

15A NCAC 02B .0227 WATER QUALITY MANAGEMENT PLANS

(a) In implementing the water quality standards to protect the existing uses [as defined by Rule .0202 of this Section] of the waters of the state or the water quality which supports those uses, the Commission shall develop water quality management plans on a priority basis to attain, maintain or enhance water quality throughout the state. Additional specific actions deemed necessary by the Commission to protect the water quality or the existing uses of the waters of the state shall be specified in Paragraph (b) of this Rule. These actions may include anything within the powers of the Commission. The Commission may also consider local actions which have been taken to protect a waterbody in determining the appropriate protection options to be incorporated into the water quality management plan.

(b) All waters determined by the Commission to be protected by a water quality management plan are listed with specific actions as follows:

The Lockwoods Folly River Area (Lumber River Basin), which includes all waters of the lower Lockwoods Folly River in an area extending north from the Intracoastal Waterway to a line extending from Genoes Point to Mullet Creek, shall be protected by the specific actions described in Subparagraphs (1) through (5) of this Paragraph.

- (1) New development activities within 575' of the mean high water line which require a Sedimentation Erosion Control Plan or a CAMA major development permit must comply with the low density option of the coastal Stormwater Runoff Disposal Rules [as specified in 15A NCAC 2H .1005(2)(a)].
- (2) New or expanded NPDES permits shall be issued only for non-domestic, non-industrial process type discharges (such as non-industrial process cooling or seafood processing discharges). A public hearing is mandatory for any proposed (new or expanded) NPDES permit to this protected area.
- (3) New non-discharge permits shall be required to meet reduced loading rates and increased buffer zones, to be determined on a case-by-case basis.
- (4) New or expanded marinas must be located in upland basin areas.
- (5) No dredge or fill activities shall be allowed where significant shellfish or submerged aquatic vegetation bed resources occur, except for maintenance dredging, such as that required to maintain access to existing channels and facilities located within the protected area or maintenance dredging for activities such as agriculture.

A part of the Cape Fear River (Cape Fear River Basin) comprised of a section of 18-(71) from upstream mouth of Toomers Creek to a line across the river between Lilliput Creek and Snows Cut shall be protected by the Class SC Sw standards as well as the site-specific action described in Subparagraph (1) of this Paragraph:

- (1) All new NPDES wastewater discharges and expansions of existing NPDES wastewater discharges shall be required to provide the treatment described below:
 - (A) Oxygen consuming wastes: Effluent limitations shall be as follows: BOD₅ = 5 mg/l, NH₃-N = 1 mg/l and DO = 6 mg/l, or site-specific best available technology on a case-by-case basis for industrial discharges. Seasonal effluent limits for oxygen-consuming wastes will be considered on a case-by-case basis in accordance with 15A NCAC 2B.0404. Any new or expanded permitted pollutant discharge of oxygen-consuming waste shall not cause the dissolved oxygen of the receiving water to drop more than 0.1 mg/l below the modeled in-stream dissolved oxygen at total permitted capacity.

History Note: Authority G.S. 143-214.1; 143-215.8A;
Eff. October 1, 1995;
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