

15A NCAC 02B .0223 WATER QUALITY STANDARDS FOR NUTRIENT SENSITIVE WATERS

(a) In addition to existing classifications, the Commission may classify any surface waters of the State as Nutrient Sensitive Waters (NSW) upon a finding that such waters are experiencing or are subject to excessive growths of microscopic or macroscopic vegetation. Excessive growths are growths that the Commission determines impair the best usage of the water as determined by the classification applied to such waters. In classifying waters as NSW, the Commission shall consider the criteria specified in G.S. 143-214.1.

(b) NSW may include any or all waters within a particular river basin as the Commission deems necessary to control excessive growths of microscopic or macroscopic vegetation.

(c) For the purpose of this Rule, the term "nutrients" shall mean phosphorous or nitrogen or any other chemical parameter or combination of parameters that the Commission determines to be contributing to excessive growths of microscopic or macroscopic vegetation. In determining whether such parameters are contributing to excessive growths of microscopic or macroscopic vegetation, the Commission shall consider information such as chemical, physical, and biological data and reports.

(d) Those waters of the State that are classified as NSW shall be identified in the appropriate river basin classification schedule. The schedules are available online at <http://deq.nc.gov/about/divisions/water-resources/water-planning/classification-standards/river-basin-classification>.

(e) Nutrient strategies applicable to NSW shall be developed by the Commission to limit nutrients so as to control the magnitude, duration, or frequencies of excessive growths of microscopic or macroscopic vegetation so that the existing and designated uses of the waterbody are protected or restored. Nutrient strategies applicable to NSW are set forth in this Subchapter.

*History Note: Authority G.S. 143-214.1; 143-215.8B;
Eff. October 1, 1995;
Amended Eff. August 1, 2000;
Readopted Eff. November 1, 2019;
Amended Eff. June 1, 2020.*