

North Carolina NPDES General Permit Renewal

Proposed Changes to the 2017 NPDES General Permits

Condition III.5: Frequency to modify soil pH had been annually according to recommendations of soils analysis. Soil testing frequency is now required “at least once every three years” not annually. – *Requirement of General Statute 143-215.10C(e) as modified by Session Law 2013-228 (Senate Bill 205)*

Condition III.6: Clarified that the PLAT tool is the acceptable method for assessing phosphorus loss.

Condition III.12: Corrected the regulatory citation for the State Veterinarian’s authority to dictate proper mortality management.

Conditions III.20: Corrected the regulatory citation for operators of Animal Waste Management Systems. Also, removed paragraph regarding affirmative defense of non-compliance. The paragraph is unnecessary, as the enforcement factors required by General Statute 143B-282.1 allow for similar consideration during the assessment of civil penalties as that listed under the previous affirmative defense language.

Condition III.30: Added a Professional Engineer as being allowed to document proper design and installation of major structural repairs to lagoons/storage ponds.

Condition IV.7: Changed soil sampling requirement from annually to at least once every three years. – *Requirement of General Statute 143-215.10C(e) as modified by Session Law 2013-228 (Senate Bill 205)*

Condition IV.16.f: Waste sample from source of discharge may be analyzed for either Total Kjeldahl Nitrogen (TKN) or for Total Nitrogen in addition to the other constituents listed. Previous permit versions only listed TKN as an option, not total nitrogen. – *Change made to allow for laboratories that are switching analytical methods from TKN only to total nitrogen.*

Condition IV.19: Annual certification report must continue to be submitted to the state for the duration of this permit cycle. Revised annual report condition to include electronic reporting to EPA beginning December 21, 2020. – *Required by EPA Electronic Reporting Rule (Docket ID No. EPA-HQ-OECA-2009-0274)*

Condition IV.20: Clarified records storage/retention requirements to be consistent with language in Condition I.5. – *Current policy, language updated for consistency.*

Conditions IV.23 and IV.24: Updated language to be more consistent with existing statutory language. – *General Statutes 143-215.10C(h)*

Conditions VI.3: Updated NRCS Conservation Practice Standard reference to current title and edition.

Definitions: Changed “State Waters” to “Waters of the State” for consistency and clarification.

Definitions: Deleted definition of Waters of the United States, as its definition is established in the Federal Water Pollution Control Act (Clean Water Act) which is referenced in the permit.