

State of North Carolina
Department of Environment
and Natural Resources
Division of Water Quality

James B. Hunt, Jr., Governor
Bill Holman, Secretary
Kerr T. Stevens, Director



October 19, 1999

Dear Animal Wastewater System Owner or Operator,

House Bill 1160, the Clean Water Act of 1999, was ratified by the North Carolina General Assembly on July 20 and signed into law by the Governor on July 21, 1999. This legislation has placed significant, new reporting requirements on those entities that own or operate wastewater treatment and collection systems. This letter is provided as guidance to assist you in meeting this aspect of the new reporting requirements.

Spill Notification

One of the new requirements that became effective October 1, 1999 for all wastewater facilities that collect or treat wastewater is that they must notify the public of wastewater spills. Wastewater facility owners or operators must issue a press release after a discharge to surface waters of 1,000 gallons within 48 hours of first knowledge of the spill by the owner/operator. The law requires that the press release must be issued to "all electronic and print news media outlets that provide general coverage in the county where the discharge occurred." A copy of the press release must be maintained for one year by the owner/operator. This press release is required in addition to the permit requirement of contacting the North Carolina Division of Water Quality (DWQ). A list of media outlets, sorted by County, and a sample press release are attached for your reference.

If a discharge of 15,000 gallons or more reaches surface water, a public notice is required in addition to the press release. The public notice must be placed in a newspaper having general circulation in the County in which the discharge occurred and the county immediately downstream. A sample public notice format is also enclosed for your reference. If a discharge of 1,000,000 gallons of wastewater or more reaches surface waters, the DWQ regional office must be contacted to determine in what additional counties, if any, a public notice must be published. A copy of all public notices and proof of publication must be sent to the DWQ to the attention of "NDCEU" at the letterhead address within 30 days of publication. A sample public notice is attached for your reference. The minimum content of the notice is the location of the discharge, estimated volume, water body affected, steps taken to prevent future discharges and a phone number and contact name.

As was noted at the beginning of this letter, there are several new reporting requirements as a result of the Clean Water Act of 1999. As a stakeholder in environmental regulation, you are encouraged to review the entire scope of the Act to see if other parts apply to your operations. A copy of the Act can be viewed on the North Carolina General Assembly's web site at <http://www.ncga.state.nc.us/html/1999/bills/ratified/house/hbill1160.full.html>.

If you have any questions, please contact your DWQ Regional Office or (919) 733-5083 ask for the Non-Discharge Compliance and Enforcement Unit for the spill notice requirements.

Sincerely,

Kerr T. Stevens

**Form and Content of Public Notices of Discharges Required by
House Bill 1160**

entered the Yadkin River. The barscreen was cleaned and a new automatic unit was installed to prevent further discharge. This notice was required by North Carolina General Statutes Article 21 Chapter 143.215.C

Minimum content for all the types of facilities includes:

1. Name of facility
2. Location of discharge
3. Estimated volume of untreated waste entering Water of the State
4. Time and date discharge occurred
5. Duration of discharge
6. Water body that was discharged into including creek and river basin if applicable
7. Action taken to prevent further discharge
8. Contact person and phone number

Content of Notice for Owners or Operators an Animal Waste Management System

NOTICE OF DISCHARGE OF ANIMAL WASTE

The Animal facility had a discharge of untreated wastewater from our animal waste system component (e.g. lagoon, flushtank), of approximately ___ gallons. The discharge occurred on month, day, time for approximately ___ hours. The untreated wastewater entered (___ creek of the) ___ river (basin). The (list action taken) e.g. : wall was repaired, blockage removed to prevent further discharge. This notice was required by North Carolina General Statutes Article 21 Chapter 143.215.C

Example:

NOTICE OF DISCHARGE OF ANIMAL WASTE

The Greenwood Farm facility number 95-456 on State Road 1147 near Greenwood Valley had a discharge of swine waste of approximately 30,000 gallons. The discharge was first discovered on December 7, 1999 at 2:00 p.m. and lasted for approximately 5 hours. The untreated waste entered Horsefly creek of the Cape Fear River. The lagoon wall was repaired to prevent further discharge. This notice was required by North Carolina General Statutes Article 21 Chapter 143.215.C