

AGENDA

Lower Neuse Basin Association, Inc.[®] Neuse River Compliance Association, Inc.[®]

**November 3, 2022
City of Kinston, N. C.
10:00 a.m.**

- **Welcome, Roll Call, and Introduction of Guests**
 - * **Member Introductions**
- **Approval of Minutes for September 1, 2022 (AI) – (Pages 2 – 4)**
- **LNBA/NRCA Financials –**
 - * **September and October, 2022 Treasurer’s Reports (AI) – (Page 5)**
 - * **LNBA/NRCA 990 Tax Returns for 2021 -**
 - * **Finance Committee Appointments -**
 - * **Website update -**
- **Meeting Dates for 2023 (AI) -**
 - February 3rd; May 4th; September 7th; and November 2nd.**
- **Neuse River of the Year Designation -**
- **NRCA Updates -**
 - * **NRCA NPDES Permit Renewal**
 - * **Midyear Nutrient Report – (Page 6)**
 - * **Nitrogen Exceedances and Leases for 2022 – (Page 7)**
- **LNBA Updates -**
 - * **Sampling Report – September and October – (Page 8)**
 - * **Sampling Site J4110000, Marks Creek on Pritchard Road**
- **Review of NRCA -**
- **Member Reports -**
- **Next Meeting and Adjourn – Location/Date: To Be Determined – February 3, 2023**

Action Items (AI)

Lower Neuse Basin Association®/Neuse River Compliance Association®
September 1, 2022 Meeting Minutes
City of Wilson, N. C.

Attending:

John Kiviniemi (V-Chair)	Raleigh Water	Donald Smith (Trea)	Town of Cary
Kenny Stevens	City of Kinston	Chuck Smithwick (Sec)	Contentnea MSD
Dan McLawhorn	McLawhorn Law	Lori Avent	Town of Apex
Benjamin Overton	City of Goldsboro	Kyle Manning	City of Wilson
Jimmy Pridgen	City of Wilson	Robert Sherman	City of Goldsboro
Kathy Cooper	City of Raleigh (call in)	Laura Pruitt	City of Wilson
Tony Hawkins	City of New Bern	David Suggs	CovationBio
Larry Durgin	Town of Apex	Michael Zatley	Town of Clayton
Dan Wall	Johnston County	Bill Simpson	Town of Clayton
Drake Robart	Town of Snow Hill	Adam Stephenson	Town of Fuquay-Varina
Mark Vander Borgh	NC DWR	Steve Tedder	Black & Vetch
Rick Day (call in)	City of Havelock	Jay Sauber	Sauber Water Quality (call in)
Mike Graham (call in)	Duke Energy-Progress	Kimberly Pickett	Town of Benson
Katie Dickens	Aqua, N.C.	Rich Weaver	MCAS – Cherry Point
Ilona Williams	Town of Clayton	Barrett Jenkins	Restoration Systems
Haywood Phthisic	LNBA/NRCA		

The Vice Chair, John Kiviniemi, called the meeting to order and welcomed everyone. The roll was called and there were 17 of 19 members present representing the LNBA and 18 of 25 members present representing the NRCA. There was a quorum present for both associations. Guests were introduced and recognized.

Board Minutes – The Board Minutes from the May 5, 2022 meeting were presented. Being no revisions, Jimmy Pridgen made the motion to approve, seconded by Dan Wall, and approved by the Board.

Financials – *Treasurer’s Report* – Donald Smith presented the Treasurer’s Reports, May, June, and July, 2022 were presented to the Board. As of July 31st, the LNBA account balance was \$224,304.44 and NRCA account balance was \$305,826.00. Bert Sherman made the motion to approve the reports as presented, seconded by Bill Simpson, and approved by the Boards, respectively.

Website Update – Haywood reported to the Board at a previous meeting the website will need some attention. The current version of Drupal is being phased out (support) and I had a meeting with the website integrator in August to discuss upgrading the website to a current version of Drupal. We have approximately 12 to 15 months to complete the upgrade. More information will come in the near future.

NRCA Updates –

Meeting with DWR Director – John reported the executive committee met with Director Rodgers in June to introduce the LNBA/NRCA. The committee discussed many topics of interest including nitrogen loading at the estuary, 303(d) listings, effluent outfall line permitting, silver issue as related to dissolved metals standards, and the relationship in general with the Division.

Swamp Water Designations – Haywood reported to the Board that legislation has been passed at the closed of the short session that addresses “low dissolved oxygen” waters (not swamp waters). There are concerns about the interpretation of this legislation so more discussion will come forward.

DWR Watershed RFP Update – Haywood provided a brief update updated to the Boards that little or no progress has been made at this time.

Siler City Draft Permit – Haywood reported comments were submitted on the draft permit for the Town of Siler City. A 2nd draft permit was sent out in July for public comment but no comments were made as the Director indicate this was a site specific issue for that receiving stream.

NPDES Permit Fees – During the short session of legislation the Division pushed forward a request to increase NPDES permit fees however the increases didn’t make it through the budget session.

Poultry Article – Haywood noted a reporter with the Charlotte Observer contact him regarding the poultry industry in North Carolina. After conferring with the executive committee, the reporter was told the association would be glad to discuss the successes of the NRCA. Contact information for the Division and other knowledgeable people was forwarded to the reporter so he could make contact.

LNBA Updates –

LNBA Sampling Report - Work continues on the Lower Neuse River Monitoring Service Contract No. 5 with Environment I. All sampling was completed by Environment 1 in May, June, July, and August with the exceptions listed below:

May: All samples collected, analyzed and reported per MOA requirements. Final results have been submitted.

June: All samples collected, analyzed per MOA requirements with the following exceptions:

J2230000 (Smith Creek at SR2045 Burlington Mill Rd. nr Wake Forest) 06/08/22 & 06/22/22: No sample collected; dry stream.

J4080000 (Poplar Creek at SR2049 Bethlehem Rd. nr. Knightdale) 06/08/22: No sample collected; dry stream.

J4690000 (Middle Creek at SR1152 Holly Springs Rd. nr Holly Springs): 06/06/22 & 06/23/22: No sample collected; road/bridge construction.

J5390000 (Hannah Creek at SR1158 Allens Crossroads Dr. nr Benson): 06/23/22: No sample collected; disconnected stream.

Final results will be submitted shortly.

July: All samples collected, analyzed per MOA requirements with the following exceptions:

J2230000 (Smith Creek at SR2045 Burlington Mill Rd. nr Wake Forest) 07/06/22: No sample collected; Too shallow for sample collection.

J4080000 (Poplar Creek at SR2049 Bethlehem Rd. nr. Knightdale) 07/06/22: No sample collected; Too shallow for sample collection.

J4110000 (Mark’s Creek at SR1714 Pritchard Rd. nr. Wilson) 07/06/22: No sample collected; Too shallow for sample collection.

J6055000 (Mosley Creek at SR1327 Wiley Measley Rd. nr. LaGrange) 07/13/22: No sample collected; Too shallow for sample collection.

J7850000 (Neuse River at SR1470 Maple Cypress Rd. nr. Fort Barnwell) 07/13/22: No sample collected; unable to access due to construction.

Results are in the final review step.

August: All samples collected per MOA requirements with the following exception:

J4080000 (Poplar Creek at SR2049 Bethlehem Rd. nr. Knightdale) 08/15/22: No sample collected; Too shallow for sample collection.

Analysis of these samples is ongoing.

LNBA/NRCA Operator Training Program – Haywood reported there were 77 attendees receiving 6 CEU credit hours for attending the training workshop in August (43 in Raleigh and 34 in Kinston). The total cost for food and snacks for both locations was \$2,141.41.

Officer Elections for the Period of September 1, 2022 until May 4, 2023 – The current Chair, Barry Parks, retired effective July 31st, so elections are held to install officers for the period indicated above. The vice chair will preside over the elections.

Chair - For the position of Chair John Kiviniemi was nominated by Donald Smith, seconded by Chuck Smithwick. Being no other nominations, the Board voted to approve John as Chair for the period.

Vice Chair – With the John accepting the Chair position the vice chair position was now vacant. John opened the floor for nominations and John nominated Chuck Smithwick, seconded by Kenny Stevens. With no other nominations the Board voted to approve Chuck as Vice Chair.

Secretary - With Chuck accepting to the Vice Chair position the secretary position was now vacant. John asked if there were any nomination for this position and Chuck nominated Kenny Stevens, seconded by Jimmy Pridgen. With no other nominations the Board voted to approve Kenny Stevens as Secretary.

Review of the LNBA and NRCA – Haywood made a presentation to the Board of the history of the LNBA and the NRCA. The presentation may be reviewed at the link: [LNBA & NRCA History](#)

The next meeting is scheduled for November 3, 2022 at 10:00 with location TBD. With no further business, the meeting was adjourned.

Lower Neuse Basin Association, Inc. / Neuse River Compliance Association, Inc.

Treasurer's Report

11/2/2022

LNBA

Balance Forward: (checking per bank statement - 8/31/2022)	Checking	\$	100,165.30
	Savings		151,603.77
Debits:		\$	
Environment I, Inc. (LNBA, Invoices)			15,308.12
Environment I, Inc. (Raleigh, Invoices)			2,837.10
Sauber Water Quality Consulting (Invoice)			350.00
MFG Consulting, LLC			450.00
PCi (Invoices)			3,583.39
			<hr/>
Total Debits		\$	22,528.61
Credits:		\$	
Interest (checking)			38.26
Interest (savings)			298.83
Transfer from Checking to Savings			20,000.00
FY 2022-23 Membership fees			75,467.70
 Checking Account Balance (per bank statement -10/31/2022)		\$	 133,142.65
			171,902.60
			<hr/>
Total LNBA Account Balance		\$	<u><u>305,045.25</u></u>

NRCA

Balance Forward: (per bank statement -8/31/2022)	Checking	\$	88,445.26
	Savings		240,492.75
Debits:		\$	
PCi (Invoices)			6,050.00
McLawhorn Law Office			-
			<hr/>
Total:		\$	6,050.00
Credits:		\$	
Transfer from Checking to Savings Acc't			37,000.00
Interest (Savings)			477.48
Interest (Checking)			25.03
FY 2022-23 Membership fees			29,837.01
 Account Balance (per bank statement - 10/31/2022)	Checking	\$	 75,257.30
	Savings		277,970.23
			<hr/>
Total NRCA Account Balance		\$	<u><u>353,227.53</u></u>

NEUSE RIVER COMPLIANCE ASSOCIATION

Draft Total Nitrogen Mid Year Report (July 1, 2021 thru June 30, 2022) for 2022

October 20, 2022

Page 1 of 5

FACILITY	NPDES Permit #	END OF PIPE				ESTUARY				% of Estuary Allocation	
		Permit Flow (MGD)	2021-22 Avg. Flow (MGD)	Member TN Allocation (Lbs/Yr.)	Member TN Discharge (Lbs/Yr.)	Transport Zone	Annual Lease Amount	Member Estuary Allocation	Adjusted 2021 Allocation (Lbs/Yr.)		2022 TN Delivery (Lbs/Yr.)
City of Durham	NC0023841	20.000	5.076	97,655	29,456	10%	0	9,767	0	2,946	30
Town of Hillsborough	NC0026433	3.000	1.053	10,422	4,167	10%	0	1,042	0	417	40
SGWASA	NC0026824	5.500	4.816	22,420	28,192	10%	0	5,860	0	2,819	48
Town of Apex	NC0064050	3.600	1.189	40,547	14,024	50%	0	20,274	0	7,012	35
Town of Benson	NC0020389	1.900	0.971	33,070	15,580	50%	0	16,535	0	7,790	47
Town of Cary ~ North	NC0048879	12.000	6.229	143,246	42,311	50%	0	71,623	0	21,156	30
Town of Cary ~ South	NC0065102	12.800	5.045	180,211	25,043	50%	0	90,105	0	12,522	14
City of Raleigh ~ Smith Creek	NC0030759	3.000	2.230	70,814	32,800	50%	0	35,407	0	16,400	46
City of Raleigh ~ Neuse	NC0029033	75.000	45.923	687,373	283,095	50%	0	341,242	0	141,548	50
Raleigh ~ Ground Water	NA	NA	NA	NA	60,044	50%	0	NA	0	30,022	79
City of Raleigh ~ Little Creek	NC0079316	2.200	1.484	26,660	20,994	50%	0	13,330	0	10,497	103
Town of Clayton	NC0025453	2.500	1.645	22,832	23,601	50%	0	11,416	0	11,801	146
Neuse Colony, (Aqua NC)	NC0064564	0.350	0.803	8,447	12,300	50%	0	4,224	0	6,150	46
Johnston County	NC0030716	9.500	4.876	71,476	32,866	50%	0	35,738	0	16,433	79
Town of Kenly	NC0064891	0.630	0.361	7,096	5,597	50%	0	3,548	0	2,798	6
Town of Farmville	NC0029572	3.500	0.981	42,211	2,624	50%	0	21,106	0	1,312	44
Town of Snow Hill	NC0020842	0.500	0.181	5,632	2,457	50%	0	2,816	0	1,229	36
City of Wilson	NC0023906	14.000	7.791	157,886	57,610	50%	0	78,943	0	28,805	1
Duke Energy ~ H F Lee Plant	NC0003417	NA	0.029	3,260	25	70%	0	2,282	0	18	42
City of Goldsboro	NC0023949	14.200	8.547	199,822	83,453	70%	0	139,876	0	58,417	57
Town of LaGrange	NC0021644	0.750	0.385	8,447	4,850	70%	0	5,913	0	3,395	15
City of Kingston (Regional)	NC0024236	11.850	3.795	126,711	19,536	70%	0	88,697	0	13,675	14
Contentnea MSD	NC0032077	3.500	1.681	37,100	5,199	70%	0	25,970	0	3,640	6
CovationBio	NC0003760	3.600	0.207	25,493	1,595	70%	0	17,845	0	1,116	60
City of New Bern	NC0025348	6.500	2.867	64,210	38,491	100%	0	64,210	0	38,491	30
MCAS Cherry Point	NC0003816	3.500	1.140	39,421	11,883	100%	0	39,421	0	11,883	58
City of Havelock	NC0021253	2.250	1.188	21,400	12,388	100%	0	21,400	0	12,388	100+
Craven County	NC0089460	0.860	0.855	NA	3,877	100%	0	0	0	3,877	139
CWS Systems, Inc.	NC0033111	0.600	0.286	11,263	15,688	100%	0	11,263	0	15,688	
		217.590	111.638		889,745			1,177,571		484,242	

This Compliance Report has been compiled from co-permittee members' monthly discharge monitoring reports. I certify that this report is accurate and complete to the best of my knowledge.

John Kiviniemi, Chairman, Neuse River Compliance Association

Date

NOTES: 1. Average Total Nitrogen Concentration End of Pipe by NRCA Members during 2022 (midyear): 2.48 MG/L
2. Average Total Nitrogen Concentration with ground water contribution in 2022 (midyear): 2.67 MG/L

NRCA Total Nitrogen Allocation Exceedance Summary by Facility

Date: 10/31/22

NPDES Permit #	NPDES Permit #	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	Totals
City of Durham	NC0023841																				0
Town of Hillsborough	NC0026433																				0
SGWASA	NC0026624	(-)A	(-)A	(-)A			X														1
Town of Apex	NC0064050																				0
Town of Benson	NC0020389																				0
Town of Cary ~ North	NC0048879																				0
Town of Cary ~ South	NC0065102																				0
City of Raleigh ~ Smith Creek	NC0030759	(-)B	(-)B	(-)B																	0
City of Raleigh ~ Neuse	NC0029033	(-)C	(-)C	(-)C																	0
City of Raleigh ~ Little Creek	NC0079316	(-)C	(-)C	(-)C																	0
Town of Clayton	NC0025453																				0
Neuse Colony, (Aqua NC)	NC0064564					X	X	X	X				X	X			X	X	X	X	10
Johnston County	NC0030716																				0
Town of Kenil	NC0064891	X	X	X	X	X	X	X	X							x1	X	X	X	X	13
Town of Farmville	NC0029572																				0
City of Wilson	NC0023906																				0
Duke Energy ~ Lee Facility	NC0003417							xE	xE	(-)E	(-)E										2
City of Goldsboro	NC0023849																				0
Town of LaGrange	NC0021644												X	X	X		X				4
City of Kinston (Regional)	NC0024236																				0
Contentnea MSD	NC0032077	X	X	X	X				X												5
Dow ~ Dupont, Inc.	NC0003760			(-)D	(-)D	(-)D	(-)D	(-)F	(-)F	(-)F	(-)F	(-)F	(-)F	(-)F	(-)F						0
City of New Bern	NC0025348	X						X*													1
MCAS Cherry Point	NC0003816																				0
City of Havelock	NC0021253												ND	ND	ND	X	X	X	X	X	5
Craven County	NC0084460																				5
Carolina Water Service, Inc.	NC0033111																				5

Legend - (red indicates the TN allocation violation)

- X - TN Allocation Exceedance and payment of Assessment to NRCA
- x - TN Allocation Exceedance and TN leased to avoid Assessment by NRCA
- X* - Special case, had nitrogen allocation but not in NPDES permit
- X1 - Failed to Monitor TN
- ND - No Discharge
- or () - Compliant with TN Allocation
- Indicates period before becoming a NRCA member.

Facility Ownership Revisions -

- A. DHS - Butner
- B. Town of Wake Forest
- C. Town of Zebulon
- D. Unifi - Kinston, LLC
- E. Progress Energy Carolinas
- F. Dupont-Kinston

Lower Neuse Basin Association®

TO: Board Members

FROM: Haywood Phthisic, Executive Director

SUBJECT: Sampling/Monitoring Report for November 3, 2022 Board Meeting

DATE: November 1, 2022

Work continues on the Lower Neuse River Monitoring Service Contract No. 5 with Environment I. All sampling was completed by Environment 1 in September and October with the exceptions listed below:

September: All samples collected, analyzed per MOA requirements with the following exceptions:

J4690000 (Middle Creek at SR1152 Holly Springs Rd. nr Holly Springs): 06/06/22 & 06/23/22: No sample collected; road/bridge construction.

Results are in the final review step.

October: All samples collected and analyzed per MOA requirements.

Analysis of these samples is ongoing.

All invoices have been processed and paid through September, 2022.