

ROY COOPER
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MICHAEL S. REGAN
Secretary

LINDA CULPEPPER
Director



NORTH CAROLINA
Environmental Quality

April 30, 2019

MEMORANDUM

TO: Jeff Poupart
Section Head, Water Quality Permitting Section

FROM: Linda Culpepper *LC*
Director

SUBJECT: Addendum to April 25 Hearing Officer Report
Siler City WWTP, NC0026441

I agree with the approach recommended in the April 25 Hearing Officer report except that it would allow nitrogen loads from the Siler City WWTP to exceed historic levels.

Historically, Siler City's nitrogen discharge contributed significantly to the deterioration of water quality in Loves Creek and the Rocky River. This condition led to their being added to the state's 303(d) list of impaired waters. When the previous poultry facilities ceased operations, nitrogen loads dropped, and water quality has improved noticeably.

In January, 2019, Mountaire Farms opened a new poultry facility and began discharging process wastewaters to the Town's treatment plant. As production increases, the Town's nitrogen load will rise substantially and is expected to exceed historic high levels well before Mountaire Farms reaches full production.

The draft permit includes a nitrogen limit that requires the Town to reduce its load to current ("no poultry") levels by 2023, and the Town has tentatively secured funding for treatment plant upgrades to meet the limit. To offset increases in nitrogen load in the first 3-4 years, the permit also requires the Town to evaluate and optimize its operations. However, we have no guarantee that this interim measure will be successful.

Allowing the Town's nitrogen load to rise for the next 3-4 years is less than ideal. Allowing it to exceed historic levels is not acceptable.

Generally, when a permittee applies to increase its discharge to impaired waters and the Division has no TMDL or other basis for setting water quality-based limits, we can approve its flow increase but will hold its pollutant loads at current levels to ensure the added discharge does not contribute further to the waters' impairment. Although Siler City is not expanding its discharge beyond its current permitted capacity, we cannot ignore the predicted increases in nitrogen loads, and it is appropriate to follow this approach to limit the impacts until upgrades at the Siler City WWTP can be completed.



Addendum to April 25 Hearing Officer Report
Siler City WWTP, NC0026441
April 29, 2019

Therefore, the Siler City permit should be revised to incorporate the following changes and submitted for my signature:

- An interim nitrogen limit equivalent to the Town's 2004-2008 nitrogen loads should be added to Condition A.(1.) of the permit.
- Conditions A.(10.) Compliance Schedule and A.(11.) Treatment Optimization should be removed. Optimization may still be useful in the Town's nitrogen control efforts, but with the addition of the interim nitrogen limit, the steps specified in the draft permit no longer serve a useful purpose.