



Permitting for Environmental Results (PER)

NPDES Profile: North Carolina and Indian Country

PROGRAM RESPONSIBILITY

State of North Carolina: NPDES authority for base program, general permitting, federal facilities, pretreatment

EPA Region 4: NPDES authority for biosolids

EPA Region 4: NPDES authority for all facilities in Indian Country

Program Integrity Profile

This profile characterizes key components of the National Pollutant Discharge Elimination System (NPDES) program, including program administration and implementation, environmental outcomes, enforcement, and compliance. EPA considers profiles to be an initial screen of NPDES permitting, water quality, enforcement, and compliance programs based on self-evaluations by the States and a review of national data. EPA will use the profiles to identify program strengths and opportunities for enhancements. For more information contact Marshall Hyatt, EPA Region 4, at (404) 562-9304 or Dave Goodrich, North Carolina Department of Environment and Natural Resources, at (919) 733-5083.

Section I. Program Administration

1. Resources and Overall Program Management

The State of North Carolina:

The North Carolina Department of Environment and Natural Resources (DENR), Division of Water Quality (DWQ), Surface Water Protection Section, administers the NPDES program in North Carolina. North Carolina responded to the growing responsibilities related to the NPDES program essentially by splitting its responsibilities among three units. The Wetlands and Stormwater Branch contains the Stormwater Permitting Unit. The Stormwater Permitting Unit manages the stormwater NPDES programs, including the municipal separate storm sewer systems and the industrial stormwater discharges. In addition to the federal stormwater programs, this unit manages the State Stormwater Regulations adopted for the 20 coastal counties, nutrient sensitive waters, and high-quality and outstanding resource waters.

The Point Source Branch of the Surface Water Protection Section contains the NPDES Units and the Collection System and Pretreatment Program. The wastewater NPDES discharge program is managed by two units, the Western NPDES Unit and the Eastern NPDES Unit, which are responsible for permitting and compliance within their identified geographic areas. The West and East NPDES Units are responsible for all municipal, industrial, other individual NPDES wastewater permits and the wastewater general permits. They also handle modeling, environmental assessment reviews, engineering analyses, speculative limit derivation for municipal facilities that are expanding, and miscellaneous technical reviews.

The Aquifer Protection Section is the regulatory arm of the Division of Water Quality's nondischarge and groundwater permitting and compliance programs. The section consists of the regulatory oversight and implementation for the animal feeding operation program, the land application program, and the groundwater regulatory program. The Animal Feeding Operations Unit is responsible for the concentrated animal feeding operation (CAFO) permitting and compliance program elements. The Land Application Unit manages the State's biosolids program, as well as the spray irrigation and reclaimed wastewater reuse permitting and compliance programs.

North Carolina has combined permitting and compliance into the above-mentioned units in an effort to improve overall program delivery. It should be noted that the majority of North Carolina's federal permitting programs are handled in the central office, in Raleigh, while compliance and enforcement programs are executed primarily in the regional offices, with the central office providing policy and guidance oversight. The seven regional offices are located in Asheville, Fayetteville, Mooresville, Raleigh, Washington, Wilmington, and Winston-Salem.

The NPDES permitting program works interdependently with other programs to protect overall water quality. The permit writers cannot protect water quality without having monitoring information on the receiving stream, analysis of use support, rules in place, support from the Regional offices, and support from the Aquatic Toxicology Program.

The NPDES program is organized to provide close coordination with the water quality standards and total maximum daily load (TMDL) programs to ensure that NPDES permits accurately reflect the most recent wasteload allocations and State water quality standards.

The overall water quality program in North Carolina has approximately 420 full-time equivalent staff positions (FTE) and an average vacancy rate of approximately 10-20% over the past 5 years. The budget is proportioned to the various program elements. The methodology for the percentages is based on how the programs are defined using the EPA-supported Water Quality Management Resource Needs Model (also called the "Gap" or "Baby Gap" analysis). North Carolina fully supports the continued use of this model and notes that, like many other individual programs as well as the national average, it appears to have roughly 50% of the ideal resources for an adequate overall program.

Table 1: North Carolina Resource and Program Summary

Scope of NPDES Program in NC		Approval Date	
NPDES Permit Program ^a		10/19/75	
Federal Facilities		9/28/84	
Pretreatment Program		6/14/82	
General Permits		9/06/91	
Biosolids		Not Applicable	
^a The Stormwater and CAFO permitting authority was authorized at the same time as the base NPDES program. North Carolina is responsible for all Phase I and Phase II stormwater and CAFO NPDES activity in the State.			
NPDES Universe in North Carolina (based on 7/9/04 Management Report)			
Fiscal Year (FY) 2003	Major Facilities	Minor Facilities	Minor Non-Stormwater Facilities w/General Permits
No. of Sources	222	1,156	1,773
% National Universe	3.3%	2.7%	4.5%
North Carolina Surface Water Section (NPDES Program and the Wetlands and Storm Water Program), the Monitoring Program, the Planning Program, and the State's Non-discharge Program Resources			
Source		Amount for FY03	
State ^b		\$13,479,202	
Federal Funding		\$6,562,714	
Fee Revenue		\$6,744,219	
Total Funding		\$26,786,135	
^b State funding does not include permitting fees, which are reported as Fee Revenue.			

North Carolina has developed an inspector training program designed to achieve consistency in NPDES inspections across the State. This consists of a 2.5-day inspector training segment and a 2.5-day segment on biological water pollution control system training. In the NPDES program, incoming permit writers undergo extensive training. Veteran permit writers teach most of the sessions and the training takes more than 3 months to complete and includes more than 20 different sessions. The State has also developed training modules and workshops for whole effluent toxicity (WET), pretreatment, headworks analysis, and compliance and enforcement procedures. These training courses and workshops are presented several times per year for staff in the central and regional offices.

The most recent revision of the memorandum of agreement between North Carolina and EPA is dated May 9, 1994.

EPA Region 4:

EPA Region 4's Water Management Division, Permits, Grants, and Technical Assistance Branch (PGTAB) and Water Programs Enforcement Branch (WPEB) administer the NPDES program. Permitting responsibilities belong to the NPDES and Biosolids Permits Section of the PGTAB, and enforcement responsibilities for the NPDES program are shared by the Central, Gulf, and Eastern Enforcement Sections of the WPEB.

The permitting and enforcement sections coordinate activities pertaining to Region 4's direct implementation of the NPDES program. For example, NPDES enforcement reviews all draft permits and NPDES permitting identifies potential areas of concern for enforcement highlighted in permit applications. The NPDES enforcement sections enter all permit compliance data into the Permit Compliance System (PCS).

The NPDES program is organized to provide close coordination with the water quality standards and TMDL programs to ensure that NPDES permits accurately reflect the most recent wasteload allocations and reflect appropriate State water quality standards and federal standards.

The Region has direct implementation responsibilities for the Cherokee in North Carolina. The Region is responsible for issuing six permits in North Carolina to the Cherokee (five minor and one major municipal permit).¹ The Region issued one general permit for Indian lands on March 10, 2004, covering the discharge of stormwater from construction activities and one general permit for Indian lands on October 30, 2000, covering the discharge of stormwater from industrial activities not associated with construction.

NC0048089	Rough Branch	Minor
NC0052451	Cherokee Tribal Trout Farm	Minor
NC0052469	Cherokee Wastewater Treatment Plant	Major
NC0052515	Smoky Mountain Trout Farm	Minor
NC0054992	Cherokee Trout Farm	Minor
NC0086495	Cherokee Water Treatment Plant	Minor

As of May 26, 2004, 100% of the facilities covered by EPA-issued permits on Indian lands and discharging to federal waters were current.

The Region issues all permits for oil and gas extraction facilities discharging to federal waters. There are no permitted facilities off the coast of North Carolina at this time.

The NPDES and Biosolids Permits Section has dedicated 1.0 FTE for implementation of the biosolids permitting program. A draft general permit is in the final stage of preparations and will be issued to cover sludge management facilities in all eight States in Region 4. The resources for the biosolids permitting program are adequate at this time.

¹ The National Data Sources column of the Management Report, measures #1 and #2, shows no major facilities and two minor facilities covered by individual permits under EPA activity. The major facility and three of the minor facilities with permits issued by EPA are not reflected because they were not included on a list of EPA-issued permits provided for the development of the backlog report used as the national data source for these measures. The permits are identified in PCS as being issued by EPA.

The NPDES and Biosolids Permits Section has dedicated approximately 0.25 FTE toward the management of NPDES permit issuance on Indian lands. The resources for NPDES permit issuance on Indian lands are sufficient at this time; 100% of all Indian land permits were current as of May 12, 2004.

The NPDES enforcement sections have dedicated approximately 0.3 FTE toward the management of NPDES permit enforcement on Indian lands and 0.2 FTE toward compliance assistance on Indian lands. Because the effort for compliance tracking, inspections, and enforcement for these facilities continues, an increase in resources may be needed.

The NPDES and Biosolids Permits Section has dedicated approximately 0.25 FTE for the management of offshore oil and gas extraction facilities. The offshore oil and gas extraction general permit, scheduled to be issued in Fiscal Year (FY) 2004, will streamline permitting efforts. The resources for this effort are sufficient at this time.

The NPDES enforcement sections have dedicated approximately 0.3 FTE toward the management of enforcement of NPDES permit requirements for offshore oil and gas extraction facilities. Because the effort for compliance tracking, inspections, and enforcement for these facilities continues, an increase in resources may be needed.

The Region prioritizes permit issuance by reissuing permits as they expire, aiming for a backlog of 0% (a goal it is currently meeting), and processes new applications as they are received. Staff turnover has been very low and has not affected the direct implementation of the NPDES program on Indian lands and in federal waters. The NPDES resources for direct implementation, to date, have not been affected by the needs of other water programs. The NPDES and Biosolids Permits Section has a core group of 13 staff members, each with 10 to 30 years of experience in the NPDES and biosolids programs.

2. State Program Assistance

EPA Region 4:

The Region is responsible for issuing permits on Indian lands and in federal waters. There are no discussions regarding delegation of authority to implement the NPDES program on Indian lands. The issuance of permits for facilities discharging to federal waters cannot be delegated.

The Region serves as the permitting authority for all eight States within its boundaries because none have an approved biosolids program. The Region will assist States in assuming authorization for the biosolids program as requests are received.

3. EPA Activities in Indian Country

EPA Region 4:

The Region coordinates with the Tribes through the appropriate Tribal staff, as needed. At a minimum, EPA staff members participate in the annual Tribal Director's meeting to inform Tribes of new issues and initiatives, to provide updates, and to receive similar information from the Tribes.

The Region works with Tribes to ensure timely submission of applications, processing of applications, issuance of NPDES permits, and modifications to existing NPDES permits on Tribal lands. Where private entities discharging on Tribal lands are the applicants, Tribes are kept abreast of permitting

issues through public notice efforts, courtesy copies, and phone calls or e-mails, as appropriate. In either case, the Region issues all NPDES permits on Tribal lands. WPEB has assigned one point of contact for Tribal compliance in order to build a relationship with the Tribes. WPEB works closely with the Regional Tribal Coordinator and Regional Tribal Attorney to ensure adequate coordination with the Tribes on any noncompliance issues. When noncompliance warrants enforcement action, the Region works closely with the Tribes to resolve the noncompliance in accordance with Headquarters and Regional policy.

4. Legal Authorities

EPA is conducting a comprehensive review of the State's legal authorities. This review has not yet been completed. As a result, EPA is reserving this section of the profile; when the legal reviews are complete, EPA will update profiles to include the results of the reviews.

5. Public Participation

An evaluation of the State's legal authorities regarding public participation will be included in the legal authority review. As noted above, the legal authority review section of this profile is reserved pending completion of the legal authority review.

The State of North Carolina:

The State provides for public participation in its NPDES program under the North Carolina Administrative Code (NCAC) and North Carolina Statute 143-215.1(c)(1-6).

North Carolina public participation procedures include the publication of public notices in newspapers and procedures for public comments, public meetings, and administrative hearings. In addition, members of the public can ask for an administrative hearing to contest a permit. The formal procedures for public participation in permitting activities are listed in Title 15A of the NCAC. The comment period is 30 days. In addition to being published in newspapers, all public notices are available on the Division of Water Quality's NPDES permitting Web site at <http://h2o.enr.state.nc.us/NPDES>.

In an effort to improve the coverage of the public notice process, the Division of Water Quality's Point Source Branch initiated a project in 2003 to identify the two most widely circulated newspapers in each of North Carolina's 100 counties. By selecting the circulation rate as the criteria for determining which paper to use, the division hopes to reach the largest number of local communities near the area impacted by a permit action.

Should significant public comment be received, per NCAC 2H .0111, a public hearing may be held giving members of the public an opportunity to speak for or against the proposed action. A hearing officer presides over the hearing and makes recommendations to the Director after considering all public comment. The NPDES program holds between two and eight public hearings a year on average, with attendance ranging from 50 to 500 participants. The active involvement of the public is evidence that meaningful opportunity for participation exists.

The public is able to access North Carolina's information on the DWQ's NPDES Web site. The Web site provides information on persons to contact, permit application forms, water quality standards, rules and regulations, and publications, including public notice information on NPDES permits.

The status of individual permits is available on the State's NPDES Web site; some individual permits and fact sheets issued by the State can be accessed online through EPA's Web site. Instructions for accessing these documents are available at <http://www.epa.gov/npdes/permitdocuments>.

In addition to the above-mentioned opportunities for the public to become involved in the permitting process, the State's Basinwide Planning efforts encourage public involvement through workshops and hearings. These workshops and hearings afford members of the public the opportunity to offer input into the development of basin-wide management plans. These plans routinely outline NPDES permitting strategies and long-term quality goals.

EPA Region 4:

The Region follows all public participation requirements of the Clean Water Act and requirements contained in title 40 of the Code of Federal Regulations (CFR) part 124. The Region's public participation procedures include the publication of public notices in newspapers and procedures for public comments, public meetings, and administrative hearings in accordance with the Clean Water Act. Public notices are also published in minority-owned newspapers in coastal cities that may be affected by offshore activities. Copies of all draft permits, fact sheets or statements of basis, public notices, and any other pertinent information can be viewed at the Region 4 office in Atlanta, Georgia or on the Region's Web site, or a hard copy can be requested from the Region.

For new or controversial projects, the Region may hold public hearings and meetings to solicit any comments or concerns. This was recently done for the proposed reissuance of the offshore oil and gas extraction general permit.

There is a Region 4 NPDES permitting Web site, which can be accessed at <http://www.epa.gov/region4/water/permits>. The Web site includes information regarding Region 4 permit organization, permit access through a link to Envirofacts, access to general permits, and general NPDES information. The Region maintains a hard copy filing system for all permitted facilities. All files are arranged by State and NPDES number.

6. Permit Issuance Management Strategy

The State of North Carolina:

The State administers all point source pollution control programs with the exception of point sources on Indian lands. At the end of 2003, North Carolina's permit rate for major facilities was 80.8%, short of meeting the national current permit goal (90%) for major facilities. The State's permit rate for minor facilities covered by individual permits was 83.1%, which is above the national permit average (81.4%) for 2003. There are 18 major dischargers with permits expired for more than 2 years. There are 25 minor dischargers whose permits have been expired more than 2 years. The permit issuance and trend data for the period from 2000 to 2004 are shown below.

The State's low rate of timely issued permits over the past 4 years is primarily due to staff retention issues. Several Environmental Engineering positions were vacant, and these staff positions would have handled permits such as major industrial facilities. The State's strategy to increase the number of timely issued permits includes filling vacant staff positions, continuous training of permit writers, and the retention of veteran permit writers in order to maintain a stable workforce.

The States within Region 4 are kept well informed of their backlog status through the implementation of the Regional Low Backlog Maintenance Strategy. Since the mid-1980s, EPA Region 4 has provided the State with monthly NPDES update reports, which include current backlog numbers. Reports are requested from any State having major backlogs greater than 10%. For each permit that is expired for more than 2 years, the State must provide the reason for the backlog, the issuance progress, and a tentative date for reissuance. In addition, also on a monthly basis, the State receives from EPA Region 4 the list of NPDES permits that have expired or will expire in the near future whose drafts have not been received by EPA for review. The draft permits in consideration are those for which EPA has permit overview authority, under the memorandum of agreement between the State and EPA (e.g., major facilities, minor primary facilities). The State in turn informs EPA of any draft permits that it has sent but that appear on the non-receipt list, allowing any misdirected draft permit to be located or resent quickly.

**Table 2: Percentage of Facilities Covered by Current Permits in North Carolina
(State-Issued Permits)**

	2000	Nat'l Avg.	2001	Nat'l Avg.	2002	Nat'l Avg.	2003	Nat'l Avg.
Major Facilities	72.5%	74%	70.6%	76%	77.8%	83%	80.8%	84%
Minor Facilities Covered by Individual Permits	87.9%	69%	86.6%	73%	94.0%	79%	83.1%	81%
Minor Facilities Covered by Individual or General Permits	N/A	N/A	N/A	N/A	85.9%	85%	85.0%	86%

Source: PCS, 12/31/00; 12/31/01; 12/31/02; 12/31/03. (Values in the 2003 column are PCS data as of 12/31/03. Values in the National Data Sources column of the Management Report, measures #19 and #20, are PCS data as of 6/30/04.)

EPA Region 4:

The Region prioritizes permit issuance by reissuing permits as they expire, aiming for a backlog of 0% (a goal it is currently meeting), and processes new applications as they are received for dischargers on Indian lands and for offshore activities.² At present, there are no permits for offshore activities off the coast of North Carolina. This strategy is sufficient in light of the limited direct implementation responsibilities of the Region. The Region is not considering prioritization of permitting on a watershed basis.

² The National Data Sources column of the Management Report, measure #19, shows "n/a" (not applicable) for EPA activities because the major facility under EPA direct implementation was not captured in the backlog report (see also section I.1 and measure #1). This permit is current.

7. Data Management

The State of North Carolina:

North Carolina does not use the Permit Compliance System (PCS) to manage its NPDES program. The State relies on its own system, Basinwide Information Management System (BIMS), for most purposes, including all NPDES and non-discharge permitting and compliance information, State and NPDES stormwater permitting, and sewer system permitting. Animal waste and CWA section 401 permitting data are in a FileMaker database, which will be converted to BIMS by 2005. BIMS updates PCS through an automated interface, PCSReporter, which formats the data for a batch upload to PCS. Quality assurance is performed on the data in BIMS, but the process has not been formalized.

The State maintains data on all Water Enforcement National Data Base (WENDB) elements, including geographic information at both the facility level and pipe level. As of March 19, 2004, discharge monitoring report (DMR) data entry rates for major facilities during the period of July-September 2003 were 69% for municipal facilities and 63% for industrial facilities. Because of work on the interface between the State's database and PCS, which was ongoing at that time, these rates are not representative of the State's performance. Data entry rates are usually in excess of 95%.

EPA Region 4:

The Region manages basic permit and compliance information in PCS for major and minor facilities, including sanitary sewer overflows (SSOs) and combined sewer overflows (CSOs), stormwater, pretreatment, and biosolids. The Region does not use any supplemental data management systems other than the notice of intent (NOI) database administered under a contract with Headquarters for stormwater general permits.

The Region enters all WENDB data elements into PCS to the extent that the data are available. This includes latitude/longitude data for facilities and outfalls when those data are available. The Region will use a global positioning system (GPS) locator to identify latitudes and longitudes during inspections of facilities for which the Region has direct implementation responsibilities.

The Region reviews PCS update reports for errors and corrects them as soon as they are discovered.

Section II. Program Implementation

1. Permit Quality

The State of North Carolina:

The State routinely assesses whether a facility discharges to a stream on the State's list of impaired water bodies prepared under Clean Water Act section 303(d) and coordinates with its TMDL program to incorporate any wasteload allocation requirements into the NPDES permit. If a TMDL has not yet been established, the State ensures that historical loadings are maintained for any parameter of concern. The State ensures that technology-based requirements, at a minimum, are incorporated into the NPDES permit. To protect water quality, the State has developed "reasonable potential" procedures for both chemical-specific parameters and for WET, and the procedures have been approved by EPA. The State uses standardized language and templates, whenever possible, to streamline the drafting of permits. The State relies on data provided in the permit application and through the pretreatment program to make these assessments. North Carolina's fact sheets are detailed and clear, and provide complete information about the development of permit limits.

To improve permit quality and more effectively manage its workload, the State routinely uses general permits. According to the Management Report, the State administers 5 general permits for non-stormwater discharges, covering 1,773 facilities. The State also administers 19 general permits for stormwater discharges, covering approximately 2,888 facilities. This number does not include facilities covered under the State's stormwater construction general permit, because these numbers have not been reported to EPA.

Under the NPDES memorandum of agreement, the State routinely sends all municipal and industrial major permits and all minor primary industrial permits with process wastewater to Region 4 for concurrent review. The Region 4 State Coordinator provides comments or expresses concerns based on the review. Each year, Region 4 also conducts a midyear review and an end-of-year review of the State's NPDES program. The midyear review consists of reviewing the administrative and technical NPDES permitting processes and auditing a representative sample of permits that did not receive concurrent review during the previous year, using a standardized format. Interviews are conducted with State NPDES management following a pre-determined questionnaire. The Water Division Director or designee completes the midyear review process with a site visit to discuss any identified issues. The State takes corrective actions, if needed and the Region follows up during end-of-year evaluations conducted over the telephone.

The State has developed and has been implementing a WET program and has developed "reasonable potential" procedures for WET, which have been approved by EPA. The State routinely incorporates sublethal limits in NPDES permits, as needed. The State has a narrative standard for toxicity and uses a numerical interpretation of it to derive permit WET limits. The Aquatic Toxicology Unit has developed a WET training module consisting of approximately 1 hour's worth of material that is presented to central office personnel, including pretreatment staff and permit writers, every 1 to 2 years. The material includes an overview of the science and specific details associated with implementation of WET in NPDES permits. The presentation also includes a tour of the unit's laboratories. The unit has also designed WET training modules specifically for Regional office personnel, including inspectors. These

programs are available on demand and have been presented to three of the seven regional offices so far. Modules include Overview and Laboratory Capabilities, Enforcement Policy, Action Level Strategy for Copper and Zinc, WET Data Interpretation, and “Split” Sampling.

EPA Region 4:

EPA Region 4 routinely assesses whether a facility discharges to a stream on the section 303(d) list of impaired water bodies and coordinates with its TMDL program to incorporate any wasteload allocation requirements into the NPDES permit. If a TMDL has not yet been established, Region 4 ensures that historical loadings are maintained for any parameter of concern. The Region ensures that technology-based requirements, at a minimum, are incorporated into NPDES permits. To protect water quality, the Region uses “reasonable potential” procedures for both chemical-specific parameters and WET.

The Region uses standardized language and templates, whenever possible, thus streamlining the drafting of permits. In addition, the Region has developed reference guides for reviewing and developing permits to ensure that appropriate fact sheet requirements, standard conditions, monitoring requirements, monitoring frequency, best management practices, consideration of backsliding, compliance schedules, and others are incorporated into the NPDES permits.

To improve permit quality and efficiency, the Region routinely uses general permits. On March 10, 2004, the Region issued a general permit for Indian lands covering the discharge of stormwater from construction activities. On October 30, 2000, the Region, in conjunction with several other Regions, issued a multi-sector general permit for discharges of stormwater from industrial activities other than construction. The Region also has one general permit for offshore oil and gas extraction facilities covering 290 facilities.

The NPDES permit writing staff for permits discharging to federal waters and to Indian lands have 10 to 30 years of permit writing experience. Their training is updated as needed to ensure that all appropriate requirements are incorporated into NPDES permits. Every NPDES permit that is drafted is peer-reviewed for technical accuracy, and any issue identified is addressed during permit development.

The Region has developed and has been implementing a WET program. The Region evaluates data from the application or historical information and determines whether a WET limit is needed based on reasonable potential. Sublethal limits are included in NPDES permits, as needed. The Region uses a WET checklist to ensure the appropriate application of WET limits. The Region has dedicated NPDES enforcement staff to ensure appropriate compliance and enforcement, if needed, for WET limits in NPDES permits. The NPDES permitting staff rely on existing staff expertise to provide education within the Region and to States.

2. Pretreatment

The State of North Carolina:

North Carolina received authorization to administer the pretreatment program on June 14, 1982. There are now 86 approved pretreatment programs in the State. These approved programs act as control

authorities for 845 significant industrial users (SIUs), 333 of which are categorical industrial users (CIUs).³ All SIUs have control mechanisms.

The State audits approximately 20% of the approved programs, and inspects approximately 80% of them annually. This arrangement means that all programs should be audited within a 5-year period. If a violation is found during an audit or inspection, the State issues a report to the approved program with a notice of violation and suspense dates to correct the deficiencies.

The approved program is required to contact the State when a new facility wants to discharge, and the facility must be evaluated to determine whether it is an SIU. Problems at a treatment plant due to an industrial discharge sometimes lead the State or municipality to discover an SIU.

When an SIU seeks to discharge to a POTW without an approved pretreatment program, the State initially issues a permit to the SIU to address categorical and/or local requirements. Such permits are issued for a short term (2 years), while the POTW takes the necessary steps to develop a pretreatment program. After a POTW program is approved, it issues SIU permits under its own authority and in accordance with the approved pretreatment program implementation requirements.

Three POTWs are developing programs. The POTW conducts the sampling and State personnel conduct the annual inspections. The State has developed a written agreement to be signed by the State and any POTW developing a pretreatment program. The agreement demonstrates a municipality's willingness to conduct the sampling and the responsibilities associated with that sampling.

Approved pretreatment programs are required to perform ongoing industrial waste survey activities to identify potential SIUs. The results are summarized every 5 years and submitted to the State's Pretreatment Unit for review.

EPA Region 4:

The Region has no direct implementation pretreatment responsibilities in the State of North Carolina.

3. Concentrated Animal Feeding Operations

The State of North Carolina:

The new federal CAFO rule requires that all CAFOs apply for permits by 2006. North Carolina and the Region have agreed on a schedule for implementing the new rule and North Carolina is on target with this schedule. North Carolina issued NPDES general permits for swine, cattle, and poultry operations with liquid waste management systems in July 2002.

Based on the 1997 census of agriculture data, North Carolina has approximately 1,222 potential large CAFOs. North Carolina has issued coverage to approximately 1,018 CAFOs under its general permit.

³ The National Data Sources column of the Management Report, measures #8 and #9, show 85 pretreatment programs and 787 SIUs discharging to pretreatment programs, based on data downloaded from PCS on June 12, 2004. The values of 86 pretreatment programs and 845 SIUs are from a March/April 2004 midyear report provided by North Carolina to Region 4. The Region believes the data provided in the midyear report are more accurate than the data in PCS.

This amounts to 100% NPDES coverage, excluding dry litter poultry operations.⁴ To date, one individual permit has been issued. In February 2004 North Carolina developed a draft NPDES general permit for dry litter poultry operations that meet the new CAFO requirements.

As Region 4 States revise their CAFO programs, issue revised or new general permits, and provide NPDES coverage to CAFOs that meet the new requirements, it is expected that most State Operational permits will be reissued as NPDES permits. This will help to ensure 100% NPDES permitting of large CAFOs in the Region and successful implementation of the new CAFO rule by the end of 2006.

The State implements nine minimum control measures or nutrient management plans that meet the requirements of the CAFO regulations through general permit coverage and individual permits. The State issues permits to all CAFOs in a timely manner.

To date, the State has issued 100% coverage to all CAFOs except dry litter poultry facilities. In the second quarter of 2004, the State developed a draft dry litter poultry general permit, and plans to issue it in the first quarter 2005. The State has met with the advisory group about five times and brought in State and federal agencies, and industry and environmental groups in drafting the dry litter general permit. The State is in close contact with the poultry federation, which in turn consults with the integrators. The State obtains the addresses of the producers from the integrators and plans to mail applications for coverage once the poultry permit is issued.

The State has technical standards in place that conform to the revised CAFO regulations.

EPA Region 4:

Not applicable because the Region does not have direct implementation for any CAFO facility at this time.

4. Stormwater

The State of North Carolina:

Phase I Municipal Separate Storm Sewer Systems (MS4s): The State has five expired permits; preliminary draft renewal permits have been developed. To date, only one Phase I permit has been reissued. The backlog of the Phase I MS4 permits is a direct result of a staff shortage of permit writers. The State recently hired one permit writer to address municipal permits. Phase I permits are entered into PCS and updated upon reissuance.

Phase II Municipal Separate Storm Sewer Systems(MS4s): Phase II implementation has been slowed by a host of legal issues. North Carolina has an unusual legal situation in that the counties primarily do not own and operate separate storm sewer systems; with the exception of the municipalities, MS4s are primarily owned and operated by the North Carolina Department of Transportation. Under this “no ownership” claim, counties are not required to obtain storm water permit coverage. In a response to this issue of “no ownership,” the State proposed to adopt comprehensive Phase II rules during the 2004 State legislative session. In February 2004, the Environmental Management Commission (EMC) took action in response to previous actions by the Rules Review Commission (RRC). The RRC had previously

⁴ Management Report measure #26 (percentage of CAFOs covered by NPDES Permits) lists 83% for the State’s activity. This number differs from the 100% mentioned above because it is based on a universe that includes dry litter poultry facilities.

voted down the Phase II rules, effectively stopping earlier measures aimed at establishing a permanent rulemaking process and causing the temporary Phase II rule to expire.

State Bill S1210 was initiated to do what the federally mandated Phase II rule intended to do. The bill, which was ratified on July 12, 2004, provides that Phase II permit applications received from a local government according to the schedule established by the EMC in its original temporary rulemaking will be considered timely received. It requires federally designated Phase II communities to develop, implement, and enforce a stormwater management program approved by the DENR. Programs must include the six minimum control measures set out in the federal rules. The post-construction stormwater standards to be applied are those set out in the temporary rule adopted by the EMC, except for some minor changes as modified by the legislation. The bill exempts municipalities with populations of less than 1,000 from the Phase II permit requirement unless they are shown to be contributing to a water quality impairment. The bill also requires counties to develop a Phase II-type program under State law. The State is developing a general permit to address Phase II MS4s and has indicated a schedule to have MS4s public noticed starting in November 2004. It is important to note that this bill serves as a stopgap measure, giving DENR ample time to develop and implement Phase II regulations through the EMC review process.

Construction: The construction general permit was issued on March 10, 2003. The DENR, which issues NPDES permits, has delegated the issuance of NPDES permits to the Bureau of Land Resources, which handles erosion and sediment control. This attempt at streamlining has caused certain problems in DENR's follow-up review sites for NPDES compliance. Furthermore, the State has no tracking system in place to track construction site coverage, and cannot completely gauge compliance at these sites. This fact is further complicated by staff shortages of inspectors in the field offices. State budget cuts will most likely produce no increase in field office staff.

Industrial: Twenty industry-specific general permits have been developed, and six of them were recently reissued. The State has been proactive in developing schedules for timely reissuance of general permits for stormwater. Permits are maintained and tracked on a database, and listed in PCS. Information regarding industrial sites can be found on North Carolina's Web site. NOIs are also made available by request.

Table 3: Stormwater General Permits

NPDES No.	Industry/Discharge Description	Issued/reissued ¹	No. of Active Facilities Covered
NCG010000	Construction	10/01/01	8,029 ²
NCG020000	Mining	12/01/99	444
NCG030000	Metal Products	09/01/02	348
NCG050000	Apparel Printing, Rubber Leather	04/01/03	245
NCG060000	Foods, Tobacco, Soap, Drugs, Warehousing	09/01/02	199
NCG070000	Clay, Stone, Glass	04/01/03	126
NCG080000	Highway Transportation	09/01/02	496
NCG090000	Paints	09/01/02	19
NCG100000	Junkyards, Used Motor Vehicle Parts	09/01/02	152
NCG110000	Treatment Plants	04/01/03	73
NCG120000	Landfills	09/01/02	54
NCG130000	Recycling	04/01/03	31
NCG140000	Ready-Mix Concrete	08/01/99	275
NCG160000	Asphalt Paving Mixtures	08/01/99	143
NCG170000	Textile Mill Products	08/01/99	256
NCG180000	Furniture	09/01/99	156
NCG190000	Marinas	09/01/99	57
NCG200000	Scrap Recycling Industry	11/01/00	47
NCG210000	Timber Products – excluding chip mills	04/01/03	242
NCG220000	Wood Chip Mills (covered by NCG040000 on Aug. 30, 1997)	11/17/2003	12
NCS#####	Stormwater Individual Permits	Varies	197
Total Facilities under Stormwater General Permit Coverage (excludes number from construction permit estimate)			3,620

EPA Region 4:

By the Phase II regulation deadline of March 10, 2003, Region 4 had concluded that all Indian lands in Florida, Alabama, and North Carolina were exempt from the Phase II MS4 designation. The March 10, 2004, Region 4 general permit for construction general permits on Indian lands provides coverage for eligible Phase II small construction facilities.

There are no Phase I MS4 discharges that Region 4 is responsible for covering under a permit.

5. Combined Sewer Overflows/Sanitary Sewer Overflows

The State of North Carolina:

As concerns over SSOs have increased, the Division of Water Quality is focusing on the collection system as a whole rather than individual sewer line extension permits. This holistic approach to collection systems is based on many factors. Many older collection systems were not constructed to the standards needed to prevent overflows. The needed reinvestment in the collection system infrastructure has not occurred. Although many system owners have good operation and maintenance programs, others do not. All of this has resulted in an inefficient infrastructure.

SSOs can have a significant impact on the environment and increase public health risks. Some of the causes of SSOs include inadequate capacity, inflow and infiltration, and blockages due to grease or root intrusion. Although it is not possible to prevent all SSOs, the number can be greatly reduced. The types of problems mentioned above can be prevented with the rehabilitation and repair of sewers, cleaning programs, and other operation and maintenance initiatives.

The goal of the holistic collection system is to provide permit coverage for older systems that have never been covered by a permit, ensure an adequate operation and maintenance program, and examine the need for rehabilitation and repair of sewers such that SSOs are greatly reduced.

In 1999, the North Carolina General Assembly recognized the need to address these problems through the ratification of a bill requiring the EMC to develop engineering standards and implement a permit program for collection systems. The program was initiated in 2000 and permitting is under way for more than 300 entities responsible for managing collection systems.

North Carolina maintains a database to track SSOs reported to the State. North Carolina has procedures to directly notify public health authorities and the public when an overflow has occurred. North Carolina's policy requires that collection system owners report SSOs for anything reaching waters of the State and any SSO greater than 1,000 gallons not reaching surface waters. North Carolina requires the owner or operator of any wastewater collection or treatment works to provide an annual wastewater system performance report to all customers. This annual report provides information on the performance of the treatment works and collection system, including all SSOs.

For discharges of 1,000 gallons or more of untreated wastewater to surface waters, a press release must be issued within 48 hours after the discharge was seen to reach surface waters. The press release is issued to all print and electronic media providing general coverage in the county where the discharge occurred.

For discharges of 15,000 gallons or more of untreated wastewater to surface waters, a public notice is required in the newspaper or newspapers having general circulation in the county in which the discharge occurred and in each affected county downstream of the discharge. This notice must be published within 10 days after the Department Secretary has determined the affected downstream counties and approved the notice language. This requirement is in addition to a press release.

Combined Sewer Overflow: North Carolina does not have any communities with combined sewer systems.

EPA Region 4:

The Region has included the following language in all minor and major NPDES municipal permits in an effort to collect SSO data, analyze that data, and act appropriately, either with enforcement or notification of the proper authorities:

“The permittee shall identify all wastewater discharges, at locations not authorized as permitted outfalls, that occur prior to the headworks of the wastewater treatment plant covered by this permit. The permittee shall submit, with the scheduled DMR, the following information for each discharge event at each source that occurs during the reporting period covered by the DMR:

- a.) The cause of the discharge;
- b.) Duration and volume (estimate if unknown);
- c.) Description of the source, e.g., manhole cover, pump station;
- d.) Type of collection system that overflowed, i.e., combined or separate;
- e.) Location by street address, or any other appropriate method;
- f.) Date of event;
- g.) The ultimate destination of the flow, e.g., surface waterbody, land use location, via municipal separate storm sewer system to a surface waterbody, (show location on a USGS map or copy thereof); and
- h.) Corrective actions or plans to eliminate future discharges.

The permittee shall refer to Part II of this permit, paragraph D.8. Twenty-Four Hour Reporting, to report any unpermitted discharge events which may endanger health or the environment. Submittal or reporting of any of this information does not provide relief from any subsequent enforcement actions for unpermitted discharges to waters of the United States.”

SSO events are rare on Indian lands. The Region manages each SSO event individually with appropriate enforcement or notification of proper authorities.

Region 4 does not issue permits for any community with combined sewer systems.

6. Biosolids

The State of North Carolina:

North Carolina does not have the authority to administer the federal biosolids program; however, the State is seeking authorization to administer the federal program under 40 CFR part 503 for biosolids use and disposal. During review of the authorization request package, EPA Region 4 determined that the State does not have complete legal authority to administer the State biosolids program. The Region

requested that certain aspects of the State's biosolids program be included in State rules. The State has previously advised EPA that as time and resources will allow, it will include those issues in rulemaking. The State should be able to undertake this effort in the next 2 years. North Carolina has a State permitting system for biosolids, which it has used for more than 20 years.

EPA Region 4:

The Region serves as the permitting authority for all eight States in Region 4 because none has an approved biosolids program. The Region's NPDES and Biosolids Permits Section and Clean Water Act Enforcement Section implements the biosolids program. The permits program provides regulatory and permitting guidance on implementation of the 40 CFR part 503 biosolids regulations, which are self-implementing, meaning that compliance with the regulations is required without issuance of an individual or general permit. The NPDES and Biosolids Permits Section serves as the permitting authority for the biosolids program. As the permitting authority, it has several biosolids functions, which include issuing individual or general permits that are deemed necessary because of potential public health or environmental concerns; reviewing and approving site closure plans; issuing approval letters for the closure of surface disposal sites; reviewing and approving equivalent pathogen reduction processes; providing technical and compliance assistance to facility personnel, consultants, and State and local officials; and providing biosolids training to States and municipalities. The permits section also works with the compliance and enforcement section to ensure the timely submittal of annual biosolids reports. The compliance and enforcement section implements the program by reviewing and assessing annual biosolids reports, conducting compliance evaluation inspections, drafting inspection reports, developing various types of enforcement actions, providing technical and compliance assistance, and providing training on the biosolids program.

Section III. NPDES Compliance Monitoring and Enforcement Response

In a separate initiative, EPA's Office of Enforcement and Compliance Assurance (OECA), EPA Regions, and the Environmental Council of the States have developed a tool for assessing State performance in enforcement and compliance assurance to ensure that States meet agreed-upon minimum performance levels and provide a consistent level of environmental and public health protection nationwide. OECA will use the State profiles to focus these efforts and identify areas needing further discussion and evaluation.

1. Enforcement Program

The State of North Carolina:

North Carolina identifies and addresses all violations using EPA criteria outlined in program delegation documents and the memorandum of agreement. North Carolina maintains a current Enforcement Management System (EMS), which describes how and when the State will take action on violations. The EMS also addresses the level of formal enforcement that should be taken through 12 enforcement principles, which include consideration of several factors related to violations such as environmental and health impacts and the cost of noncompliance. The State's penalty policy and its strategy for taking informal or formal enforcement for repeat violators are not clear.

Once the State has issued a formal enforcement order, it enters the information into a tracking system to ensure that the order is complied with. Formal enforcement actions are tracked in the State's Basinwide Information Management System (BIMS). Milestones and modified permit limits are tracked as necessary to determine compliance and follow-up action.

Data reported to EPA by North Carolina indicate that 973 civil penalty assessments were taken against facilities in Fiscal Year (FY) 2003, with a total of \$1,885,238 assessed and \$1,006,183 collected in penalties. This was an increase from 804 civil penalty assessments taken in FY2002, with a total of \$1,454,000 million assessed and \$888,440 collected in penalties. To date, 271 civil penalty assessments have been taken in FY2004 and a total of \$124,626 collected in penalties. A significant upward trend was seen in CAFO enforcement activities over the past year. Heavy rains led to excessive waste and poor field and crop condition. Civil penalties were assessed against 18 CAFO facilities in 2002 and 70 CAFO facilities in 2003.

EPA's trend data indicate that the percentage of major facilities in significant noncompliance (SNC) in North Carolina is below the national average of 21% and increased from 17% in FY2002 to 18% in FY2003. North Carolina generally uses penalty orders only to address facilities in SNC (compliance is assumed to be immediate from the receipt of this penalty assessment). Occasionally, when facilities need to undergo construction expansion or upgrades, they can negotiate a special order by consent (SOC) for injunctive relief and penalties. At present, North Carolina does not issue unilateral administrative orders for injunctive relief. This way of doing business resulted in 93% of SNCs returning to compliance in FY2003 without a formal enforcement action, well above the national average of 71%.

EPA Region 4:

WPEB is responsible for compliance tracking, inspections, and enforcement of biosolids facilities in all eight Region 4 States.

WPEB is responsible for compliance tracking, inspections, and enforcement of facilities on Tribal lands and offshore oil and gas facilities. Compliance tracking of these facilities is conducted by individual enforcement staff who make recommendations to management on the need for enforcement. During the past year, WPEB has begun to take a closer look at Tribal facilities and offshore oil and gas facilities and has assigned senior staff to ensure compliance at these facilities. During FY2003, the major facility for which EPA has direct implementation responsibility was not in SNC during any quarter.⁵

Currently, administrative orders by consent are being negotiated at several facilities in North Carolina. Enforcement against Tribal facilities is conducted in accordance with national EPA guidance and policies and EPA Region 4's "Policy and Practices for Environmental Protection in Indian Country." Enforcement at oil and gas facilities is conducted in accordance with the Region's EMS. The Region has not taken any formal enforcement against oil and gas facilities.

During FY2003, 1 administrative order, 19 administrative penalty orders, and 19 settlements were issued for biosolids violations. As of midyear 2004, 2 administrative orders, 8 administrative penalty orders, and 8 settlements have been issued for biosolids violations.

WPEB addresses all noncompliance problems. Those which cause environmental or human health impacts are addressed in accordance with the EMS, which includes escalation of action and a penalty for noncompliance causing environmental or human health impacts.

WPEB uses the EMS along with national and Regional guidance to address violations that occur at Tribal, oil and gas, and biosolids facilities. Staff members recommend and prepare actions, which are reviewed and signed off on by management to ensure consistency with national and Regional guidance and policies.

WPEB has enforcement staff assigned to each enforcement action issued to facilities under direct implementation. The enforcement officer is responsible for ensuring that all provisions of the action are completed in accordance with the requirements and the deadlines set as part of the action. Because the assigned enforcement officer is generally the person who provided input into the action when it was issued, the enforcement officer is very familiar with the requirements and due dates. All enforcement actions are entered into PCS, which allows for the tracking of all schedule items. Follow-up site visits or meetings are held as needed to observe and discuss completion of requirements. These meetings and visits allow WPEB to learn early on of any foreseen problems in meeting deadlines so that alternatives can be discussed and WPEB management briefed.

WPEB escalates enforcement, including penalties, based on the EMS.

⁵ The National Data Sources column of the Management Report, measure #34, indicates no data (-) under EPA activity. The data pulled from PCS for this measure were not broken out based on State and EPA activities, so all activity is listed under the State column.

2. Record Keeping and Reporting

The State of North Carolina:

All permit records, including fact sheets, permits, enforcement actions, and all correspondence, are available to members of the public. The Division of Water Quality's central files, in Raleigh contain all permit information and are available to the public Monday through Friday between the hours of 8:00 am and 5:00 pm.

EPA Region 4:

WPEB maintains compliance and enforcement files in a central location. A formal records policy is being drafted to ensure consistency in record keeping among all of the NPDES programs. Files are maintained for each facility to which the Region has issued a permit or granted coverage under a general permit. Files contain DMR data, correspondence, permits, inspection reports, and enforcement actions.

3. Inspections

The State of North Carolina:

North Carolina conducts inspections in accordance with the Water Grant Commitment Workplan prepared in accordance with Clean Water Act section 106. The work plan incorporates the Major/Minor/Stormwater Strategy, which allows trade-offs between major and minor facilities (stormwater, CAFOs, NPDES minors facilities), the trade-off being 60% of North Carolina major facilities and 40% of its minor facilities. The State plans to focus most of its inspections of minor facilities on industrial stormwater facilities and small package plants.

North Carolina inspected 76% of its major facilities in FY2003, which exceeds the national average of 69%. In addition, during FY2003, 71% of the State's inspections were conducted at minor facilities.

The State has participated with EPA in inspection initiatives and in the "big box" construction stormwater initiative in Charlotte and Raleigh in FY2004. Rather than trying to address all of the thousands of contractors operating each day, EPA Region 4 has chosen to direct its efforts toward large firms responsible for the majority of construction activities. In FY2003, North Carolina participated in a Construction Storm Water Initiative, which took place in Charlotte, North Carolina, as well as an Auto Salvage Storm Water Initiative, which took place in the Winston Salem region. These initiatives were launched to promote stormwater awareness in the construction and auto salvage community. The initiative not only promoted stormwater auto salvage awareness as a whole, but it also protected human health and the natural environment.

EPA Region 4:

For Tribal facilities, WPEB does not have an inspection/monitoring strategy for the facilities under direct implementation they are few in number. The assigned enforcement officer is responsible for preparing a yearly work plan identifying priorities and inspection targets for each fiscal year. Effluent data for each facility are regularly reviewed to determine noncompliance and appropriate Regional action.

For offshore activities, including oil and gas facilities, WPEB cannot readily access facilities to inspect them and therefore relies on file reviews to determine compliance. Effluent data for each facility are regularly reviewed to determine noncompliance and appropriate Regional action.

Biosolids inspections are focused in environmental justice areas and within impaired watersheds identified by the Water Management Division, as well as in States that have rescinded their State biosolids regulations. During the 2003 inspection year, WPEB conducted 7 biosolids inspections at minor facilities and 19 inspections at major facilities throughout the Region. As of midyear 2004, WPEB had conducted biosolids inspections at 2 minor facilities and 17 major facilities throughout the region.

In the past, WPEB has not committed resources to ensuring that inspections were conducted at the Tribal and oil and gas facilities; therefore, these facilities were not inspected routinely or in accordance with any strategy. WPEB now attempts to conduct inspections at major Tribal facilities once a year and inspections at minor Tribal facilities once every 5 years. All the major Tribal facilities were inspected during the 2004 inspection year.

Because of the number of facilities and limited access, WPEB does not have the resources to conduct inspections at every oil and gas facility every 5 years. During the 2003 inspection year, WPEB personnel conducted an inspection at one oil and gas facility, and a performance audit inspection at a laboratory used by the oil and gas facilities.

4. Compliance Assistance

The State of North Carolina:

Region 4 States have improved environmental performance through the development and implementation of compliance assistance activities. These activities have been used with individual entities, groups of regulated entities, and trade associations, and they include innovative strategies, pollution prevention, and sustainable management practices.

Although the State does not maintain a compliance assistance program for CAFOs, two other agencies in the State have compliance assistance programs for CAFOs. The Agriculture Extension Service operates in every county and provides assistance to facility owners in developing waste plans and other operational issues. The Division of Soil and Water Conservation conducts an operational review at each facility annually. In addition, the Division of Pollution Prevention and Environmental Assistance has a full-time staff member working on Environmental Management Systems for animal facilities.

The State has five Wastewater Treatment Plant Consultants in regional offices who can be called upon to assist facilities with operational issues.

EPA Region 4:

Region 4, along with Region 6, is negotiating a memorandum of agreement with the Department of Interior's Minerals Management Service (MMS) to incorporate NPDES elements into MMS inspections and provide compliance information back to the Region. MMS is required to visit each oil and gas facility annually. The memorandum of agreement would greatly benefit the Region and its compliance monitoring efforts because access to these offshore facilities is difficult.

WPEB began providing compliance assistance to the Tribes in 2003. This assistance included site visits and assistance provided over the telephone and at conferences. WPEB will continue to provide compliance assistance to the Tribes in the future.

Biosolids compliance assistance is provided to both facilities and States through presentations at workshops and conferences.

Section IV. Related Water Programs and Environmental Outcomes

1. Monitoring

The State of North Carolina:

North Carolina has an extensive monitoring program that entails an ambient monitoring network (approximately 420 stations across the State, monitored monthly), a biological monitoring program, an intensive survey program, a discharge coalition monitoring program, and two rapid response teams. In addition, North Carolina submitted a final monitoring strategy to EPA on September 30, 2004. The State conducts probability monitoring in coastal areas and is studying whether to apply the strategy statewide. The State implements a rotating basin approach to water quality monitoring to maximize monitoring results in any given year for targeted water bodies. In North Carolina, primary recreational use support is monitored annually. Monitoring is also a requirement in all major and most minor NPDES discharge permits to ensure that the permits are providing the appropriate level of protection to water bodies. In addition, the DWQ has instituted an NPDES discharge coalition monitoring program.

In keeping with its basin-wide approach to planning and management of water quality, the DWQ has combined NPDES monitoring requirements with watershed-based monitoring to create an effective program for assessing water quality. Cooperative monitoring replaces in-stream monitoring required by NPDES permits. Permit holders voluntarily develop a monitoring program in cooperation with the DWQ. In exchange for participation in the discharge monitoring coalition, members are exempted from their NPDES permits' in-stream monitoring requirements. The discharger association implements and manages data collection, reporting, and laboratory oversight. All requirements are documented in a memorandum of agreement between the DWQ and the individual permit holders. A single DWQ coalition coordinator is able to facilitate the collection of water quality data at over 200 monitoring locations on a monthly basis.

The basic intent of the program is to evaluate the in-stream impact of member dischargers within a river basin and to produce quality ambient data that are readily available in electronic format. This program is used to evaluate compliance with water quality standards and document water quality changes. The program provides data from a State-certified laboratory with field-certified sampling staff. Each coalition's data are collected and analyzed by a single lab. The monitoring program is designed to evaluate coalition interests and watershed-specific issues. Participation in a discharge monitoring coalition also has the potential to save permit holders money. Increased data availability benefits both the DWQ and the discharging facilities. The coalition program substantially increases the data resources available to the DWQ for making basin-wide water quality management decisions.

EPA Region 4:

Each Tribe has a monitoring program. The Region considers monitoring information gathered by the Tribe, if available and applicable, when developing NPDES permits. Basin monitoring plans do not exist on Indian lands and therefore are not considered when developing permitting schedules.

The Cherokee monitor for pH, dissolved oxygen, biochemical oxygen demand, total suspended solids, total residual chlorine bacteria, alkalinity, fecal coliform bacteria, conductivity, and ammonia (as nitrogen).

2. Environmental Outcomes

The State of North Carolina:

The percentage of North Carolina's assessed waters that fully support their designated uses according to the State's 2002 water quality inventory prepared under Clean Water Act section 305(b) is as follows: 75% of assessed river/stream miles, 81% of assessed lake acres, and 42% of assessed estuaries. An accurate trend analysis cannot be conducted at this time because of changes in State sampling protocols, reporting methods, and limited funding for complete, long-term monitoring coverage.

EPA Region 4:

Not applicable because the Region has no direct implementation responsibilities in North Carolina.

3. Water Quality Standards

The State of North Carolina:

As the State adopts or revises water quality standards, a thorough examination of how the standards will be implemented through NPDES permits is conducted. As the standards are made available for public comment, the State explains to the interested NPDES permit holders and other interested groups exactly how that water quality standard will be implemented, especially in relation to dischargers.

Certain water quality standards are difficult to implement, but those are addressed permit by permit. For this purpose, the State has adopted a variance procedure that implements EPA's use attainability analysis regulations on a permit-specific basis. Two variances have been issued in the State for chlorides and are reviewed during the triennial review.

The State conducts its review every 3 years and uses that time to adopt newly required EPA criteria. The State is in the process of adopting an enterococci criterion and has submitted a plan for the adoption of nutrient criteria that EPA is reviewing. At this time, EPA does not expect States to adopt E. coli criteria.

The State designates water bodies used as drinking water sources as having a drinking water designated use. Those water bodies all have criteria associated with the protection of the drinking water supply. All wasteload allocations and water quality-based effluent limits are written to comply with the criteria associated with the drinking water designated use.

North Carolina assesses designated uses of water bodies throughout the State to ensure that the highest possible use is determined. Any request made, by the public or a State agency, to review a water body is considered and evaluated. The State continually evaluates its standards to ensure they are up-to-date with the most recent federal criteria and scientific advances; changes are proposed with a public comment period and usually made during the triennial review.

The State has integrated the water quality standards and NPDES program in part by conducting timely reviews of its water quality standards and ensuring that no EPA disapprovals of standards remain unaddressed. Triennial reviews and updates to water quality standards are conducted when determined

appropriate by the State. Permit fact sheets explain the basis for each water quality-based effluent limit and identifies designated uses of the receiving water body and applicable standards. The State has provisions for compliance schedules, which are used when needed. Additional information is maintained in facility-specific files that are available for public review.

North Carolina incorporates wasteload allocations into NPDES permits as they are expressed in the TMDL (as a load or a concentration). The State keeps an updated list of completed and approved TMDLs and uses the list in drafting NPDES permits to ensure that wasteload allocations derived from the TMDL are incorporated into the NPDES permits. Permit fact sheets discuss the TMDL and appropriate wasteload allocation for the affected permit. Permits for facilities that discharge a parameter of concern to a stream on the State's list of impaired water bodies (prepared under Clean Water Act section 303(d)) generally contain a reopener clause to modify the permit once a TMDL is approved.

EPA Region 4:

Region 4 writes permits to protect designated uses, consistent with federal requirements for offshore dischargers.

The permitted facilities on Indian lands in Region 4 discharge to fishable/swimmable streams. Municipal facilities and facilities discharging waste contaminated with fecal material use appropriate disinfection, and in the absence of ultraviolet disinfection, the Region provides appropriate limits, considering the 7Q10 of the receiving water, for total residual chlorine, as needed. The Region monitors DMRs for any violations of NPDES permits discharging on Indian lands and coordinates with appropriate public health agencies, as needed.

The Cherokee have adopted Tribal standards but have not yet requested a review by EPA. These standards have not been approved by the Region and cannot be approved until the Cherokee apply for treatment as a State. The Cherokee standards may not be used for NPDES purposes but may be considered in evaluating subject to limits determined by best professional judgment. Existing North Carolina State standards and federal guidance and criteria are used in developing NPDES permits on Indian lands for the Cherokee.

4. Total Maximum Daily Loads

The State of North Carolina:

Prior to TMDL development, water quality-based effluent limits developed for discharges to impaired waters are based on mass balance equations, and no increase in loading of the pollutant(s) of concern is allowed. Background and natural conditions are considered in these calculations. Cumulative impacts are also examined.

The Modeling/TMDL Unit and the permits unit communicate regularly regarding the progress of TMDLs and, especially, the implementation of TMDLs through NPDES permits. In North Carolina, the NPDES unit (not the Modeling/TMDL Unit) carries the implementation process forward, and each TMDL is sent to the NPDES Unit for review in the draft phase. The translation of the wasteload allocation to permit limits varies depending on the situation. Tracking is done through normal enforcement mechanisms, because permit limits are placed in permits that reflect the wasteload allocation.

TMDL development is under way in North Carolina. The State is 40% on schedule for meeting its TMDL development commitment. North Carolina has focused resources on developing water body nutrient TMDLs for lakes and estuaries. Such TMDLs are difficult to develop.

EPA Region 4:

No Tribal waters have been identified as impaired. TMDLs have therefore not been developed for Indian lands. EPA takes into consideration affected State waters that have TMDLs in issuing permits on Indian lands. All other facilities besides those discharging to Indian lands are ocean discharges and the receiving water is not classified as impaired.

5. Safe Drinking Water Act

The State of North Carolina:

Regarding coordination of the NPDES and Safe Water Drinking Act programs, North Carolina policy requires collection system owners to report any SSO reaching waters of the State and any SSO greater than 1,000 gallons not reaching surface waters. General Statute 143-215.1C requires the owner or operator of any wastewater collection or treatment works provide an annual wastewater system performance report to all customers. The annual report is to state the performance of the treatment works and collection system, and include a list of all water quality violations of permits or federal or State laws, regulations, or rules (i.e., SSO events).

For a discharge of 1,000 gallons or more of untreated wastewater to surface waters, General Statute 143-215.1C requires that a press release be issued to all print and electronic media providing general coverage in the county where the discharge occurred within 48 hours after the discharge was seen to reach surface waters.

In addition, for discharges of 15,000 gallons or more of untreated wastewater to surface waters of the State, a public notice is required to be published in the newspaper(s) having general circulation in the county in which the discharge occurred and in each affected county downstream of the discharge. This notice must be published within 10 days after the Department Secretary determines the affected downstream counties and approves the notice language. This requirement is in addition to the press release requirements stated above.

Also, the State takes drinking water intakes into consideration in developing standards, wasteload allocations, and water quality-based effluent limits.

EPA Region 4:

EPA Region 4 considers all designated uses and the locations of drinking water intakes in developing NPDES permits for Indian lands .

Section V. Other Program Highlights

The State of North Carolina:

Expedited Renewal Process for Minor NPDES Permits: The NPDES Unit in North Carolina developed an expedited renewal process for the majority of the minor permits (approximately 60-80% of the total number of permits). This resulted in elimination of Regional office review, minimal changes to permits, and a reallocation of resources toward more controversial or complex discharges as well as those with the potential to impact areas of documented water quality degradation.

The expedited process relies on the Water Quality Section's basin-wide planning structure to determine the areas of emphasis related to point source discharges of wastewater. After establishing priority permits (those identified in problem areas and major facilities), the remainder of the minor discharges are reviewed to determine whether any significant changes are necessary. If not, two staff members issue the permits. This process has resulted in a significant decrease in turnaround times from greater than 200 days to less than 180 days. It has also enabled more technically trained staff to focus on issues of a higher priority.

Watershed (Basin) Approach Permitting: North Carolina issues permits following a watershed or basin approach. By synchronizing and sequencing issuance of NPDES permits by basins and subbasins, the State has made the process of permit issuance more efficient and effective. The watershed approach is efficient because public hearings for groups of controversial facilities can be held once every 5 years instead of multiple times during a 5-year period (given random permit expiration dates in that period). By contemplating several facilities that share responsibility for impact on a particular environmental area, the DWQ develops permitting strategies that are reflected in the Basin Plan documents. This places a premium on more comprehensive strategies and fairness among the regulated entities. Using the watershed approach as an organization system has made it easier for the State to achieve its permitting goals.

Effluent Trading and Permitting: The DWQ adopted revised point source rules for total nitrogen and total phosphorus control in the Neuse River Basin. The NPDES Unit developed and issued an NPDES permit for an association of dischargers (called a compliance group— not a trading organization) in the Neuse River Basin. The permit, issued in late 2002, was one of the first of its kind in the nation.

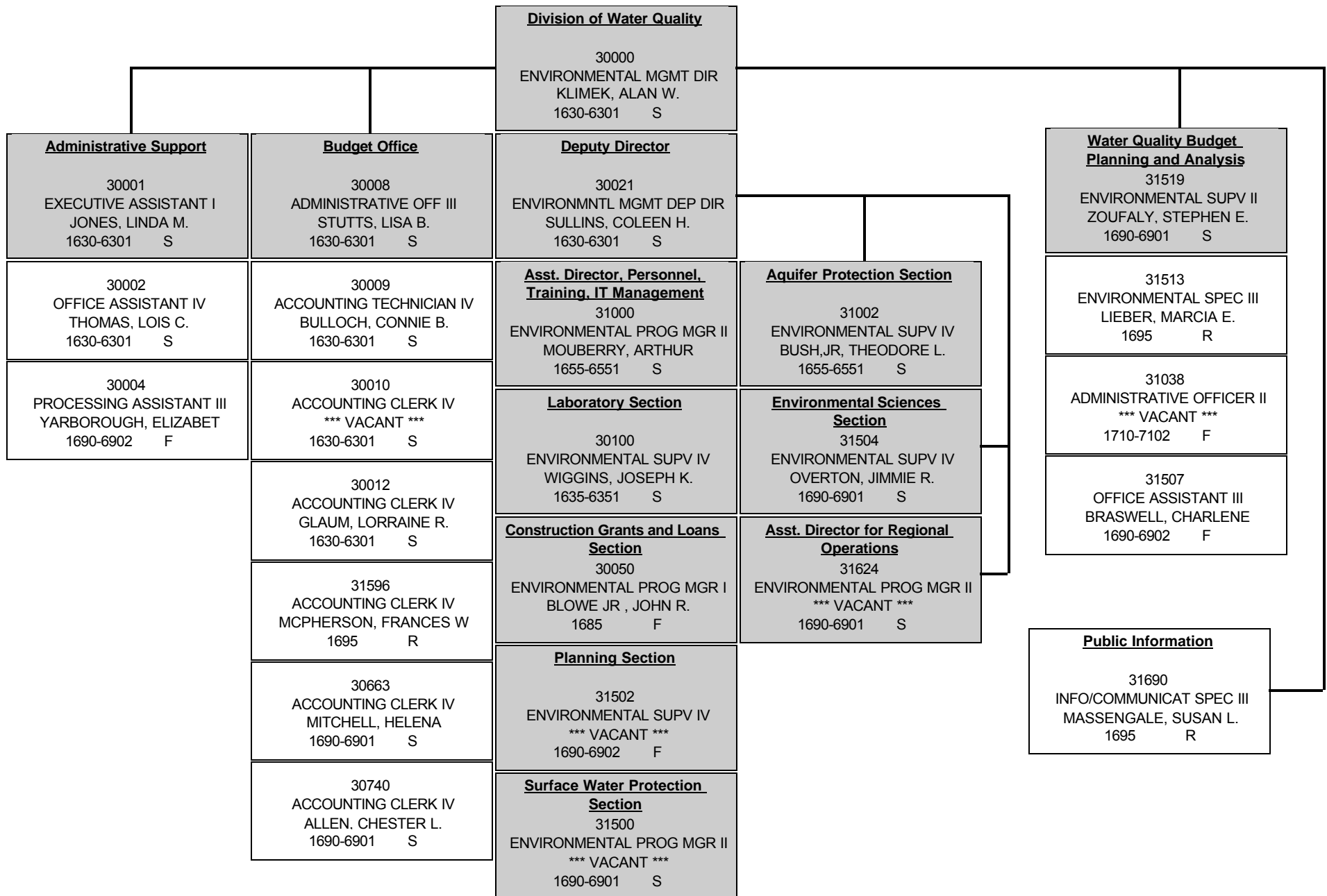
EPA Region 4:

The Region has developed a standardized template representing the standard language required by 40 CFR part 122. This permit tool helps to streamline permit issuance.

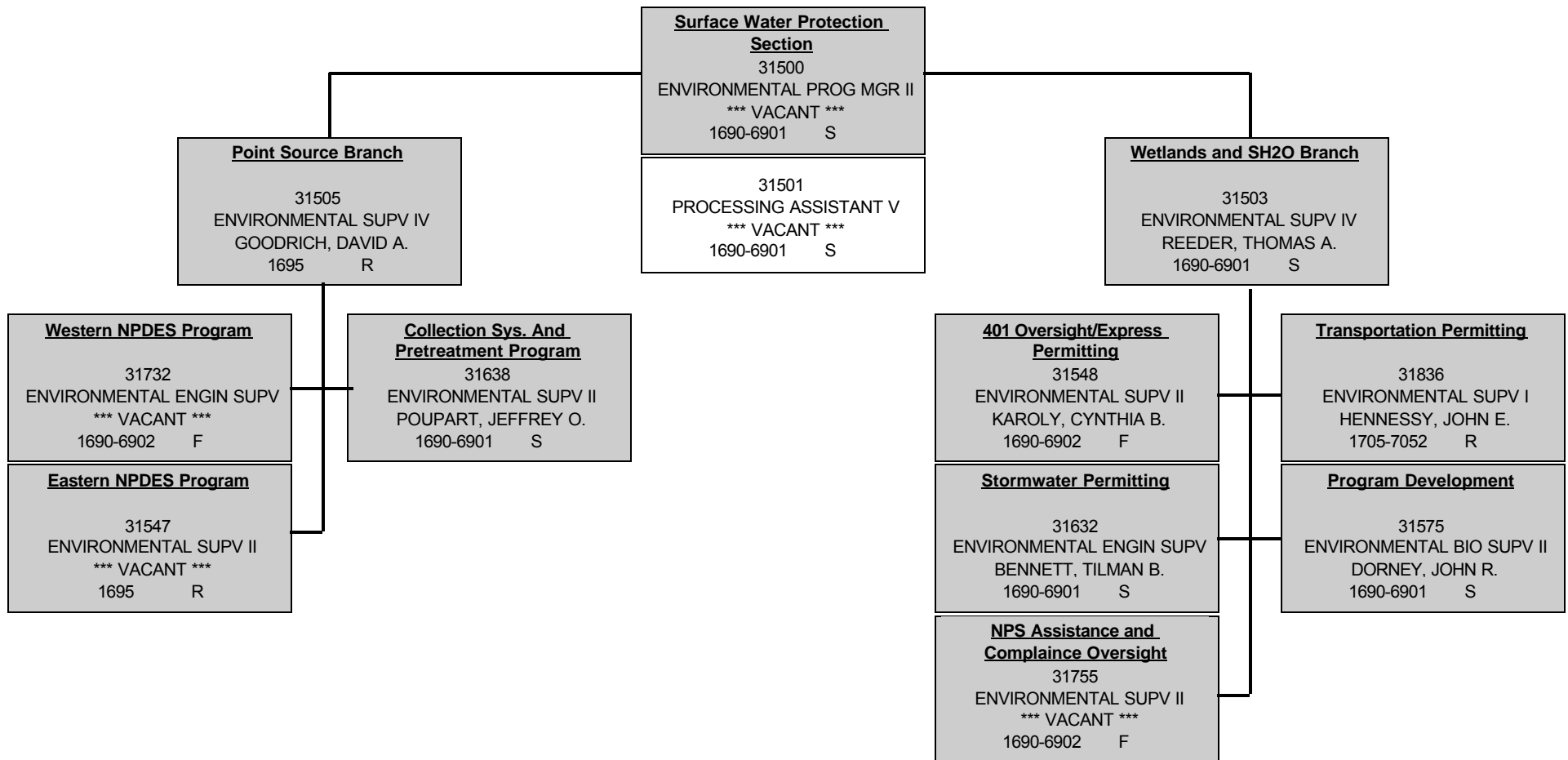
The general permit for oil and gas extraction facilities has allowed Region 4 to streamline the issuance of permit coverage for 290 facilities.

The Region's general permit for construction discharges on Indian lands is unique in that, in addition to standard storm water requirements, it also specifically targets dischargers to waters listed on the section 303(d) list for sediments or siltation.

Division of Water Quality 2004 Organizational Chart

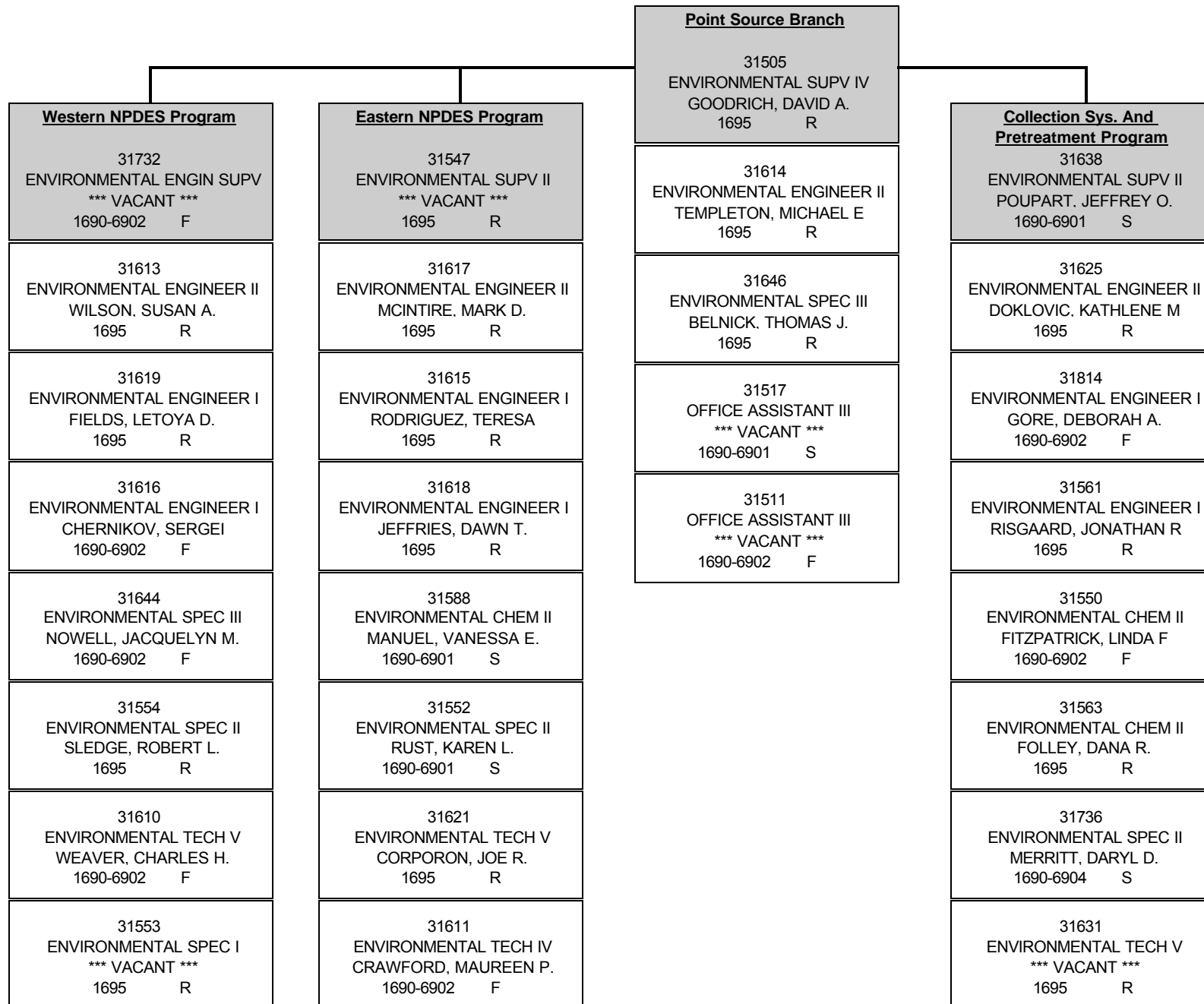


ORG CHART - 2004 SURFACE WATER PROTECTION SECTION Part 1
View by Branch/Unit

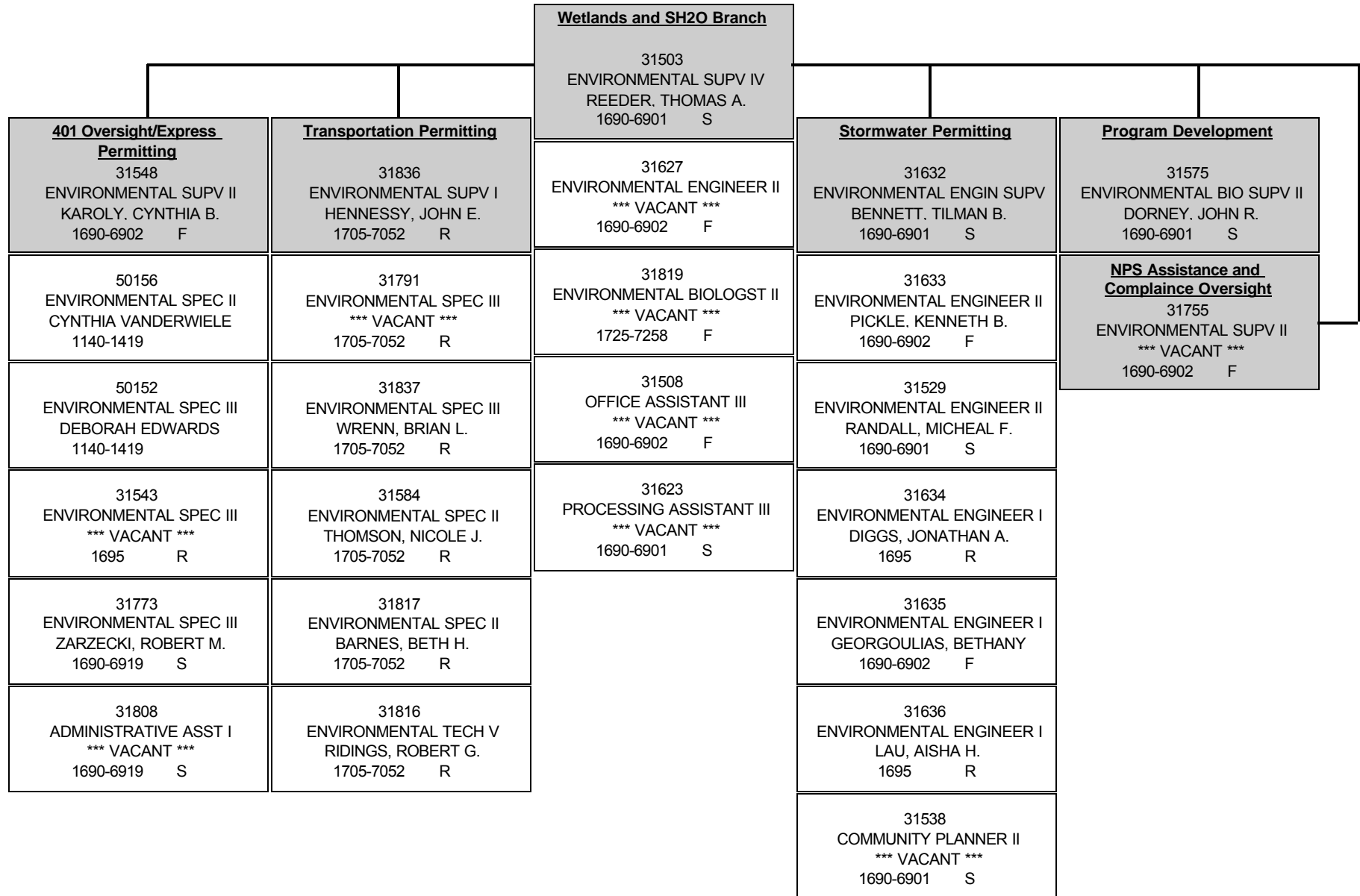


ORG CHART - 2004 SURFACE WATER PROTECTION SECTION Part 2

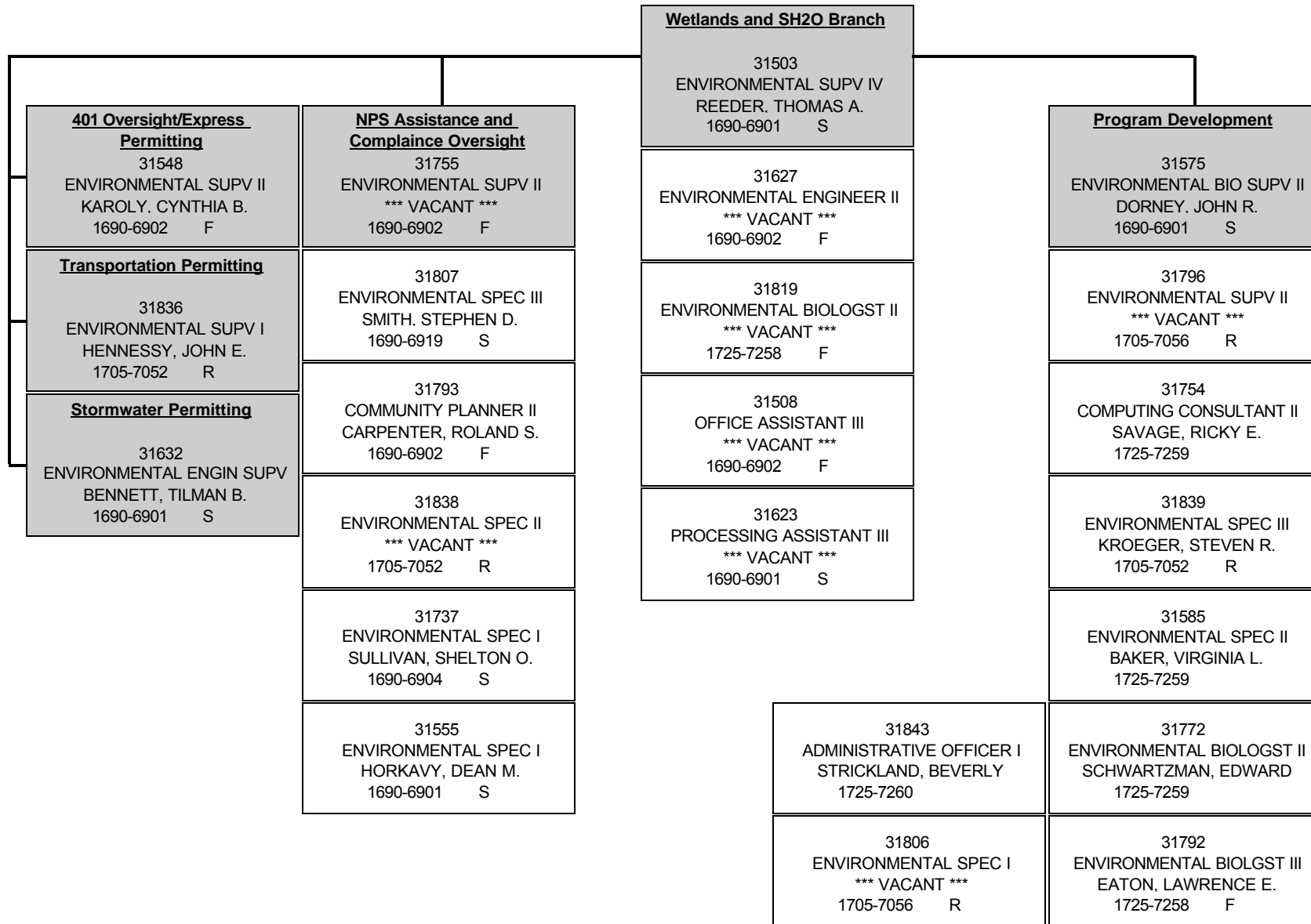
Organization of the Point Source Branch



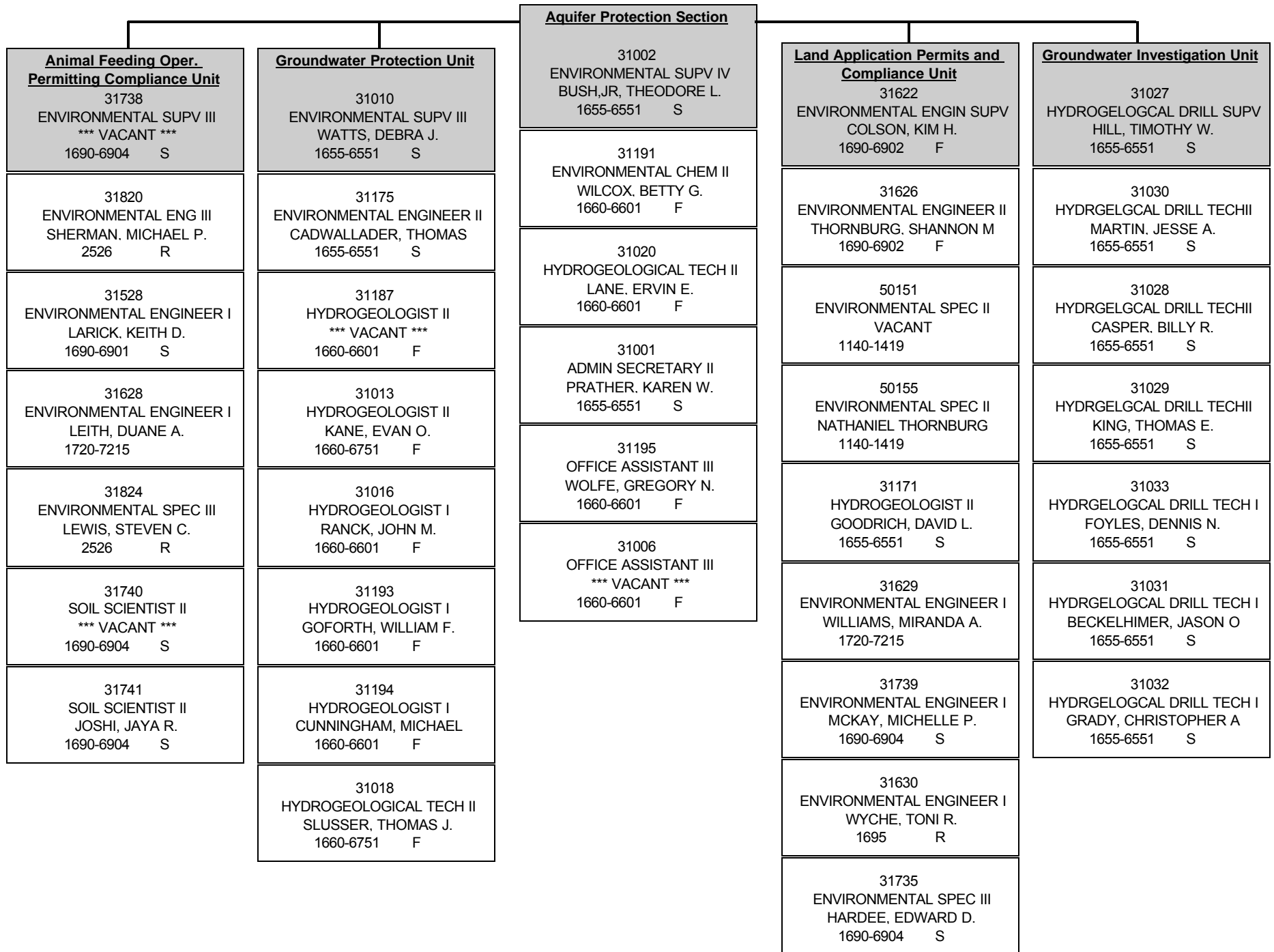
ORG CHART - 2004 SURFACE WATER PROTECTION SECTION Part 3
Organization of the Permitting Groups within the Wetlands/H2O Branch



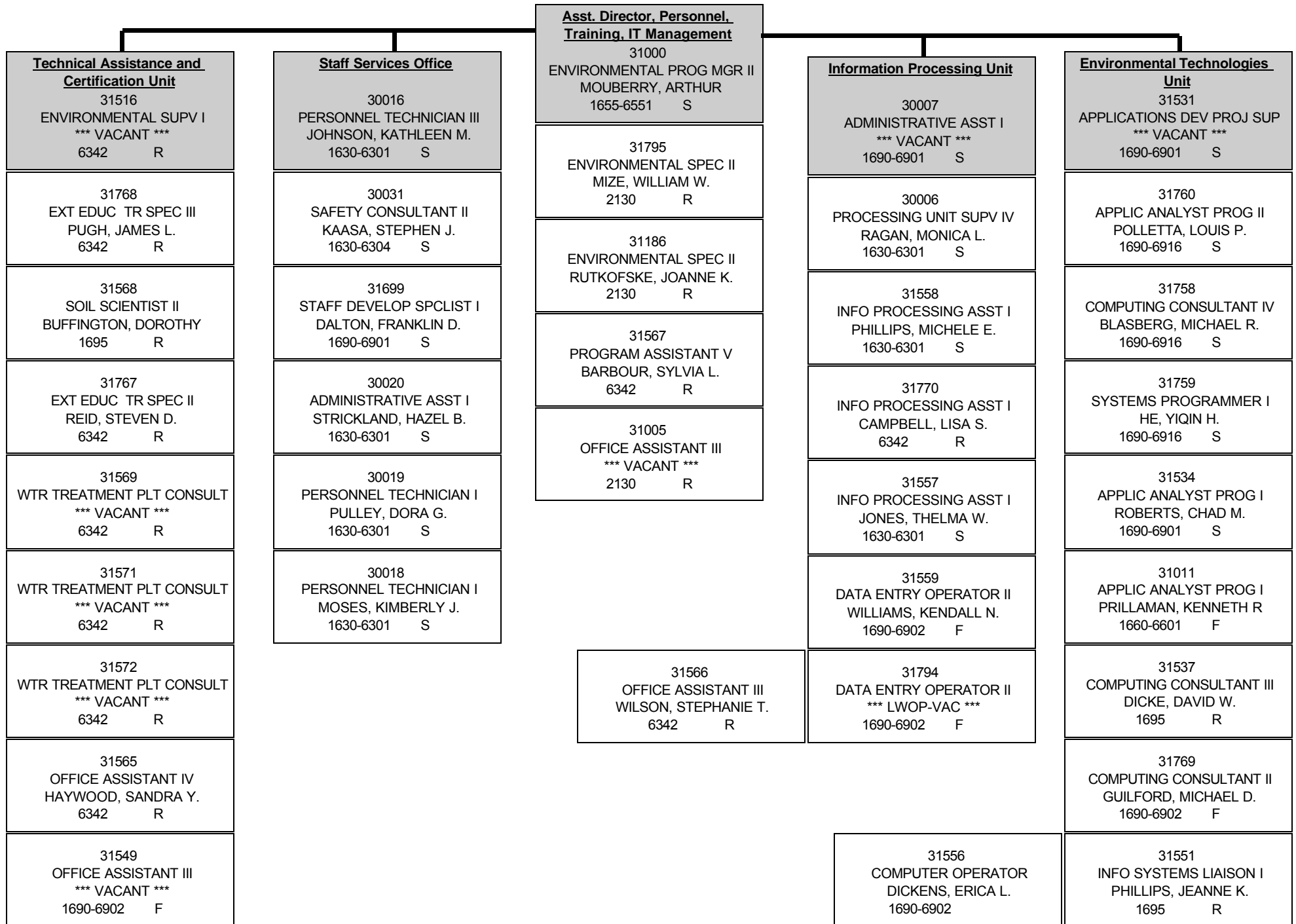
ORG CHART - 2004 SURFACE WATER PROTECTION SECTION Part 4
Organization of non-Permitting Units within the Wetlands/H2O Branch



ORG CHART - AQUIFER PROTECTION SECTION

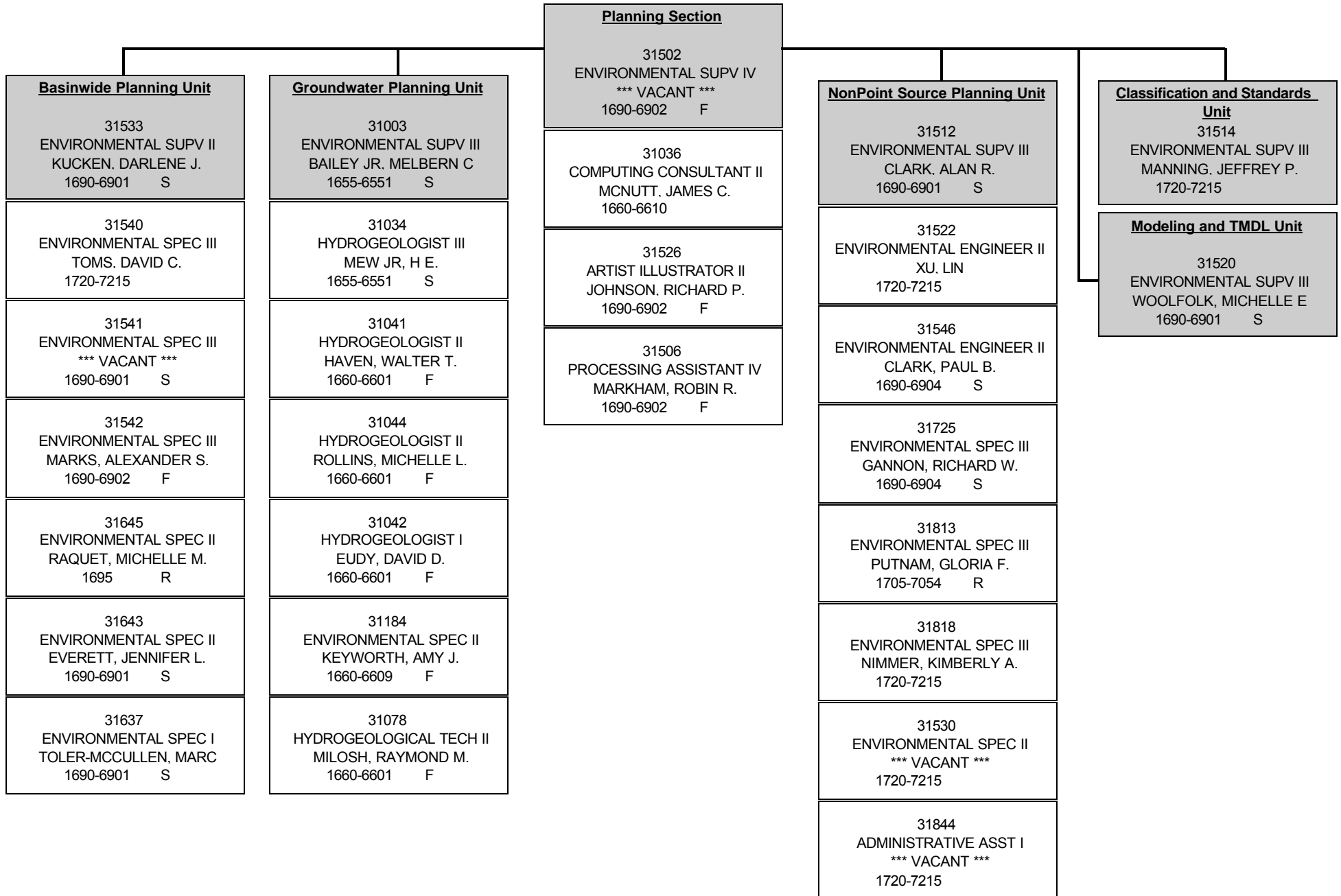


ORG CHART 2004 - PERSONNEL, TRAINING AND INFORMATION MANAGEMENT



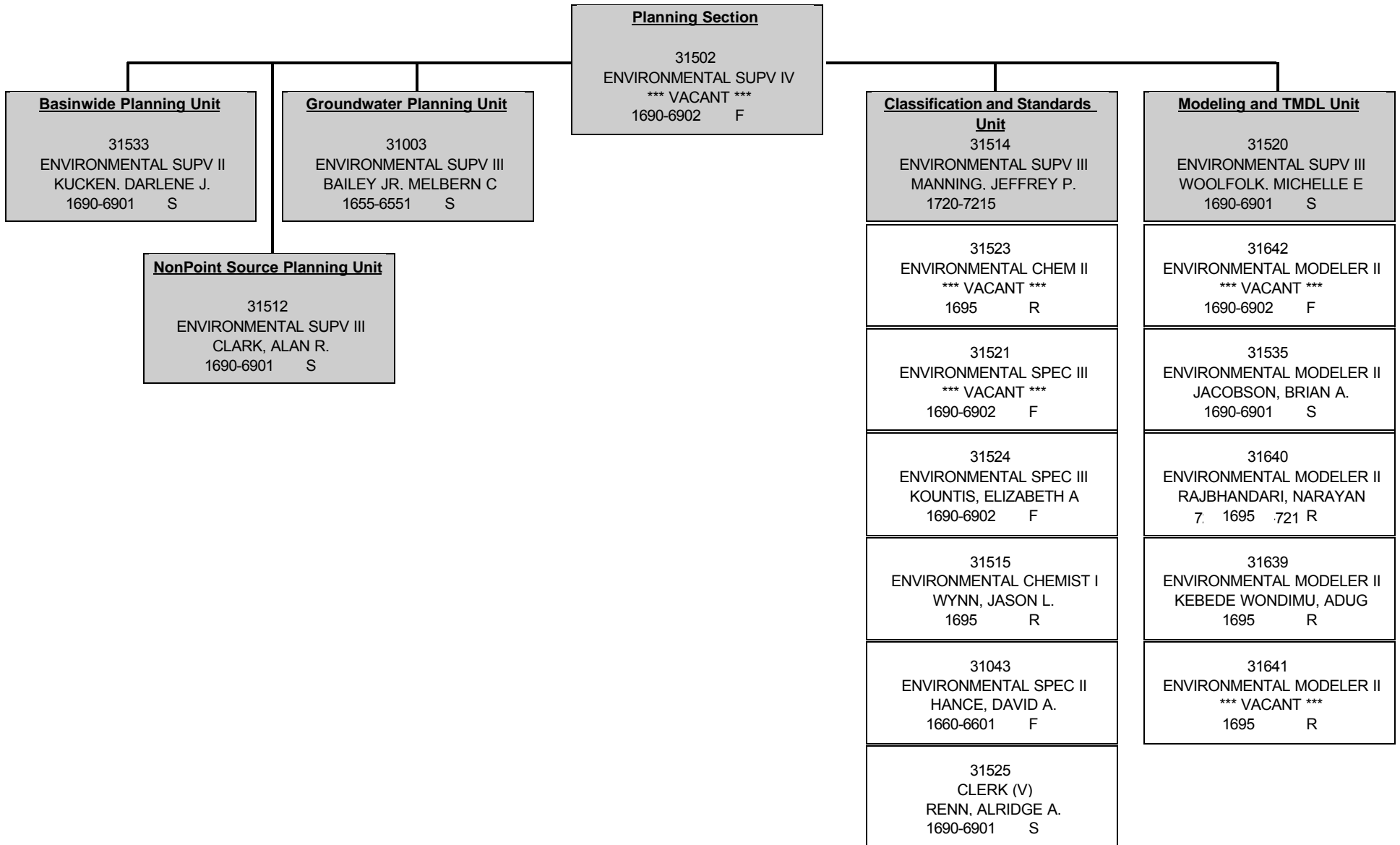
ORG CHART - PLANNING SECTION Part 1

Organization of Planning Units

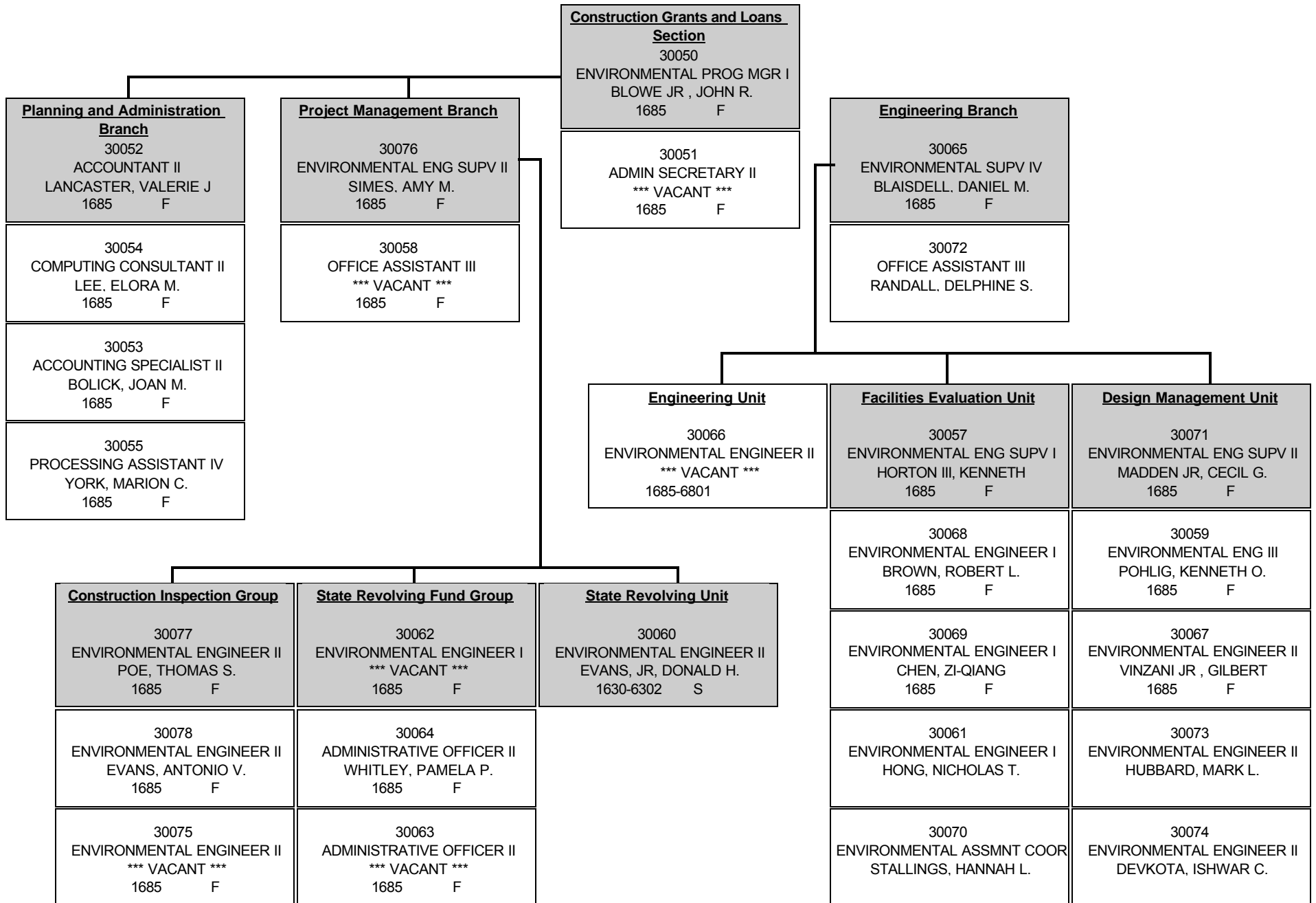


ORG CHART - PLANNING SECTION Part 2

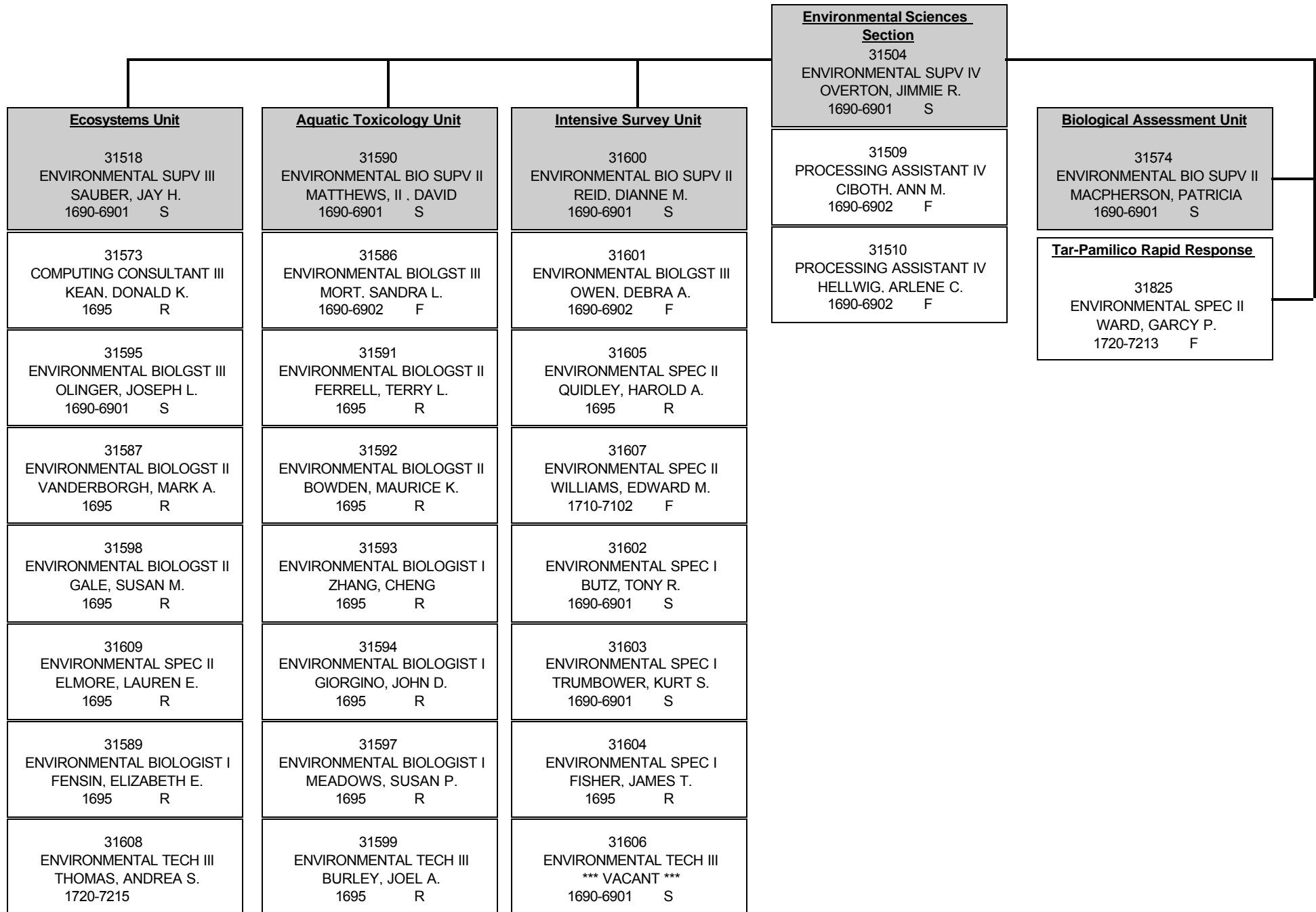
Organization of Standards and Modeling Units



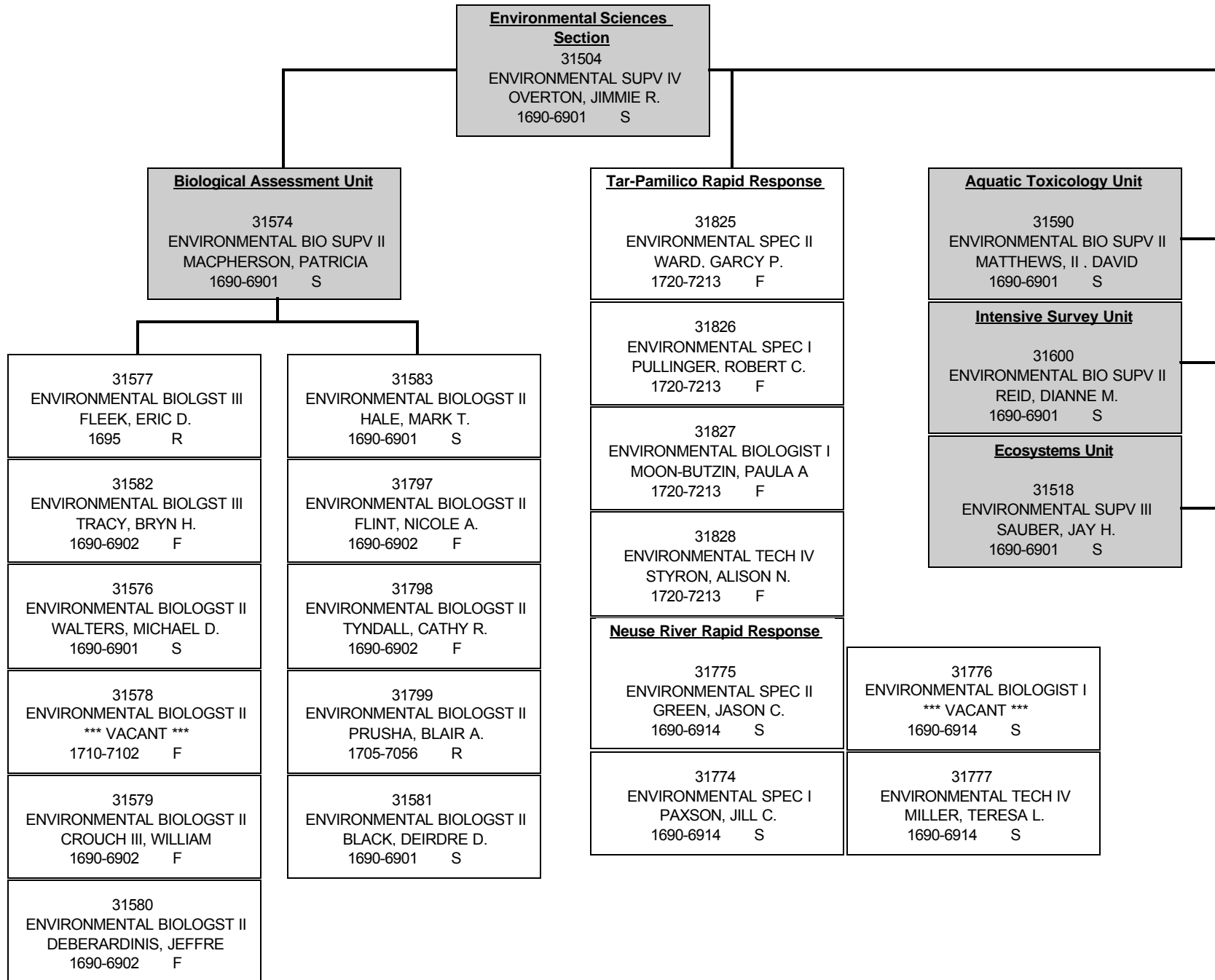
Org Chart - Construction Grants and Loans



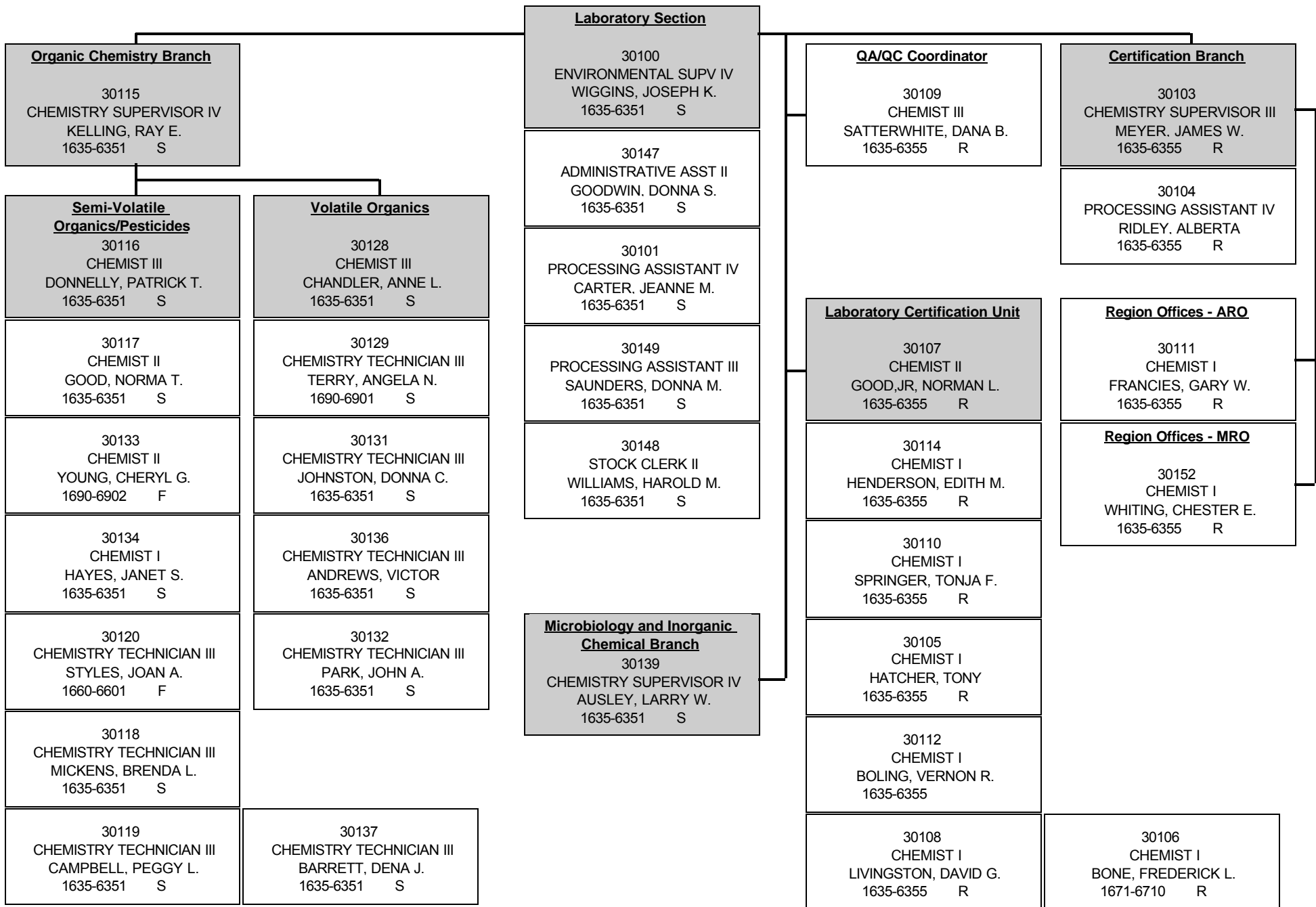
ORG CHART - ENVIRONMENTAL SCIENCES SECTION Part 1



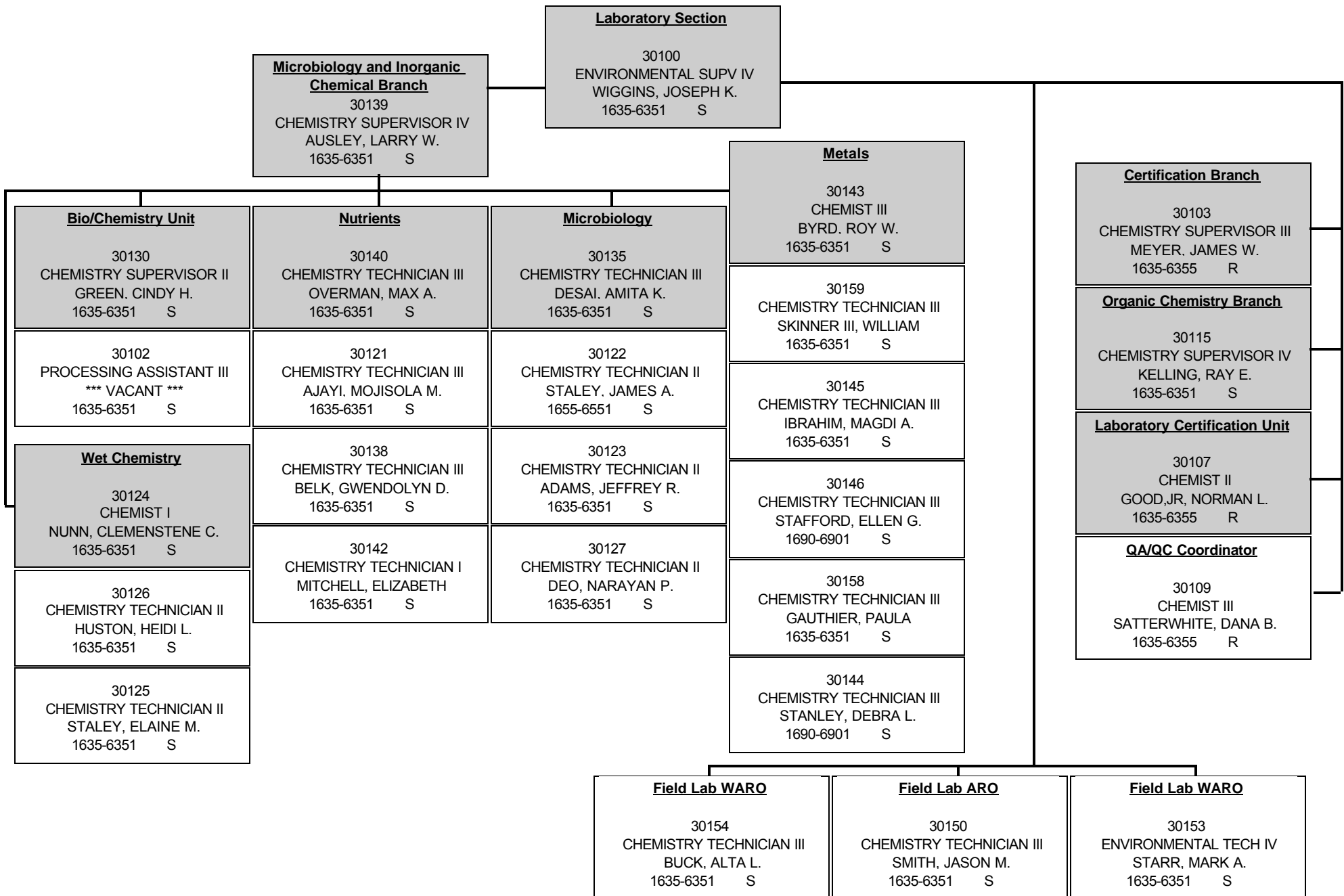
ORG CHART - ENVIRONMENTAL SCIENCES SECTION Part 2



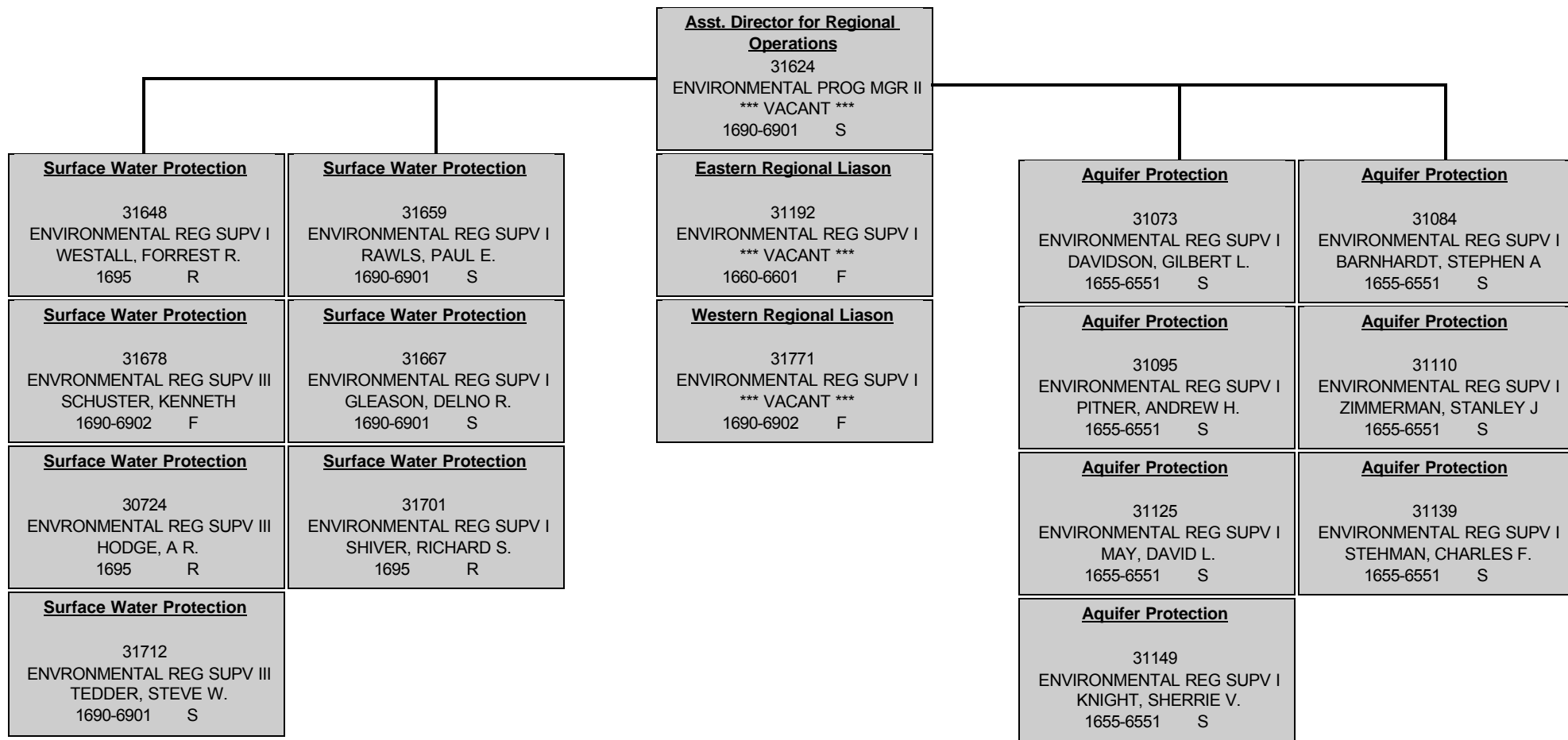
ORG CHART - LABORATORY SECTION Part 1



ORG CHART - LABORATORY SECTION Part 2



Org Chart - Regional Office Operations



ORG CHART - REGIONAL OFFICES

Asheville Region

<u>Surface Water Protection</u>		<u>Aquifer Protection</u>	
31648 ENVIRONMENTAL REG SUPV I WESTALL, FORREST R. 1695 R		31073 ENVIRONMENTAL REG SUPV I DAVIDSON, GILBERT L. 1655-6551 S	
31647 ENVIRONMENTAL ENGINEER II DAVIS, ROY M. 1695 R	31655 WTR TREATMENT PLT CONSULT EDWARDS, ROGER C. 1695 R	31164 HYDROGEOLOGIST II QI, QU 1655-6551 S	
31651 ENVIRONMENTAL ENGINEER I REID, JAMES R. 1695 R	31782 ENVIRONMENTAL SPEC II MOORHEAD, LAURIE L. 1690-6919 S	31180 HYDROGEOLOGIST II CAMPBELL, TED R. 1655-6551 S	
31650 ENVIRONMENTAL CHEM II FROST, LAWRENCE Y. 1695 R	31802 ENVIRONMENTAL SPEC II STONE, MARY F. 1705-7056 R	31077 HYDROGEOLOGIST I DECHANT, LAURA K. 1655-6551 S	
31821 ENVIRONMENTAL SPEC III PARKER, MICHAEL R. 1705-7052 R	31656 ENVIRONMENTAL TECH V BECKER, KERRY S. 1690-6901 S	31082 HYDROGEOLOGICAL TECH I MINNICK, HAROLD E. 1655-6551 S	
31652 ENVIRONMENTAL CHEMIST I BARNETT, KEVIN H. 1690-6901 S	31657 ENVIRONMENTAL TECH IV CANTWELL, JANET A. 1690-6902 F	31081 ENVIRONMENTAL TECH I *** VACANT *** 1655-6551 S	
31653 ENVIRONMENTAL SPEC II HAYNES, DANIEL K. 1690-6902 F	31658 ENVIRONMENTAL TECH III WIGGS, LINDA S. 1690-6901 S	31742 ENVIRONMENTAL SPEC II PRICE, BEVERLY S. 1690-6904 S	
31654 ENVIRONMENTAL SPEC II FRAZIER, WANDA P. 1690-6901 S			

ORG CHART - REGIONAL OFFICES

Fayetteville Region

Surface Water Protection

31659
ENVIRONMENTAL REG SUPV I
RAWLS, PAUL E.
1690-6901 S

31661 ENVIRONMENTAL CHEM II HENSON, BELINDA S. 1690-6902 F	31665 ENVIRONMENTAL TECH IV LAWYER, MICHAEL T. 1695 R
31840 ENVIRONMENTAL SPEC III AVERITTE, KENNETH L. 1705-7052 R	31666 ENVIRONMENTAL TECH III TURLINGTON, CHAD C. 1690-6901 S
31570 WTR TREATMENT PLT CONSULT REGISTER, DONALD W. 6342 R	31662 ENVIRONMENTAL SPEC II LOPEZ, ALBERT D. 1695 R
31783 ENVIRONMENTAL SPEC II *** VACANT *** 1690-6919 S	31663 ENVIRONMENTAL TECH V REVELS, RICKY 1690-6902 F
31664 ENVIRONMENTAL TECH V WHITE II, HUGHIE M. 1690-6902 F	

Aquifer Protection

31084
ENVIRONMENTAL REG SUPV I
BARNHARDT, STEPHEN A
1655-6551 S

31165 HYDROGEOLOGIST II BOYLES, PETER S. 1655-6551 S	31728 ENVIRONMENTAL ENGINEER I *** VACANT *** 1690-6904 S
31088 HYDROGEOLOGICAL TECH II BOCHERT, JASON A. 1655-6551 S	31743 ENVIRONMENTAL SPEC II BAXLEY, LARRY C. 1690-6904 S
31037 HYDROGEOLOGICAL TECH II SHANAHAN, WILLIAM P. 1655-6551 S	31744 ENVIRONMENTAL SPEC II BRANTLEY, KENNETH M. 1690-6904 S
31092 HYDROGEOLOGICAL TECH I TODD, JAMES W. 1655-6551 S	31801 ENVIRONMENTAL SPEC II *** VACANT *** 1690-6902 F
31660 ENVIRONMENTAL ENGINEER II DOBSON, WOODROW G. 1720-7215	31823 ENVIRONMENTAL ENGINEER II BENNETT, TODD A. 2526 R

ORG CHART - REGIONAL OFFICES

Mooreville Region

Surface Water Protection		Aquifer Protection	
31667 ENVIRONMENTAL REG SUPV I GLEASON, DELNO R. 1690-6901 S		31095 ENVIRONMENTAL REG SUPV I PITNER, ANDREW H. 1655-6551 S	
31668 ENVIRONMENTAL ENGINEER II PARKER, MICHAEL L. 1690-6901 S	31672 ENVIRONMENTAL SPEC II LESLEY, JOHN E. 1695 R	31166 HYDROGEOLOGIST II PARRIS, BRUCE R. 1655-6551 S	
31670 ENVIRONMENTAL ENGINEER I BROWDER, BETTE D. 1690-6901 S	31673 ENVIRONMENTAL TECH V SIFFORD, BARBARA R. 1690-6902 F	31177 HYDROGEOLOGIST II PIPPIN, CHARLES G. 1655-6551 S	
31671 ENVIRONMENTAL ENGINEER I BOU-GHAZALE, SAMAR E 1695 R	31674 ENVIRONMENTAL TECH IV BELL, WESLEY N. 1690-6902 F	31103 HYDROGEOLOGIST I LINDON, AMBER R. 1655-6551 S	
31669 ENVIRONMENTAL CHEM II BRIDGEMAN, RICHARD M 1695 R	31675 ENVIRONMENTAL TECH IV HOOD, DONNA R. 1690-6901 S	31104 HYDROGEOLOGICAL TECH II FINLEY, MARGARET A. 1655-6551 S	
31810 ENVIRONMENTAL SPEC III JOHNSON, ALAN D. 1690-6919 S	31676 ENVIRONMENTAL TECH IV LOVE, BARRY F. 1690-6901 S	31107 HYDROGEOLOGICAL TECH I BUBAK, KEVIN J. 1655-6551 S	
31842 ENVIRONMENTAL SPEC III LESPINASSE, POLLY A. 1705-7052 R	31677 ENVIRONMENTAL TECH I SMITH, GENE K. 1690-6901 S	31784 ENVIRONMENTAL SPEC II HUFFMAN, ELLEN B. 1690-6919 S	
31720 WTR TREATMENT PLT CONSULT BASINGER, SONJA W. 1690-6902 F		31745 ENVIRONMENTAL SPEC II BURKE, WILLIAM F. 1690-6904 S	

ORG CHART - REGIONAL OFFICES

Raleigh Region

Surface Water Protection

31678
ENVIRONMENTAL REG SUPV III
SCHUSTER, KENNETH
1690-6902 F

31679 ENVIRONMENTAL REG SUPV I GARRETT, JUDY E. 1690-6901 S	31785 ENVIRONMENTAL SPEC II LANGLEY, E SHANNON 1690-6919 S
31681 ENVIRONMENTAL ENGINEER I HERZBERG, JULIUS B. 1690-6902 F	31620 ENVIRONMENTAL TECH V WIGGINS, JR, MACK K. 1695 R
31682 ENVIRONMENTAL CHEM II NISELY, MYRL A. 1695 R	31686 ENVIRONMENTAL TECH V WAFER, CARRIE C. 1690-6902 F
31789 ENVIRONMENTAL SPEC III KULZ, ERIC W. 1690-6919 S	31687 ENVIRONMENTAL TECH IV HAYES, MITCHELL S. 1690-6902 F
31683 ENVIRONMENTAL CHEMIST I CASHION, TED A. 1695 R	31688 ENVIRONMENTAL TECH IV *** VACANT *** 1690-6901 S
31684 ENVIRONMENTAL SPEC II RIMMER, JERRY F. 1690-6901 S	31708 ENVIRONMENTAL SPEC I HORAN, MICHAEL C. 1695 R
31685 ENVIRONMENTAL SPEC II ALBISTON, JOSEPH W. 1695 R	31689 ENVIRONMENTAL TECH III COBURN, CHARLES C. 1690-6901 S

Aquifer Protection

31110
ENVIRONMENTAL REG SUPV I
ZIMMERMAN, STANLEY J
1655-6551 S

31167 HYDROGEOLOGIST II ROUSH, JAMES M. 1655-6551 S	31680 ENVIRONMENTAL ENGINEER II JONES, RANDALL S. 1690-6901 S
31178 HYDROGEOLOGIST II BOLICH, RICHARD E. 1655-6551 S	31729 ENVIRONMENTAL ENGINEER I HUNT, JOHN N. 1690-6904 S
31117 HYDROGEOLOGIST I RICE, ERIC S. 1655-6551 S	31746 ENVIRONMENTAL SPEC II HESTER, JARWIN D. 1690-6904 S
31118 HYDROGEOLOGICAL TECH II MESSENGER, HAROLD M. 1655-6551 S	31747 ENVIRONMENTAL SPEC II TOWELL, PATRICK A. 1690-6904 S
31123 HYDROGEOLOGICAL TECH I GREER, JIMMIE W. 1655-6551 S	31805 ENVIRONMENTAL SPEC II *** VACANT *** 1690-6902 F
31124 HYDROGEOLOGICAL TECH I BARBEE JR , NORMAN N 1655-6551 S	

ORG CHART - REGIONAL OFFICES

Washington Region

Surface Water Protection

30724
ENVIRONMENTAL REG SUPV III
HODGE, A R.
1695 R

31649 ENVIRONMENTAL ENGINEER II THORPE, ROGER K. 1690-6902 F	31786 ENVIRONMENTAL SPEC II *** VACANT *** 1690-6919 S
31692 ENVIRONMENTAL ENGINEER I TANKARD, ROBERT B. 1690-6901 S	31696 WTR TREATMENT PLT CONSULT JARMAN, KRISTIN C. 1695 R
31694 ENVIRONMENTAL ENGINEER I *** VACANT *** 1695 R	31697 ENVIRONMENTAL TECH IV *** VACANT *** 1690-6901 S
31693 ENVIRONMENTAL CHEM II WARREN JR, GARLAND E 1690-6901 S	31750 ENVIRONMENTAL TECH III SMITH, AMY Y. 1690-6912
31822 ENVIRONMENTAL SPEC III THOMAS, MICHAEL S. 1705-7052 R	31750B ENVIRONMENTAL TECH III YOUNT, MICHAEL D. 1690-6912
31790 ENVIRONMENTAL SPEC III STEFFENS, THOMAS A. 1690-6919 S	31695 ENVIRONMENTAL SPEC II BARNES, KYLE W. 1690-6902 F

Aquifer Protection

31125
ENVIRONMENTAL REG SUPV I
MAY, DAVID L.
1655-6551 S

31168 HYDROGEOLOGIST II *** VACANT *** 1655-6551 S	31748 ENVIRONMENTAL SPEC II SALYER, MARLENE D. 1690-6904 S
31129 HYDROGEOLOGIST I HARRIS, ANALEE M. 1655-6551 S	31749 ENVIRONMENTAL SPEC II HARDISON, LYN B. 1690-6904 S
31130 HYDROGEOLOGIST I WELTI, CONRAD J. 1655-6551 S	31698 ENVIRONMENTAL TECH IV PEAKS, PHILLIP M. 1690-6901 S
31137 HYDROGEOLOGICAL TECH I STONE, CARRIE C. 1655-6551 S	31730 ENVIRONMENTAL ENGINEER I VINSON, SCOTT A. 1690-6904 S
31691 ENVIRONMENTAL ENGINEER II *** VACANT *** 1695 R	

ORG CHART - REGIONAL OFFICES

Wilmington Region

Surface Water Protection

31701
ENVIRONMENTAL REG SUPV I
SHIVER, RICHARD S.
1695 R

50154 ENVIRONMENTAL SPEC II VACANT 1140-1419	50150 ENVIRONMENTAL SPEC III JOANNE STEENHUIS 1140-1419
50151 ENVIRONMENTAL SPEC II VACANT 1140-1419	31706 ENVIRONMENTAL CHEMIST I MOORE, THOMAS F. 1690-6901 S
31703 ENVIRONMENTAL ENGINEER I BECK, EDWARD N. 1695 R	31707 ENVIRONMENTAL SPEC II HARE, JOHN W. 1695 R
31705 ENVIRONMENTAL ENGINEER I LEWIS, ALIDA R. 1690-6902 F	31787 ENVIRONMENTAL SPEC II HUNKELE, DEAN A. 1690-6919 S
31757 ENVIRONMENTAL ENGINEER I HALL, RHONDA B. 1695 R	31710 WTR TREATMENT PLT CONSULT THARRINGTON, THOMAS 1695 R
31704 ENVIRONMENTAL CHEM II WILSON, LINDA L. 1690-6902 F	31709 ENVIRONMENTAL TECH V BEECHER, GARY H. 1690-6902 F
31809 ENVIRONMENTAL SPEC III LUTHERAN, NOELLE M. 1690-6919 S	31711 ENVIRONMENTAL TECH III GARRETT, STEPHANIE P 1690-6902 F

Aquifer Protection

31139
ENVIRONMENTAL REG SUPV I
STEHMAN, CHARLES F.
1655-6551 S

31169 HYDROGEOLOGIST II KEGLEY, GEOFFREY G. 1655-6551 S	31752 ENVIRONMENTAL SPEC II ROWLAND, KEVIN R. 1690-6904 S
31143 HYDROGEOLOGIST I WATSON, SAMUEL P. 1655-6551 S	31751 ENVIRONMENTAL SPEC II COBB, CHESTER 1690-6904 S
31144 HYDROGEOLOGICAL TECH II ROSSI, CAROLYN D. 1655-6551 S	31804 ENVIRONMENTAL SPEC II *** VACANT *** 1690-6902 F
31147 HYDROGEOLOGICAL TECH I MACPHERSON, TARA A. 1655-6551 S	31731 ENVIRONMENTAL ENGINEER I FARNELL, JOHN E. 1690-6904 S
31702 ENVIRONMENTAL ENGINEER II BUSHARDT, JAMES B. 1690-6901 S	

ORG CHART - REGIONAL OFFICES

Winston-Salem Region

<u>Surface Water Protection</u>			<u>Aquifer Protection</u>		
31712 ENVIRONMENTAL REG SUPV III TEDDER, STEVE W. 1690-6901 S			31149 ENVIRONMENTAL REG SUPV I KNIGHT, SHERRIE V. 1655-6551 S		
31713 ENVIRONMENTAL REG SUPV I MAUNEY, MAX S. 1690-6901 S	31841 ENVIRONMENTAL SPEC III HOMEWOOD, SUSAN L. 1705-7052 R	31723 ENVIRONMENTAL TECH IV FREEMAN, JENNIFER M. 1690-6901 S	31170 HYDROGEOLOGIST II DAY, COLLIN D. 1655-6551 S		
31714 ENVIRONMENTAL ENGINEER II BASINGER, WILLIAM C. 1695 R	31718 ENVIRONMENTAL SPEC II MICKEY, MICHAEL M. 1690-6901 S	31721 ENVIRONMENTAL TECH IV CARTER, JENIFER K. 1690-6901 S	31179 HYDROGEOLOGIST II GEDDES JR, DONALD J. 1655-6551 S		
31715 ENVIRONMENTAL ENGINEER I WHITE, SUSAN A. 1690-6901 S	31719 ENVIRONMENTAL SPEC II RUSSELL, DAVID C. 1695 R	31722 ENVIRONMENTAL TECH IV PRUITT, CYNTHIA R. 1690-6901 S	31156 HYDROGEOLOGIST I MOORE, THOMAS K. 1655-6551 S		
31717 ENVIRONMENTAL CHEM II SMITH, GEORGE S. 1690-6902 F	31788 ENVIRONMENTAL SPEC II BRADDY, ABNER S. 1690-6919 S	31803 ENVIRONMENTAL SPEC I WANUCHA, DAVID J. 1705-7056 R	31159 HYDROGEOLOGICAL TECH II GREENE, CHRISTOPHER 1655-6551 S		
31811 ENVIRONMENTAL SPEC III LAMB, CHRISTOPHER D. 1690-6919 S	31800 ENVIRONMENTAL SPEC II YOCUM, THOMAS W. 1705-7056 R	31724 ENVIRONMENTAL TECH I IVERSON, JOHN P. 1690-6901 S	31162 HYDROGEOLOGICAL TECH I HAGGE, DETLEF P. 1660-6601 F		
			31716 ENVIRONMENTAL CHEMIST I DENARD, DEREK C. 1695 R		
			31753 ENVIRONMENTAL SPEC II ROSEBROCK, MARY M. 1690-6904 S		

NPDES Management Report, Fall 2004

North Carolina

		Profile Section	GPRA Goal	Nat. Avg.	National Data Sources		Additional Data		
					State Activities	EPA Activities	State Activities	EPA Activities	
NPDES Progress									
Universe	1	# major facilities (6,690 total)	I.1		n/a	222	0		1
	2	# minor facilities covered by individual permits (42,057 total)	I.1		n/a	1,156	2		5
	3	# minor facilities covered by non-storm water general permits (39,183 total)	I.1		n/a	1,773	0		
	4	# priority permits (TBD)	I.6			--	--		
	5	# pipes at facilities covered by individual permits (142,761 total)	I.7		n/a	1,968	--		
	6	# industrial facilities covered by individual permits (32,505 total)	I.1		n/a	1,081	6		
	7	# POTWs covered by individual permits (15,197 total)	I.1		n/a	307	0		
	8	# pretreatment programs (1,482 total)	II.2		n/a	85	--	86	
	9	# Significant Industrial Users (SIUs) discharging to pretreatment programs (22,158 total)	II.2		n/a	787	--	845	
	10	# Combined Sewer Overflow (CSO) permittees (831 total)	II.5		n/a	0	--		
	11	# CAFOs (current and est. future) (17,672 total)	II.3		n/a	1,222	--		
	12	# biosolids facilities (TBD '05)	II.6			--	--		
NPDES Program Administration	13	State or Region assessment of State NPDES program (none (N)/assessment (A)/profile (P))	I.1	50 states 2004	n/a	A, P	P		
	14	% pipes at facilities covered by individual permits w/ lat/long in PCS	I.7		46.3%	91.4%	--		
	15	State CAFO legal authority expected (mo/yr)	II.3	2005	n/a	3/05	n/a		
	16	# Withdrawal petitions/legal challenges (22 total)	I.4		n/a	0	n/a		
	17	DMR data entry rate	I.7		95%	99%	--		
	18	# permit applications pending (1,011 total)	I.6		n/a	3	--		
NPDES Program Implementation	19	% major facilities covered by current permits	I.6	90%	83.7%	82.9%	n/a		100.0%
	20	% minor facilities covered by current individual or non-storm water general permits	I.6	90% 12/04	87.0%	85.0%	100.0%		
	21	# major facilities w/permits expired >10 yrs. (56 total)	I.6		n/a	1	0		
	22	% priority permits issued as scheduled (TBD '05)	I.6	95% 2005		--	--		
	23	% pretreatment programs inspected/audited during 5 yr. inspection period	II.2		85.3%	97.6%	--		
	24	% SIUs w/control mechanisms	II.2		99.2%	99.6%	--		
	25	% of CSO permittees with long-term control plans developed or required	II.5	75% 2008	82.2%	n/a	--		
	26	% CAFOs covered by NPDES permits	II.3		35%	83%	--		
	27	% biosolids facilities that have satisfied part 503 requirements (TBD '05)	II.6			--	--		
	28	# Phase I storm water permits issued but not current (76 total)	II.4		n/a	5	n/a		
	29	# Phase I storm water permits not yet issued (5 total)	II.4		n/a	0	0		
	30	Phase II storm water small MS4 permits current (Y/N/D (draft) (35 States)	II.4	100% states 2008	n/a	N	n/a		
	31	Phase II storm water construction permit current (Y/N/D (draft) (49 States)	II.4	100% states 2008	n/a	Y	Y		
	NPDES Compliance Monitoring and Enforcement Response	32	% major facilities inspected	III.3		71%	76%	0%	
33		(inspections at minors) / (total inspections at majors and minors)	III.3		76%	71%	98%		
34		% major facilities in significant non-compliance (SNC)	III.1		20%	18%	--		
35		% SNCS addressed by formal enforcement action (FEA)	III.1		14%	0%	--		
36		% SNCS returned to compliance w/o FEA	III.1		70%	93%	--		
37		# FEAs at major facilities (666 total)	III.1		n/a	89	0		
38		# FEAs at minor facilities (1,660 total)	III.1		n/a	363	26		

Explanation of Column Headers:

Profile Section: For each measure, this column lists the section of the profile where the program area (including any additional data for the measure) is discussed.

National Data Sources: The information in these two columns is drawn from two types of sources:

(1) EPA-managed databases of record for the national water program, such as PCS, the National Assessment Database, and the National TMDL Tracking System. NPDES authorities are responsible for populating PCS with required data elements and for assuring the quality of the data. EPA is working to phase in full use of NAD and NNTS as national databases.

(2) Other tracking information maintained by EPA Headquarters for program areas such as CAFOs, CSOs, and storm water.

The [definitions document](#) accompanying this Management Report provides a detailed definition of each data element in the National Data Sources columns.

Additional Data: These columns provide additional data in cases where information from other data sources differs from information in the National Data Sources column for reasons such as different timing of the data "snapshot." Additional data should generally adhere to the same narrative definitions as data in the National Data Sources, and should be derived using similar processes and criteria. Our goal is to work with the States on these discrepancies to ensure consistent and accurate reporting. A State contact is available who can respond to queries. The profiles discuss each additional data element.

State Activities: Information in these columns reflects activities conducted by the State program. (Shaded cells in these columns indicate that the work may not be entirely the State's responsibility, but a breakdown of the data into EPA and State responsibilities is unavailable.)

EPA Activities: Information in these columns reflects activities conducted by the EPA Region within the State.

NPDES Management Report, Fall 2004

North Carolina

		Profile Section	GPRA Goal	Nat. Avg.	National Data Sources		Additional Data	
					State Activities	EPA Activities	State Activities	EPA Activities
Water Quality Progress								
Universe	39	River/stream miles (3,419,857 total)	IV.2		n/a	64,156	n/a	
	40	Lake acres (27,775,301 total)	IV.2		n/a	351,104	n/a	
	41	Total # TMDLs in docket at end of FY 2003 (52,795 total)	IV.4		n/a	701	--	
	42	# TMDLs committed to in FY 2003 management agreement (2,435 total)	IV.4		n/a	n/a	n/a	
	43	# Watersheds (2,341 total)	IV.2		n/a	--	--	
Water Quality Administration	44	On-time Water Quality Standards (WQS) triennial review completed (42 States)	IV.3		n/a	Y	n/a	
	45	# WQS submissions that have not been fully acted on after 90 days (32 total)	IV.3	<25% submissions	n/a	n/a	0	
Water Quality Implementation	46	State is implementing a comprehensive monitoring strategy (Y/N) (TBD)	IV.1	all states 2005	--	--	--	
	47	% river/stream miles assessed for recreation	IV.2		13.8%	0.0%	n/a	
	48	% river/stream miles assessed for aquatic life	IV.2		22.0%	0.0%	n/a	
	49	% lake acres assessed for recreation	IV.2		49.4%	--	n/a	
	50	% lake acres assessed for aquatic life	IV.2		48.5%	--	n/a	
	51	# outstanding WQS disapprovals (23 total)	IV.3		n/a	0	n/a	
	52	WQS for E. coli or enterococci for coastal recreational waters (12 States)	IV.3	35 states 2008	n/a	N	n/a	
	53	WQS for nutrients or Nutrient Criteria Plan in place (13 States)	IV.3	25 states 2008	n/a	N	n/a	
	54	Cumulative # TMDLs completed through FY 2003 (10,807 total)	IV.4		n/a	106	--	
	55	# TMDLs completed in FY 2003 (2,929 total)	IV.4		n/a	7	0	
Environmental Outcomes	56	# TMDLs completed through FY 2003 that include at least one point source WLA (5,036 total)	IV.4		n/a	82	--	
	57	% Assessed river/stream miles impaired for swimming in 2000	IV.2		--	--	n/a	
	58	% Assessed lake acres impaired for swimming in 2000	IV.2		--	2.3%	n/a	
	59	# Watersheds in which at least 20% of the water segments have been assessed and, of those assessed, 80% or more are meeting WQS (440 total)	IV.2	600 2008	n/a	--	--	

Explanation of Column Headers:

Profile Section: For each measure, this column lists the section of the profile where the program area (including any additional data for the measure) is discussed.

National Data Sources: The information in these two columns is drawn from two types of sources:

(1) EPA-managed databases of record for the national water program, such as PCS, the National Assessment Database, and the National TMDL Tracking System. NPDES authorities are responsible for populating PCS with required data elements and for assuring the quality of the data. EPA is working to phase in full use of NAD and NTTS as national databases.

(2) Other tracking information maintained by EPA Headquarters for program areas such as CAFOs, CSOs, and storm water.

The [definitions document](#) accompanying this Management Report provides a detailed definition of each data element in the National Data Sources columns.

Additional Data: These columns provide additional data in cases where information from other data sources differs from information in the National Data Sources column for reasons such as different timing of the data "snapshot." Additional data should generally adhere to the same narrative definitions as data in the National Data Sources, and should be derived using similar processes and criteria. Our goal is to work with the States on these discrepancies to ensure consistent and accurate reporting. A State contact is available who can respond to queries. The profiles discuss each additional data element.

State Activities: Information in these columns reflects activities conducted by the State program. (Shaded cells in these columns indicate that the work may not be entirely the State's responsibility, but a breakdown of the data into EPA and State responsibilities is unavailable.)

EPA Activities: Information in these columns reflects activities conducted by the EPA Region within the State.