

G.S. 150B-21.3A Report for 15A NCAC 02B, SURFACE WATER AND WETLAND STANDARDS

Agency - Environmental Management Commission

Comment Period - March 15 - May 22, 2024

Date Submitted to APO - October 31, 2024

Subchapter	Rule Section	Rule Citation	Rule Name	Date and Last Agency Action on the Rule	Agency Determination [150B-21.3A(c)(1)a]	Required to Implement or Conform to Federal Regulation [150B-21.3A(d1)]	Federal Regulation Citation	Public Comment Received [150B-21.3A(c)(1)]	Agency Determination Following Public Comment [150B-21.3A(c)(1)]	RRC Determination of Public Comments [150B-21.3A(c)(2)]	RRC Final Determination of Status of Rule for Report to APO [150B-21.3A(c)(2)]	OAH Next Steps	
SUBCHAPTER 02B SURFACE WATER AND WETLAND STANDARDS	SECTION .0100 PROCEDURES FOR ASSIGNMENT OF WATER QUALITY STANDARDS	15A NCAC 02B .0101	GENERAL PROCEDURES	Readopted Eff. November 1, 2019	Necessary	Yes If yes, include the citation to the federal law	CWA Sec. 101(a); 40CFR 131.10	Yes	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt	
		15A NCAC 02B .0103	ANALYTICAL PROCEDURES	Amended Eff. June 1, 2020	Necessary	Yes If yes, include the citation to the federal law	CWA Sec. 101(a); 40CFR 131.10	Yes	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt	
		15A NCAC 02B .0104	CONSIDERATIONS/ASSIGNING/IMPLEMENTING WATER SUPPLY CLASSIFICATIONS	Readopted Eff. November 1, 2019	Necessary	Yes If yes, include the citation to the federal law	CWA Sec. 101(a); 40CFR 131.10	Yes	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt	
		15A NCAC 02B .0110	CONSIDERATIONS FOR FEDERALLY-LISTED THREATENED OR ENDANGERED AQUATIC SPECIES	Readopted Eff. November 1, 2019	Necessary	Yes If yes, include the citation to the federal law	CWA Sec. 101(a)	Yes	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt	
		SECTION .0200 CLASSIFICATIONS AND WATER QUALITY STANDARDS APPLICABLE TO SURFACE WATERS AND WETLANDS OF NORTH CAROLINA	15A NCAC 02B .0201	ANTIDEGRADATION POLICY	Readopted Eff. November 1, 2019	Necessary	Yes If yes, include the citation to the federal law	CWA Sec. 101(a); 40 CFR 131.12	Yes	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		15A NCAC 02B .0202	DEFINITIONS	Amended Eff. June 1, 2022	Necessary	Yes If yes, include the citation to the federal law	CWA Sec. 101(a); 40 CFR 131.12	Yes	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt	
		15A NCAC 02B .0203	PROTECTION OF WATERS DOWNSTREAM OF RECEIVING WATERS	Readopted Eff. November 1, 2019	Necessary	Yes If yes, include the citation to the federal law	CWA Sec. 101(a)	Yes	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt	
		15A NCAC 02B .0204	LOCATION OF SAMPLING SITES AND MIXING ZONES	Readopted Eff. November 1, 2019	Necessary	Yes If yes, include the citation to the federal law	CWA Sec. 101(a); 40 CFR 131.13	Yes	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt	
		15A NCAC 02B .0205	NATURAL CHARACTERISTICS OUTSIDE STANDARDS LIMITS	Readopted Eff. November 1, 2019	Necessary	Yes If yes, include the citation to the federal law	CWA Sec. 101(a)	Yes	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt	
		15A NCAC 02B .0206	FLOW DESIGN CRITERIA FOR EFFLUENT LIMITATIONS	Readopted Eff. November 1, 2019	Necessary	Yes If yes, include the citation to the federal law	CWA Sec. 101(a)	Yes	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt	
		15A NCAC 02B .0208	STANDARDS FOR TOXIC SUBSTANCES AND TEMPERATURE	Readopted Eff. November 1, 2019	Necessary	Yes If yes, include the citation to the federal law	CWA Sec. 101(a); CWA Sec. 304(a); CWA Sec. 316(a); 42 U.S.C. 300f et seq.	Yes	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt	
		15A NCAC 02B .0211	FRESH SURFACE WATER QUALITY STANDARDS FOR CLASS C WATERS	Amended Eff. September 1, 2022	Necessary	Yes If yes, include the citation to the federal law	CWA Sec. 101(a); 40 CFR 110.3	Yes	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt	
		15A NCAC 02B .0212	FRESH SURFACE WATER QUALITY STANDARDS FOR CLASS WS I WATERS	Readopted Eff. November 1, 2019	Necessary	Yes If yes, include the citation to the federal law	CWA Sec. 101(a); CWA Sec. 304(a)	Yes	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt	
		15A NCAC 02B .0214	FRESH SURFACE WATER QUALITY STANDARDS FOR CLASS WS II WATERS	Readopted Eff. November 1, 2019	Necessary	Yes If yes, include the citation to the federal law	CWA Sec. 101(a); CWA Sec. 304(a)	Yes	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt	
		15A NCAC 02B .0215	FRESH SURFACE WATER QUALITY STANDARDS FOR CLASS WS III WATERS	Readopted Eff. November 1, 2019	Necessary	Yes If yes, include the citation to the federal law	CWA Sec. 101(a); CWA Sec. 304(a)	Yes	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt	
		15A NCAC 02B .0216	FRESH SURFACE WATER QUALITY STANDARDS FOR CLASS WS-IV WATERS	Readopted Eff. November 1, 2019	Necessary	Yes If yes, include the citation to the federal law	CWA Sec. 101(a); CWA Sec. 304(a)	Yes	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt	
		15A NCAC 02B .0218	FRESH SURFACE WATER QUALITY STANDARDS FOR CLASS WS V WATERS	Readopted Eff. November 1, 2019	Necessary	Yes If yes, include the citation to the federal law	CWA Sec. 101(a); CWA Sec. 304(a)	Yes	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt	
		15A NCAC 02B .0219	FRESH SURFACE WATER QUALITY STANDARDS FOR CLASS B WATERS	Amended Eff. June 1, 2022	Necessary	Yes If yes, include the citation to the federal law	CWA Sec. 101(a); CWA Sec. 304(a)	Yes	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt	
		15A NCAC 02B .0220	TIDAL SALT WATER QUALITY STANDARDS FOR CLASS SC WATERS	Amended Eff. June 1, 2022	Necessary	Yes If yes, include the citation to the federal law	CWA Sec. 101(a); CWA Sec. 304(a); 33 U.S.C. 1313	Yes	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt	

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Subchapter	Rule Section	Rule Citation	Rule Name	Date and Last Agency Action on the Rule	Agency Determination [150B-21.3A(c)(1)a]	Required to Implement or Conform to Federal Regulation [150B-21.3A(d1)]	Federal Regulation Citation	Public Comment Received [150B-21.3A(c)(1)]	Agency Determination Following Public Comment [150B-21.3A(c)(1)]	RRC Determination of Public Comments [150B-21.3A(c)(2)]	RRC Final Determination of Status of Rule for Report to APO [150B-21.3A(c)(2)]	OAH Next Steps
		15A NCAC 02B .0221	TIDAL SALT WATER QUALITY STANDARDS FOR CLASS SA WATERS	Readopted Eff. November 1, 2019	Necessary	Yes If yes, include the citation to the federal law	CWA Sec. 101(a); CWA Sec. 304(a); 33 U.S.C. 1313	Yes	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		15A NCAC 02B .0222	TIDAL SALT WATER QUALITY STANDARDS FOR CLASS SB WATERS	Readopted Eff. November 1, 2019	Necessary	Yes If yes, include the citation to the federal law	CWA Sec. 101(a); CWA Sec. 304(a); 33 U.S.C. 1313	Yes	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		15A NCAC 02B .0223	WATER QUALITY STANDARDS FOR NUTRIENT SENSITIVE WATERS	Amended Eff. June 1, 2020	Necessary	Yes If yes, include the citation to the federal law	CWA Sec. 101(a); CWA Sec. 304(a)	Yes	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		15A NCAC 02B .0224	WATER QUALITY STANDARDS FOR HIGH QUALITY WATERS	Readopted Eff. November 1, 2019	Necessary	Yes If yes, include the citation to the federal law	CWA Sec 101(a); CWA Sec. 304(a); 40 CFR 131.10	Yes	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		15A NCAC 02B .0225	WATER QUALITY STANDARDS FOR OUTSTANDING RESOURCE WATERS	Readopted Eff. November 1, 2019	Necessary	Yes If yes, include the citation to the federal law	CWA Sec 101(a); CWA Sec. 304(a); 40 CFR 131.10	Yes	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		15A NCAC 02B .0226	EXEMPTIONS FROM SURFACE WATER QUALITY STANDARDS	Readopted Eff. November 1, 2019	Necessary	Yes If yes, include the citation to the federal law	CWA Sec 101(a); CWA Sec. 304(a); 40 CFR 131.10	Yes	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		15A NCAC 02B .0227	WATER QUALITY MANAGEMENT PLANS	Amended Eff. July 1, 2021	Necessary	Yes If yes, include the citation to the federal law	CWA Sec. 101(a)	Yes	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		15A NCAC 02B .0228	EFFLUENT CHANNELS	Readopted Eff. November 1, 2019	Necessary	Yes If yes, include the citation to the federal law	CWA Sec. 101(a)	Yes	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		15A NCAC 02B .0230	ACTIVITIES DEEMED TO COMPLY WITH WETLANDS STANDARDS	Readopted Eff. November 1, 2019	Necessary	Yes If yes, include the citation to the federal law	CWA Sec. 101(a); CWA Sec. 404(f)	Yes	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		15A NCAC 02B .0231	WETLAND STANDARDS	Readopted Eff. November 1, 2019	Necessary	Yes If yes, include the citation to the federal law	CWA Sec. 101(a)	Yes	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		15A NCAC 02B .0262	JORDAN WATER SUPPLY NUTRIENT STRATEGY: PURPOSE AND SCOPE	Amended Eff. January 1, 2014	Necessary	Yes If yes, include the citation to the federal law	CWA Sec. 101(a)	Yes	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		15A NCAC 02B .0263	JORDAN WATER SUPPLY NUTRIENT STRATEGY: DEFINITIONS	Eff. August 11, 2009	Necessary	Yes If yes, include the citation to the federal law	CWA Sec. 101(a)	Yes	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		15A NCAC 02B .0264	JORDAN WATER SUPPLY NUTRIENT STRATEGY: AGRICULTURE	Eff. August 11, 2009	Necessary	Yes If yes, include the citation to the federal law	CWA Sec. 101(a)	Yes	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		15A NCAC 02B .0265	JORDAN WATER SUPPLY NUTRIENT STRATEGY: STORMWATER MANAGEMENT FOR NEW DEVELOPMENT	Amended Eff. July 7, 2014	Necessary	Yes If yes, include the citation to the federal law	CWA Sec. 101(a)	Yes	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		15A NCAC 02B .0266	JORDAN WATER SUPPLY NUTRIENT STRATEGY: STORMWATER MANAGEMENT FOR EXISTING DEVELOPMENT	Eff. July 7, 2014	Necessary	Yes If yes, include the citation to the federal law	CWA Sec. 101(a)	Yes	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		15A NCAC 02B .0267	JORDAN WATER SUPPLY NUTRIENT STRATEGY: PROTECTION OF EXISTING RIPARIAN BUFFERS	Amended Eff. July 7, 2014	Necessary	Yes If yes, include the citation to the federal law	CWA Sec. 101(a)	Yes	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		15A NCAC 02B .0270	JORDAN WATER SUPPLY NUTRIENT STRATEGY: WASTEWATER DISCHARGE REQUIREMENTS	Amended Eff. April 1, 2020	Necessary	Yes If yes, include the citation to the federal law	CWA Sec. 101(a)	Yes	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		15A NCAC 02B .0271	JORDAN WATER SUPPLY NUTRIENT STRATEGY: STORMWATER REQUIREMENTS FOR STATE AND FEDERAL ENTITIES	Amended Eff. April 1, 2020	Necessary	Yes If yes, include the citation to the federal law	CWA Sec. 101(a)	Yes	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		15A NCAC 02B .0272	JORDAN WATER SUPPLY NUTRIENT STRATEGY: FERTILIZER MANAGEMENT	Eff. August 11, 2009	Necessary	Yes If yes, include the citation to the federal law	CWA Sec. 101(a)	Yes	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt

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		15A NCAC 02B .0273	JORDAN WATER SUPPLY NUTRIENT STRATEGY: OPTIONS FOR OFFSETTING NUTRIENT LOADS	Eff. August 11, 2009	Necessary	Yes If yes, include the citation to the federal law	CWA Sec. 101(a)	Yes	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		15A NCAC 02B .0275	FALLS WATER SUPPLY NUTRIENT STRATEGY: PURPOSE AND SCOPE	Eff. January 15, 2011	Necessary	Yes If yes, include the citation to the federal law	CWA Sec. 101(a)	Yes	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		15A NCAC 02B .0276	FALLS WATER SUPPLY NUTRIENT STRATEGY: DEFINITIONS	Eff. January 15, 2011	Necessary	Yes If yes, include the citation to the federal law	CWA Sec. 101(a)	Yes	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		15A NCAC 02B .0277	FALLS RESERVOIR WATER SUPPLY NUTRIENT STRATEGY: STORMWATER MANAGEMENT FOR NEW DEVELOPMENT	Amended Eff. April 1, 2020	Necessary	Yes If yes, include the citation to the federal law	CWA Sec. 101(a)	Yes	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		15A NCAC 02B .0278	FALLS WATER SUPPLY NUTRIENT STRATEGY: STORMWATER MANAGEMENT FOR EXISTING DEVELOPMENT	Eff. January 15, 2011	Necessary	Yes If yes, include the citation to the federal law	CWA Sec. 101(a)	Yes	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		15A NCAC 02B .0279	FALLS WATER SUPPLY NUTRIENT STRATEGY: WASTEWATER DISCHARGE REQUIREMENTS	Eff. January 15, 2011	Necessary	Yes If yes, include the citation to the federal law	CWA Sec. 101(a)	Yes	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		15A NCAC 02B .0280	FALLS RESERVOIR WATER SUPPLY NUTRIENT STRATEGY: AGRICULTURE	Eff. January 15, 2011	Necessary	Yes If yes, include the citation to the federal law	CWA Sec. 101(a)	Yes	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		15A NCAC 02B .0281	FALLS WATER SUPPLY NUTRIENT STRATEGY: STORMWATER REQUIREMENTS FOR STATE AND FEDERAL ENTITIES	Amended Eff. April 1, 2020	Necessary	Yes If yes, include the citation to the federal law	CWA Sec. 101(a)	Yes	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		15A NCAC 02B .0282	FALLS WATER SUPPLY NUTRIENT STRATEGY: OPTIONS FOR OFFSETTING NUTRIENT LOADS	Amended Eff. April 1, 2020	Necessary	Yes If yes, include the citation to the federal law	CWA Sec. 101(a)	Yes	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		15A NCAC 02B .0295	MITIGATION PROGRAM REQUIREMENTS FOR PROTECTION AND MAINTENANCE OF RIPARIAN BUFFERS	Eff. November 1, 2015	Necessary	Yes If yes, include the citation to the federal law	CWA Sec. 101(a)	Yes	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
	SECTION .0300 ASSIGNMENT OF STREAM CLASSIFICATIONS	15A NCAC 02B .0301	CLASSIFICATIONS: GENERAL	Amended Eff. June 1, 2022	Necessary	Yes If yes, include the citation to the federal law	CWA Sec. 101(a); 40 CFR 131.10	Yes	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		15A NCAC 02B .0302	HIWASSEE RIVER BASIN	Readopted Eff. November 1, 2019	Necessary	Yes If yes, include the citation to the federal law	CWA Sec. 101(a); 40 CFR 131.10	Yes	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		15A NCAC 02B .0303	LITTLE TENNESSEE RIVER BASIN AND SAVANNAH RIVER DRAINAGE AREA	Readopted Eff. November 1, 2019	Necessary	Yes If yes, include the citation to the federal law	CWA Sec. 101(a); 40 CFR 131.10	Yes	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		15A NCAC 02B .0304	FRENCH BROAD RIVER BASIN	Amended Eff. September 1, 2020	Necessary	Yes If yes, include the citation to the federal law	CWA Sec. 101(a); 40 CFR 131.10	Yes	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		15A NCAC 02B .0305	WATAUGA RIVER BASIN	Amended Eff. September 1, 2023	Necessary	Yes If yes, include the citation to the federal law	CWA Sec. 101(a); 40 CFR 131.10	Yes	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		15A NCAC 02B .0306	BROAD RIVER BASIN	Readopted Eff. November 1, 2019	Necessary	Yes If yes, include the citation to the federal law	CWA Sec. 101(a); 40 CFR 131.10	Yes	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		15A NCAC 02B .0307	NEW RIVER BASIN	Readopted Eff. November 1, 2019	Necessary	Yes If yes, include the citation to the federal law	CWA Sec. 101(a); 40 CFR 131.10	Yes	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		15A NCAC 02B .0308	CATAWBA RIVER BASIN	Readopted Eff. November 1, 2019	Necessary	Yes If yes, include the citation to the federal law	CWA Sec. 101(a); 40 CFR 131.10	Yes	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		15A NCAC 02B .0309	YADKIN PEE DEE RIVER BASIN	Readopted Eff. November 1, 2019	Necessary	Yes If yes, include the citation to the federal law	CWA Sec. 101(a); 40 CFR 131.10	Yes	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt

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		15A NCAC 02B .0310	LUMBER RIVER BASIN	Readopted Eff. November 1, 2019	Necessary	Yes If yes, include the citation to the federal law	CWA Sec. 101(a); 40 CFR 131.10	Yes	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		15A NCAC 02B .0311	CAPE FEAR RIVER BASIN	Amended Eff. June 1, 2022	Necessary	Yes If yes, include the citation to the federal law	CWA Sec. 101(a); 40 CFR 131.10	Yes	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		15A NCAC 02B .0312	WHITE OAK RIVER BASIN	Readopted Eff. November 1, 2019	Necessary	Yes If yes, include the citation to the federal law	CWA Sec. 101(a); 40 CFR 131.10	Yes	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		15A NCAC 02B .0313	ROANOKE RIVER BASIN	Readopted Eff. November 1, 2019	Necessary	Yes If yes, include the citation to the federal law	CWA Sec. 101(a); 40 CFR 131.10	Yes	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		15A NCAC 02B .0314	CHOWAN RIVER BASIN	Amended Eff. June 1, 2020	Necessary	Yes If yes, include the citation to the federal law	CWA Sec. 101(a); 40 CFR 131.10	Yes	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		15A NCAC 02B .0315	NEUSE RIVER BASIN	Amended Eff. July 1, 2023	Necessary	Yes If yes, include the citation to the federal law	CWA Sec. 101(a); 40 CFR 131.10	Yes	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		15A NCAC 02B .0316	TAR PAMLICO RIVER BASIN	Readopted Eff. November 1, 2019	Necessary	Yes If yes, include the citation to the federal law	CWA Sec. 101(a); 40 CFR 131.10	Yes	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		15A NCAC 02B .0317	PASQUOTANK RIVER BASIN	Readopted Eff. November 1, 2019	Necessary	Yes If yes, include the citation to the federal law	CWA Sec. 101(a); 40 CFR 131.10	Yes	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
	SECTION .0400 EFFLUENT LIMITATIONS	15A NCAC 02B .0402	SCOPE	Readopted Eff. May 1, 2020	Necessary	Yes If yes, include the citation to the federal law	CWA Sec. 101(a)	Yes	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		15A NCAC 02B .0403	DEFINITION OF TERMS	Readopted Eff. May 1, 2020	Necessary	Yes If yes, include the citation to the federal law	CWA Sec. 101(a)	Yes	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		15A NCAC 02B .0404	WATER QUALITY BASED EFFLUENT LIMITATIONS	Readopted Eff. May 1, 2020	Necessary	Yes If yes, include the citation to the federal law	CWA Sec. 101(a)	Yes	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		15A NCAC 02B .0406	TECHNOLOGY BASED EFFLUENT LIMITATIONS	Readopted Eff. May 1, 2020	Necessary	Yes If yes, include the citation to the federal law	CWA Sec. 101(a); 40 CFR Part 129, 133, 401, 405 - 415, 417 - 430, 432 - 447, 449 - 451, 454 - 455, 457 - 461, 463 - 469, 471	Yes	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		15A NCAC 02B .0407	GUIDANCE FOR DETERMINING A NEW SOURCE	Readopted Eff. May 1, 2020	Necessary	Yes If yes, include the citation to the federal law	CWA Sec. 101(a); 40 CFR 122.29	Yes	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		15A NCAC 02B .0408	INCORPORATION BY REFERENCE	Eff. May 1, 2020	Necessary	Yes If yes, include the citation to the federal law	CWA Sec. 101(a)	Yes	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
	SECTION .0500 SURFACE WATER MONITORING: REPORTING	15A NCAC 02B .0501	PURPOSE	Readopted Eff. May 1, 2020	Necessary	Yes If yes, include the citation to the federal law	CWA Sec. 101(a)	Yes	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		15A NCAC 02B .0502	SCOPE	Readopted Eff. May 1, 2020	Necessary	Yes If yes, include the citation to the federal law	CWA Sec. 101(a)	Yes	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		15A NCAC 02B .0503	DEFINITIONS	Readopted Eff. May 1, 2020	Necessary	Yes If yes, include the citation to the federal law	CWA Sec. 101(a)	Yes	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		15A NCAC 02B .0504	CLASSIFICATION OF WASTE SOURCES	Readopted Eff. May 1, 2020	Necessary	Yes If yes, include the citation to the federal law	CWA Sec. 101(a)	Yes	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		15A NCAC 02B .0505	MONITORING REQUIREMENTS	Readopted Eff. May 1, 2020	Necessary	Yes If yes, include the citation to the federal law	CWA Sec. 101(a)	Yes	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		15A NCAC 02B .0506	REPORTING REQUIREMENTS	Readopted Eff. May 1, 2020	Necessary	Yes If yes, include the citation to the federal law	CWA Sec. 101(a)	Yes	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		15A NCAC 02B .0508	TESTS AND MEASUREMENTS APPLICABLE TO SICS	Readopted Eff. May 1, 2020	Necessary	Yes If yes, include the citation to the federal law	CWA Sec. 101(a)	Yes	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		15A NCAC 02B .0511	INCORPORATION BY REFERENCE	Eff. May 1, 2020	Necessary	Yes If yes, include the citation to the federal law	CWA Sec. 101(a)	Yes	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt

G.S. 150B-21.3A Report for 15A NCAC 02B, SURFACE WATER AND WETLAND STANDARDS

Agency - Environmental Management Commission

Comment Period - March 15 - May 22, 2024

Date Submitted to APO - October 31, 2024

Subchapter	Rule Section	Rule Citation	Rule Name	Date and Last Agency Action on the Rule	Agency Determination [150B-21.3A(c)(1)a]	Required to Implement or Conform to Federal Regulation [150B-21.3A(d1)]	Federal Regulation Citation	Public Comment Received [150B-21.3A(c)(1)]	Agency Determination Following Public Comment [150B-21.3A(c)(1)]	RRC Determination of Public Comments [150B-21.3A(c)(2)]	RRC Final Determination of Status of Rule for Report to APO [150B-21.3A(c)(2)]	OAH Next Steps
	SECTION .0600 - WATER QUALITY MANAGEMENT PLANS	15A NCAC 02B .0601	SITE SPECIFIC WATER QUALITY MANAGEMENT PLAN FOR THE GOOSE CREEK WATERSHED (YADKIN PEE-DEE RIVER BASIN): PURPOSE	Readopted Eff. June 1, 2019	Necessary	Yes If yes, include the citation to the federal law	CWA Sec. 101(a)	Yes	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		15A NCAC 02B .0602	SITE SPECIFIC WATER QUALITY MANAGEMENT PLAN FOR THE GOOSE CREEK WATERSHED (YADKIN PEE-DEE RIVER BASIN): STORMWATER CONTROL REQUIREMENTS	Readopted Eff. June 1, 2019	Necessary	Yes If yes, include the citation to the federal law	CWA Sec. 101(a)	Yes	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		15A NCAC 02B .0603	SITE SPECIFIC WATER QUALITY MANAGEMENT PLAN FOR THE GOOSE CREEK WATERSHED (YADKIN PEE-DEE RIVER BASIN): WASTEWATER CONTROL REQUIREMENTS	Readopted Eff. June 1, 2019	Necessary	Yes If yes, include the citation to the federal law	CWA Sec. 101(a)	Yes	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		15A NCAC 02B .0604	SITE SPECIFIC WATER QUALITY MANAGEMENT PLAN FOR THE GOOSE CREEK WATERSHED (YADKIN PEE-DEE RIVER BASIN): CONTROL TOXICITY INCLUDING AMMONIA	Readopted Eff. June 1, 2019	Necessary	Yes If yes, include the citation to the federal law	CWA Sec. 101(a)	Yes	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		15A NCAC 02B .0605	SITE SPECIFIC WATER QUALITY MANAGEMENT PLAN FOR THE GOOSE CREEK WATERSHED (YADKIN PEE-DEE RIVER BASIN): RIPARIAN BUFFER WIDTHS	Readopted Eff. June 15, 2020	Necessary	Yes If yes, include the citation to the federal law	CWA Sec. 101(a)	Yes	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		15A NCAC 02B .0606	SITE SPECIFIC WATER QUALITY MANAGEMENT PLAN FOR THE GOOSE CREEK WATERSHED (YADKIN PEE-DEE RIVER BASIN): AUTHORIZATION CERTIFICATES	Readopted Eff. June 15, 2020	Necessary	Yes If yes, include the citation to the federal law	CWA Sec. 101(a)	Yes	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		15A NCAC 02B .0607	SITE SPECIFIC WATER QUALITY MANAGEMENT PLAN FOR THE GOOSE CREEK WATERSHED (YADKIN PEE-DEE RIVER BASIN): BUFFER TYPES AND MANAGING ACTIVITIES WITHIN RIPARIAN BUFFERS	Readopted Eff. June 15, 2020	Necessary	Yes If yes, include the citation to the federal law	CWA Sec. 101(a)	Yes	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		15A NCAC 02B .0608	SITE SPECIFIC WATER QUALITY MANAGEMENT PLAN FOR THE GOOSE CREEK WATERSHED (YADKIN PEE-DEE RIVER BASIN): MANAGE ACTIVITIES WITHIN RIPARIAN BUFFERS: FOREST HARVESTING REQUIREMENTS	Readopted Eff. June 15, 2020	Necessary	Yes If yes, include the citation to the federal law	CWA Sec. 101(a)	Yes	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		15A NCAC 02B .0610	MANAGING ACTIVITIES WITHIN RIPARIAN BUFFERS: DEFINITIONS	Eff. June 15, 2020	Necessary	Yes If yes, include the citation to the federal law	CWA Sec. 101(a)	Yes	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		15A NCAC 02B .0611	MANAGING ACTIVITIES WITHIN RIPARIAN BUFFERS: AUTHORIZATION CERTIFICATES	Eff. June 15, 2020	Necessary	Yes If yes, include the citation to the federal law	CWA Sec. 101(a)	Yes	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		15A NCAC 02B .0612	MANAGING ACTIVITIES WITHIN RIPARIAN BUFFERS: FOREST HARVESTING REQUIREMENTS	Eff. June 15, 2020	Necessary	Yes If yes, include the citation to the federal law	CWA Sec. 101(a)	Yes	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt

G.S. 150B-21.3A Report for 15A NCAC 02B, SURFACE WATER AND WETLAND STANDARDS

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		15A NCAC 02B .0614	CATAWBA RIVER BASIN: PROTECTION AND MAINTENANCE OF EXISTING RIPARIAN BUFFERS	Readopted Eff. June 15, 2020	Necessary	Yes If yes, include the citation to the federal law	CWA Sec. 101(a)	Yes	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		15A NCAC 02B .0620	WATER SUPPLY WATERSHED PROTECTION PROGRAM: PURPOSE	Eff. March 1, 2019	Necessary	Yes If yes, include the citation to the federal law	CWA Sec. 101(a)	Yes	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		15A NCAC 02B .0621	WATER SUPPLY WATERSHED PROTECTION PROGRAM: DEFINITIONS	Amended Eff. September 1, 2019	Necessary	Yes If yes, include the citation to the federal law	CWA Sec. 101(a)	Yes	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		15A NCAC 02B .0622	WATER SUPPLY WATERSHED PROTECTION PROGRAM: EXCLUSIONS AND SPECIAL CASES	Eff. March 1, 2019	Necessary	Yes If yes, include the citation to the federal law	CWA Sec. 101(a)	Yes	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		15A NCAC 02B .0623	WATER SUPPLY WATERSHED PROTECTION PROGRAM: PROGRAM ADMINISTRATION	Eff. March 1, 2019	Necessary	Yes If yes, include the citation to the federal law	CWA Sec. 101(a)	Yes	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		15A NCAC 02B .0624	WATER SUPPLY WATERSHED PROTECTION PROGRAM: NONPOINT SOURCE AND STORMWATER POLLUTION CONTROL	Amended Eff. September 1, 2019	Necessary	Yes If yes, include the citation to the federal law	CWA Sec. 101(a)	Yes	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
	SECTION .0700 – NUTRIENT MANAGEMENT STRATEGY RULES FOR SURFACE WATERS	15A NCAC 02B .0701	NUTRIENT STRATEGIES DEFINITIONS	Eff. April 1, 2020	Necessary	Yes If yes, include the citation to the federal law	CWA Sec. 101(a)	Yes	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		15A NCAC 02B .0703	NUTRIENT OFFSET CREDIT TRADING	Readopted Eff. April 1, 2020	Necessary	Yes If yes, include the citation to the federal law	CWA Sec. 101(a)	Yes	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		15A NCAC 02B .0710	NEUSE NUTRIENT STRATEGY: PURPOSE AND SCOPE	Readopted Eff. April 1, 2020	Necessary	Yes If yes, include the citation to the federal law	CWA Sec. 101(a)	Yes	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		15A NCAC 02B .0711	NEUSE NUTRIENT STRATEGY: STORMWATER	Readopted Eff. April 1, 2020	Necessary	Yes If yes, include the citation to the federal law	CWA Sec. 101(a)	Yes	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		15A NCAC 02B .0712	NEUSE NUTRIENT STRATEGY: AGRICULTURE	Readopted Eff. April 1, 2020	Necessary	Yes If yes, include the citation to the federal law	CWA Sec. 101(a)	Yes	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		15A NCAC 02B .0713	NEUSE NUTRIENT STRATEGY: WASTEWATER DISCHARGE REQUIREMENTS	Readopted Eff. April 1, 2020	Necessary	Yes If yes, include the citation to the federal law	CWA Sec. 101(a)	Yes	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		15A NCAC 02B .0714	NEUSE RIVER BASIN: NUTRIENT SENSITIVE WATERS MANAGEMENT STRATEGY: PROTECTION AND MAINTENANCE OF EXISTING RIPARIAN BUFFERS	Readopted Eff. June 15, 2020	Necessary	Yes If yes, include the citation to the federal law	CWA Sec. 101(a)	Yes	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		15A NCAC 02B .0715	NEUSE RIVER BASIN: NUTRIENT SENSITIVE WATERS MANAGEMENT STRATEGY: DELEGATION OF AUTHORITY FOR THE PROTECTION AND MAINTENANCE OF EXISTING RIPARIAN BUFFERS	Readopted Eff. June 15, 2020	Necessary	Yes If yes, include the citation to the federal law	CWA Sec. 101(a)	Yes	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		15A NCAC 02B .0720	RANDLEMAN NUTRIENT STRATEGY: PURPOSE AND SCOPE	Readopted Eff. June 15, 2020	Necessary	Yes If yes, include the citation to the federal law	CWA Sec. 101(a)	Yes	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		15A NCAC 02B .0721	RANDLEMAN LAKE WATER SUPPLY WATERSHED: STORMWATER REQUIREMENTS	Readopted Eff. June 15, 2020	Necessary	Yes If yes, include the citation to the federal law	CWA Sec. 101(a)	Yes	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		15A NCAC 02B .0722	RANDLEMAN LAKE WATER SUPPLY WATERSHED: WASTEWATER DISCHARGE REQUIREMENTS	Readopted Eff. June 15, 2020	Necessary	Yes If yes, include the citation to the federal law	CWA Sec. 101(a)	Yes	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt

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Subchapter	Rule Section	Rule Citation	Rule Name	Date and Last Agency Action on the Rule	Agency Determination [150B-21.3A(c)(1)a]	Required to Implement or Conform to Federal Regulation [150B-21.3A(d1)]	Federal Regulation Citation	Public Comment Received [150B-21.3A(c)(1)]	Agency Determination Following Public Comment [150B-21.3A(c)(1)]	RRC Determination of Public Comments [150B-21.3A(c)(2)]	RRC Final Determination of Status of Rule for Report to APO [150B-21.3A(c)(2)]	OAH Next Steps
		15A NCAC 02B .0724	RANDLEMAN LAKE WATER SUPPLY WATERSHED: PROTECTION AND MAINTENANCE OF EXISTING RIPARIAN BUFFERS	Readopted Eff. June 15, 2020	Necessary	Yes If yes, include the citation to the federal law	CWA Sec. 101(a)	Yes	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		15A NCAC 02B .0730	TAR-PAMLICO NUTRIENT STRATEGY: PURPOSE & SCOPE	Eff. April 1, 2020	Necessary	Yes If yes, include the citation to the federal law	CWA Sec. 101(a)	Yes	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		15A NCAC 02B .0731	TAR-PAMLICO NUTRIENT STRATEGY: STORMWATER	Readopted Eff. April 1, 2020	Necessary	Yes If yes, include the citation to the federal law	CWA Sec. 101(a)	Yes	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		15A NCAC 02B .0732	TAR-PAMLICO NUTRIENT STRATEGY: AGRICULTURE	Readopted Eff. April 1, 2020	Necessary	Yes If yes, include the citation to the federal law	CWA Sec. 101(a)	Yes	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		15A NCAC 02B .0733	TAR-PAMLICO NUTRIENT STRATEGY: NEW AND EXPANDING WASTEWATER DISCHARGER REQUIREMENTS	Readopted Eff. April 1, 2020	Necessary	Yes If yes, include the citation to the federal law	CWA Sec. 101(a)	Yes	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		15A NCAC 02B .0734	TAR-PAMLICO RIVER BASIN: NUTRIENT SENSITIVE WATERS MANAGEMENT STRATEGY: PROTECTION AND MAINTENANCE OF EXISTING RIPARIAN BUFFERS	Readopted Eff. June 15, 2020	Necessary	Yes If yes, include the citation to the federal law	CWA Sec. 101(a)	Yes	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		15A NCAC 02B .0735	TAR-PAMLICO RIVER BASIN - NUTRIENT SENSITIVE WATERS MANAGEMENT STRATEGY: DELEGATION OF AUTHORITY FOR THE PROTECTION AND MAINTENANCE OF EXISTING RIPARIAN BUFFERS	Readopted Eff. June 15, 2020	Necessary	Yes If yes, include the citation to the federal law	CWA Sec. 101(a)	Yes	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt

Agency	Rule	Name	Type of Comment	Comment
Copy all columns in this row to the right of this yellow cell and paste in new rows				
Environmental Management Commission	All rules in Subchapter 02B	Surface Water and Wetland Standards	Public Coment as defined in G.S. 150B-21.3A(a)(5)	<p>From: Albert Robert (Bob) Rubin, Emeritus Professor Sent: Thursday, March 21, 2024 8:37 AM To: DEQ Subject: Re: FW: Public Comment EMC Water-related rules</p> <p>Thank you Karen - I do be;lieve that most of our rules are necessary and essential. i apologize, I just received this message and can not respond with specific items. I am most appreciative of the work that you and our DEQ folks do everyday. Thank you most sincerely.</p> <p>Be well. Do good. Stay safe.</p> <p>-- --</p> <p>Albert Robert (Bob) Rubin, Emeritus Professor Biological and Agricultural Engineering North Carolina State University</p>