

# MEETING MINUTES

## UPPER CAPE FEAR RIVER BASIN ASSOCIATION TECHNICAL ADVISORY COMMITTEE MEETING

Tuesday October 24, 2023, 9:30 AM – 11:00 AM

**IN-PERSON** at Lake Mackintosh Park and Marina, 2704 Huffman Mill Rd,  
Burlington, NC 27215

NAME	AGENCY	CONTACT INFO
Jesse Day	PTRC	jday@ptrc.org
Emily Barrett	CPRC	ebarrett@centralpinesnc.gov
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Wilmer Lawson	OWASA	wlawson@owasa.org
Tony Bowes	City of Mebane	tbowes@cityofmebane.com
Amanda Hill	City of Mebane	ahill@cityofmebane.com
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Alicia Goots	City of Greensboro	alicia.goots@greensboro-nc.gov
Amanda Hancock	Meritech	amanda.hancock@meritechlabs.com
Dawn Molnar	City of High Point	dawn.molnar@highpointnc.gov
Nick Coco	NC DEQ	nick.coco@deq.nc.gov
Nora Deamer	NC DEQ	nora.deamer@deq.nc.gov
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Larry Durgan	Arauco	larry.durgan@arauco.com
Brittany York	Siler City	byork@silercity.org
Ben Bani	City of Burlington	bbani@burlingtonnc.gov
Emily Sutton	Haw River Assembly	emily@hawriver.org
Mark Vander Borgh	NC DEQ (VIA PHONE)	mark.vanderborgh@deq.nc.gov

## **TAC MEETING**

Jesse Day, Piedmont Triad Regional Council (PTRC), opened the meeting at 9:31am. Introductions were made. No revisions were recommended to the agenda. TAC quorum was met for this meeting as more than half plus one committee members were present.

### **Organizational Report (9:40am– 10:00am)**

#### ORGANIZATIONAL UPDATES

PTRC has a position opening for a Planner I with water resources experience.

#### *Outstanding invoices (Approx. 40% budget)*

Jesse Day, discussed the financial highlights of the UCFRBA stating that over \$170,000 is available cash on hand and about \$190,000 has been reserved for future monitoring.

<u>Account Code</u>	<u>Account Title</u>	<u>Debit Balance</u>	<u>Credit Balance</u>
00112	UCFRBA Cash Acct	179,177.19	
00201	Accounts Payable Control		153,671.52
00338	Conversion Fund Balance		<u>9,308.62</u>
Total No Grant Code		179,177.19	162,980.14
00461	Upper Cape Fear River Basin Assoc		
00113	UCFRBA First Horizon CD 6 Month	70,000.00	
00114	UCFRBA First Horizon CD 11 Month	100,000.00	
00240	Deferred Revenue-Unearned		190,580.57
00326	Membership Dues		149,288.00
00411	Insurance & Bonds	2,727.00	
00416	Consultants - Meritech	102,471.30	
00416	Consultants - TJCOG	23,000.00	
00416	Consultants - PTRC	23,000.00	
00419	CPU Services, Licensing & Fees	1,625.00	
00427	Dues & Memberships	300.00	
00440	Meeting Expenses & Conference Registration	<u>548.22</u>	
Total 00461	Upper Cape Fear River Basin Assoc	323,671.52	339,868.57
	Total 012 - Upper Cape Fear River Basin Assoc	<u>502,848.71</u>	<u>502,848.71</u>

#### *Renewing CD 10/25/2023*

Jesse Day (PTRC), discussed the 6-month CD renewal at 4.25 percent interest rate. All present TAC members were in favor of the 6-month CD renewal at the discussed rate. This CD will be available for cash in the spring for any additional monitoring.

# UCFRBA Financial Highlights

- Year – End Financials (books closed in August)
  - Projected Expenditures: \$145,632.80
  - Dues Revenue: \$149,288.00
  - Add to Fund Balance: \$3,655.20
  - Cash on Hand: \$179,177.19 (Not including CDs)
  
- CDs Secured - \$170,000
  - Financial Institution: First Horizon Bank
  - Secured: 6-month CD for 3.5% and 11-month CD for 3.75%,.
  - Value:
    - \$70,000 – maturity 10/25/23
    - \$100,000 – maturity 3/25/24
  
- Insurance
  - Officers and General Liability renewed in August, increased ~10%

## QA/QC UPDATE

Dawn Molnar (High Point) met with Mertitech yesterday to discuss the water quality standard issues (see QA/QC Data below). One main issue was associated with a new analyst where there were calculation errors. These errors have been corrected in the report. Jesse Day (PTRC) will submit the Water Quality Standard Exceedances from July 2023 through September 2023 to the state.

### Upper Cape Fear River Basin Association QA/QC Committee Report From QA/QC Data Review Meeting of Monday, October 23, 2023

*Reviewers: Chair: Dawn Molnar (High Point), Alicia Goots (Greensboro), Amy Varinoski (Greensboro), Elaine Sellars (High Point), Martie Groome (Greensboro)*

#### Water Quality Standard (WQS) Exceedances July 2023 through September 2023

July 2023 Upper Cape Fear Monitoring Data - WQS Violations				
UCFRBA Site #	Date	Parameter	Reported Value	NC WQ Standard
2	7/5/2023	Dissolved Oxygen	3.8	≥4.0 mg/l
19	7/28/2023	Dissolved Oxygen	2.9	≥4.0 mg/l
21	7/28/2023	Dissolved Oxygen	3.4	≥4.0 mg/l
26	7/31/2023	Dissolved Oxygen	3.6	≥4.0 mg/l

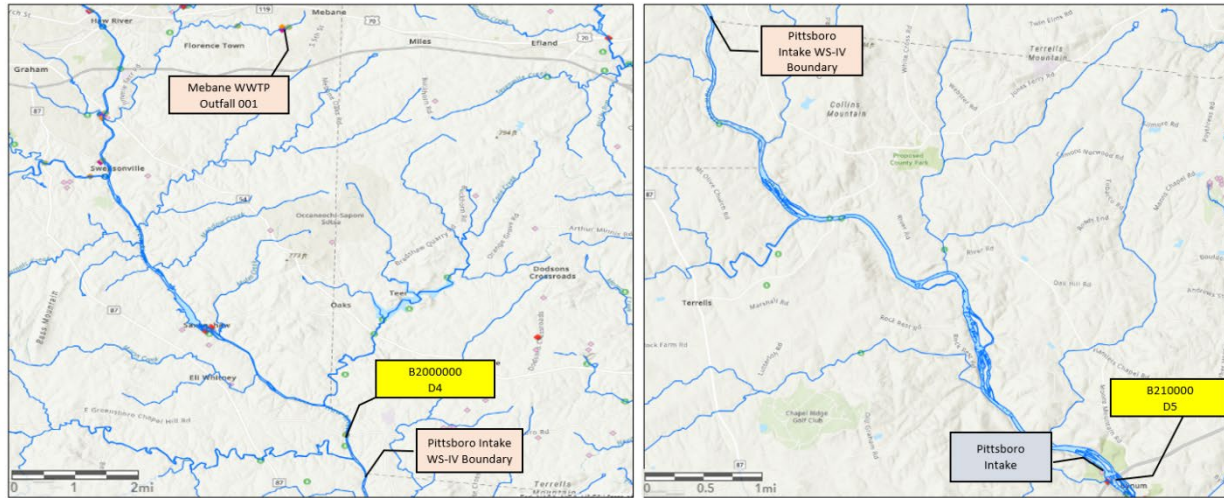
August 2023 Upper Cape Fear Monitoring Data – WQS Violations				
UCFRBA Site #	Date	Parameter	Reported Value	NC WQ Standard
20	8/31/2023	Turbidity	89.9	50 NTU
23	8/31/2023	Turbidity	67.0	50 NTU
1	8/25/2023	Dissolved Oxygen	2.9	≥4.0 mg/l
18	8/29/2023	Dissolved Oxygen	3.8	≥4.0 mg/l
19	8/18/2023	Dissolved Oxygen	3.9	≥4.0 mg/l
43	8/29/2023	Dissolved Oxygen	2.9	≥4.0 mg/l

September 2023 Upper Cape Fear Monitoring Data – WQS Violations				
UCFRBA Site #	Date	Parameter	Reported Value	NC WQ Standard
1	9/15/2023	Dissolved Oxygen	2.3	≥4.0 mg/l
18	9/7/2023	Dissolved Oxygen	3.6	≥4.0 mg/l
19	9/7/2023	Dissolved Oxygen	1.6	≥4.0 mg/l
30	9/8/2023	Dissolved Oxygen	3.7	≥4.0 mg/l
45	9/8/2023	Dissolved Oxygen	3.7	≥4.0 mg/l

**New Permit for Mebane Additional Sampling Requirements (10:00am - 10:15am)**

Amanda Hill (Mebane) informed TAC that their new permit has been issued and is effective November 1, 2023. The new permit requires instream monitoring at two locations for 1,4 dioxane at current sampling sites D4 and D5, which correspond to Haw River Sites 16 and 17 for UCFRBA monthly sampling stations. Nick Coco (NC DEQ) explained that each individual permit will likely have a 1,4 dioxane sampling requirement. He indicated that DEQ chose the existing association stations as to be less of a burden to Mebane. It was further explained that Mebane’s discharge was originally a Class C designation. Reclassification efforts now identify Mebane’s discharge into a Water Supply 5, and that they are currently exempt following the Class C parameters under the permit. However, if 1,4 dioxane sampling results exceed limitations, Mebane will be required to meet additional sampling parameters of a Water Supply 5 designation. These

**Mebane WWTP downstream monitoring stations**



additional testing requirements are a result of Session Law Session 2012-187, Senate Bill 810, Section 12.1. Because permits have different renewal dates, it may be a while before some communities are required to conduct the Session Law required testing. Association members who may be impacted by such permit requirements are Greensboro, Burlington (two facilities), Graham and Mebane. See the table below for the instream permit monitoring requirements for Mebane.

Permit NC0021474

**A.(4.) INSTREAM MONITORING REQUIREMENTS**

[15A NCAC 02B .0200 et seq.]

During the period beginning on the effective date of this permit and lasting until the expiration date, the Permittee shall perform instream sampling upstream and downstream of Outfall 001 as specified below:

PARAMETER	Parameter Code	SAMPLE TYPE	MONITORING FREQUENCY		SAMPLE LOCATION <sup>1</sup>
			Jun 1 – Sep 30	Oct 1 – May 31	
Temperature (°C)	00010	Grab	3/week	Weekly	U, D1, D2, D3
Dissolved Oxygen (DO) (mg/L)	00309	Grab	3/week	Weekly	U, D1, D2, D3
Fecal Coliform (#/100mL)	31616	Grab	3/week	Weekly	U, D1, D2, D3
Conductivity (µmhos/cm)	00094	Grab	3/week	Weekly	U, D1, D2, D3
TKN (mg/L)	00625	Grab	Monthly		U, D1, D2
NO <sub>3</sub> -N + NO <sub>2</sub> -N (mg/L)	00630	Grab	Monthly		U, D1, D2
NH <sub>3</sub> as N (mg/L)	CO610	Grab	Monthly		U, D1, D2
Total Phosphorous (mg/L)	CO665	Grab	Monthly		U, D1, D2
1,4-Dioxane (µg/L) <sup>2</sup>	82388	Grab	Monthly		D4, D5

**Footnotes:**

1. Sample locations U-Upstream 100 feet of discharge, D1- Downstream at NCSR 1940, Moadams Creek, D2 - Downstream at Back Creek at NCSR 1940 (June – Sept only), D3 - Downstream at Back Creek at NC Highway 54, D4 – Downstream at the Haw River at Old Greensboro Road, D5 – Downstream at the Haw River at Old Bynum Bridge. Instream sampling requirements are provisionally waived in light of the permittee’s participation in the Upper Cape Fear River Basin Association. Should participation in the association cease, all instream sampling requirements are immediately reinstated.
2. Samples will be analyzed and reported using sufficiently sensitive test procedures (i.e., methods) approved under 40 CFR part 136 for the analysis of pollutants or pollutant parameters. Should representative downstream 1,4-dioxane monitoring not be conducted by the Upper Cape Fear River Basin Association, downstream 1,4-dioxane monitoring requirements are immediately reinstated until confirmation of the coalition’s activation of such a sampling station is received by the Division.

Amanda Hill (Mebane) asked if TAC could add the 1,4 dioxane grab sampling testing to the existing UCFRBA monthly monitoring D4 & D5 station locations. Mebane offered to pay for the additional costs of the 1,4 dioxane sampling.

Elijah Williams (Greensboro) shared his opinion that until the emerging contaminants issues are resolved he would recommend that the UCFRBA do not share the additional costs of the 1,4 dioxane sampling requirements. Amanda Hill proposed that the association do the monitoring under the existing Meritech contract and bill Mebane separately. The cost of the additional sampling is approximately \$300 per month.

Nick Coco (NC DEQ) explained that the state chose the water supply boundary and the drinking water intake locations at sites 16 and 17, D4 and D5 respectively. Alicia Goots (Burlington) asked what would the action be if the sampling at these locations exceeds the recommended parameters. Nick Coco (NC DEQ) informed the association that they would not likely follow back up-stream, however according to the Session Law there would be a need to reassess the exceedances if they are continual and significant. The law is written with flexibility on exceedances and required actions. He stated that there have been many existing efforts completed to reduce or eliminate exceedances. Elijah Williams (Greensboro) appreciates working together with the state on these complicated emerging contaminant issues.

TAC discussed the benefits with NC DEQ of composite versus grab sampling methods to more accurately map and document 1,4 dioxane. Martie Groome (Greensboro) discussed that they have been using composite sampling methods in collaboration with Pittsboro staff at the water plant intake. Composite samples occur over a few days to a week and show how long a contaminant takes to get through the system. Grab samples are a one-time event that does not accurately map such a contaminant as 1,4 dioxane. Martie Groome (Greensboro) offered to send Mebane their 1,4 dioxane composite sampling data from site D5 as they are already voluntarily testing for this contaminant until April 30<sup>th</sup> of 2024. However, NC DEQ is requiring Mebane to complete a grab sample. Nick Coco (NC DEQ) stated that he would let the UCFRBA know whether a composite sample would be acceptable for the Mebane permit requirements.

Elijah Williams (Greensboro) asked for a motion to add the additional testing for 1,4 dioxane at existing UCFRBA sampling sites D4 and D5, provided Mebane pays for the additional sampling costs. Note: If NC DEQ allows Mebane to use Pittsboro's D5 composite sampling versus grab sampling methods, then additional testing will not be required at D5. Dawn Molnar (High Point) motioned to approve the additional sampling. Will Lawson seconded the motion. All in favor.

### **Review 1,4 Dioxane Sampling Requirements in Mebane (10:15am - 10:30am)**

Mark Vander Borgh (NC DEQ) attended the meeting via phone and noted that the permit issuance does not affect the existing Memorandum of Agreement. However, he did pose a concern as to how Pittsfield takes the composite and that he would need to know in more detail how the sample is collected. Currently, the required sampling method is a grab sample. Given the NC DEQ concern regarding the composite sampling method, TAC decided to withdraw its suggestion of using a composite sample versus a grab sample for station D5.

### **Discussion Brainstorm Meeting Topic Ideas or Other Coalition Topics for good of all (10:30am – 11:00am)**

#### **STATUS UPDATE: CAPE FEAR RIVER BASIN PLAN**

Nora Deamer (NC DEQ) discussed the status of the Cape Fear River Basin Plan that the draft plan was completed and under internal review with its release for public comment anticipated by November 7, 2023. This public comment period will be open for 45 days with a goal to have the plan to the Water Quality Committee in March 2024. However, if there are any unresolved issues this date could be pushed out until May 2024. There are no public meeting requirements under the public comment period. Nora Deamer (NC DEQ) offered to come to a UCFRBA meeting to discuss the plan if desired as it pertains to the association. The plan will be sent to the Cape Fear River list serve including all coalitions and municipalities within the jurisdictional boundaries.

## STATUS UPDATE: JORDAN LAKE BUFFER RULES – STATE-LEAD PROCESS

Emily Barrett (CPRC) notified the association that the first Jordan Lake Buffer Rules stakeholder meeting will take place on November 2, 2023, with Jordan Lake One Water Coalition. She discussed the rules readoption process found in detail on the DEQ website along with the public engagement process schedule associated with combined stakeholder meetings and technical focus groups (see below)

### **Rules Readoption Process**

Session Law 2016-94 and 2018-5 established the NC Policy Collaboratory; directed the Collaboratory to begin a 3-year study on areas subject to the Jordan Lake Water Supply Nutrient Strategies relative to the readoption of the Jordan Rules; directed the Collaboratory to commence modeling of Jordan Lake and its watershed; and set the final date for receipt of the study and modeling at Dec 31, 2019, at which time Jordan Rules readoption could begin. The Collaboratory submitted its final report of the [Jordan Lake Nutrient Management Study](#) in December 2019. The individual research reports can be found on that same [website](#) under the [resources tab](#).

Jordan Lake Nutrient Strategy rules readoption began in 2020. As part of this ongoing process DWR is participating in facilitated stakeholder engagement beginning in 2023. In anticipation of the rules readoption process, [Jordan Lake One Water](#) (JLOW) was formed by local stakeholders to develop an [integrated watershed management plan](#) and inform future rulemaking.

**Combined Stakeholder Meetings** - open attendance forums to inform the general public about ongoing engagement and technical review

- November 2, 2023: Joint JLOW/DWR Autumn meeting - JLOW annual meeting, DWR present on 2023 watershed model results and current rule implementation.
- February 2024: New Year Reintroduction meeting - Re-introduce watershed model results, reorient stakeholders to Jordan background and rules, present preliminary high-level concepts, conduct workshop.

**Technical Focus Groups** - structured discussions with representative technical specialists for each rule domain. There will be two meetings for each rule type and a written Q&A. These meetings will be virtual.

- Feb 26-April 29, 2024: Round 1 of Stakeholder Engagement (2 meetings each for 3 Rules, 9 weeks)
- June 1-August 15, 2024: Round 2 of Stakeholder Engagement (2 meetings each for 3 Rules, 9 weeks)

## PRE-TREATMENT PROGRAM UPDATES

Emily Barrett (CPRS) explained that the NPDES Municipal Unit's Pretreatment Staff is assisting the Secretary's Office to identify all NC industries in categories known or suspected to discharge PFAS. Emily Sutton (Haw River Assembly) gave kudos to Burlington for working with pretreatment authorities to reduce Haw River PFAs discharges. At this particular site along the Haw River PFAS were found at 30,000 ppt and are now currently in the double digits due to manufacturing pretreatment processes.

## PFAS FACT SHEET FOLLOW-UP FROM JULY MEETING

Emily Barrett (CPRC) asked the association if they would like a presentation on the current status of PFAFs at the next meeting. Reggie Hicks (Durham) asked what the results of the Pittsboro data shows. Elijah Williams (Burlington) responded that most of the time 1,4 dioxane is at a 9 or 10. Jesse Day (PTRC) asked how much Burlington spends on the sampling. They responded hundreds of thousands of dollars, however the 1,4 dioxane is a small cost.

Emily Sutton (Haw River Assembly) stated there is grant funding available from the Division of Water Infrastructure but that the fall deadline passed. Division of Water Infrastructure grant internet URL:

<https://www.deq.nc.gov/about/divisions/water-infrastructure/emerging-contaminants-pfas-funding#Fall2023FundingRoundApplicationInformationdeadline10223-13372>

Emily Barrett stated CPRC has a grant writing program to assist also.

Martie Groome (Burlington) notified the association that there is a required EPA PFAS Survey of 400 sampling communities throughout the United States of which only 9 facilities were targeted in North Carolina. The survey requires testing of influent, effluent and biosolids. Alicia Goots (Greensboro) will forward the survey information to the association. Review of the survey data shows that Raleigh, Fayetteville, Winston Salem (two sites), Charlotte, Asheville, Concord, and Rocky River are part of the survey.

### **Next Steps, Closing Remarks and Future Meeting Schedule**

#### NEXT STEPS/TOPICS:

- Status update or presentation on the Cape Fear River Basin Plan
- Pre-treatment Program Update
- Emerging Contaminants Update possible PFAS presentation
- How to procure sampling RFQs for communities
- Budgeting for future sampling costs
- Set-up Budget Committee meeting

#### NEXT MEETING

The next meeting will be scheduled on-line via Microsoft Teams **on January 23, 2023, 9:30am to 11am.**

Elijah Williams adjourned the meeting.