



2019-2020 General Assembly

SENATE BILL 315: North Carolina Farm Act of 2019-20, Sec. 15: Specify that the TMDL Transport Factor Applies When Offsetting Certain Permitted Wastewater Discharges

Committee:		Date:	October 12, 2020
Introduced by:		Prepared by:	Chris Saunders
Analysis of:	Sec. 15 of S.L. 2020-18		Staff Attorney

OVERVIEW: Sections 15.(a) and 15.(b) of S.L. 2020-18 provide that nutrient offset credits must be applied to a wastewater permit by applying the Total Maximum Daily Load (TMDL) transport factor to the permitted wastewater discharge and to the nutrient offset credits. These sections apply only to wastewater discharge permit applications for a local government located in the Neuse River Basin with a customer base of fewer than 15,000 connections.

Section 15.(c) provides that no later than August 1, 2020, the Department of Environmental Quality (DEQ), in conjunction with affected parties, must begin modeling necessary to determine new transport zones and delivery factors for the Neuse River Basin for point source discharges and nutrient offset credits. Once DEQ completes that modeling, the Environmental Management Commission must then adopt new transport zones and delivery factors by rule, using the DEQ modeling and other information provided during the public comment period.

This section became effective June 12, 2020. Sections 15.(a) and 15.(b) expire when the rule required by Section 15.(c) becomes effective.

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