**State of North Carolina**

**Department of Environmental Quality**

**Division of Water Resources**

# 15A NCAC 02U – RECLAIMED WATER SYSTEMS – LOCAL PROGRAM APPROVAL

instructions FOR FORM: RWLPA 06-16 & SUPPORTING DOCUMENTATION

**Please use the following instructions as a checklist in order to ensure all required items are submitted. Adherence to these instructions and checking the provided boxes will help produce a quicker review time and reduce the amount of additional information requested. Failure to submit all of the required items will lead to additional processing and review time for the permit application.**

##### *For more information, visit the Water Quality Permitting Section’s Non-Discharge Permitting Unit* [*website*](http://reports.oah.state.nc.us/ncac/title%2015a%20-%20environmental%20quality/chapter%2002%20-%20environmental%20management/subchapter%20u/15a%20ncac%2002u%20.0201.pdf)*.*

General – This application is for municipalities, counties, local boards or commissions, water and sewer authorities, or groups of municipalities and counties that seek to receive State delegation for operation of a local reclaimed water program under [15A NCAC 02U .0901](http://reports.oah.state.nc.us/ncac/title%2015a%20-%20environmental%20quality/chapter%2002%20-%20environmental%20management/subchapter%20t/15a%20ncac%2002t%20.0106.pdf). Permitting of construction and operation of distribution lines and approval for reclaimed water users where reclaimed water is utilized in a conjunctive manner may be delegated. Conjunctive use means that the proposed utilization option is not required to meet the wastewater disposal needs of the facility, and that other permitted utilization/disposal alternatives are also available. Non-conjunctive reclaimed uses require Division approval. Note that construction of or modifications to treatment works or pump stations for reclaimed water distribution may not be delegated.

Unless otherwise noted, the Applicant shall submit one original and two copies of the application and supporting documentation listed below.

1. Reclaimed Water Local Program Approval (FORM: RWLPA 06-16) Application: (All Application Packages):

Submit the completed and appropriately executed Reclaimed Water Local Program Approval (FORM: RWLPA 06-16) form. Please do not make any unauthorized content changes to this form. If necessary for clarity or due to space restrictions, attachments to the application may be made, as long as the attachments are numbered to correspond to the section and item to which they refer.

The Applicant’s Certification on Page 3 of this form shall be signed in accordance with [15A NCAC 02T .0106(b)](http://reports.oah.state.nc.us/ncac/title%2015a%20-%20environmental%20quality/chapter%2002%20-%20environmental%20management/subchapter%20u/subchapter%20u%20rules.pdf). The application must be signed by a principal executive officer of at least the level of vice-president or his authorized representative **for a corporation**; by a general partner **for a partnership or limited partnership;** by the proprietor **for a sole proprietorship**; and by either an executive officer, an elected official in the highest level of elected office, or other authorized employee **for a municipal, state, or other public entity**. An alternate person may be designated as the signing official if a delegation letter is provided from a person who meets the criteria in [15A NCAC 02T .0106(b)](http://reports.oah.state.nc.us/ncac/title%2015a%20-%20environmental%20quality/chapter%2002%20-%20environmental%20management/subchapter%20t/15a%20ncac%2002t%20.0106.pdf).

Note that if other approvals are necessary for the construction of these facilities (e.g. Wetlands, Stormwater, Dam Safety, etc.) the Division may hold approval of this application package to coordinate with other approvals.

1. **Application Fee** (All Application Packages):

Submit a check or money order in the appropriate amount made payable to: North Carolina Department of Environmental Quality (NCDEQ).

The appropriate fee may be determined from the [Online Fee Schedule](http://reports.oah.state.nc.us/ncac/title%2015a%20-%20environmental%20quality/chapter%2002%20-%20environmental%20management/subchapter%20u/15a%20ncac%2002u%20.0501.pdf).

If the applicant has an existing reclaimed water permit, establishing local program approval is considered a **major modification** to that permit.

Applicants with more than one treatment facility producing reclaimed water shall have a major modification to the primary reclaimed water permit, and minor modifications to the other permits to include language referencing the primary permit.

1. **Cover Letter** (All Application Packages):

Submit a cover letter listing all items and attachments included in the application package, as well as a brief description of the requested activities to be delegated.

Include a list of any items required in these instructions that were not submitted, and include an explanation as to why they were not relevant to the type of delegation being requested.

1. **Program Administration** (All Application Packages):

Submit an organizational structure containing position types or contracts meeting the requirements of [15A NCAC 02U .0901](http://reports.oah.state.nc.us/ncac/title%2015a%20-%20environmental%20quality/chapter%2002%20-%20environmental%20management/subchapter%20u/15a%20ncac%2002u%20.0901.pdf), and adequately support a reclaimed water local program by providing, at a minimum, the following:

Adequate administrative organization;

Engineering / technical staff;

Enforcement and compliance; and

Financial support for the delegated program.

Submit a description (e.g., flow chart) of the permitting process and the construction and inspection certification program.

Submit an enforcement plan.

1. **Reclaimed Water Use Ordinance** (All Application Packages):

Submit a properly executed and signed reclaimed water use ordinance or local law.

The requirements of the ordinance or local law shall be compatible with the requirements imposed by [G.S. 143-215.1](http://reports.oah.state.nc.us/ncac/title%2015a%20-%20environmental%20quality/chapter%2002%20-%20environmental%20management/subchapter%20u/15a%20ncac%2002u%20.0403.pdf?statute=143-215.1). The requirements established in the ordinance or local law shall include at a minimum, the following:

The authority to issue and enforce permits;

The authority to assess penalties as a result of enforcement action;

The authority to inspect facilities;

Provides that the Division receive notice and copy of each local permit application, and receives copies of approved permits and plans (upon request);

Provides that plans and specifications shall be prepared by or under the direct supervision of a licensed North Carolina Professional Engineer when required by G.S. 89C

Provides for adequate administrative organization, engineering staff, financial and other necessary resources;

Design, monitoring, reporting and operational criteria for distribution systems and/or utilization methods consistent with the requirements in [15A NCAC 02U](http://reports.oah.state.nc.us/ncac/title%2015a%20-%20environmental%20quality/chapter%2002%20-%20environmental%20management/subchapter%20u/15a%20ncac%2002u%20.0901.pdf). The ordinance or local law may reference a separate document (e.g. minimum design criteria document) for providing detailed requirements. The ordinance or local law shall provide the title of the separate document and provide information on how it will be maintained.

1. **Minimum Design Criteria (i.e., Specifications)** (All Application Packages):

Submit minimum design criteria for construction of reclaimed water systems to be permitted. Minimum design criteria shall meet or exceed all State requirements established in [15A NCAC 02U](http://reports.oah.state.nc.us/ncac/title%2015a%20-%20environmental%20quality/chapter%2002%20-%20environmental%20management/subchapter%20u/subchapter%20u%20rules.pdf):

.0401(e) – Certified operator requirements;

.0401(f) and .0402(g) and [S.L. 2011-48](http://reports.oah.state.nc.us/ncac/title%2015a%20-%20environmental%20quality/chapter%2002%20-%20environmental%20management/subchapter%20t/15a%20ncac%2002t%20.0105.pdf)– Design criteria for storage basins;

.0401(g) – Precipitation rate requirements;

.0403 – Design Criteria for distribution lines;

.0501 – Reclaimed water utilization;

.0601 - Bulk distribution of reclaimed water; and

.0701 – Setbacks.

1. **Local Program Permit Application Forms** (All New Application Packages, and Modification Application Packages requesting the delegation of a new use not previously approved for delegation):

Submit the local program’s proposed permit application forms for each of the following reclaimed water system activities for which the local program is requesting delegation (See Item III.3.):

**Bulk** **Distribution –** The submittal requirements shall be compatible with the requirements established in [15A NCAC 02U .0601](http://reports.oah.state.nc.us/ncac/title%2015a%20-%20environmental%20quality/chapter%2002%20-%20environmental%20management/subchapter%20u/15a%20ncac%2002u%20.0601.pdf) and at a minimum shall include requirements for:

Specifications relative to the bulk distribution system describing all requirements for tank-trucks (or other equipment used for distribution).

**Distribution Systems –** The submittal requirements shall be compatible with the requirements established in [15A NCAC 02U .0403](http://reports.oah.state.nc.us/ncac/title%2015a%20-%20environmental%20quality/chapter%2002%20-%20environmental%20management/subchapter%20u/15a%20ncac%2002u%20.0701.pdf) and at a minimum shall include requirements for:

Engineering design documents, including plans, specification, and calculations. At a minimum, design documents pursuant to [15A NCAC 02U .0201(c)](http://www.ncga.state.nc.us/Sessions/2011/Bills/House/PDF/H268v6.pdf) and shall include the following:

Engineering plans of the distribution system, including plan and profile of the distribution lines, showing their proximity to other utilities and natural features, such as water supply lines, water lines, wells, storm drains, surface waters, roads and other trafficked areas;

Design calculations, including pipe sizing and minimum velocities;

Specifications relative to the distribution system describing all materials to be used, methods of construction and means for assuring the quality and integrity of the finished project.

**Non-residential Irrigation Areas ≥ 1.0 acre in size (i.e., commercial, parks, schools, etc.) and/or Residential Irrigation Areas not Deemed Permitted under** [**15A NCAC 02U .0113**](http://reports.oah.state.nc.us/ncac/title%2015a%20-%20environmental%20quality/chapter%2002%20-%20environmental%20management/subchapter%20u/15a%20ncac%2002u%20.0113.pdf) **–** The submittal requirements shall be compatible with the requirements established in [15A NCAC 02U .0201](http://reports.oah.state.nc.us/ncac/title%2015a%20-%20environmental%20quality/chapter%2002%20-%20environmental%20management/subchapter%20u/15a%20ncac%2002u%20.0403.pdf) and at a minimum shall include requirements for:

A soils evaluation of the irrigation site(s). Soil evaluations shall include recommended maximum precipitation rate.

Engineering design documents, including plans, specifications, and calculations. Calculations shall include the following minimum items:

Maximum instantaneous loading rate (inches per hour);

Average daily flow rate (gallons per day);

A site plan providing location information on the reclaimed water utilization site and all boundaries, structures, and other physical features to verify compliance with setbacks under [15A NCAC 02U .0701(c)](http://reports.oah.state.nc.us/ncac/title%2015a%20-%20environmental%20quality/chapter%2002%20-%20environmental%20management/subchapter%20u/15a%20ncac%2002u%20.0201.pdf);

Property ownership documentation for the reclaimed water irrigation site;

Information on storage facilities (if applicable) meeting setback requirements consistent with [15A NCAC 02U .0701(b)](http://reports.oah.state.nc.us/ncac/title%2015a%20-%20environmental%20quality/chapter%2002%20-%20environmental%20management/subchapter%20u/15a%20ncac%2002u%20.0701.pdf); and

Project evaluation and a receiver site agronomic management plan and recommendations concerning cover crops and their ability to accept the proposed application rates.

**Food Crop Irrigation –** The submittal requirements shall be compatible with the requirements established in [15A NCAC 02U .0201](http://deq.nc.gov/about/divisions/water-resources/water-resources-permits/wastewater-branch/non-discharge-permitting) and [15A NCAC 02U .1401](http://reports.oah.state.nc.us/ncac/title%2015a%20-%20environmental%20quality/chapter%2002%20-%20environmental%20management/subchapter%20u/15a%20ncac%2002u%20.1401.pdf) and at a minimum shall include requirements for:

A soils evaluation of the irrigation site(s). Soil evaluations shall include recommended maximum precipitation rate.

Engineering design documents, including plans, specifications, and calculations. Calculations shall include the following minimum items:

Maximum instantaneous loading rate (inches per hour);

Average daily flow rate (gallons per day);

A site plan providing location information on the reclaimed water utilization site and all boundaries, structures, and other physical features to verify compliance with setbacks under [15A NCAC 02U .0701(c)](http://reports.oah.state.nc.us/ncac/title%2015a%20-%20environmental%20quality/chapter%2002%20-%20environmental%20management/subchapter%20u/15a%20ncac%2002u%20.0901.pdf);

Property ownership documentation for the reclaimed water irrigation site;

Information on storage facilities (if applicable) meeting setback requirements consistent with [15A NCAC 02U .0701(b)](http://maps.google.com/maps); and

Project evaluation and a receiver site agronomic management plan and recommendations concerning cover crops and their ability to accept the proposed application rates.

A notarized agreement between the reclaimed water user and the reclaimed water generator that includes the following items at a minimum:

A description of the approved uses and conditions for use of the reclaimed water consistent with [15A NCAC 02U .1401.](http://reports.oah.state.nc.us/ncac/title%2015a%20-%20environmental%20quality/chapter%2002%20-%20environmental%20management/subchapter%20u/15a%20ncac%2002u%20.1401.pdf)

A condition requiring the reclaimed water supplier to provide the landowner with the results of sampling performed to document compliance with reclaimed water effluent standards.

A condition requiring the landowner to report to the reclaimed water supplier any use of the reclaimed water inconsistent with this agreement.

**Cooling Water, Industrial Process Makeup, or Other Reclaimed Water Use** **–** The submittal requirements shall be compatible with the requirements established in [15A NCAC 02U .0201](http://www.ncleg.net/gascripts/statutes/statutelookup.pl) and at a minimum shall include:

Engineering design documents, including plans, specification, and calculations. At a minimum, design documents shall include the following:

Flow schematic or pipe layout indicating location of all permitted user controlled reclaimed water lines. The submitted information shall show the final use of the reclaimed water;

Documentation that all permitted user controlled distribution piping is consistent with requirements established in [15A NCAC 02U .0403](http://reports.oah.state.nc.us/ncac/title%2015a%20-%20environmental%20quality/chapter%2002%20-%20environmental%20management/subchapter%20u/15a%20ncac%2002u%20.0701.pdf);

Documentation that adequate measures have been taken to prevent reclaimed water line cross connection in accordance with [15A NCAC 02U .0403(f)](http://reports.oah.state.nc.us/ncac/title%2015a%20-%20environmental%20quality/chapter%2002%20-%20environmental%20management/subchapter%20u/15a%20ncac%2002u%20.0403.pdf); and

Property ownership documentation for the reclaimed water utilization site.

1. **Permit Template** (All Application Packages):

Submit a permit template or template(s) addressing all activities proposed for delegation meeting the requirements of [15A NCAC 02U .0901](http://deq.nc.gov/about/divisions/water-resources/water-resources-permits/wastewater-branch/non-discharge-permitting-unit/fees).

1. **Records and Reporting** (All Application Packages):

Submit procedures to properly maintain records on permitted utilization sites and meet the requirements of [15A NCAC 02U .0901(g)](http://reports.oah.state.nc.us/ncac/title%2015a%20-%20environmental%20quality/chapter%2002%20-%20environmental%20management/subchapter%20u/15a%20ncac%2002u%20.0901.pdf). At a minimum, these records shall include: permits, permit applications, enforcement actions, and bypasses from distribution lines, and monitoring of the distribution system.

The procedures shall also include a description of reporting and record keeping requirements of the reclaimed water local program permitted users.

1. **Education Program** (All New Application Packages)

Submit documentation on the development of an education program for providing the general public and customers of the reclaimed water system information on the use of reclaimed water in accordance with [15A NCAC 02U .0501](http://reports.oah.state.nc.us/ncac/title%2015a%20-%20environmental%20quality/chapter%2002%20-%20environmental%20management/subchapter%20u/15a%20ncac%2002u%20.0201.pdf). The documentation shall address the following items at a minimum:

Methods used to notify the public and/or employees about the use of reclaimed water in accordance with.

Education materials to be provided to locally permitted users.

1. **Operation and Maintenance Plan** (All New and Renewal Application Packages)

Submit an Operation and Maintenance Plan as required in [15A NCAC 02U .0801](http://reports.oah.state.nc.us/ncac/title%2015a%20-%20environmental%20quality/chapter%2002%20-%20environmental%20management/subchapter%20u/15a%20ncac%2002u%20.0801.pdf). The plan shall include a sampling regimen for ensuring required reclaimed water quality in the distribution system.

**ONE ORIGINAL AND TWO COPIES OF THE COMPLETED APPLICATION PACKAGE, INCLUDING ALL SUPPORTING INFORMATION AND MATERIALS, SHALL BE SENT TO THE FOLLOWING ADDRESS:**

**NORTH CAROLINA DEPARTMENT OF ENVIRONMENTAL QUALITY**

###### DIVISION OF WATER RESOURCES

**WATER QUALITY PERMITTING SECTION**

**NON-DISCHARGE PERMITTING UNIT**

|  |  |
| --- | --- |
| By U.S. Postal Service: | By Courier/Special Delivery: |
| 1617 Mail Service Center | [512 N. SALISBURY STREET](http://reports.oah.state.nc.us/ncac/title%2015a%20-%20environmental%20quality/chapter%2002%20-%20environmental%20management/subchapter%20u/15a%20ncac%2002u%20.0201.pdf?q=512+N.+Salisbury+Street,+Raleigh,+North+Carolina+27604&hl=en&ll=35.787584,-78.638785&spn=0.008146,0.013711&sll=37.0625,-95.677068&sspn=32.610437,56.162109&vpsrc=6&hnear=512+N+Salisbury+St,+Raleigh,+North+Carolina+27603&t=m&z=1) |
| RALEIGH, NORTH CAROLINA 27699-1617 | RALEIGH, NORTH CAROLINA 27604 |
|  |  |
| TELEPHONE NUMBER: (919) 807-6464 | FAX NUMBER: (919) 807-6496 |

**State of North Carolina**

**Department of Environmental Quality**

**Division of Water Resources**

# 15A NCAC 02U – RECLAIMED WATER SYSTEMS – LOCAL PROGRAM APPROVAL

FORM: RWLPa 06-16

1. **GENERAL INFORMATION**:
2. Applicant's name:

Applicant type:  Municipality  County  Local Board or Commission

Group of Municipalities  Group of Counties  Water and Sewer Authority

Signature authority’s name per [15A NCAC 02T .0106](http://reports.oah.state.nc.us/ncac/title%2015a%20-%20environmental%20quality/chapter%2002%20-%20environmental%20management/subchapter%20t/15a%20ncac%2002t%20.0106.pdf):       Title:

Applicant’s mailing address:

City:       State:       Zip:      -

Telephone number: (   )    -     Email Address:

1. Professional Engineer’s name:       License Number:

Affiliation:  On Staff  Retained (Firm:      )

Engineer’s mailing address:

City:       State:       Zip:      -

Telephone number: (   )    -     Email Address:

1. Agronomist’s name:       License Number:

Affiliation:  N/A  On Staff  Retained (Firm:      )

Agronomist’s mailing address:

City:       State:       Zip:      -

Telephone number: (   )    -     Email Address:

1. Soil Scientist’s name:       License Number:

Affiliation:  N/A  On Staff  Retained (Firm:      )

Soil Scientist’s mailing address:

City:       State:       Zip:      -

Telephone number: (   )    -     Email Address:

1. Program is:  New  Modification Existing Permit No.: WQ00     , issued:
2. Fee submitted:       (**See Instruction B**)
3. **RECLAIMED WATER USE INFORMATION:**
4. Owner and name of wastewater treatment facility (WWTF) providing reclaimed water:
5. Primary WWTF permit number: NC00      *or* WQ00

Secondary WWTF permit number (if necessary): NC00      *or* WQ00

Secondary WWTF permit number (if necessary): NC00      *or* WQ00

1. Select which reclaimed water utilization activities are requested for delegation:

Construction/Operation of Distribution Lines  Bulk Distribution  Food Crop Irrigation

Non-residential Irrigation Areas ≥ 1.0 acre in size (i.e., commercial, parks, schools, etc.)

Residential Irrigation Areas < 1.0 acre in size that are not deemed permitted under 15A NCAC 02U .0113(8)

Cooling Water  Industrial Process Make Up  Other (specify):

1. **SUPPORTING DOCUMENTATION:**
2. Have all required Supporting Documentation items been provided per Instructions D-K?  Yes, or  No

* If no, please specify which item(s) were not included and provide an explanation for why these items were not applicable:

# PROGRAM COMPONENT LOCATION:

1. Identify the location (e.g., chapter, page number, etc.) of each required program component within the submitted supporting documentation (i.e., materials listed in Instructions D through K):

|  |  |  |
| --- | --- | --- |
| Design Element | **Supporting Documentation** | **Reference Location** |
| Authority to charge users |  |  |
| Authority to inspect permitted utilization sites |  |  |
| Authority to issue and enforce permits |  |  |
| Criteria for ensuring beneficial reuse of the reclaimed water |  |  |
| Description of dedicated staff to manage the program |  |  |
| Description of permitting process |  |  |
| Design criteria for distribution lines |  |  |
| Design criteria for utilization sites |  |  |
| Enforcement procedures |  |  |
| Operational requirements for utilization sites |  |  |
| Reporting requirements |  |  |
| Requirement to meet all State Rules |  |  |
| Setbacks for utilization sites |  |  |
| Standards for quality assurance of distributions lines |  |  |

1. **APPLICANT CERTIFICATION:**

**Applicant's Certification (signature authority shall comply with** [**15A NCAC 02T .0106**](http://reports.oah.state.nc.us/ncac/title%2015a%20-%20environmental%20quality/chapter%2002%20-%20environmental%20management/subchapter%20t/15a%20ncac%2002t%20.0106.pdf)**):**

I,

(Signature Authority’s Name – PLEASE PRINT) (Title)

attest that this application for

(Local Program Name)

has been reviewed by me and is accurate and complete to the best of my knowledge. I understand that any discharge of wastewater from this non-discharge system to surface waters or an unauthorized land surface shall result in an immediate enforcement action that may include civil penalties, injunctive relief, and/or criminal prosecution. I will make no claim against the Division of Water Resources should a condition of this permit be violated. I also understand that if all required parts of this application package are not completed and that if all required supporting information and attachments are not included unless properly justified in the Cover Letter (See Instruction D), this application package will be returned to me as incomplete. I further certify that the applicant or any affiliate has not been convicted of an environmental crime, has not abandoned a wastewater facility without proper closure, does not have an outstanding civil penalty where all appeals have been exhausted or abandoned, are compliant with any active compliance schedule, and do not have any overdue annual fees per [15A NCAC 02T .0105(e)](http://reports.oah.state.nc.us/ncac/title%2015a%20-%20environmental%20quality/chapter%2002%20-%20environmental%20management/subchapter%20u/15a%20ncac%2002u%20.0701.pdf). **Note**: In accordance with NC General Statutes 143-215.6A and 143-215.6B, any person who knowingly makes any false statement, representation, or certification in any application package shall be guilty of a Class 2 misdemeanor, which may include a fine not to exceed $10,000, as well as civil penalties up to $25,000 per violation.

Signature: Date: