



Public Hearing – February 6, 2025

*Proposed Amendments to Tar-Pamlico Wastewater Discharge Requirements Rule
(15A NCAC 02B .0733)*

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Tar-Pamlico Nutrient Management Strategy (NMS)

- Strategy “Agreement” (1990)
 - Address chl-a impairment per estuary model & TMDL
 - 30% TN Load Reduction; No Increase in TP Load; 1991 Baseline
 - Wastewater: Compliance Association w/ Group N&P Caps, noted in permits
- Non-Association Wastewater Rule (1997)
 - New or expanding – technology limits, offset loads w/ BMP payment
- EMC-Adopted Nonpoint Rules (2000-2001)
 - Row Crop Agriculture
 - New Development Stormwater
 - Riparian Buffer Protection

Tar-Pamlico Point Source Agreement

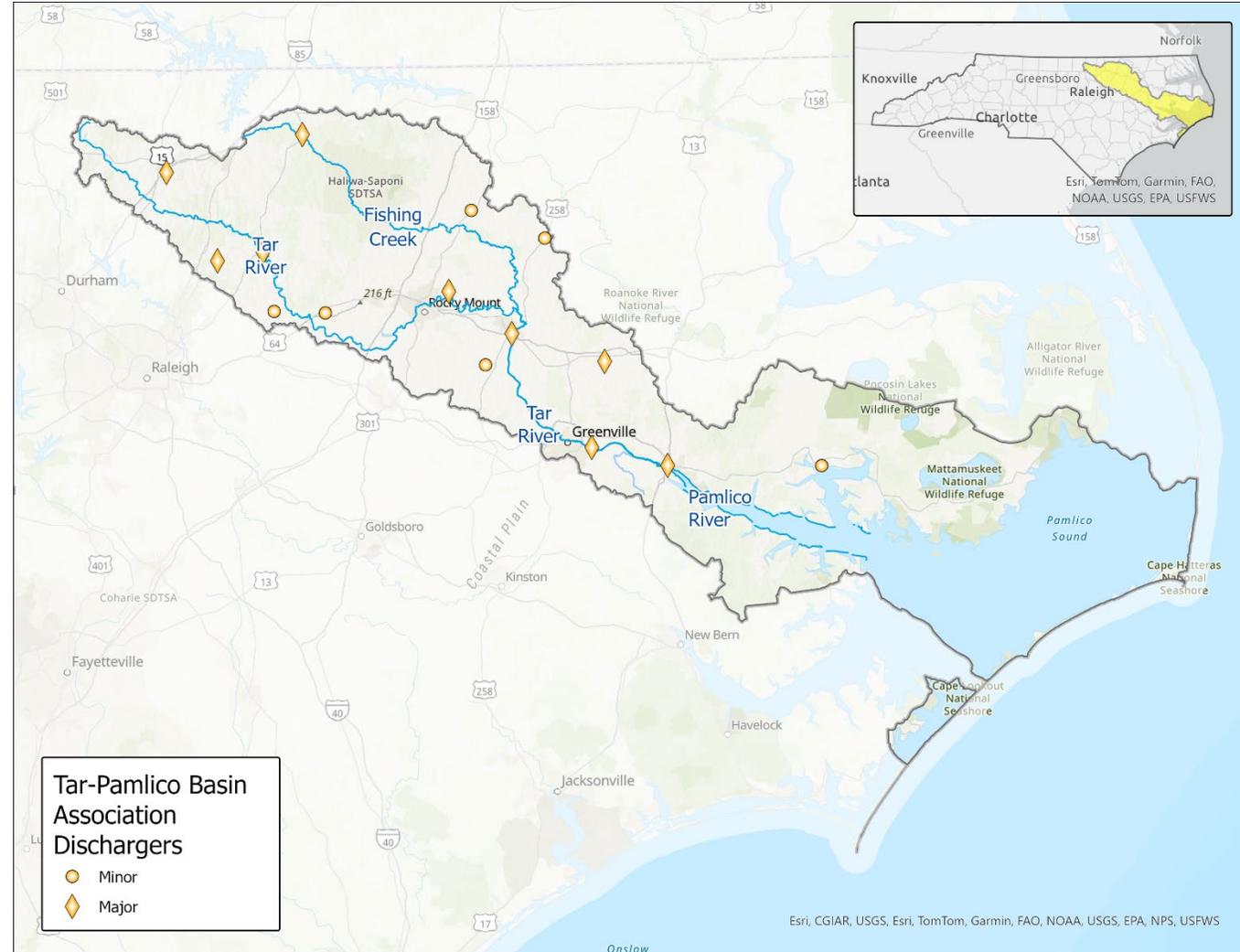
- Signed accord b/t Association, EMC, DEM, DSWC, Enviro's
 - Tar-Pamlico Basin Association (TPBA) = 15 members
- Established collective annual end-of-pipe N & P caps
 - Group cap compliance = individual compliance
 - Offset cap exceedances funding Ag Cost Share BMPs
- Agreement revised and renewed 1995, 2005, 2015
- **Steady compliance w/caps, currently at 70% TN & 68% TP**

Tar-Pamlico Basin Association (TPBA) Members

1. Belhaven
2. Bunn
3. Enfield
4. Franklin W&S Authority
5. Greenville Utilities
6. Louisburg
7. Oxford
8. Pinetops
9. Robersonville
10. Rocky Mount
11. Scotland Neck
12. Spring Hope
13. Tarboro
14. Warrenton
15. Washington

Total permitted Flow: 62.495 MGD

• Represents 98.7% permitted Flow in Basin



Why Move Agreement Requirements into Rule?

- Requirements meet APA definition of “Rule”
 - APA = **A**dministrative **P**rocedures **A**ct
- Establish enforceable foundation for requirements in permit
- Avoids potential for challenges to requirements
- Opportunity to modernize language & improves clarity

Current Tar-Pam WW Rule (.0733)

- Adopted in 1997 - Updated in 2020 Rules Readoption
- Addresses New & Expanding facilities
 - Must obtain existing allocation or offsets to offset new or increased load
- Provides clear regulatory path for allocation trading & nutrient offsets
- Broadened coverage to new & expanding TPBA Members
 - Effective for TPBA when Agreement expires in May 2025

Current Tar-Pam WW Rule (.0733)

- Updated treatment standards for new and expanding facilities
 - Municipal 3.5 mg/L TN and 0.5 mg/L TP / Industrial: BAT limits
- TPBA members can expand within current nutrient allocations
- Updated offset process – ties into Nutrient Offset Rules (.0703)
 - Cost set by providers vs fixed BMP formula
- Current rule does not address TPBA group compliance requirements

Proposed Revisions to Tar-Pam WW Rule (.0733)

- Adds Definitions
 - “Association”, “Active Allocation”, “Limit” and “Reserve Allocation”
- Includes total N & P discharge allocation for Association
 - 891,271 lbs. Nitrogen & 161,070 lbs. Phosphorus
- Includes Individual N & P allocations for Association Members
 - Any future changes in allocations to be reflected in updated permit
- Cap exceedances offset w/ credits purchased in accordance w/ Nutrient Offset Rule (.0703)

Proposed Revisions to Tar-Pam WW Rule (.0733)

- Includes option to use existing offset credits earned per Agreement
 - ~59k lbs. TN available for one-time offset use
- Adds new option to use reserve allocation for new & expanding discharge
 - Available reserve allocation ~ 59k lb/yr TN & ~ 4k lb/yr TP
- Association and Non-Association dischargers may request reserve to expand
 - Allocations equivalent to 3.5 mg/L TN and 0.5 mg/L TP; BAT (industrial)
- Added exemption w/ minimum flow threshold for expansions
 - Small facilities expanding to < 0.1 MGD permitted flow not assigned allocations

Proposed Tar-Pam WW .0733 Rule Revisions

- Transfers Language Added
 - Allocation from transferred facility is added to the receiving facilities permit
- Group Compliance Association Option Language Added
 - Recognizes associations can meet allocations collectively
 - Individual members in compliance as long as association under caps
 - If association exceeds caps shall obtain or use existing offsets
 - Meet requirements of individual NPDES Permits if Association terminated
- Maintain framework of current implementation while adding flexibility

Approved Regulatory Impact Analysis - Findings

- Necessity for Rule Revisions
 - Codifies existing requirements meeting APA definition of a rule
 - Provides enforceable foundation for permit requirements
 - Modernizes language, improves clarity, adds compliance options
- No new costs to regulated community or state & local governments
- No substantial economic impact as defined in G.S. 150B-21.4

Rule Readoption - Next Steps

- **January 2025:** Proposed Rule Revisions Published in NC Register
- **January 2 – March 3:** Public Comment Period
- **March-April:** Hearing Officer Deliberation of Comments
- **May:** Hearing Officer Report & Final Rule to EMC for Adoption
- **June:** Final Rule to Rules Review Commission for Approval
- **July 1st 2025:** Rule Effective

Public Comment Period

Public Comment Period
January 2nd through March 3, 2025

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Scan for More Information





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Tar-Pamlico Basin & Estuary Boundaries

