



North Carolina Department of Environment and Natural Resources

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To: Owners or Operators of Wastewater Treatment or Collection Systems  
From: Deborah Gore, Supervisor, PERCS Unit *DG*  
Subject: Reporting Requirements

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Senate Bill 729 ratified by the North Carolina General Assembly on August 20<sup>th</sup>, 2014 and effective September 20<sup>th</sup>, 2014 revised reporting requirements for entities that own or operate wastewater treatment and collection systems. This letter is provided as guidance to assist you in meeting the revised reporting requirements. This letter also replaces and supersedes the October 19<sup>th</sup>, 1999 reporting memo issued by the Division of Water Resources (Division).

G.S. 143-215.1C(a): Report to wastewater system customers on system performance.

No changes were made to this reporting requirement. An annual report for wastewater collection systems or treatment works is still required for systems that have an average annual flow greater than 200,000 gallons per day. Additional information related to the annual report can be found on the Division's website.

G.S. 143-215.1C(a1): Report discharge of untreated wastewater to the Department.

This section was added and requires the owner or operator of any wastewater collection or treatment works to report a discharge of 1,000 gallons or more of untreated wastewater to the surface waters of the State to the Department as soon as practicable, but no later than 24 hours after the owner or operator has determined that the discharge has reached the surface waters.

Note that all System-Wide Collection System permits (both deemed and permitted systems), as per G.S. 143-215.9B are required to report a discharge to the Division of Water Resources no later than 24 hours following first knowledge of the occurrence of either of the following:

- Any SSO and/or spill over 1,000 gallons or greater to the ground surface
- Any SSO and/or spill, regardless of volume that reaches the surface water

The Division will continue to utilize this more stringent reporting requirement in accordance with 15A NCAC 02T .0113(c) & 15A NCAC 02B.0506 and the applicable individual system-wide collection system permit condition.

Owners or operators of any wastewater collection or treatment works not permitted under the System-Wide Collection System program must continue to report per any existing permit requirements.

G.S. 143-215.1C(b)(1): Publication of Notice of Discharge of Untreated Wastewater

This section was modified to require issuance of a press release 24 hours (originally 48 hours) after the owner or operator has determined that the discharge has reached surface waters of the State. This applies to a discharge of 1,000 gallons or more of untreated wastewater to the surface waters of the State. No other modifications were made. For these situations, the owner or operator must:

- Issue a press release to all print and electronic news media that provide general coverage in the county where discharge occurred
- Set out details of the discharge
- Issue the press release within 24 hours after it has been determined the discharge has reached the surface waters of the State
- Retain a copy of the press release and a list of the news media it was sent to for at least one year
- Make the release available to the public upon request

G.S. 143-215.1C(b)(2): Publication of Notice of Discharge of Untreated Wastewater

This section was not modified by Senate Bill 729, however the October 19, 1999 memo issued by the Division allowed the owner or operator to notify the county in which the discharge occurred and the county immediately downstream for discharges less than 1,000,000 gallons.

Effective September 20<sup>th</sup>, 2014, the Division will require owners or operators to adhere to a more stringent interpretation of the general statute. In the event of a discharge of 15,000 gallons or more of untreated wastewater to surface waters of the State, the owner or operator must:

- Publish a notice of the discharge in a newspaper having general circulation in the county in which the discharge occurs and in each county downstream from the point of discharge that is significantly affected by the discharge
- The Secretary (or delegated authority) shall determine which counties are significantly affected by the discharge and shall approve the form and content of the notice and the newspapers in which the notice is published.
- Publish within 10 days after the Secretary (or delegated authority) has determined the counties that are affected by the discharge and approved the notice and newspapers in which the notice is to be published.
- File a copy of the notice and proof of publication with the Division within 30 days after the notice is published.
- In addition to the Notice, requires a press release per subdivision (1) of this subsection.

G.S. 143-215.1C(c)(1) & (c)(2): Publication of Notice of Discharge of Untreated Wastewater

These sections, applicable to the owner or operator of a non-municipal, non-domestic wastewater collection or treatment works, were modified in the same manner as G.S. 143-215.1C (b) (1) and (b) (2), above and the same notification procedures are required.

## Press Release Format

General Statute 143-215.1C requires that the owner or operator of any wastewater collection or treatment works to issue a press release when an untreated wastewater discharge of 1,000 gallons or more reaches surface waters.

In accordance with that regulation, the following news release has been prepared and issued to media in the affected county:

The (Utility, Municipality, District, etc.) had a discharge of untreated wastewater on (date) of an estimated (amount) gallons at (location). The untreated wastewater was discharged into (creek, river, unnamed tributary) in the (Name) River Basin.

The Division of Water Resources was notified of the event on (date) and is reviewing the matter. For more information contact (Utility, Municipality, District, etc.) at (Phone Number).

### Example Press Release:

#### Notification of Discharge of Untreated Wastewater

General Statute 143-215.1C requires that the owner or operator of any wastewater collection or treatment works to issue a press release when an untreated wastewater discharge of 1,000 gallons or more reaches surface waters.

In accordance with that regulation, the following news release has been prepared and issued to media in the affected county (ies):

The Town of Greenwood Valley had a discharge of untreated wastewater on July 1, 2014 of an estimated 15,000 gallons at Pump Station # 1, located near the intersection of First Street and Broadway Boulevard. The untreated wastewater was discharged into Turner's Creek in the Savannah River Basin.

The Division of Water Resources was notified of the event on July 1, 2014 and is reviewing the matter. For more information contact the Town of Greenwood Valley at (754) 833-9276.

## Public Notice Format

Minimum content for public notice:

- Caption must be: "Notice of Discharge of Untreated Sewage"
- Name of the facility (treatment facility, collection system component, outfall, etc.)
- Location of discharge
- Estimated volume of untreated wastewater discharged to surface water
- Time and date discharge occurred
- Duration of discharge
- Water body that was discharged into
- Action taken to prevent further discharge
- Contact person and phone number

### NOTICE OF DISCHARGED OF UNTREATED SEWAGE

The (Utility, Municipality, District, etc.) had a discharge of untreated wastewater from our (collection system, treatment facility, pump station, etc.) located at street/highway of approximately (amount) gallons. The discharge occurred on (date) for approximately (amount) hours. The untreated wastewater entered into (creek, river, unnamed tributary) in the (Name) River Basin. The (list action taken) to prevent further discharge. This notice was required by North Carolina General Statutes Article 21, Chapter 143.215C. For more information contact (Name, Title) at (Phone Number).

Example Public Notice:

### NOTICE OF DISCHARGED OF UNTREATED SEWAGE

The Town of Greenwood Valley had a discharge of untreated wastewater from our wastewater collection system at Pump Station # 1 located at the intersection of First Street and Broadway Boulevard of approximately 15,000 gallons. The discharge occurred on July 1, 2014 for approximately 5 hours. The untreated wastewater entered into Tuner's Creek in the Savannah River Basin. The pump station was repaired and placed back into serve by replacement of a pump to prevent further discharge. This notice was required by North Carolina General Statutes Article 21, Chapter 143.215C. For more information contact John Doe, Public Information Officer at (754) 833-9276.