



Legislation Text

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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

Department: Water Resources
Council District: All

Public Hearing: N/A
Advertising Date/By: N/A

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PURPOSE:

The 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).

BACKGROUND:

On July 1, 2011, House Bill 119 (S.L. 2011-394) became law with the purpose of amending certain environmental and natural resources laws and delaying implementation of certain Jordan Lake Rule Requirements. This session law extended the compliance date for each wastewater discharge facility 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 if the facility received an authorization to construct (ATC) pursuant to G.S. 143-215.1 for purposes of complying with the nutrient allocation by December 31, 2016.

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. This 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.

With the adoption of the Jordan Lake nutrient compliance schedule and timeline extensions by the State legislature the City of Greensboro revised its capital improvement program (CIP) funding and construction schedules. Four distinct construction contract packages have been developed 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 are well underway. 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.

The T.Z. Osborne Water Reclamation Facility's current National Pollutant Discharge Elimination System (NPDES) Permit was reviewed and approved by the Environmental Protection Agency Region IV office. The

Region IV office approved the milestones in the current permit which predicated being in compliance with the total nitrogen discharge limit by the end of calendar year 2020. A rollback of the compliance schedule will necessitate a revision to the facility NPDES permit which in turn will trigger a new review and approval by EPA Region IV.

Additionally, 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.

For these reasons the City of Greensboro supports keeping the implementation date for complying with the Jordan Lake Rules as currently stipulated in Session Law 2011-394 and as extended for three years in Session Law 2013-395.

BUDGET IMPACT:

There is no budget impact associated with this agenda item.

RECOMMENDATION / ACTION REQUESTED:

It is recommended that City Council approve a 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.