

15A NCAC 02B .0204 LOCATION OF SAMPLING SITES AND MIXING ZONES

(a) Location of Sampling Sites: in conducting tests or making analytical determinations of classified waters to determine conformity or nonconformity with the established standards, samples shall be collected outside the limits of prescribed mixing zones. However, where appropriate, samples shall be collected within the mixing zone in order to ensure compliance with in-zone water quality requirements as outlined in Paragraph (b) of this Rule.

(b) Mixing Zones: a mixing zone may be established in the area of a discharge in order to provide reasonable opportunity for the mixture of the wastewater with the receiving waters. Water quality standards shall not apply within regions defined as mixing zones, except that such zones shall be subject to the conditions established in accordance with this Rule. The limits of such mixing zones shall be defined by the division on a case-by-case basis after consideration of the magnitude and character of the waste discharge and the size and character of the receiving waters. Mixing zones shall be determined such that discharges shall not:

- (1) result in acute toxicity to aquatic life [as defined by Rule .0202(1) of this Section] or prevent free passage of aquatic organisms around the mixing zone;
- (2) result in offensive conditions;
- (3) produce undesirable aquatic life or result in a dominance of nuisance species outside of the assigned mixing zone; or
- (4) endanger the public health or welfare.

In addition, a mixing zone shall not be assigned for point source discharges of fecal coliform organisms in waters classified "WS-II," "WS-III," "B," or "SA". Mixing zones shall not be assigned for point source discharges of enterococci in waters classified "SB" or "SA". For the discharge of heated wastewater, compliance with federal rules and regulations pursuant to Section 316(a) of the Federal Water Pollution Control Act, as amended, shall constitute compliance with Subparagraph (b) of this Rule.

History Note: Authority G.S. 143-214.1;

Eff. February 1, 1976;

Amended Eff. May 1, 2007; October 1, 1989; February 1, 1986; September 9, 1979.