



**State of North Carolina**

**ROY COOPER**  
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May 1, 2015

Ms. Heather McTeer Toney  
Regional Administrator  
Environmental Protection Agency, Region IV  
61 Forsyth Street SW  
Atlanta, Georgia 30303

**SUBJECT: Certification of Adoption of Modifications to North Carolina's Surface Water Quality Criteria**

Dear Ms. Toney:

Under the provisions of Article 21, Chapter 143 of the North Carolina General Statutes as amended, the North Carolina Environmental Management Commission is directed and empowered to adopt and assign "best use" classifications to all the surface waters of the State and to adopt water quality standards applicable to each classification.

The North Carolina Environmental Management Commission, after notice duly given, has adopted modifications to 15A NCAC 2B Section .0200, as summarized in the enclosed *List of Modifications and Additions to North Carolina Water Quality Standards*. The modifications and additions became effective January 1, 2015.

By delegation from the Attorney General of North Carolina, I advise you that it is my opinion that the regulations listed in the enclosure have been duly adopted and promulgated in accordance with the Laws of the State of North Carolina and the Rules of the Environmental Management Commission, and that these revisions are valid and enforceable in the State of North Carolina effective January 1, 2015.

Very truly yours,

A handwritten signature in black ink, appearing to read "Kathleen M. Waylett".

Kathleen M. Waylett  
Senior Deputy Attorney General  
Environmental Division

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**Summarized List of Modifications and Additions to  
North Carolina Water Quality Standards**

**15A NCAC 02B .0206**

- Added design flow criterion to protect aquatic life from acute toxicity at the 1Q10 streamflow.

**15A NCAC 2B .0211**

- Modified existing freshwater criterion for metals to have greater consistency with National Recommended Water Quality Criteria. Including: addition of acute criteria, equation based hardness dependent criteria, dissolved metals criteria, etc.
- Added site-specific criteria development mechanisms to allow for the use of a Water Effects Ratio
- Amended criteria by removing Iron as a regulated metal
- Added language to clarify implementation of the metals criteria in ambient monitoring and in issuing NPDES permits
- Added language relating to biological assessment to accompany chemical monitoring.
- Technical changes as required for clarity by the NC Office of Administrative Hearings.

**15A NCAC 2B .0212, .0214, 0215, .0216, .0218**

- Modified existing 2, 4 D for Water Supplies to provided adequate protection from potentially contaminated fish and water.
- Amended regulations by removing manganese as a controlled metal
- Technical changes as required for clarity by the NC Office of Administrative Hearings.

**15A NCAC 02B .0220**

- Modified existing saltwater criterion for metals to have greater consistency with National Recommended Water Quality Criteria. Including: addition of acute criteria and modification to a dissolved metals criterion, etc.
- Added site-specific criteria development mechanisms to allow for the use of a Water Effects Ratio
- Added language to clarify implementation of the metals criteria in ambient monitoring and in issuing NPDES permits
- Added language relating to biological assessment to accompany chemical monitoring.
- Technical changes as required for clarity by the NC Office of Administrative Hearings.