

316(a) Thermal (Temperature) Variances

Thermal wastewater discharges in North Carolina (NC) are subject to effluent limitations under NC Administrative Code: 15A NCAC 02B .0211 (18). This rule limits thermal discharges to 2.8 degrees C (5.04 degrees F) above the natural water temperature and includes further restrictions based on geographic regions of the state. Exceptions to these limits are allowed under the temperature variance provisions of the Clean Water Act in Section 316(a). Under this provision of the Clean Water Act, permittees must demonstrate that the variance for the thermal component of the discharge assures the protection and propagation of a balanced, indigenous population of shellfish, fish and wildlife in the receiving water.

The permit holders listed below have requested continuance of the federal 316(a) temperature variance, which allows for site by site limitations based upon studies conducted by the permittee and submitted to NC Department of Environmental Quality. The Division of Water Resources (NC DWR) has determined that these studies, submitted by the permittees, comply with Section 316(a) of the Clean Water Act. Under the provisions in 15A NCAC 02B .0208 (b), and other appropriate lawful standards and regulations, NC DWR proposes to continue the 316(a) variance in conjunction with the renewal of the following National Pollutant Discharge Elimination System (NPDES) permits:

NPDES Permit #	Facility Name	County	Subbasin
NC0000272	Blue Ridge Paper Products, Inc–Canton Mill	Haywood	040305
NC0000396	Duke Energy–Asheville Combined Cycle Station	Buncombe	040302
NC0003468	Duke Energy–Dan River Steam Station	Rockingham	030203
NC0004774	Duke Energy–Buck Steam Station	Rowan	030704
NC0004979	Duke Energy–Allen Steam Station	Gaston	030836
NC0004987	Duke Energy–Marshall Steam Station	Catawba	030832
NC0024392	Duke Energy–McGuire Steam Station	Mecklenburg	030832

Variances to NC Water Quality Standards

Water Quality Standard	NPDES Permit #	Facility Name	County	Subbasin
Color	NC0000272	Blue Ridge Paper Products, Inc.	Haywood	040305
Chloride	NC0001074	Mt. Olive Pickle Company	Wayne	030621
Chloride	NC0001970	Bay Valley Foods, LLC	Duplin	030622