



**NORTH CAROLINA DIVISION OF
POLLUTION PREVENTION AND
ENVIRONMENTAL ASSISTANCE**



FOCUS

**Providing pollution
prevention
assistance to North
Carolina industries
since 1984**

State Sets Strategic Direction for Environment and Natural Resources

The N.C. Department of Environment and Natural Resources (DENR) is the lead stewardship agency for the preservation and protection of North Carolina's abundant environmental assets. With its mission to conserve and protect North Carolina's natural resources and to maintain a high-quality environment for the health, well-being and benefit of all, this organization of 3,800 professionals works to safeguard our state's air quality, water quality and the public's health. The agency's activities range from ensuring safe drinking water to managing state parks and forests. From A (aquariums) to Z (the N.C. Zoological Park), DENR touches the lives of all North Carolinians in many ways to enhance and preserve their environment and quality of life.

To sustain and improve our state's natural resources, DENR Secretary Bill Ross and his staff have created seven strategic directions for 2005. These initiatives collectively will be the responsibility of all DENR employees to ensure North Carolinians a healthy and enduring environment.

One North Carolina Naturally: Writing the New Story

On the Web at <http://www.enr.state.nc.us/officeofconservation>, One North Carolina Naturally will coordinate public and private efforts to conserve, restore and protect the state's natural resources. An open space program integrated with state, local, federal and private stakeholder infrastructure and protocols will be developed and operational by December 2004. Additionally, by December 2009, 1 million total acres of land will be acquired to ensure these areas are forever preserved as part of our state's natural assets.

In Service Of Mission And Quality

This goal represents DENR's commitment to ensuring its actions, services and products are high in quality and that they serve the department's mission, vision and honor code. Employees are its focus. Efforts are underway to make DENR an employer of choice, as well as to improve worker safety and increase longevity.

Managing River Basins For Multiple Benefits

In each of the state's 17 major river basins, DENR will use river basin planning and management as the framework for protection of water quality, development of safe and reliable drinking water supplies, and the conservation/enhancement of natural resources.

Raising Awareness of Our Place in the Community of Life on Earth

DENR's many resources will work together to reach citizens across the state by raising public awareness and individual understanding about the interconnection and interdependence of people, other living things, and natural systems.

Improving Air Quality

With DENR leading the state and region in efforts to improve air quality for the health, well-being and benefit of all, actions will be taken to meet all applicable health-based ambient air quality standards in all parts of North Carolina; improve visibility in our mountain areas by addressing fine particulate matter issues where significant aesthetic and economic impacts are affected by poor air quality; implementation of the Clean Smokestacks Act (CSA)- (<http://daq.state.nc.us/news/leg/>) to obtain the same level of controls on coal-burning electric utilities in other states as CSA requires in North Carolina; and address the public health and nuisance issue of illegal open burning.

Progress Toward Sustainability

As a leader, participant, partner and communicator, DENR will work to implement the Sustainable Sandhills Initiative with Fort Bragg as well as one other federal facility and/or regional partner; establish a sustainability manager for DENR's own departmental efforts; and encourage economic growth through sustainable business development and practices in at least 10 organizations by increasing participation in the Environmental Stewardship Initiative (<http://www.p2pays.org/esi/>).

Protecting Groundwater/ Restoring Contaminated Properties

DENR will take aggressive steps to protect and restore the quality

see STRATEGIC DIRECTION, page 2

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DENR Enhances Economic Growth Opportunities

N.C. Department of Environment and Natural Resources (DENR) is sensitive to both the importance of economic development across the state and to the preservation of the natural resources that make it possible for all North Carolinians to live healthy and prosperous lives. DENR supports and contributes to the state's economic development both directly, through infrastructure projects and grants, and indirectly by protecting the natural resources that will be vital to North Carolina's future. The following describes some of the department's current initiatives that were designed to reduce cleanup costs and invigorate economic investment.

- DENR's **dry cleaning program** offers the business community limited liability for contamination that may result from traditional dry cleaning methods in return for adherence to minimum management practices. Because the bulk of dry cleaning stores are true "mom and pop" operations, the benefit to small business is clear. Prospective dry cleaners once feared open-ended liability if they were lucky enough to find a place that would rent them space. The business climate in this industry has changed significantly as a result of this DENR program. Dry cleaner assistance can be found at <http://www.envhelp.org/html/drycleaners.html>.
- This year, the state **underground storage tank program** took several steps to reduce the costs of clean-up at sites contaminated by leaking underground storage tanks (USTs). These steps included obtaining legislative authority to require the most cost-effective clean methods and taking legal action against some UST consultants based on alleged bid-rigging and kickback schemes. North Carolina's UST resources are available at <http://ust.ehnr.state.nc.us/main.html>.
- In an effort to help the state's **small quantity generators (SQGs)** better comply with hazardous waste regulations, the state **Hazardous Waste section** sent all SQGs a self-assessment checklist along with their annual fee invoice. This "self-certification" offers this segment of the regulated community technical assistance to help them avoid future costs associated with non-compliance and/or any cleanup activities, should they be needed. Checklist information is available at <http://www.wastenotnc.org/hwhome/hwhome.htm>
- The Division of Waste Management has created **two new Web pages** that group all hazardous waste and all underground storage tank information. The **hazardous waste and underground storage tank** pages allow Web visitors with specialized interests to access data more quickly. Plans are in the works to create a similar page for the Solid Waste section.
- Shipping hazardous waste on a one-time or short-term (less than 90 days) basis just got easier. Applications for **Provisional EPA ID Numbers are now online**. Numbers are for one-time only usage; continuous operations should secure a permanent

ID number. Turnaround is typically one business week after your application has been received. For an application and instructions, visit the **Division of Waste Management Web site** at <http://www.wastenotnc.org/HWHOME/ProvisionalIDRequirements.pdf>.

- The **Division of Water Resources (DWR)** also assists local governments with their plans to secure funding for **beach nourishment projects** to prevent damage to property and infrastructure and to strengthen the recreation economy. DWR works with 600 local governments on plans to assure water supplies to support a healthy economy. Specifically, the **Wilmington Harbor Deepening Project** will deepen the navigation channel from the Atlantic Ocean to Wilmington Harbor by 4 feet - from 38 feet to 42 feet. The deeper harbor will make the port more readily accessible and safer for large vessels and enable North Carolina to remain competitive in the global marketplace. This deepening project will produce economic benefits that are estimated at \$39 million per year. Visit DWR at <http://www.ncwater.org/> for additional information on its many conservation efforts.
- **Brownfield redevelopment** is becoming increasingly popular as both developers and cities are realizing the properties represent an opportunity to bring economic growth, public health protection, jobs and quality of life benefits to cities and rural areas. DENR's **Brownfields Program** located at <http://www.ncbrownfields.org/> works with prospective developers to make redevelopment projects work economically while protecting public health and the environment. Prospective developers who are not responsible for site contamination are afforded liability. Most redevelopment projects create a significant number of jobs and put properties back on the tax rolls, particularly in the case of abandoned textile facilities. DENR's brownfields program currently boasts 36 completed agreements with 50 other projects in the pipeline. The projects represent well over \$500 million in committed private investment used to redevelop properties that otherwise would have languished.

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of its groundwater resources and to promote economic development through cleanup and redevelopment of contaminated properties, prevention of future contamination, and mitigation of the impacts of groundwater contamination on water supply.

With these directives, DENR sets the course as North Carolina's environmental advocate and guardian. Behind the strategic direction lie many action steps that will be taken to assure the availability of natural resources for the citizens, businesses and industries of our state for years to come. Contact Don Reuter at (919) 733-4112 for further information on DENR's 2005 strategic plan.

FIVE YEARS AND GOING STRONG: CUSTOMER SERVICE CENTER CELEBRATES SUCCESS



NC DENR's Customer Service Center (CSC) celebrates its fifth anniversary this year. In the past five years, its staff has handled thousands of phone calls, offered permit assistance and coordination to hundreds of customers, and helped many small businesses statewide deal with a myriad of environmental rules and regulations.

The CSC handles an average of about 350 calls per month on its toll-free line - (877) 623-6748. The inquiries include requests for information, complaints, applications and forms, Web site searches, and requests for information unrelated to NCDENR.

The inquiries come from the general public, environmental consultants, real estate agents, federal, state and local government agencies, the N.C. General Assembly, attorneys and citizens and businesses outside of the state.

"Of course, we get some unique calls, too," said CSC Director Edythe McKinney. "One caller wanted to know the natural resources of France, while a Washington, D.C., reporter wanted to know the air quality in the western part of the United States during massive wildfires."

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One-Stop Express Permitting



Businesses and citizens in some areas of North Carolina needing state environmental permits can now get something they have long sought—faster turnaround time.

In 2003, the N.C. General Assembly authorized \$500,000 to fund a pilot program to provide express permit and certification review for some environmental programs within the N.C. Department of Environment and Natural Resources (DENR). Participation in the One-Stop Express Permitting Program is voluntary, with higher fees charged for express permitting review.

Through the express program, customers can get quicker permit decisions and certifications, a pre-application consultation to identify necessary environmental requirements, a more predictable project timeline, and coordination through the permitting process. If multiple permits are required for a project, a permit team concurrently reviews applications. Dedicated staff and the submittal of high-quality complete applications are the program's key components. The involvement of all parties, including the property owners, developers and engineers, is critical to ensure good communication and high-quality applications.

The first phase of implementation was in DENR's Wilmington Regional Office, which serves seven southeastern counties. It has been fully staffed and operational since January. The programs that are part of the one-stop express program in that office are: coastal stormwater permits, water quality wetland certifications, stream origin determinations, erosion and sedimentation control plans, and permits required by the Coastal Area Management Act.

The 401 Wetland Certification staff in DENR's Division of Water Quality is also providing express permitting review on wetland and stream determination projects for Wake County and the surrounding areas. In addition, some express permit applications have been accepted from different regions of the state to test the concept on wastewater non-discharge permits.

Edythe McKinney, head of the DENR Customer Service Center, said that about 75 permits and certifications have been applied for through the express permitting process. The greatest demand to date is for coastal stormwater permits, though requests for 401 wetlands and streams certifications are growing. Thirteen of the projects involved more than one permit. Applicants have included residential housing communities, corporate clients and other commercial properties such as restaurants and retailers.

McKinney said that once a complete application has been received, the average turnaround time through the express program is quick. For example, the turnaround time for erosion and sedimentation control plans is two days, compared to 20 days under the normal process. Stormwater permits are issued in two days, compared to 40 days under the regular program. Coastal permits are issued within 30 days, which is the shortest possible time due to required public comments periods.

Customers must pay higher fees for the quicker turnaround time. Project costs depend on the size and number of permits required. The fees for Erosion And Sedimentation Control Plans range from \$250 to \$2,000, in addition to the normal \$50 per acre charge. Coastal stormwater fees are \$2,000 - \$4,000. A maximum of \$5,500 is charged if a project needs multiple permits.

"Overall, we think the One-Stop Express Permitting Program is working, and working well," McKinney said. "There has been little or no complaint about the higher fees for the services rendered, and the number of permits being sought under the express program is increasing."

To learn more about express permitting, visit www.envhelp.org. To participate in the One-Stop Express Permitting Program, contact Cameron Weaver at (910) 395-3900 or e-mail denr.permits@ncmail.net.

Environmental Permitting: Helpful Certification Hints

As listed by the State of North Carolina Business License Information Office (BLIO), the Department of Environment and Natural Resources (DENR) issues, administers and enforces 145 different types or kinds of environmental permits, licenses, registrations and certifications "to protect human health and the environment." Many of these permits, licenses or certifications have two or more variations to cover different technological applications. However, many permits and licenses require specific kinds of certifications that are different from the certifications listed by BLIO.

There are several BLIO-listed DENR-required certifications such as a Water Treatment Facility Operator Certification, Wastewater/Groundwater Laboratory Certification or Conservation Tax Credit Certification. DENR certifications usually involve certifying the qualification to do something or verifying equipment or confirming activities.

Some DENR certifications are often not discovered by applicants until well into the permitting or licensing process. The most common of these certifications involve environmental permits and licenses requiring a registered professional engineer to certify plans and specifications, such as a permit for sewer line

construction. Very often an environmental permit will require a professional certification that a facility was built in accordance with the approved plans and specifications, such as a permit for wastewater treatment and disposal to land. Some environmental permits require a certification from a third party before the permit can be issued. One example is a permit to pump and haul wastewater that requires a certification of an authorized operator who agrees to accept the wastewater. Typically, these certifications involve state agencies having to certify that specific locations and areas meet minimum state standards before a permit can be issued. A good example of this would be state field staff certifying buffer and development requirements for stormwater runoff protection of surface water supplies.

Assistance is available to help with environmental permits and licenses including certifications. DENR's Customer Service Center is a free and confidential state office, located by phone at (877) 623-6748, by e-mail at denr.csc@ncmail.net, and on the Internet at www.envhelp.org. DENR's Web site can be found at <http://www.enr.state.nc.us/>. Additionally, the N.C. State Business License Information Office can be reached at (919) 807-2166, by e-mail at BLIO@sosnc.com, and on the Internet at <http://www.sosnc.com>.

State Looks to Recognize Environmental Champions

The N.C. Department of Environment and Natural Resources (DENR) is looking for organizations that keep the environment in mind throughout the year as part of their daily business practices. These organizations are invited to apply for membership in the Environmental Stewardship Initiative (ESI), a voluntary program designed to promote and encourage superior environmental performance.

In its third year, the ESI establishes incentives to stimulate regulated organizations to develop and implement programs that use pollution prevention and other innovative approaches to meet and exceed their regulatory requirements. This program seeks to reduce the impact on the environment beyond measures required by any permit or rule, producing a better environment and a stronger economy and conserving natural resources.

"Many North Carolina businesses are doing their best to avoid depletion of natural resources by integrating environmentally friendly practices into the workplace," said DENR Secretary William G. Ross Jr. "This program recognizes those businesses and encourages others to realize that waste reduction and pollution prevention can increase profit margins and in some cases provide businesses with a competitive advantage."

Previously, participants could become involved at one of two

levels. This year, a third tier has been added to recognize organizations on the path to becoming Stewards, the highest level. The first level or "Partner" level is designed for adoption by a broad range of organizations that are interested in beginning the process of developing a systematic approach to improving their environmental performance. Partners must commit to developing an environmental management system (EMS) and to setting environmental performance goals.

The new "Rising Steward" level is designed for those organizations that have a mature environmental management program. Rising Stewards must commit to have an EMS in place and must set aggressive environmental performance goals.

The "Steward" level is for those organizations that already display a commitment to exemplary environmental performance beyond what is required by law. Stewards must set aggressive environmental performance goals, demonstrate integration of their EMS into core business functions, and have a process for communicating with the local community. Stewards will receive formal public recognition from the governor and the Secretary of DENR, use of a program logo, established time frames for permit decisions, and consideration for regulatory innovations.

DENR provides technical assistance to all participants as well

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N.C.'s Ecosystem Enhancement Program: Building a National Model for Progress



Clean water, clean air and thriving natural habitats are fundamental indicators of a healthy environment. Protecting North Carolina's ecosystems is critical to maintaining the state's quality of life, economic growth and health and well-being of its citizens.

In July 2003, North Carolina created an innovative program to restore, enhance and protect its wetlands and waterways. The N.C. Ecosystem Enhancement Program (EEP) combines an existing state wetlands-restoration initiative by the state Department of Environment and Natural Resources, and ongoing efforts by the state Department of Transportation to offset unavoidable impacts from transportation projects. The U.S. Army Corps of Engineers joined as a sponsor in the historic agreement, which establishes a national model for mitigation by investing funds to offset unavoidable environmental impacts prior to the date that they occur.

EEP's goals include providing high-quality, cost-effective projects for watershed improvement and protection, as well as detailed watershed planning and project-implementation efforts within the state's threatened or degraded watersheds. EEP also has joined with the Conservation Trust for North Carolina to promote and enhance land conservation and water-quality protection across the state. The partnership capitalizes on the expertise of 23 N.C.-based local and regional land trusts, other conservation organizations and local governments to identify the highest-quality sites for preservation, and to work with private landowners to protect streams and wetlands threatened by development.

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as a single point of contact regarding regulatory issues. Participating organizations must commit to environmental compliance and must report annually on progress.

Any regulated organization whose activities impact the environment is eligible to participate in the initiative. This includes but is not limited to manufacturers, businesses, agribusiness, service providers, government agencies, schools and nonprofit agencies. Applications to become an Environmental Steward will be accepted until Tuesday, June 22, 2004, with a decision expected in late fall. For those organizations interested in becoming an Environmental Partner or Rising Steward, applications are accepted at any time and will be reviewed semi-annually.

For more detailed information or to apply for the program, please visit the Environmental Stewardship Initiative Web site (<http://www.p2pays.org/esi>) or contact Beth Graves of the Division of Pollution Prevention and Environmental Assistance at (919) 715-6506.

Planning Initiatives

- Strategic planning – EEP considers long-range projections of road-building and other development-related impacts in selecting high-priority sites across the state for program resources.
- Watershed Restoration Planning – EEP identifies targeted local watersheds in each of the state's 17 river basins based on resource value, restoration need and opportunities for partnering with local agencies and communities.
- Local Watershed Planning – In collaboration with local stakeholders and resource professionals, EEP works at the sub-watershed scale to identify projects and management strategies to restore, enhance and protect local watershed resources.

Research and Monitoring

- Determine short-term ecological effectiveness of current restoration practices and initiate/assist in the derivation of functional units for streams and wetlands.
- Study long-term restoration sites on an eco-region basis to quantify the wetland and stream functional units.
- Conduct catchment studies to demonstrate the watershed benefit of restoration practices in association with various best management practices.
- Track maintenance costs and methods for wetland stream and riparian restoration projects.
- Research projects from various funding sources to provide data for policy decisions ranging from permitting of restoration projects, to the derivation of mitigation credits based on functional units for watersheds.

Projects

EEP projects restore and protect wetlands and waterways across North Carolina. With a focus on stream restoration, riparian-buffer enhancement, and wetlands preservation, EEP is striving to improve the state's ecosystems while minimizing the effects of growth and development. EEP implements projects that generate the most environmental benefit, while also meeting community needs and satisfying compensatory-mitigation requirements.

In 2000, North Carolina committed to preserving an additional 1 million acres of open space by 2010. Protection of sites like the Needmore tract in Western North Carolina, where in 2004 a public-private partnership preserved nearly 4,500 acres of the Little Tennessee River basin, offers a road map to help achieve this goal.

Contact Tad Boggs, EEP director of communications, at (919) 715-2227 for additional information on this new and innovative program.

Air Quality News

2004 Ozone Season Begins

Environmental agencies renewed their daily air quality forecasts this month in metropolitan areas across North Carolina, including Rocky Mount for the first time, as the ozone season gets underway.

State and local air quality programs will issue air quality forecasts year-round for ozone and fine particles in the Charlotte, Hickory and Triad metro areas. Forecasts will be issued from May through September for ozone in the Triangle, Asheville, Fayetteville and Rocky Mount metro areas.

Ozone is North Carolina's most widespread air quality problem, particularly during the warmer months. High ozone levels generally occur on hot sunny days with little wind, when pollutants such as nitrogen oxides and hydrocarbons react in the air. High levels of fine particles are more of a problem in the western Piedmont region but can occur throughout the year, particularly during episodes of stagnant air and forest fires.

Meteorologists issue the forecasts at 3 p.m. every day for the following day. The color-coded forecasts show whether air quality is likely to be good (green), moderate (yellow), unhealthy for sensitive groups (orange), or unhealthy (red). On code orange/red days, the forecasts also suggest things people can do to protect their health and reduce air pollution, such as limiting outdoor activities, avoiding strenuous exercise and driving less.

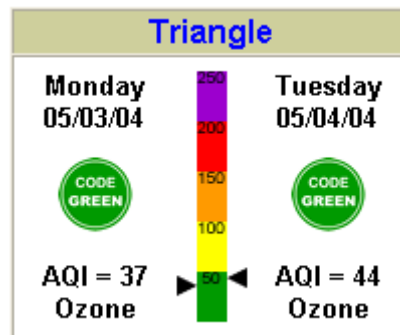
Ozone, a highly reactive form of oxygen, can be unhealthy to breathe - particularly for children, people with asthma or other respiratory problems, and adults who work or exercise outdoors. Exposure to high ozone levels may cause previously healthy individuals to develop asthma over time, according to recent health studies. Ozone also causes millions of dollars in tree and crop damage each year. North Carolina typically ranks among the top 10 states in the number of bad ozone days each year, and more than half of its residents live in counties where ozone levels exceed the standard.

Particle pollution, which consists of very small particles and liquid droplets in the air, can be harmful to breathe and contributes to haze and other air quality problems. Fine particles can penetrate deeply into the lungs and absorb into the bloodstream, causing or aggravating heart and lung diseases. Persons most susceptible to particle pollution include those with heart and respiratory conditions, the elderly and young children. Particle levels have exceeded the standard in Catawba and Davidson counties over the past three years.

The DAQ developed its air quality forecasting system to help comply with air standards for protecting public health and the environment. The forecasts are part of the division's Air Awareness Program, which tries to increase public awareness about air

pollution, its causes, and ways to prevent it. Triad forecasts are issued by Forsyth County's Environmental Affairs Department.

The Air Awareness program helps to curb air pollution through the forecasts, notifications to news media, and air coalitions in the forecast areas. Coalition members voluntarily agree to help reduce emissions of smog-forming pollutants on high ozone and particle days. For instance, participants encourage or offer incentives to their employees to car-pool, ride buses to work, eat lunch at their offices, or take other actions that reduce driving.



North Carolina has taken other steps as well to reduce levels of ozone, fine particles and other air pollutants. The General Assembly has enacted the Clean Smokestacks Act, which requires power plants to reduce their ozone, particle and haze-forming emissions by three-fourths over the coming decade. Other legislation will require cleaner gasoline and expand the auto emissions-testing program from nine to 48 counties by 2006.

Citizens can obtain air quality information and forecasts by visiting the DAQ's Web site at www.ncair.org or Forsyth County's Web site at <http://www.co.forsyth.nc.us/EnvAffairs/>. The division also has a toll-free hotline (888-RU4NCAIR) where people can call to get the forecasts or find out how to join the air quality coalitions in the forecast regions. Information on current air quality can be obtained by calling the toll-free Air Quality Index at (888) AIRWISE.

Public Notice Required For Air Permits In Areas Without Zoning

Businesses, industries and other air emissions sources must notify the public before applying for air quality permits for new or expanded facilities in areas without local zoning ordinances, under a rule that became effective April 1, 2004. The N.C. Environmental Management Commission adopted the rule due to concerns about the construction of new industrial facilities, such as asphalt plants, in areas without zoning controls on land use. Controversies have arisen in some cases because citizens felt they were not notified before new facilities were permitted, although there were no legal requirements for public notification in most cases.

Under the rule, companies that plan to build new facilities or expand existing plants in non-zoned areas must publish newspaper ads and post signs on the site before applying for permits from the Division of Air Quality (DAQ). The requirement does not apply to areas with zoning controls because local ordinances would apply in such cases. "Hopefully, this rule will relieve public concerns about industries locating in their neighborhoods without prior public notice," DAQ Director Keith Overcash said. "The Division of Air Quality has no control over land use, but this rule will allow citizens to contact their local officials if they have concerns

Water Quality News

Stormwater Phase 2 Rules Update

Stormwater Phase 2 Rules have been put on hold even though the Environmental Protection Agency (EPA) in 1999 required North Carolina to make changes to its National Pollutant Discharge and Elimination System (NPDES) program. These changes are for municipal separate stormwater sewers (referred to as MS4s that serve less than 100,000 persons) and construction sites that disturb 1-5 acres. EPA's rules require owners of all MS4s discharging to the waters of the state to obtain an NPDES permit and to implement six minimum control measures. The Division of Water Quality (DWQ) as staff to the Environmental Management Commission (EMC) began public meetings in 2001 in order to write a draft of the rules. This rules draft was then presented in statewide public meetings April 2002. Temporary rules were adopted by the EMC in October 2002 so municipalities could meet the federal deadline for applying for NPDES permits. Proposed permanent rules were then sent to public hearing by the EMC in February 2003. After completion of statewide public hearings, the EMC adopted permanent rules in July 2003.

In August 2003, the N.C. Rules Review Commission (RRC) requested that the EMC revise the portion of the rule requiring counties to adopt an ordinance requiring others to comply with a post-construction stormwater program. In September 2003, the EMC made requested changes in rules relating to vested rights. The RRC in October 2003 once again objected to the rules, claiming a violation of the Administrative Procedure Act (APA). DWQ and the EMC once again went through another revision.

The third revision was taken up by the RRC in January 2004.

Hazardous Waste News

Lead Abatement Guidance

Lead-based paints may be present in structures built before 1978. When demolishing or renovating these surfaces, certain lead abatement procedures may apply and should be followed. Lead abatement refers to work that is done for the specific purpose of permanently removing lead-based paint hazards from a facility, school or home.

When conducting lead removal and abatement, specific requirements, qualifications and licensing are needed to properly perform this work. NC DENR's Hazardous Waste Section regulates this lead-based waste stream and provides guidance on its proper removal and disposal. A flowchart on lead waste

identification and disposal (<http://www.wastenotnc.org/hwhome/guidance/LeadDispose.htm>) was created due to an increase of requests from contractors needing assistance. Eventually, the lead waste will require management at a household hazardous waste collection site (for residential, school, day care, etc.) or a licensed waste management facility for lead-based wastes created as a result of construction, renovation, or demolition activities. Refer to DPPEA's Recycling Markets Directory (<http://www.p2pays.org/DMRM>) for companies that specialize in lead disposal. For questions on environmental regulations affecting lead abatement disposal projects, contact Lebed Kady at (919) 733-2178, ext. 217 for further information.

During this meeting, a speaker claimed that the rules required permits for some groups that were not listed in the previous document presented during public hearings. This prompted one commissioner to claim that this addition without additional public comment constituted a violation of the APA. Against the advice of counsel, the RRC decided to return the rules to the EMC. This action effectively stopped the lengthy rulemaking process and required it to start anew due to a new APA rule that took effect after the start of the Phase 2 Rules process.

In response to the RRC action, four groups represented by the Southern Environmental Law Center have filed suit in Wake County seeking relief: the North Carolina Coastal Federation, the North Carolina Shellfish Growers Association, North Carolina Trout Unlimited, and Environmental Defense. This filing questions the constitutional authority of the RRC and has great implications on all environmental rulemaking.

For more information visit:

Stormwater Phase 2 Update
http://h2o.enr.state.nc.us/su/Phase_2_Update.htm

Stormwater Phase 2 Rules
<http://www.epa.gov/npdes/regulations/phase2.pdf>

Complaint
http://www.southernenvironment.org/States/nc_stormwater_complaint.pdf

FOCUS: Waste Minimization is published by the divisions of Pollution Prevention and Environmental Assistance, Waste Management, Air Quality and Water Quality of the N.C. Department of Environment and Natural Resources (DENR). It is intended to provide North Carolina industries and other interested parties with current information concerning proper waste management and waste reduction. The information contained in this publication is believed to be accurate and reliable. However, the application of this information is at the reader's own risk. Mention of products and services in the publication does not constitute an endorsement by the state of North Carolina. The information contained in this publication may be cited freely.

If you have comments, waste minimization case summaries, resource information or questions for the next issue of the *FOCUS* newsletter, call Norma Murphy at (919) 715-6513, fax (919) 715-6794, e-mail Norma.Murphy@ncmail.net, or write the N.C. Division of Pollution Prevention and Environmental Assistance (DPPEA), 1639 MAIL SERVICE CENTER, RALEIGH NC 27699-1639.

State of North Carolina: Michael F. Easley, Governor; William G. Ross Jr., DENR Secretary; Gary Hunt, DPPEA Director.



Visit
 DPPEA
 online:

www.p2pays.org

CALENDAR OF EVENTS

EVENT	DATE	LOCATION	CONTACT
Hospitality Waste Reduction Workshop	June 3	Broyhill Inn & Conf. Center Boone, N.C.	Suma Bolick (828) 262-4560
Environmental Stewardship Initiative - Steward Applications Due	June 22	n/a	Beth Graves (919) 715-6506
Seventh Annual Learning Together Workshop Multi-State Working Group	June 28-29	Charleston, W.Va.	www.mswg.com

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In addition to the customized responses that staff provide to both phone and e-mail inquiries, the CSC offers permit assistance and coordination. Customers have the option of using a self-guided interactive database that will help them identify the permits they may need from DENR for a particular project or activity. The Web site address is: www.envhelp.org. Here you can find links to permits that may be needed for the 20 coastal counties, information about the State Environmental Policy Act, and links to applications, fees, rules and more. There's even an application tracking system that allows customers to check on the status of most permit applications submitted to DENR.

Customers also have an opportunity to work with a permit

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about new or expanded facilities in areas without land-use controls."

The DAQ will not process air permits for facilities until they have met the notification requirements. A potential source must publish a legal notice in a newspaper of general circulation in the area where the source would be located at least two weeks before submitting an air permit application. The notice should include: the name of the facility, name and address of the permit applicant, and a description of activities involved in the permit application.

Potential sources also must post signs on the property where the facility would be located at least 10 days before submitting an air permit application and for at least 30 days thereafter. The sign should contain: the name of the facility, name and address of the permit applicant, and a description of activities involved in the permit application. In addition, the sign should be:

- At least 6 square feet in area;
- Set outside but no more than 10 feet away from the road right-of-way;
- Positioned so the bottom of the sign is at least 6 feet above the ground;
- Large enough that a person could read the sign from the roadway; and
- Located so the lettering faces the road.

To view the actual rule or other information about air quality issues in North Carolina, visit the Division of Air Quality's Web site at www.ncair.org or contact Tom Mather, public information officer, at (919) 715-7408.

assistance coordinator who will answer questions, address concerns and help identify and solve potential problems related to permits. Customers receive front-end assistance as well as guidance throughout the permitting process. The coordinator, located in the Mooresville Regional Office, can be contacted at (704) 799-2987.

The CSC recently initiated a One-Stop Express Permitting Program, which is discussed at length in the article on page 3.

The CSC also includes a small business assistance program to help small businesses understand and comply with environmental requirements. This office provides confidential technical assistance to small business on air quality and other regulatory issues. It provides a voice for small business on permitting issues and environmental rules and encourages stewardship. Small businesses that need assistance can call the CSC toll-free number, (877) 623-6748, or check the Web site <http://www.envhelp.org/sb> for environmental news geared to small business needs.

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