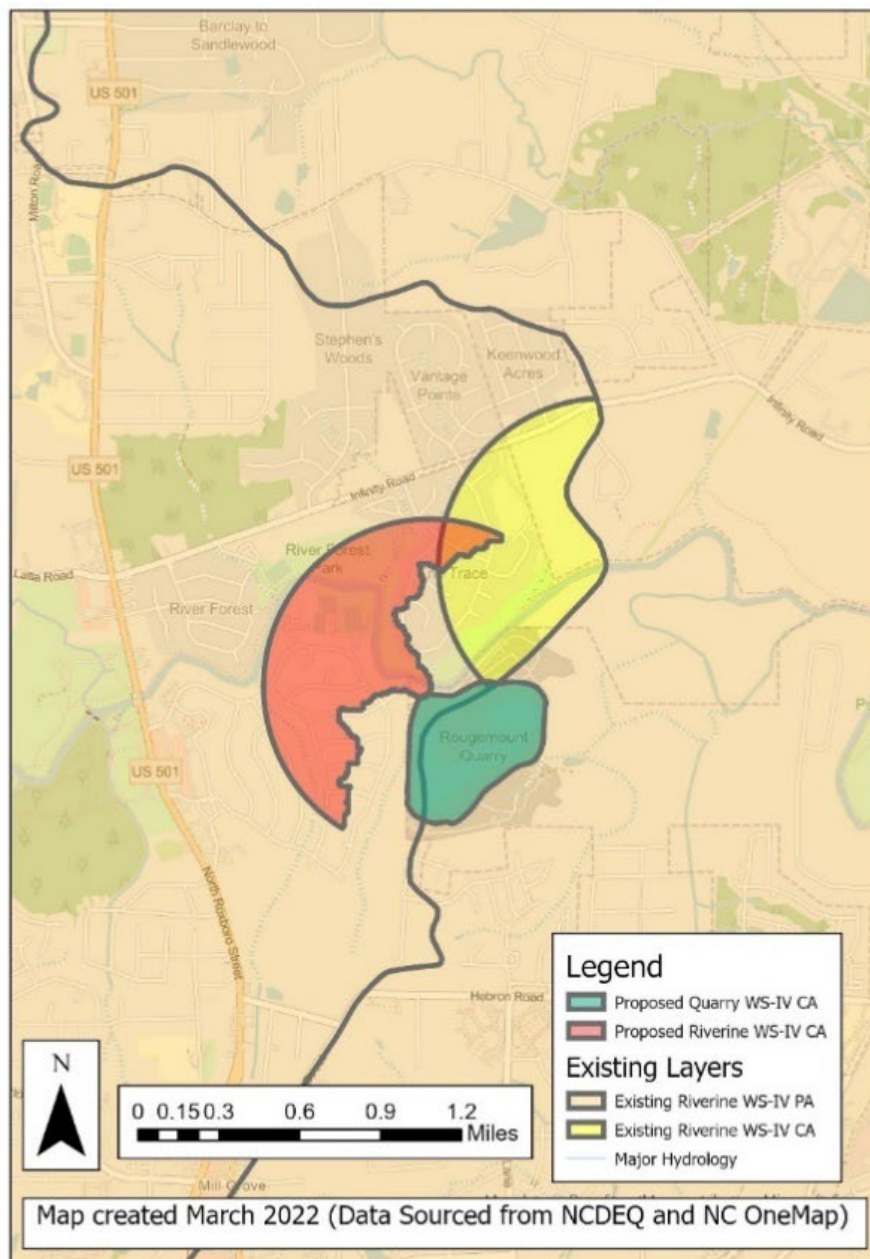

PROPOSED WATER SUPPLY CRITICAL AREA RECLASSIFICATION OF TEER QUARRY AND A SECTION OF THE ENO RIVER: PUBLIC HEARING SET FOR NOVEMBER 2022

[PUBLIC HEARING: Location, Date and Time](#)

Location: Durham Technical Community College -North Durham Center
Building 1 - Room 130, 2401 Snow Hill Road, Durham, NC 27712

Time & Date: 6:00 p.m., Thursday, November 3, 2022

Proposed Water Supply-IV Critical Area Reclassification Teer Quarry and Eno River, Durham County, Neuse River Basin, NC



The City of Durham has requested that Teer Quarry and an Eno River segment in Durham County (Neuse River Basin) be reclassified. These waters are proposed to be reclassified from being in a Class Water Supply-IV (WS-IV) (Protected Area or PA) to the Class WS-IV Critical (CA) designation. This reclassification is needed because the City of Durham seeks to construct a new intake in the river, pump water from the intake to the quarry, and utilize the quarry's waters as a public water supply. A hearing is to be conducted to receive comments on the proposal and associated regulatory impact analysis.

WATERS TO BE AFFECTED BY THE PROPOSED RECLASSIFICATION

Teer quarry is located adjacent to the southern side of the Eno River, approximately five miles west of Falls Lake, and at the northern terminus of Denfield Street in Durham, NC. The proposed riverine intake is located about 1.1 miles downstream of the U.S. 501 bridge. The boundary for the proposed CA for the quarry consists of the top of the quarry's berm, and the boundary for the proposed CA for the new intake would extend approximately 0.5 mile from and draining to that intake. There are no named tributaries to the river or quarry included in this proposal.

The waters to be reclassified meet surface water supply water quality standards according to 2021 DWR studies. Sampling of groundwater wells adjacent to the quarry has revealed the presence of contaminants from releases of petroleum hydrocarbons and chlorinated solvents associated with historical uses of the area. The levels of various contaminants including 1,4-dioxane have been found to exceed associated groundwater (O2L) standards. The consulting firm (ELMSS) that has conducted the most recent groundwater sampling in the area found that groundwater flow in the depth zones where these levels were detected is toward the quarry. DWR concurs with the consulting firm's recommendation of continued annual monitoring in the area and increased surface water monitoring to confirm that impacts from groundwater are not affecting the quarry's surface water.

REGULATIONS ASSOCIATED WITH THE PROPOSED RECLASSIFICATION

If these waters are reclassified, restrictions associated with new development and new industrial process wastewater discharges would apply in the proposed CAs. Additionally, no new landfills or new residual or septage land application sites would be allowed in the proposed CAs. Water supply water quality standards would continue to apply in these areas. There are no permitted or planned wastewater discharges, and no known planned land applications sites, landfills, or developments that would be impacted by the proposal. The subject watershed consists mainly of developed single-family residential areas plus two developed industrial parcels. WS-IV requirements are available online at <https://deq.nc.gov/about/divisions/water-resources/planning/classification-standards/rules>.

DWR staff worked with the NC Wildlife Resources Commission (WRC) and City of Durham staff to come to an agreement in 2019 regarding the conditions pertaining to water quantity by which the City of Durham would be allowed to (1) withdraw water for water supply purposes from the Eno River as well as Lake Michie and Little River Reservoir and transfer those waters into the Teer quarry, and (2) use water in the Teer quarry for water supply. Furthermore, letters of no objection were received from the parties that are subject to the Voluntary Eno River Capacity Use Area Water Management Operations Plan (WMOP) along with the City of Durham, which are the Town of Hillsborough (Hillsborough Water System), Orange-Alamance Water System, and Resco Products (formerly Piedmont Minerals).

Lastly, a regulatory impact analysis (RIA) for this proposal, which has been approved by OSBM, shows a one-time cost of \$2,000 to the state associated with notification, review, and approval of ordinance changes, and a one-time shared cost of \$8,000 to the City of Durham and Durham County affiliated with rezoning and ordinance text amendments. Durham County and the City of Durham are the only local governments with jurisdiction in the reclassification area, are responsible for developing and implementing the water supply watershed ordinances within the proposed CAs and would need to modify their water supply watershed protection ordinance within the required 270 days after the reclassification effective date to at least meet the state's minimum requirements.

MEETING FEDERAL TRIENNIAL REVIEW REQUIREMENTS

The public hearing and comment period are to be held in accordance with the federal Clean Water Act that requires States, at least every three years, to review and revise water quality standards. These standards are provided in existing rules NCAC 15A 02B .0100 and .0201 through .0228. The process is called the Triennial Review and includes an assessment and revision of the designated uses of waters (classifications) and the water quality criteria (standards), which are based on the designated uses. More specifically, this public hearing and comment period are to address the potential assignment of a WS-IV CA classification to Teer Quarry and a portion of the Eno River watershed for the purpose of protecting the proposed designated use as a public water supply. This proposal will result in changing the water quality standards for waters within the above-mentioned areas.



HOW TO SUBMIT COMMENTS

You may attend the hearing and provide verbal comments that specifically address the proposed reclassification and its RIA for Teer Quarry and a portion of the Eno River. The Hearing Officer may limit the length of time that you speak at the hearing, if necessary, so that all those who wish to speak may have an opportunity to do so. In addition, written comments addressing the proposed reclassification and RIA for Teer Quarry and the Eno River segment will be accepted until November 14, 2022.

All persons interested and potentially affected by the proposal are encouraged to read this announcement and make comments on the proposal. The proposed effective date for this proposed reclassification is May 1, 2023. Written comments on the proposed reclassification and RIA for Teer Quarry and the Eno River segment may be submitted to Elizabeth Kountis of the Division of Water Resources Planning Section at the postal address or e-mail address listed below.

FOR ADDITIONAL INFORMATION

This announcement and additional information regarding the waters proposed to be reclassified are located online at <https://deq.nc.gov/news/events/public-notice-hearings>. In the case of inclement weather on the day of the scheduled public hearing, please contact the telephone number below for a recorded message regarding any changes to the location, date, or time of the hearing. Further explanations and details on reclassifications may be obtained by writing or calling:

Elizabeth Kountis, DEQ-Division of Water Resources, Planning Section, 1611 Mail Service Center, Raleigh, NC 27699-1611
phone (919) 707-3685, e-mail elizabeth.kountis@ncdenr.gov

To learn more about how the Division of Water Resources protects water quality in North Carolina, go to <http://deq.nc.gov/about/divisions/water-resources>

