Revised January 4, 2011

ENVIRONMENTAL MANAGEMENT COMMISSION
WATER QUALITY COMMITTEE MEETING AGENDA

January 12, 2011

Archdale Building-Ground Floor Hearing Room

1:00 p.m - 3:00 p.m.

General Statute § 138A-15 mandates that the Chairman inquire as to whether any member knows of any known conflict of interest or appearance of conflict with respect to matters before the EMC Water Quality Committee. If any member knows of a conflict of interest or appearance of conflict, please so state at this time.

1:00 p.m.-Opening Comments **Chairman Peterson**

1. Request to Proceed to the Environmental Management Commission (EMC) for Approval of Three Previously Disapproved Jordan Local Buffer Programs – (Action Item) (Jason Robinson)

As required by Item 15(d) of the Jordan Buffer Protection Rule, 15A NCAC 02B .0267, the EMC reviewed 32 local buffer programs and approved 29 of them at its September 2010 meeting. The three local programs disapproved by the EMC at that meeting (Alamance County, Morrisville, and Orange County) have been revised and are provided for EMC approval. Once programs are approved, local governments have two months to implement them, and shall subsequently submit annual reports summarizing their buffer program activities. (Attachments enclosed: Alamance County Revised Jordan Buffer Ordinance, Morrisville Revised Jordan Buffer Ordinance, and Orange County Revised Jordan Buffer Ordinance (Cover Letter and an Excerpt from this ordinance showing the revision) For a copy of the revised ordinance, contact Jason Robinson in the DWQ Planning Section Non-Point Source Division))

2. Request to Proceed to the EMC with the Proposed Consolidation of Riparian Buffer Rules – (Action Item) (Gary Kreiser and John Dorney)

DWQ presented to the WQC in November 2010 the proposed consolidation of Existing Riparian Buffer Rules (15A NCAC 02B .0233, .0250, .0259, and.0267) and Riparian Buffer Mitigation Rules (15A NCAC 02B .0242, .0244, .0260, .0268, .0609 and .0252) into one set of Protection and Maintenance of Existing Riparian Buffer Rules (.0290-.0294) and one Riparian Buffer Mitigation Rule (.0295). Based on comments received from WQC members, changes have been made to the draft rules. Staff will focus on the changes since the November WQC meeting and discuss the draft fiscal analysis of the proposed rules. DWQ requests that the WQC give permission to proceed to the EMC in March 2011 for approval to proceed to public hearing. (Attachments enclosed: draft rules for Riparian Buffers (15A NCAC 02B .0290, .0291, .0292, .0293 and .0294); and draft rules for Mitigation (15A NCAC 02B .0295) and Fees (15A NCAC 02B .0244))

3. Draft Rules for Chlorophyll-A Thresholds for Nutrient-Enriched Water Body Management Update - (Information Item) (Matt Matthews)

DWQ staff will provide an update to the WQC outlining the next steps to be taken in addressing waters trending towards impairment for chlorophyll a.

4. Revised Laboratory Certification Rules (15A NCAC 02H .0800) – (Information Item) (David Livingston)

The 2H .0800 Laboratory Certification Rules apply to Commercial, Industrial, Municipal and Field laboratory facilities which perform monitoring analyses that will be used to report compliance data to the State of North Carolina for: Groundwater, Solid and Hazardous Waste, Surface Water, Waste Not Discharged to Surface Waters, Point Source Discharges to the Surface Waters, and all wastewater treatment plant laboratories having Local Pretreatment Programs. The rule needs updating in order to incorporate changes in laboratory technologies and methodologies to ensure improvements in quality assurance and control. The proposed rule will also contain an increase in fees to reflect increasing costs to administer the program. (Attachments enclosed: Current and Proposed (Non-Field and Field) Lab Fees, Current and Proposed (Total and Average) Lab Fees, and Proposed Laboratory Certification Rules Revision)

Closing comments – Charles P. Peterson
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JANUARY122011WQCMEETINGSUMMARY