

The relevant text from S.L. 2020-18 is provided below for your reference:

(Excerpt from S.L. 2020-18)

SPECIFY THAT THE TMDL TRANSPORT FACTOR APPLIES WHEN OFFSETTING CERTAIN PERMITTED WASTEWATER DISCHARGES

SECTION 15.(a) Notwithstanding 15A NCAC 02B .0701 (Nutrient Strategies Definitions), 15A NCAC 02B .0703 (Nutrient Offset Credit Trading), and 15A NCAC 02B .0713 (Neuse Nutrient Strategy: Wastewater Discharge Requirements), nutrient offset credits shall be applied to a wastewater permit by applying the TMDL transport factor to the permitted wastewater discharge and to the nutrient offset credits.

SECTION 15.(b) Subsection (a) of this section applies only to wastewater discharge permit applications for a local government located in the Neuse River Basin with a customer base of fewer than 15,000 connections.

SECTION 15.(c) No later than August 1, 2020, the Department of Environmental Quality, in conjunction with affected parties, shall begin the modeling necessary to determine new transport zones and delivery factors for the Neuse River Basin for point source discharges and nutrient offset credits. Once the Department has completed the modeling, the Environmental Management Commission shall use the modeling and other information provided during the public comment period to adopt new transport zones and delivery factors by rule. The Environmental Management Commission may adopt temporary rules to implement this section.

SECTION 15.(d) This section is effective when it becomes law. Subsections (a) and (b) of this section shall expire when the rule required by subsection (c) of this section becomes effective.