

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2023

H.B. 426
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HOUSE PRINCIPAL CLERK

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HOUSE BILL DRH40225-MH-10

Short Title: Revise Aquaculture General Permit. (Public)

Sponsors: Representative Gillespie.

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT TO DIRECT THE ENVIRONMENTAL MANAGEMENT COMMISSION TO
3 WITHDRAW THE 2021 NPDES GENERAL PERMIT FOR AQUACULTURE AND
4 REVISE IT TO BE SUBSTANTIVELY IDENTICAL TO THE PREVIOUS GENERAL
5 PERMIT.

6 The General Assembly of North Carolina enacts:

7 **SECTION 1.(a)** Definitions. – The following definitions apply in this section:

- 8 (1) Aquaculture Permit. – The National Pollutant Discharge Elimination System
9 (NPDES) General Permit NCG530000 for discharges from seafood packing
10 and rinsing, aquatic animal operations, and similarly designated wastewaters
11 that took effect on December 1, 2021.
12 (2) Commission. – The Environmental Management Commission.
13 (3) Department. – The Department of Environmental Quality.
14 (4) Prior Aquaculture Permit. – The National Pollutant Discharge Elimination
15 System (NPDES) General Permit NCG530000 for discharges from seafood
16 packing and rinsing, aquatic animal operations, and similarly designated
17 wastewaters that expired on March 30, 2021, and was subsequently replaced
18 by the Aquaculture Permit.

19 **SECTION 1.(b)** Aquaculture Permit Reopener. – Pursuant to its authority under
20 G.S. 143-215.1(b)(3), no later than 180 days after the effective date of this act the Commission
21 and the Department shall reopen and modify the Aquaculture Permit as described in subsection
22 (c) of this section.

23 **SECTION 1.(c)** Aquaculture Permit Modification. – The Commission and
24 Department shall modify the Aquaculture Permit to be substantively identical to the Prior
25 Aquaculture Permit. For purposes of this subsection, "substantively identical" includes, at a
26 minimum, that species monitoring, discharge characteristic provisions, and best management
27 practice (BMP) requirements are no more stringent than and impose no requirements in addition
28 to those in the Prior Aquaculture Permit.

29 **SECTION 2.** This act is effective when it becomes law and expires when the
30 Commission revises the Aquaculture Permit as set forth in Section 1 of this act and notifies the
31 Revisor of Statutes that it has done so.

