

RESOLUTION SUPPORTING THE IMPLEMENTATION DATE FOR COMPLYING WITH THE JORDAN LAKE RULES REMAIN AS STIPULATED IN SESSION LAW 2011-394 AND AS EXTENDED FOR THREE YEARS IN SESSION LAW 2013-395

WHEREAS, on July 1, 2011, House Bill 119 (S.L. 2011-394) became law in order to amend certain environmental and natural resources laws to delay implementation of certain Jordan Lake Rule Requirements; and

WHEREAS, said session law extended the compliance date for each discharger with a permitted flow greater than or equal to 0.1 million gallons per day (MGD) to limit its total nitrogen discharge no later than calendar year 2018 for those facilities having received an authorization pursuant to G.S. 143-215.1 for construction, installation, or alteration of the treatment works for purposes of complying with the allocation under Wastewater Discharge Rule 15A NCAC 02B .0270 by December 31, 2016; and

WHEREAS, on August 23, 2013, Senate Bill 515 (S.L. 2013-395) became law in order to delay additional implementation of the Jordan Lake Rules and Jordan Lake Session Laws; and

WHEREAS, said session law delayed the implementation dates of the Jordan Lake Rules and Jordan Lake Session Laws that begin July 1, 2013, or later for a period of three years; and

WHEREAS, the City of Greensboro's current capital improvement program (CIP) funding and construction schedules for the planned upgrades at the T.Z. Osborne Water Reclamation Facility (WRF) were developed and approved around the Jordan Lake nutrient compliance schedule and timeline extensions approved by the State legislature; and

WHEREAS, the Environmental Protection Agency supported the State modification of the rule implementation and compliance schedule. A rollback of the compliance schedule will necessitate a revision to the facility NPDES permit which in turn will trigger a review and approval by EPA Region IV; and

WHEREAS, the City of Greensboro has identified and developed four distinct construction contract packages in order to complete the planned upgrades at the T.Z. Osborne Water Reclamation Facility. Both Package 1 and 2 have been bid and construction activities associated with package 1 have commenced. Package 2 construction activities will commence in April of 2015. The bidding and commencement of construction activities tied to the remaining two packages are timed to position the City to be in compliance with the total nitrogen discharge limit by Q3 of 2020; and

WHEREAS, both City of Greensboro water reclamation facilities have been in compliance with the Jordan Lake total phosphorous discharge limit since 2010. This was accomplished earlier than the compliance date stipulated in the Jordan Lake rules; and

WHEREAS, the T.Z. Osborne Water Reclamation Facility's current NPDES Permit was reviewed and approved by EPA Region IV having a total nitrogen compliance schedule with milestones predicated on being in compliance with the total nitrogen discharge limit by the end of calendar year 2020;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO, NORTH CAROLINA:

Section 1 - That City of Greensboro supports keeping the implementation date for complying with the Jordan Lake Rules (15A NCAC 02B .0270 for Wastewater Discharges) as stipulated in Session Law 2011-394 (House Bill 119) and as extended for three years in Session Law 2013-395 (Senate Bill 515) or as may be extended further.

Section 3 - That this Resolution shall become effective immediately upon adoption.