measurements are to be
8 conducted, and the location and minimum number of sampling points that are required.

9 (2) Determination of Facility Class and SIC Numbers. Before these tables may be applied, the standard
10 industrial classification(s) of the activities discharging to the water pollution control facility must
11 be determined from The Standard Industrial Classification Manual. The classification of the facility
12 as determined by the Water Pollution Control System Operators Certification Commission, must
13 also be known.

14 (b) Modification of Test(s) or Measurement(s) Requirements:

15 (1) If it is demonstrated to the satisfaction of the Director that any of the tests and measurements,
16 sampling points, or frequency of sampling requirements, as required in this Rule for a particular SIC
17 group, are not applicable to the discharge of a particular water pollution control facility, or if it can
18 be demonstrated that the objectives of this Section can be achieved by other acceptable means, then
19 such requirements may be waived or modified to the extent that the Director determines to be
20 appropriate.

21 (2) In addition to the tests and measurements as listed in this Rule applicable to each of the SIC groups,
22 persons subject to this Section may be required to perform such additional tests and measurements
23 at such sampling points and with such frequency as are determined by the Director to be necessary
24 to adequately monitor constituents of the waste discharge and their effect upon the receiving waters.
25 This monitoring may ~~include~~include but not be limited to weekends and holidays as deemed
26 necessary by the Director to ensure representative sampling and proper operation and maintenance
27 of any facility.

28 (c) Unclassified Activities:

29 (1) Any person owning or operating a water pollution control facility who determines that a major SIC
30 group(s) is not listed in this Rule for an activity subject to this Section shall so notify the Division.

31 (2) The Director shall prescribe the number and location of sampling points and the frequency with
32 which tests and measurements must be made for such pollutant or pollutant effects as it shall deem
33 necessary to properly monitor the quantity or quality of waste discharges resulting from any activity
34 subject to this Section which is not included in the major SIC groups set forth in this Rule and to
35 properly monitor effects of the discharges upon the waters of this state.

36 (d) Index of Major Standard Industrial Groups:
37

Commented [TM1]: Change: Minor punctuation, capitalization changes.
Effect: Technical corrections.

1	SIC Number	Major Products or Services
2	1400-1499	Mining
3	2000-2199	Food, Beverage and Tobacco Processing
4	2200-2299	Textile Processing
5	2400-2599	Lumber and Wood Products Except Wet Decking
6	2600-2699	Paper and Allied Products
7	2800-2899	Chemical and Allied Products
8	2900-2999	Petroleum Refining and Related Industries
9	3100-3199	Leather and Leather Products
10	3400-3699	Fabricated Metal Products Except Ordnance, Machinery and Transportation Equipment
11		Machinery Electrical Machinery, Equipment and Supplies
12	4900-4939	Electric, and Gas Services
13	4941	Water Supply
14	4952	Wastewater and all facilities discharging primarily domestic wastewater
15	7000-8999	Services

16 Abbreviations for sampling locations and frequencies to be used with SIC monitoring requirements:

- 17
- 18 "I" means influent "E" means effluent "U" means upstream "D" means downstream
- 19 "2/month" means samples are collected twice per month with a required 10 day interval between the collection of
- 20 the samples
- 21 "3/week" means samples are collected three times per week on three separate days
- 22

23 MINING

24 MINIMUM REQUIREMENTS FOR SIC 1400-1499

25	26	27	REQUIRED TEST	LOCATION	FREQUENCY			
					CLASS	CLASS	CLASS	CLASS
					I	II	III	IV
1.	Turbidity	E	Monthly	Monthly	Monthly	Monthly	Monthly	Monthly
2.	Settleable Matter	E	Monthly	Monthly	Monthly	Monthly	Monthly	Monthly
3.	TSS	E	Monthly	Monthly	Monthly	Monthly	Monthly	Monthly
4.	pH	E	Monthly	Monthly	Monthly	Monthly	Monthly	Monthly
5.	Toxics and Toxicity	**	**	**	**	**	**	**

FOOD AND BEVERAGE PROCESSING AND TOBACCO PROCESSING

MINIMUM REQUIREMENTS FOR SIC 2000-2199

EFFLUENT LIMITED

	REQUIRED TEST	LOCATION	FREQUENCY			
			CLASS	CLASS	CLASS	CLASS
			I	II	III	IV
1.	pH	E	Weekly	Weekly	3/week	Daily
2.	Temperature, °C	E	Weekly	Weekly	3/week	Daily
3.	BOD, 5-day, 20°C	E	2/month	Weekly	3/week	Daily
4.	TSS	E	2/month	Weekly	3/week	Daily
5.	Ammonia Nitrogen	E	Monthly	2/month	Weekly	Weekly
6.	Total Nitrogen	E	*	*	*	*
7.	Total Phosphorus	E	*	*	*	*
8.	Toxics and Toxicity		**	**	**	**

WATER QUALITY LIMITED

1.	Dissolved Oxygen	E	Weekly	Weekly	3/week	Daily
2.	Dissolved Oxygen	U,D	Weekly	Weekly	3/week+	3/week+
3.	pH	E	Weekly	Weekly	3/week	Daily
4.	Temperature, °C	E	Weekly	Weekly	3/week	Daily
5.	Temperature, °C	U,D	Weekly	Weekly	3/week+	3/week+
6.	BOD, 5-day, 20°C	E	2/month	Weekly	3/week	Daily
7.	TSS	E	2/month	Weekly	3/week	Daily
8.	Ammonia Nitrogen	E	2/month	Weekly	3/week	Daily
9.	Total Nitrogen	E	*	*	*	*
10.	Total Phosphorus	E	*	*	*	*
11.	Toxics and Toxicity		**	**	**	**
12.	Conductivity	E	Weekly	Weekly	3/week	Daily
13.	Conductivity	U,D	Weekly	Weekly	3/week+	3/week+

TEXTILE PROCESSING

MINIMUM REQUIREMENTS FOR SIC 2200-2299

EFFLUENT LIMITED

	REQUIRED TEST	LOCATION	FREQUENCY			
			CLASS	CLASS	CLASS	CLASS
			I	II	III	IV
1.	pH	E	Weekly	Weekly	3/week	Daily
2.	Temperature, °C	E	Weekly	Weekly	3/week	Daily
3.	BOD, 5-day, 20°C	E	2/month	Weekly	3/week	Daily
4.	COD	E	2/month	Weekly	3/week	Daily
5.	TSS	E	2/month	Weekly	3/week	Daily
6.	Total Nitrogen	E	*	*	*	*
7.	Total Phosphorus	E	*	*	*	*
8.	Toxics and Toxicity		**	**	**	**

WATER QUALITY LIMITED

	REQUIRED TEST	LOCATION	FREQUENCY			
			CLASS	CLASS	CLASS	CLASS
			I	II	III	IV
1.	Dissolved Oxygen	E	Weekly	Weekly	3/week	Daily
2.	Dissolved Oxygen	U,D	Weekly	Weekly	3/week+	3/week+
3.	pH	E	Weekly	Weekly	3/week	Daily
4.	Temperature, °C	E	Weekly	Weekly	3/week	Daily
5.	Temperature, °C	U,D	Weekly	Weekly	3/week+	3/week+
6.	BOD, 5-day, 20°C	E	2/month	Weekly	3/week	Daily
7.	COD	E	2/month	Weekly	Weekly	Weekly
8.	TSS	E	2/month	Weekly	3/week	Daily
9.	Total Nitrogen	E	*	*	*	*
10.	Total Phosphorus	E	*	*	*	*
11.	Toxics and Toxicity		**	**	**	**
12.	Conductivity	E	Weekly	Weekly	3/week	Daily
13.	Conductivity	U,D	Weekly	Weekly	3/week+	3/week+

LUMBER AND WOOD PRODUCTS (EXCLUDING WET DECKING)

MINIMUM REQUIREMENTS FOR SIC 2400-2599

EFFLUENT LIMITED

	REQUIRED TEST	LOCATION	FREQUENCY			
			CLASS	CLASS	CLASS	CLASS
			I	II	III	IV
1.	pH	E	Weekly	Weekly	3/week	Daily
2.	Temperature, °C	E	Weekly	Weekly	3/week	Daily
3.	BOD, 5-day, 20°C	E	2/month	Weekly	3/week	Daily
4.	COD	E	Monthly	2/month	Weekly	3/week
5.	Total Phenols	E	2/month	Weekly	3/week	Daily
6.	TSS	E	2/month	Weekly	3/week	Daily
7.	Total Nitrogen	E	*	*	*	*
8.	Total Phosphorus	E	*	*	*	*
9.	Toxics and Toxicity		**	**	**	**

WATER QUALITY LIMITED

1.	Dissolved Oxygen	E	Weekly	Weekly	3/week	Daily
2.	Dissolved Oxygen	U,D	Weekly	Weekly	3/week+	3/week+
3.	pH	E	Weekly	Weekly	3/week	Daily
4.	Temperature, 0C	E	Weekly	Weekly	3/week	Daily
5.	Temperature, 0C	U,D	Weekly	Weekly	3/week+	3/week+
6.	BOD, 5-day, 200C	E	2/month	Weekly	3/week	Daily
7.	COD	E	2/month	Weekly	3/week	Daily
8.	Total Phenols	E	2/month	Weekly	3/week	Daily
9.	TSS	E	2/month	Weekly	3/week	Daily
10.	Total Nitrogen	E	*	*	*	*
11.	Total Phosphorus	E	*	*	*	*
12.	Toxics and Toxicity		**	**	**	**
13.	Conductivity	E	Weekly	Weekly	3/week	Daily
14.	Conductivity	U,D	Weekly	Weekly	3/week+	3/week+

PAPER AND ALLIED PRODUCTS

MINIMUM REQUIREMENTS FOR SIC 2600-2699

EFFLUENT LIMITED

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	REQUIRED TEST	LOCATION	FREQUENCY			
			CLASS	CLASS	CLASS	CLASS
			I	II	III	IV
1.	pH	E	Weekly	Weekly	3/week	Daily
2.	Temperature, °C	E	Weekly	Weekly	3/week	Daily
3.	BOD, 5-day, 20°C	E	2/month	Weekly	3/week	Daily
4.	TSS	E	2/month	Weekly	3/week	Daily
5.	Total Nitrogen	E	*	*	*	*
6.	Total Phosphorus	E	*	*	*	*
7.	Toxics and Toxicity		**	**	**	**

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WATER QUALITY LIMITED

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1.	Dissolved Oxygen	E	Weekly	Weekly	3/week	Daily
2.	Dissolved Oxygen	U,D	Weekly	Weekly	3/week+	3/week+
3.	pH	E	Weekly	Weekly	3/week	Daily
4.	Temperature, °C	E	Weekly	Weekly	3/week	Daily
5.	Temperature, °C	U,D	Weekly	Weekly	3/week+	3/week+
6.	BOD, 5-day, 20°C	E	2/month	Weekly	3/week	Daily
7.	TSS	E	2/month	Weekly	3/week	Daily
8.	Total Nitrogen	E	*	*	*	*
9.	Total Phosphorus	E	*	*	*	*
10.	Toxics and Toxicity		**	**	**	**
11.	Conductivity	E	Weekly	Weekly	3/week	Daily
12.	Conductivity	U,D	Weekly	Weekly	3/week+	3/week+

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CHEMICAL AND ALLIED PRODUCTS

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MINIMUM REQUIREMENTS FOR SIC 2800-2899

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EFFLUENT LIMITED

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	REQUIRED TEST	LOCATION	FREQUENCY			
			CLASS	CLASS	CLASS	CLASS
			I	II	III	IV
1.	pH	E	Weekly	Weekly	3/week	Daily

2.	Temperature, °C	E	Weekly	Weekly	3/week	Daily
3.	BOD, 5-day, 20°C	E	2/month	Weekly	3/week	Daily
4.	TSS	E	2/month	Weekly	3/week	Daily
5.	Total Nitrogen	E	*	*	*	*
6.	Total Phosphorus	E	*	*	*	*
7.	Toxics and Toxicity		**	**	**	**

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WATER QUALITY LIMITED

1.	Dissolved Oxygen	E	Weekly	Weekly	3/week	Daily
2.	Dissolved Oxygen	U,D	Weekly	Weekly	3/week+	3/week+
3.	pH	E	Weekly	Weekly	3/week	Daily
4.	Temperature, °C	E	Weekly	Weekly	3/week	Daily
5.	Temperature, °C	U,D	Weekly	Weekly	3/week+	3/week+
6.	BOD, 5-day, 20°C	E	2/month	Weekly	3/week	Daily
7.	TSS	E	2/month	Weekly	3/week	Daily
8.	Total Nitrogen	E	*	*	*	*
9.	Total Phosphorus	E	*	*	*	*
10.	Toxics and Toxicity		**	**	**	**
11.	Conductivity	E	Weekly	Weekly	3/week	Daily
12.	Conductivity	U,D	Weekly	Weekly	3/week+	3/week+

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PETROLEUM REFINING AND RELATED INDUSTRIES

MINIMUM REQUIREMENTS FOR SIC 2900-2999

EFFLUENT LIMITED

	REQUIRED TEST	LOCATION	FREQUENCY			
			CLASS	CLASS	CLASS	CLASS
			I	II	III	IV
1.	pH	E	Weekly	Weekly	3/week	Daily
2.	Temperature, °C	E	Weekly	Weekly	3/week	Daily
3.	BOD, 5-day, 20°C	E	2/month	Weekly	3/week	Daily
4.	TSS	E	2/month	Weekly	3/week	Daily
5.	Total Phenols	E	2/month	Weekly	3/week	Daily
6.	Oil and Grease	E	2/month	Weekly	3/week	Daily

7.	Total Nitrogen	E	*	*	*	*
8.	Total Phosphorus	E	*	*	*	*
9.	Toxics and Toxicity		**	**	**	**

WATER QUALITY LIMITED

1.	Dissolved Oxygen	E	Weekly	Weekly	3/week	Daily
2.	Dissolved Oxygen	U,D	Weekly	Weekly	3/week+	3/week+
3.	pH	E	Weekly	Weekly	3/week	Daily
4.	Temperature, °C	E	Weekly	Weekly	3/week	Daily
5.	Temperature, °C	U,D	Weekly	Weekly	3/week+	3/week+
6.	BOD, 5-day, 20°C	E	2/month	Weekly	3/week	Daily
7.	TSS	E	2/month	Weekly	3/week	Daily
8.	Total Phenols	E	2/month	Weekly	3/week	Daily
9.	Oil and Grease	E	2/month	Weekly	3/week	Daily
10.	Total Nitrogen	E	*	*	*	*
11.	Total Phosphorus	E	*	*	*	*
12.	Toxics and Toxicity		**	**	**	**
13.	Conductivity	E	Weekly	Weekly	3/week	Daily
14.	Conductivity	U,D	Weekly	Weekly	3/week+	3/week+

LEATHER AND LEATHER PRODUCTS

MINIMUM REQUIREMENTS FOR SIC 3100-3199

EFFLUENT LIMITED

	REQUIRED TEST	LOCATION	FREQUENCY			
			CLASS	CLASS	CLASS	CLASS
			I	II	III	IV
1.	pH	E	Weekly	Weekly	3/week	Daily
2.	Temperature, °C	E	Weekly	Weekly	3/week	Daily
3.	BOD, 5-day, 20°C	E	2/month	Weekly	3/week	Daily
4.	TSS	E	2/month	Weekly	3/week	Daily
5.	COD	E	2/month	Weekly	Weekly	Daily
6.	Ammonia Nitrogen	E	Monthly	Weekly	Weekly	Weekly
7.	Oil and Grease	E	2/month	Weekly	3/week	Daily

8.	Turbidity	E	Weekly	3/week	Daily	Daily
9.	Total Nitrogen	E	*	*	*	*
10.	Total Phosphorus	E	*	*	*	*
11.	Toxics and Toxicity		**	**	**	**

WATER QUALITY LIMITED

1.	Dissolved Oxygen	E	Weekly	Weekly	3/week	Daily
2.	Dissolved Oxygen	U,D	Weekly	Weekly	3/week+	3/week+
3.	pH	E	Weekly	Weekly	3/week	Daily
4.	Temperature, °C	E	Weekly	Weekly	3/week	Daily
5.	Temperature, °C	U,D	Weekly	Weekly	3/week+	3/week+
6.	BOD, 5-day, 20°C	E	2/month	Weekly	3/week	Daily
7.	TSS	E	2/month	Weekly	3/week	Daily
8.	COD	E	2/month	Weekly	3/week	Daily
9.	Ammonia Nitrogen	E	2/month	Weekly	3/week	Daily
10.	Oil and Grease	E	2/month	Weekly	3/week	Daily
11.	Turbidity	E	Weekly	Weekly	3/week	Daily
12.	Total Nitrogen	E	*	*	*	*
13.	Total Phosphorus	E	*	*	*	*
14.	Toxics and Toxicity		**	**	**	**
15.	Conductivity	E	Weekly	Weekly	3/week	Daily
16.	Conductivity	U,D	Weekly	Weekly	3/week+	3/week+

FABRICATED METAL PRODUCTS EXCEPT ORDINANCE:MACHINERY AND TRANSPORTATION

EQUIPMENT MACHINERYELECTRICAL MACHINERY, EQUIPMENT AND SUPPLIES

MINIMUM REQUIREMENTS FOR SIC 3400-3699

EFFLUENT LIMITED

	REQUIRED TEST	LOCATION	FREQUENCY			
			CLASS	CLASS	CLASS	CLASS
			I	II	III	IV
1.	pH	E	Weekly	Weekly	3/week	Daily
2.	Temperature, °C	E	Weekly	Weekly	3/week	Daily
3.	Oil and Grease	E	2/month	Weekly	3/week	Daily

4.	Total Nitrogen	E	*	*	*	*
5.	Total Phosphorus	E	*	*	*	*
6.	Toxics and Toxicity		**	**	**	**
7.	Dissolved Oxygen	E	Weekly	Weekly	3/week	Daily

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WATER QUALITY LIMITED

1.	Dissolved Oxygen	E	Weekly	Weekly	3/week	Daily
2.	pH	E	Weekly	Weekly	3/week	Daily
3.	Temperature, °C	E	Weekly	Weekly	3/week	Daily
4.	Oil and Grease	E	2/month	Weekly	3/week	Daily
5.	Total Nitrogen	E	*	*	*	*
6.	Total Phosphorus	E	*	*	*	*
7.	Toxics and Toxicity		**	**	**	**

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ELECTRICAL AND GAS SERVICES MINIMUM REQUIREMENTS FOR SIC 4900-4939 EFFLUENT LIMITED

REQUIRED TEST	LOCATION	FREQUENCY			
		CLASS	CLASS	CLASS	CLASS
		I	II	III	IV
1. pH	E	Weekly	Weekly	Weekly	Weekly
2. Temperature, °C	E	Weekly	Weekly	Weekly	Weekly
3. Total Nitrogen	E	*	*	*	*
4. Total Phosphorus	E	*	*	*	*
5. Toxics and Toxicity		**	**	**	**

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WATER QUALITY LIMITED

1.	Dissolved Oxygen	E	Weekly	Weekly	Weekly	Weekly
2.	pH	E	Weekly	Weekly	Weekly	Weekly
3.	Temperature, °C	E	Weekly	Weekly	Weekly	Weekly
4.	Total Nitrogen	E	*	*	*	*
5.	Total Phosphorus	E	*	*	*	*

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		I	II	III	IV
1. pH	E	2/month	Weekly	3/week	Daily
2. Temperature, °C	E	Weekly	Weekly	3/week	Daily
3. BOD, 5-day, 20°C	I,E	2/month	Weekly	3/week	Daily
4. TSS	I,E	2/month	Weekly	3/week	Daily
5. Ammonia Nitrogen	E	Monthly	2/month	Weekly	3/week
6. Fecal Coliform	E	2/month	Weekly	3/week	Daily
7. Total Nitrogen	E	*	*	*	*
8. Total Phosphorus	E	*	*	*	*
9. Toxics and Toxicity		**	**	**	**

WATER QUALITY LIMITED

1. Dissolved Oxygen	E	Weekly	Weekly	3/week	Daily
2. Dissolved Oxygen	U,D	Weekly	Weekly	3/week+	3/week+
3. pH	E	2/month	Weekly	3/week	Daily
4. Temperature, °C	E	Daily	Daily	Daily	Daily
5. Temperature, °5	U,D	Weekly	Weekly	3/week+	3/week+
6. BOD, 5-day, 20°C	<u>E,H,E</u>	2/month	Weekly	3/week	Daily
7. TSS	<u>E,H,E</u>	2/month	Weekly	3/week	Daily
8. Ammonia Nitrogen	E	2/month	Weekly	3/week	Daily
9. Residual Chlorine	E	2/week	2/week	3/week	Daily
10. Fecal Coliform	E	2/month	Weekly	3/week	Daily
11. Fecal Coliform	U,D	2/month	Weekly	3/week+	3/week+
12. Conductivity	E	Weekly	Weekly	3/week	Daily
13. Conductivity	U,D	Weekly	Weekly	3/week+	3/week+
14. Total Nitrogen	E	*	*	*	*
15. Total Phosphorus	E	*	*	*	*
16. Toxics and Toxicity		**	**	**	**

SERVICES

MINIMUM REQUIREMENTS FOR SIC 7000-8999

EFFLUENT LIMITED

REQUIRED TEST	LOCATION	FREQUENCY
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			CLASS	CLASS	CLASS	CLASS
			I	II	III	IV
1.	pH	E	Weekly	Weekly	3/week	Daily
2.	Temperature, °C	E	Weekly	Weekly	3/week	Daily
3.	BOD, 5-day, 20°C	E	2/month	Weekly	3/week	Daily
4.	TSS	E	2/month	Weekly	3/week	Daily
5.	Ammonia Nitrogen	E	Monthly	2/month	Weekly	3/week
6.	Detergents (MBAS)	E	2/month	Weekly	3/week	Daily
7.	Fecal Coliform	E	2/month	Weekly	3/week	Daily
8.	Total Nitrogen	E	*	*	*	*
9.	Total Phosphorus	E	Monthly	2/month	Weekly	3/week
10.	Toxics and Toxicity		**	**	**	**

WATER QUALITY LIMITED

1.	Dissolved Oxygen	E	Weekly	Weekly	3/week	Daily
2.	Dissolved Oxygen	U,D	Weekly	Weekly	3/week+	3/week+
3.	pH	E	Weekly	Weekly	3/week	Daily
4.	Temperature, °C	E	Weekly	Weekly	3/week	Daily
5.	Temperature, °C	U,D	Weekly	Weekly	3/week+	3/week+
6.	BOD, 5-day, 20°C	E	2/month	Weekly	3/week	Daily
7.	TSS	E	2/month	Weekly	3/week	Daily
8.	Ammonia Nitrogen	E	Monthly	2/month	Weekly	3/week
9.	Detergents (MBAS)	E	2/month	Weekly	3/week	Daily
10.	Fecal Coliform	E	2/month	Weekly	3/week	Daily
11.	Total Nitrogen	E	*	*	*	*
12.	Total Phosphorus	E	*	*	*	*
13.	Toxics and Toxicity		**	**	**	**
14.	Conductivity	E	Weekly	Weekly	3/week	Daily
15.	Conductivity	U,D	Weekly	Weekly	3/week+	3/week+

+ Upstream and Downstream monitoring in water quality limited waters is to be conducted three times per week during June, July, August, and September, and once per week during the rest of the year.

* Total Nitrogen and Phosphorus Monitoring

(1) Monitoring Requirements

- (A) All facilities equal to or greater than 50,000 gpd, shall monitor for total N and P.
- (B) Facilities less than 50,000 gpd shall monitor for total N and P when discharging into nutrient sensitive waters as designated by the Division.
- (2) Monitoring frequency for total N and P is based on river subbasins in two separate areas of the state as follows:
- (A) Western area includes the French Broad, Broad, Savannah, New, Watauga, Little Tennessee, and Hiwassee:
- Facility Design Capacity: _____
- Frequency _____
- (i) 50,000 gpd or higher _____ Semi-annually
- (ii) 1,000,000 gpd or higher _____ Quarterly.
- (B) Piedmont and Eastern area includes the Catawba, Lumber, Yadkin, Cape Fear, Chowan, Neuse, Pasquotank, Roanoke, Tar-Pamlico, and White Oak:
- Facility Design Capacity _____
- Frequency _____
- (i) 50,000 gpd or higher _____ Quarterly
- (ii) 1,000,000 gpd or higher _____ Monthly.
- (3) Definition for Total Nitrogen and Total Phosphorus:
- (A) Total Nitrogen shall be the sum of total ~~kjeldahl~~ Kjeldahl nitrogen, nitrate nitrogen, and nitrite nitrogen expressed as "N" in milligrams per liter ~~(mg/l)~~ (mg/L).
- (B) Total Phosphorus shall include all orthophosphates and condensed phosphates, both dissolved and particulate, organic and inorganic, expressed as "P" in milligrams per liter ~~(mg/l)~~ (mg/L).

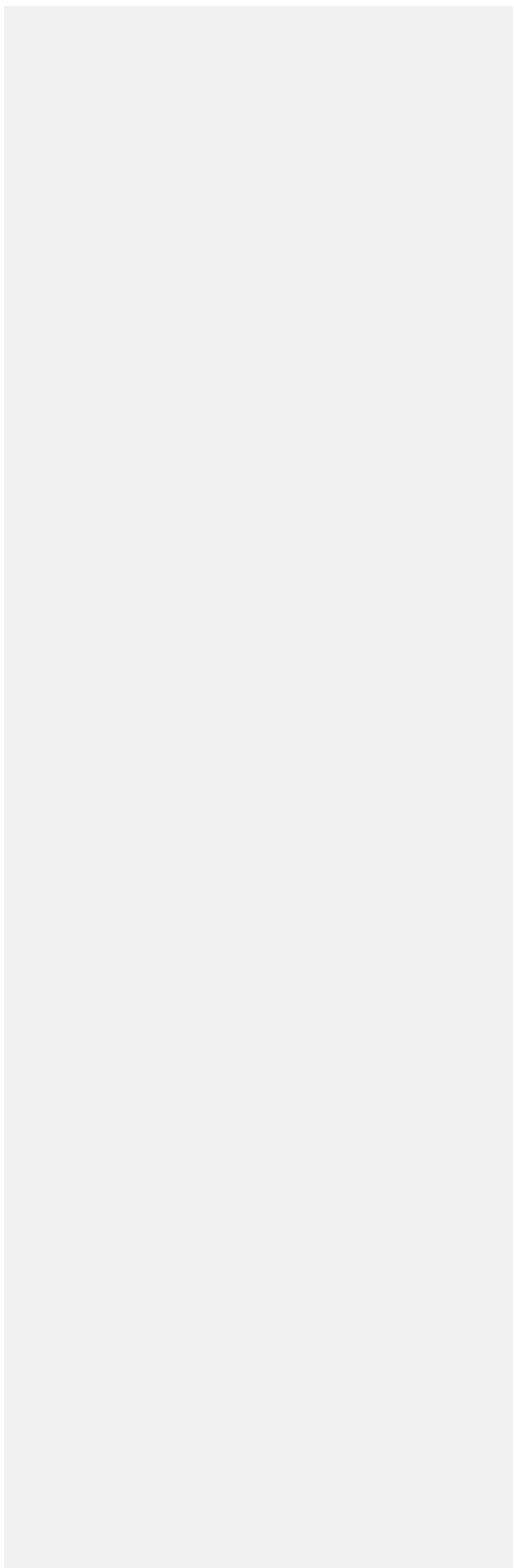
** Specific test type, conditions, and limitations will be defined by permit. Toxicity limits will be applied to all major discharges and all discharges of complex wastewater. Toxicity limitations and monitoring requirements may be applied to permits for other discharges when, in the opinion of the Director, such discharge may impair the best use of the receiving water by the discharge of toxic substances in toxic amounts.

Specific frequency will be defined by individual permit conditions. For most facilities with continuous and regularly occurring discharges, frequency will be defined as a minimum of quarterly.

History Note: Authority G.S. 143-215.65; 143-215.66; 143-215.68;
Eff. February 1, 1976;

1 *Amended Eff. <date>; April 1, 1993; December 1, 1984; November 1, 1978.*

2



1 15A NCAC 02B .0511 is proposed for adoption as follows:

2
3 **15A NCAC 02B .0511 INCORPORATION BY REFERENCE**

4 (a) The following sections of Title 40 of the Code of Federal Regulations (CFR) are incorporated by reference,
5 including subsequent amendments and editions, and shall apply throughout this Section except where procedural
6 details of the federal rules differ from procedures adopted elsewhere in this section, in which case the separately
7 adopted procedure governs. The current version of these regulations can be accessed free of charge at
8 <http://www.gpo.gov/fdsys/>.

- 9 (1) 40 CFR Parts 122.2, 124.2, and 125.2: Definitions;
10 (2) §122.4: Prohibitions;
11 (3) §122.5 (a) and (b): Effect of permit;
12 (4) §122.7 (b) and (c): Confidential information;
13 (5) §122.21 (a)-(b), (c)(2), (e)-(k), (m)-(p), (q), and (r): Application for a permit;
14 (6) §122.22: Signatories;
15 (7) §122.23: Concentrated animal feeding operations;
16 (8) §122.24: Concentrated aquatic animal production facilities;
17 (9) §122.25: Aquaculture projects;
18 (10) §122.26: Storm water discharges;
19 (11) §122.27: Silviculture;
20 (12) §122.28: General permits;
21 (13) §122.29 (a), (b), and (d): New sources and new dischargers;
22 (14) §122.30: NPDES stormwater regulations for small MS4s: objectives;
23 (15) §122.31: NPDES stormwater regulations: role of Tribes;
24 (16) §122.32: NPDES stormwater regulations for small MS4s: applicability;
25 (17) §122.33: NPDES stormwater regulations for small MS4s: application for permit;
26 (18) §122.34: NPDES stormwater regulations for small MS4s: permit requirements;
27 (19) §122.35: NPDES stormwater regulations for small MS4s: shared responsibilities;
28 (20) §122.36: NPDES stormwater regulations for small MS4s: compliance;
29 (21) §122.37: NPDES stormwater regulations for small MS4s: evaluation;
30 (22) §122.41 (a)(1) and (b) through (n): Applicable permit conditions;
31 (23) §122.42: Conditions applicable to specified categories of permits;
32 (24) §122.43: Establishing permit conditions;
33 (25) §122.44: Establishing NPDES permit conditions;
34 (26) §122.45: Calculating permit conditions;
35 (27) §122.46: Duration;
36 (28) §122.47 (a): Schedules of compliance;
37 (29) §122.48: Monitoring requirements;

Commented [TM1]: Change: Proposed new rule that incorporates multiple federal rules by reference. 40 CFR 123.25 requires approved states to implement most of these regulations, and NC has done so, but the state has yet to formally adopt them. (The same rule is proposed in Subchapter 02B, Sections 02B .0400 and 02H .0100.)
Effect: In essence, a technical correction, as the state has implemented these rules all along.

- 1 (30) §122.50: Disposal into wells;
2 (31) §122.61: Permit transfer;
3 (32) §122.62: Permit modification;
4 (33) §122.64: Permit termination;
5 (34) §124.3 (a): Application for a permit;
6 (35) §124.5 (a), (c), (d), and (f): Modification of permits;
7 (36) §124.6 (a), (c), (d), and (e): Draft permit;
8 (37) §124.8: Fact sheets;
9 (38) §124.10 (a)(1)(ii), (a)(1)(iii), (a)(1)(v), (b), (c), (d), and (e): Public notice;
10 (39) §124.11: Public comments and requests for hearings;
11 (40) §124.12 (a): Public hearings;
12 (41) §124.17 (a) and (c): Response to comments;
13 (42) §124.56: Fact sheets;
14 (43) §124.57 (a): Public notice;
15 (44) §124.59: Comments from government agencies;
16 (45) §124.62: Decision on variances;
17 (46) 40 CFR Part 125, Subparts A (Technology-Based Treatment Requirements), B (Aquaculture), D
18 (Fundamentally Different Factors), H (Alternative Limitations, CWA Section 316(a)), I (Cooling
19 Water Intake Structures, New Facilities, CWA Section 316(b)), J (Cooling Water Intake Structures,
20 Existing Facilities, CWA Section 316(b)), and N (Cooling Water Intake Structures, Offshore Oil
21 and Gas Facilities, CWA Section 316(b));
22 (47) 40 CFR Parts 129 (Toxic Pollutant Effluent Standards) and 133 (Secondary Treatment Regulation),
23 and Subchapter N (Effluent Guidelines and Standards);
24 (48) 40 CFR Part 3: Electronic reporting;
25 (49) 40 CFR Part 136: Guidelines for establishing test procedures for the analysis of pollutants; and
26 (50) 40 CFR 401.15: List of toxic pollutants pursuant to CWA Section 307(a)(1).
27 (b) This rule is not an exclusive list of federal regulations adopted by reference in this Section. Other rules of the
28 Section incorporate some of these same federal regulations for clarity or emphasis and may incorporate additional
29 regulations not listed in Paragraph (a).

30
31 *History Note: Authority G.S. 143-211(c); 143-215.1(b)(4); 143B-282(5);*
32 *Eff. <date>.*
33