

# **Attachment 12**

## **(2020 Briar Chapel Wastewater Report)**

Old North State Water Company, LLC.

2020 Wastewater  
Annual Report



Residents of Briar Chapel,

This is your annual report submitted by your wastewater utility provider Old North State Water Company (ONSWC). There were a lot of positive things that occurred in 2020 and even better things to come in 2021 for the wastewater system that serves Briar Chapel. ONSWC transitioned all customer service and billing away from Envirolink on July 15, 2020. We hope that transition was positive for the residents of Briar Chapel and you are receiving better customer service. ONSWC transitioned all Operator in Responsible Charge (ORC) away from Envirolink at the end of September 2020 for the wastewater treatment plant, collection system and spray disposal. The transition from Envirolink was difficult but necessary. We have been very busy making upgrades and repairs to the wastewater system.

The force main bypass project has started on Great Ridge Parkway by the dog park. This project will allow us to bypass the problematic force main that caused multiple line break failures in 2020.

The wastewater plant expansion will be starting in March 2021 and completed by December 2021. We are integrating specific equipment into the design of the WWTP expansion that will address the many issues we heard from the residents in 2020. These upgrades do require a permit modification since they were not part of the original design but we are hopeful NCDEQ will approve because they are helpful to address odor. First, the WWTP will be converted to diffused aeration. The current WWTP has floating aerators and floating mixers which is a common design but not when the WWTP is in close proximity to the community. Diffused aeration will go a long way to lessen the odor plus the new blowers for the defused air are extremely quiet. Second, an odor control system will be integrated into the plant expansion. The system is a two-stage system that combines biofiltration with an activated carbon polishing filter. The influent screen, the screening dumpster, and the flow equalization tanks (where the wastewater enters the plant) are the principal sources of potential odors at the plant; they will be covered/enclosed to contain all the airspaces above or around these units. A force air ventilation system will pull the air from these spaces through the biofilter. The biofilter media supports the growth of sulfide reducing bacteria, which will remove 99% of the hydrogen sulfide in the air as well as other odorous compounds. The cleaned air will continue to the carbon polishing filter, which will remove any remaining hydrogen sulfide insoluble organic compounds that get through the first stage biofilter.

We ask for your continued efforts to eliminate fats, oils and grease from the wastewater system. They are harmful to your pipes and can cause sewage backups into your home. They are also harmful to the wastewater system as they cause clogs that create expensive and harmful environmental repairs. There is a Grease Goblin flyer in this report and you will be seeing more from the Grease Goblin in coming months.

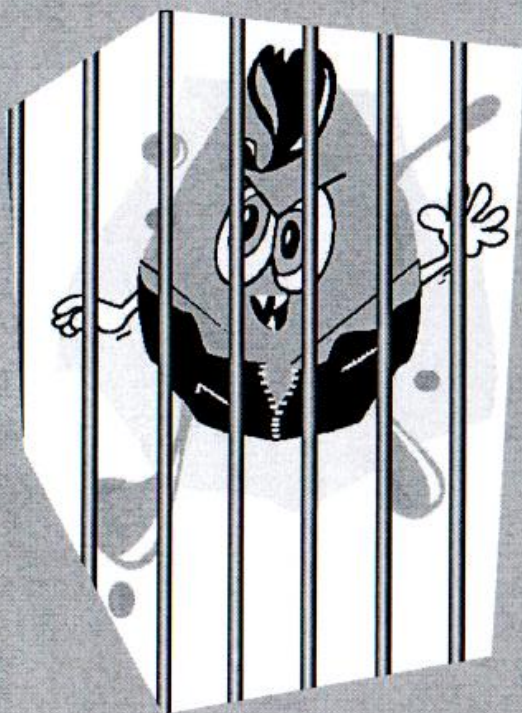
In closing, Old North State Water Company is 100% committed to providing the Briar Chapel community with a safe and responsible wastewater system. We are looking forward to 2021 and completing some needed upgrades. If you need anything, our customer service department is available to assist.

Thank You,

Old North State Water Company, LLC



# WORST ENEMY



**The  
Grease  
Goblin**

**LAST SEEN**

**Loitering in Sinks  
and Drains**

**WANTED FOR  
Causing Sewer Overflows**

**DO**

- ✓ Put oil and grease in collection containers
- ✓ Remove oil and grease from kitchen utensils, equipment, and food preparation areas with scrapers/towels/brooms
- ✓ Keep grease out of wash water
- ✓ Place food scraps in collection containers

Help keep this guy out of your drains and in the hands of the law



N.C. DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES  
DIVISION OF POLLUTION PREVENTION AND ENVIRONMENTAL ASSISTANCE 1-800-763-0136

100 copies of this public document

DO NOT

Was pots with grease

Use grease

Put food in drain

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Nov 29 2023



Briar Chapel 2020  
Sanitary Sewer Overflows (SSO's)

February 11, 202 lift station overflow at Great Ridge Parkway of 1,000 gallons. NCDEQ was notified and a 5 day follow up report was sent to NCDEQ.

March 12, 2020 pipe break of 50 gallons at 75 Hill Creek Blvd. NCDEQ was notified and a 5 day report was submitted to NCDEQ.

April 8, 2020 pipe break of 75 gallons behind the homes of Serenity Hill cul-de-sac. NCDEQ was notified and a 5 day report was submitted to NCDEQ.

April 16, 2020 pipe break of 315 gallons by the footbridge behind homes on Hill Creek. NCDEQ was notified and a 5 day report was submitted to NCDEQ.

June 22, 2020 manhole at lift station B Great Ridge Parkway overflow of 100 gallons. Force main break at lift station A Great Ridge Parkway of 5,000 gallons. Pipe break the manhole at lift station A Great Ridge Parkway of 2,000 gallons. NCDEQ was notified and a 5 day report was submitted to NCDEQ.

July 23, 2020 manhole below lift station B behind 1146 Great Ridge Parkway of 2,000 gallons. NCDEQ was notified and a 5 day report was submitted to NCDEQ.

July 26, 2020 pipe break at dry well at lift station A of 8,400 gallons. NCDEQ was notified and a 5 day report was submitted to NCDEQ.

August 20, 2020 debris in the line caused lift station equipment failure of 800 gallons at lift station E Quarter Gate Trace. NCDEQ was notified and a 5 day report was submitted to NCDEQ.

September 26, 2020 lift station equipment failure of 200 gallons at lift station A Great Ridge Parkway. NCDEQ was notified and a 5 day report was submitted to NCDEQ.

October 31, 2020 pipe break along edge of dog park, just outside lift station A Great Ridge Parkway of 6,167 gallons. NCDEQ was notified and a 5 day report was submitted to NCDEQ.

November 9, 2020 pipe break behind Beacon Ridge of 100 gallons. NCDEQ was notified.

**Reclaimed Water Pipe Break**

December 29, 2020 a developer's contractor hit the reclaimed water line with their excavator while digging off of Great Ridge Parkway and Hill Creek Rd. Approximately 100,000 gallons of treated reclaimed water was spilled. NCDEQ was notified and a 5 day report was submitted to NCDEQ.

ROY COOPER  
Governor

MICHAEL S. REGAN  
Secretary

LINDA CULPEPPER  
Director



Docket No. W-1300 Sub 92

January 21, 2020

**CERTIFIED MAIL 7017 2680 0000 2235 8779**

**RETURN RECEIPT REQUESTED**

Mr. Michael Myers  
Old North State Water Company, LLC  
1620 Chalk Road  
Wake Forest, NC 27587

Subject: **CONTINUING NOTICE OF VIOLATION**

**NOV-2019-PC-0658**

Follow-up Inspection

Briar Chapel Development

Reclaimed Water Generation, Conjunctive Reclaimed Water  
Utilization, Non-Conjunctive Reclaimed Water Utilization,  
and Wastewater Irrigation System

Permit Number WQ0028552

Chatham County

Mr. Myers,

On January 10, 2020, Rick Trone and Scott Vinson of the Raleigh Regional Office, Division of Water Resources (DWR) conducted follow-up inspection of the non-conjunctive and conjunctive wastewater treatment and reclaimed water utilization system located at the Briar Chapel Development. The purpose of this inspection was to reinspect areas of concern from a previous inspection in September 2019. During the inspection, the cooperation of Lee Bowman, William Lamm, Chuck Donnell, and Kenny Harris was helpful and appreciated. Also present was John Sharp, the subcontractor for the irrigation system from Quality Landscaping.

This compliance evaluation inspection consisted of the following:

- Non-discharge wastewater monitoring reports (NDMR), Non-discharge application reports (NDAR) and;
- On-site inspection of treatment components;
- Investigation of system operation to help determine the cause for numerous complaints that the DWR has received for the wastewater treatment plant and reclaimed water distribution system for Briar Chapel.



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Raleigh Regional Office | 3800 Barrett Drive | Raleigh, North Carolina 27609  
919.791.4200

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The odor control system at the headworks of the package plant appeared to be operational. The manual bar screens require frequent spray downs with hoses and frequent cleaning to keep them clear. It was explained that large amounts of food waste entering the system is one major contributor to odor at the plant. The screenings fall below into a large dumpster. The headworks of the plant are covered but the double doors on the building have a large gap at the top when the doors are closed. A strong odor was noticed coming from this area. **DWR recommends modifying the door closure mechanism to reduce or eliminate this gap.** This change may help reduce the amount of odor residents are concerned about.

Water within the package plant was of normal color for domestic wastewater, however, excess foam was still present like what was observed on the September visit. A skimmer pipe in the clarifier was broken. It could not be determined if the ultraviolet lights were operational on one bank due to the display not working. Staff mentioned that the bank with the inoperative display was working, but half of the lights in that bank were inoperative. The composite effluent sampler thermometer indicated the sampler was just above freezing and some ice was observed. **This should be corrected to prevent the sample from freezing.**

As in the previous inspection, the turbidimeter was flashing an error message consisting of an exclamation point flashing on the screen. A review of the instrument's user manual confirms this is indeed an error message and should be resolved. Following the previous inspection, Old North State Water Company indicated a technician from Delta Systems Environmental inspected this meter and reported it was functioning correctly at that time, however, an issue clearly still exists.

A review of NDMR records since the September inspection finds that the issues noted have been corrected, the facility is using updated forms and is now reporting all required parameters for effluent sampling. Since the previous inspection, the facility has submitted NDMR's for PPI002, however the forms are blank. A review of NDAR forms indicate reclaimed water was distributed for conjunctive utilization. Water distributed for conjunctive utilization should also be reported on the NDMR for PPI002.

The facility maintains numerous irrigation areas within the development. The areas observed during the inspection appeared to have an acceptable cover crop with no evidence of ponding or runoff.

**The following permit condition violations were noted during the January 10, 2020 follow-up inspection and records review:**

### **III. OPERATION AND MAINTAINANCE REQUIREMENTS**

**Condition 1**, which states that, "the reclaimed water generation and utilization facilities shall be properly maintained and operated at all times..." Numerous issues were observed in and around the package plant (see above). Please explain the reason for the issues observed during the inspection in your response to items 1-6 in the "REQUESTED RESPONSE" section of this Notice.

### **IV. MONITORING AND REPORTING REQUIREMENTS**

**Condition 4**, which states that, "the Permittee shall monitor the reclaimed water from the generating facility at the frequencies and locations for the parameters specified..." Since the previous inspection in September 2019, the facility has not submitted data on form NDMR for PPI002 (Reclaimed Water Distributed for Conjunctive Utilization Phases 1-E, 1-F, and 1-G). A review of NDAR forms indicates



conjunctive utilization did occur. Water distributed for conjunctive utilization should also be reported on the NDMR for PPI002. If no flow occurred, indicate this on the form for PPI002.

**REQUESTED RESPONSE:**

1. Please explain the presence of excessive foam that is still present at the wastewater treatment plant.
2. Please indicate when the skimmer pipe in the clarifier will be repaired.
3. Please ensure that the turbidity meter is operating properly and provide this office with proof the meter is functioning. The error message observed during the September 2019 inspection was still present during the follow-up inspection indicating there is an issue with the meter.
4. Please ensure the facility reports conjunctive reclaimed water distribution on form NDMR for PPI002.
5. Please explain why the ultraviolet light system currently has one half of one bank of lights inoperative. Please also explain when the display for that bank and the bulbs will be replaced or repaired.
6. Please describe efforts that Old North State Water Company has taken to address resident complaints about the wastewater treatment plant and the reclaimed water distribution system.

This office requests that you respond to this letter in writing within 30 days of receipt. Your response should be sent to this office at the letterhead address. Your response should address the following items as noted above. Please include in your response all corrective actions already taken and a schedule for completion of any corrective actions not addressed. Failure to comply with conditions in a permit may result in a recommendation of enforcement action, to the Director of the Division of Water Resources who may issue a civil penalty assessment of not more than twenty-five thousand (\$25,000) dollars against any "person" who violates or fails to act in accordance with the terms, conditions, or requirements of a permit under authority of G.S. 143-215.6A.

If you have any questions about this inspection or this letter, please contact Rick Trone at [rick.trone@ncdenr.gov](mailto:rick.trone@ncdenr.gov) or 919-791-4200.

Sincerely,



Scott Vinson, Regional Supervisor  
Water Quality Regional Operations Section  
Raleigh Regional Office  
Division of Water Resources, NCDEQ



ROY COOPER  
Governor

MICHAEL S. REGAN  
Secretary

S. DANIEL SMITH  
Director



Docket No. W-1300 Sub 92

February 20, 2020

**CERTIFIED MAIL 7017 2680 0000 2235 8809**

**RETURN RECEIPT REQUESTED**

Mr. Michael Myers  
Old North State Water Company, LLC  
1620 Chalk Road  
Wake Forest, NC 27587

Subject: **NOTICE OF VIOLATION-INTENT TO ENFORCE**

**NOV-2020-PC-0102**

Briar Chapel Development

Reclaimed Water Generation, Conjunctive Reclaimed  
Water

Utilization, Non-Conjunctive Reclaimed Water Utilization,  
and Wastewater Irrigation System

Permit Number WQ0028552

Chatham County

Mr. Myers,

On February 4, 2020, Rick Trone, Erin Deck, and Zach Thomas of the Raleigh Regional Office, Division of Water Resources (DWR) visited the Briar Chapel community in response to a citizen complaint. A citizen of the community had communicated concerns to DWR about a possible illegal discharge of wastewater. During the inspection, the cooperation of Mr. Lee Bowman was helpful and appreciated. Also present was Mr. John Sharp, the subcontractor for the irrigation system from Quality Landscaping.

The following observations were noted by DWR staff during the February 4, 2020 site visit and subsequent file review:

- A small diameter purple pipe, approximately 2" in diameter, was observed protruding from the ground (Photograph 1) several feet from the southeast corner of a pump station that houses irrigation pumps and other equipment. The pump station is located at the southeast corner of the 21.3-million-gallon clay-lined central storage pond (Attachment A).
- The pipe shows evidence of recent and frequent discharge of water into a swale.



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- Saturated soils and thick green wetland vegetation are present the entire length of the swale which leads to a stormwater grate on the north side of Boulder Point Drive (Photograph 2). Water flowing into this stormwater grate travels under Boulder Point Drive and enters a stream feature (unnamed tributary to Pokeberry Creek, classified as WS-IV; NSW). This unnamed tributary is depicted on the 2006 NRCS Soil Survey of Chatham County (Attachment A).
- Mr. Bowman and Mr. Sharp explained that the discharge at the above-mentioned pipe was the result of filter backwashing using reclaimed water from the storage lagoon. It was further explained that this filter backwashing takes place several times per day when the irrigation system is operating. No discharge from the pipe was observed during the site visit, and Mr. Sharp explained this has not taken place since October of the previous year.
- The direct discharge of filter backwash water is not an activity covered under the non-discharge permit (WQ0028552) issued to Old North State Water Company, LLC on April 7, 2016.

**As a result of the DWR site inspection and file review, the following violations are described below:**

**Item I. Illegal Discharge of Waste to Waters**

North Carolina General Statute (hereby known as G.S.) 143-215.1(a) (6) requires that no person shall cause or permit any waste, directly or indirectly, to be discharged to or in any manner intermixed with the waters of the State in violation of the water quality standards applicable to the assigned classifications or in violation of any effluent standards or limitations established for any point source, unless allowed as a condition of any permit, special order or other appropriate instrument issued or entered into by the Commission under the provisions of this Article.

- The unauthorized discharge of filter backwash water consisting of reclaimed water as confirmed by DWR on February 4, 2020 is a violation of G.S. 143-215.1(a) (6) affecting an unnamed tributary of Pokeberry Creek (WS-IV;NSW) in the Cape Fear River Basin.

**REQUESTED RESPONSE:**

**You are requested to immediately address the below items in writing within 20 days of receipt of this letter. Your response should be sent to this office at the letterhead address. Your response should address the following items:**

1. Please clearly explain the mechanism by which water is discharged from the above-mentioned pipe. Please explain, in detail, the process of filter backwash that produces the discharge and where the water originates from.
2. Please clearly detail in writing, including maps and plans, how the elimination of this wastewater discharge will be accomplished.

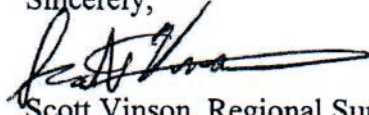
Violations of North Carolina Administrative Codes have been documented for the subject site as stated above. Your efforts to undertake activities to bring the subject site back into compliance



Docket No. W-1300 Sub 92  
is not an admission, rather it is an action that must be taken in order to begin to resolve ongoing environmental issues. **These violations and any future violations may be subject to a civil penalty assessment of up to \$25,000.00 per day for each violation.**

If you have any questions about this inspection or this letter, please contact Rick Trone at [rick.trone@ncdenr.gov](mailto:rick.trone@ncdenr.gov) or 919-791-4200.

Sincerely,



Scott Vinson, Regional Supervisor  
Water Quality Regional Operations Section  
Raleigh Regional Office  
Division of Water Resources, NCDEQ

Attachments: Attachment A

cc:

Central Files  
RRO Files  
Laserfiche

ROY COOPER  
Governor  
MICHAEL S. REGAN  
Secretary  
S. DANIEL SMITH  
Director



**MAILED**  
2/5/20

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**CERTIFIED MAIL # 7017 2680 0000 2236 7344**  
**RETURN RECEIPT REQUESTED**

March 02, 2020

Michael J Myers  
Old North State Water Company LLC  
4700 Homewood Ct  
Ste 108  
Raleigh, NC 27609

**SUBJECT: NOTICE OF VIOLATION**  
**Tracking Number: NOV-2020-DV-0080**  
Sanitary Sewer Overflows – January, February, March 2020  
Collection System Permit No. WQCS00372  
Briar Chapel Collection System  
Chatham County

Dear Mr. Myers:

The self-reported Sanitary Sewer Overflow (SSO) 5-Day Report submitted by Old North State Water Company LLC indicates violations of permit conditions stipulated in the subject permit and North Carolina G.S. 143-215.1. Violations include failing to effectively manage, maintain, and operate the subject collection system so that there is no SSO to the land or surface waters and making an outlet to waters of the State for purposes of G.S. 143-215.1(a)(1), for which a permit is required.

Specific incident(s) cited in the subject report include the following:

Incident Number	Start Date	Duration (Mins)	Location	Cause	Total Vol (Gals)	Total Vol Surface Water (Gals)	DWR Action
202000627	2/11/2020	3	Lift Station Great Ridge Pkwy	Severe Natural Condition	1,000	1,000	Notice of Violation



Nov 29 2023



Remedial actions, if not already implemented, should be taken to correct the above noncompliance. Please submit a written response to this Notice of Violation. Your response is to be received by the regional office within 15 business days following receipt of this violation. Please include any additional documentation about this incident in the response. The submittal will be considered in determining whether the Division will assess a civil penalty for the cited violations.

If you have any questions, please do not hesitate to contact Mitchell Hayes with the Water Quality Section in the Raleigh Regional Office at 919-791-4200 or via email at [mitch.hayes@ncdenr.gov](mailto:mitch.hayes@ncdenr.gov).

Sincerely,



Scott Vinson, Regional Supervisor  
Water Quality Regional Operations Section  
Raleigh Regional Office  
Division of Water Resources, NCDEQ

Cc: Raleigh Regional Office - WQS File  
Central Files, Water Quality Section  
Laserfiche



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Governor  
MICHAEL S. REGAN  
Secretary  
S. DANIEL SMITH  
Director



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Nov 29 2023

**CERTIFIED MAIL #: 7017 2680 0000 2236 8570**  
**RETURN RECEIPT REQUESTED**

May 19, 2020

Michael J Myers  
Old North State Water Company LLC  
4700 Homewood Ct  
Ste 108  
Raleigh, NC 27609

**SUBJECT: NOTICE OF VIOLATION**  
**Tracking Number: NOV-2020-DV-0195**  
Sanitary Sewer Overflows – March - April 2020  
Collection System Permit No. WQCS00372  
Briar Chapel Collection System  
Chatham County

Dear Permittee:

The self-reported Sanitary Sewer Overflow (SSO) 5-Day Report submitted by Old North State Water Company LLC indicates violations of permit conditions stipulated in the subject permit and North Carolina G.S. 143-215.1. Violations include failing to effectively manage, maintain, and operate the subject collection system so that there is no SSO to the land or surface waters and making an outlet to waters of the State for purposes of G.S. 143-215.1(a)(1), for which a permit is required.

Specific incident(s) cited in the subject report include the following:

Incident Num	Start Date	Location	Cause	Total Volume	Volume Reached Water	DWR Action
202001012	3/12/20	75 Hill Creek Blvd.	Pipe Failure (Break)	50	50	NOV
202001166	4/8/20	Briar Chapel Sub.	Pipe Failure (Break)	75	0	No Further Action
202001213	4/16/20	Briar Chapel Sub.	Pipe Failure (Break)	315	0	No Further Action



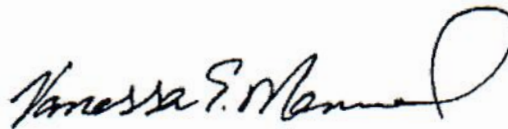


In the future, please provide more details on the 5-day reports, particularly for the question "How was the SSO remediated (i.e. Stopped and cleaned-up)?" For incident 202001012, the permittee's response was "it was only seepage". This does not explain the remediation and clean-up. Also, for two of the incidents covered in this letter, the location provided was "Briar Chapel Sub.". Please provide a more detailed location description.

Remedial actions, if not already implemented, should be taken to correct the above noncompliance. Please submit a written response to this Notice of Violation. Your response is to be received by the regional office within 60 business days following receipt of this violation. Please include any additional documentation about this incident(s) in the response. The submittal will be considered in determining whether the Division will assess a civil penalty for the cited violations.

If you have any questions, please do not hesitate to contact Jason Robinson with the Water Quality Section in the Raleigh Regional Office at 919-791-4200 or via email at Jason.T.Robinson@ncdenr.gov.

Sincerely,



for

Scott Vinson, Regional Supervisor  
Water Quality Regional Operations Section  
Raleigh Regional Office  
Division of Water Resources, NCDEQ

Cc: Raleigh Regional Office - WQS File  
DWR Laserfiche



ROY COOPER  
Governor  
MICHAEL S. REGAN  
Secretary  
S. DANIEL SMITH  
Director



**CERTIFIED MAIL: 7017 2680 0000 2236 7504**  
**RETURN RECEIPT REQUESTED**

July 27, 2020

Michael J Myers, President  
Old North State Water Company LLC  
4700 Homewood Ct  
Ste 108  
Raleigh, NC 27609

**SUBJECT: NOTICE OF VIOLATION & INTENT TO ISSUE CIVIL PENALTY**  
**Tracking No.: NOV-2020-DV-0304**  
Sanitary Sewer Overflows - June 2020  
Collection System Permit No. WQCS00372  
Briar Chapel Collection System  
Chatham County

Dear Mr. Myers:

A review has been conducted of the self-reported Sanitary Sewer Overflows (SSO's) 5-Day Report/s submitted by Old North State Water Company LLC. The Division's Raleigh Regional Office concludes that the Old North State Water Company LLC violated Permit Condition I (2) of Permit No. WQCS00372 by failing to effectively manage, maintain, and operate their collection system so that there is no SSO (Sanitary Sewer Overflow) to the land or surface waters and the SSO constituted making an outlet to waters of the State for purposes of G.S. 143-215.1(a)(1), for which a permit is required by G.S. 143-215.1.

The Raleigh Regional Office is providing the Old North State Water Company LLC an opportunity to provide evidence and justification as to why the Old North State Water Company LLC should not be assessed a civil penalty for the violation(s) that are summarized below:

Incident Number	Start Date	Duration (Mins)	Location	Cause	Total Vol (Gals)	Total Vol Surface Water (Gals)	DWR Action
202002053	6/22/2020	107	Manhole at Lift station B-1128 great ridge parkway		100	0	Notice of Deficiency, No Further Action
202002054	6/22/2020	50	FM at Lift Station A	Pipe Failure (Break)	5,000	4,000	Notice of Violation - Notice of Intent





Incident Number	Start Date	Duration (Mins)	Location	Cause	Total Vol (Gals)	Total Vol Surface Water (Gals)	DWR Action
202002056	6/22/2020	60	MH at Lift Station A 1128 great ridge parkway	Pipe Failure (Break)	2,000	2,000	Notice of Violation Notice of Intent

This Notice of Violation / Notice of Intent to Enforce (NOV/NOI) is being issued for the noted violation. Pursuant to G.S. 143-215.6A, a civil penalty of not more than twenty-five thousand dollars (\$25,000.00) may be assessed against any person who violates or fails to act in accordance with the terms, conditions, or requirements of any permit issued pursuant to G.S. 143-215.1.

**This office requests that you respond to this Notice, in writing, within 10 business days of its receipt.** In your response, you should address the causes of non-compliance, remedial actions, and all other actions taken to prevent the recurrence of similar situations. The response to this correspondence will be considered in this process. Enforcement decisions will also be based on volume spilled, volume reaching surface waters, duration and gravity, impacts to public health, fish kills or recreational area closures. Other factors considered in determining the amount of the civil penalty are the violator's history of non-compliance, the cost of rectifying the damage, whether the spill was intentional and whether money was saved by non-compliance.

If you have any questions, please do not hesitate to contact Mitchell Hayes with the Water Quality Section in the Raleigh Regional Office at 919-791-4200 or via email at [mitch.hayes@ncdenr.gov](mailto:mitch.hayes@ncdenr.gov).

Sincerely,



*for* Scott Vinson, Regional Supervisor  
Water Quality Regional Operations Section  
Raleigh Regional Office  
Division of Water Resources, NCDEQ

Cc: Raleigh Regional Office - WQS File  
Laserfiche



ROY COOPER  
Governor

MICHAEL S. REGAN  
Secretary

S. DANIEL SMITH  
Director



NORTH CAROLINA  
Environmental Quality

**CERTIFIED MAIL: 7016 3560 0000 4428 7434**  
**RETURN RECEIPT REQUESTED**

August 14, 2020

Michael J Myers  
Old North State Water Company LLC  
4700 Homewood Ct  
Ste. 108  
Raleigh, NC 27609

**SUBJECT: NOTICE OF VIOLATION & INTENT TO ISSUE CIVIL PENALTY**  
**Tracking No.: NOV-2020-DV-0365**  
Sanitary Sewer Overflows - July 2020  
Collection System Permit No. WQCS00372  
Briar Chapel Collection System  
Chatham County

Dear Mr. Myers:

A review has been conducted of the self-reported Sanitary Sewer Overflows (SSO's) 5-Day Report/s submitted by Old North State Water Company LLC. The Division's Raleigh Regional Office concludes that the Old North State Water Company LLC violated Permit Condition I (2) of Permit No. WQCS00372 by failing to effectively manage, maintain, and operate their collection system so that there is no SSO (Sanitary Sewer Overflow) to the land or surface waters and the SSO constituted making an outlet to waters of the State for purposes of G.S. 143-215.1(a)(1), for which a permit is required by G.S. 143-215.1.

The Raleigh Regional Office is providing the Old North State Water Company LLC an opportunity to provide evidence and justification as to why the Old North State Water Company LLC should not be assessed a civil penalty for the violation(s) that are summarized below:

Incident Number	Start Date	Duration (Mins)	Location	Cause	Total Vol (Gals)	Total Vol Surface Water (Gals)	DWR Action
202002220	7/23/2020	225	MH below lift station b (behind 1146 Great ridge parkway)	Other	2,000		Notice of Violation





Incident Number	Start Date	Duration (Mins)	Location	Cause	Total Vol (Gals)	Total Vol Surface Water (Gals)	DWR Action
202002233	7/26/2020	150	dry well at Pump Station A	Other, Pipe Failure (Break)	8,400	8,400	Notice of Violation

This Notice of Violation / Notice of Intent to Enforce (NOV/NOI) is being issued for the noted violation. Pursuant to G.S. 143-215.6A, a civil penalty of not more than twenty-five thousand dollars (\$25,000.00) may be assessed against any person who violates or fails to act in accordance with the terms, conditions, or requirements of any permit issued pursuant to G.S. 143-215.1.

**This office requests that you respond to this Notice, in writing, within 10 business days of its receipt.** In your response, you should address the causes of non-compliance, remedial actions, and all other actions taken to prevent the recurrence of similar situations. The response to this correspondence will be considered in this process. Enforcement decisions will also be based on volume spilled, volume reaching surface waters, duration and gravity, impacts to public health, fish kills or recreational area closures. Other factors considered in determining the amount of the civil penalty are the violator's history of non-compliance, the cost of rectifying the damage, whether the spill was intentional and whether money was saved by non-compliance.

If you have any questions, please do not hesitate to contact Mitchell Hayes with the Water Quality Section in the Raleigh Regional Office at 919-791-4200 or via email at [mitch.hayes@ncdenr.gov](mailto:mitch.hayes@ncdenr.gov).

Sincerely,



Scott Vinson, Regional Supervisor  
Water Quality Regional Operations Section  
Raleigh Regional Office  
Division of Water Resources, NCDEQ

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MICHAEL S. REGAN  
Secretary  
S. DANIEL SMITH  
Director



**CERTIFIED MAIL: 7017 0190 0000 9569 8176**  
**RETURN RECEIPT REQUESTED**

September 14, 2020

Michael J Myers, President  
Old North State Water Company LLC  
4700 Homewood Ct  
Ste. 108  
Raleigh, NC 27609

**SUBJECT: NOTICE OF VIOLATION & INTENT TO ISSUE CIVIL PENALTY**  
**Tracking No.: NOV-2020-DV-0404**  
Sanitary Sewer Overflows - August 2020  
Collection System Permit No. WQCS00372  
Briar Chapel Collection System  
Chatham County

Dear Mr. Myers:

A review has been conducted of the self-reported Sanitary Sewer Overflows (SSO's) 5-Day Report/s submitted by Old North State Water Company LLC. The Division's Raleigh Regional Office concludes that the Old North State Water Company LLC violated Permit Condition I (2) of Permit No. WQCS00372 by failing to effectively manage, maintain, and operate their collection system so that there is no SSO (Sanitary Sewer Overflow) to the land or surface waters and the SSO constituted making an outlet to waters of the State for purposes of G.S. 143-215.1(a)(1), for which a permit is required by G.S. 143-215.1.

The Raleigh Regional Office is providing the Old North State Water Company LLC an opportunity to provide evidence and justification as to why the Old North State Water Company LLC should not be assessed a civil penalty for the violation(s) that are summarized below:

Incident Number	Start Date	Duration (Mins)	Location	Cause	Total Vol (Gals)	Total Vol Surface Water (Gals)	DWR Action
202002456	8/20/2020	72	Pump Station E, Quarter Gate Trace	Debris in line, Pump station equipment failure	800	500	Notice of Violation - Notice of Intent





This Notice of Violation / Notice of Intent to Enforce (NOV/NOI) is being issued for the noted violation. Pursuant to G.S. 143-215.6A, a civil penalty of not more than twenty-five thousand dollars (\$25,000.00) may be assessed against any person who violates or fails to act in accordance with the terms, conditions, or requirements of any permit issued pursuant to G.S. 143-215.1.

**This office requests that you respond to this Notice, in writing, within 10 business days of its receipt.** In your response, you should address the causes of non-compliance, remedial actions, and all other actions taken to prevent the recurrence of similar situations. The response to this correspondence will be considered in this process. Enforcement decisions will also be based on volume spilled, volume reaching surface waters, duration and gravity, impacts to public health, fish kills or recreational area closures. Other factors considered in determining the amount of the civil penalty are the violator's history of non-compliance, the cost of rectifying the damage, whether the spill was intentional and whether money was saved by non-compliance.

If you have any questions, please do not hesitate to contact Mitchell Hayes with the Water Quality Section in the Raleigh Regional Office at 919-791-4200 or via email at [mitch.hayes@ncdenr.gov](mailto:mitch.hayes@ncdenr.gov).

Sincerely,



Scott Vinson, Regional Supervisor  
Water Quality Regional Operations Section  
Raleigh Regional Office  
Division of Water Resources, NCDEQ

Cc: Raleigh Regional Office - WQS File  
Laserfiche



ROY COOPER  
Governor  
MICHAEL S. REGAN  
Secretary  
S. DANIEL SMITH  
Director



**CERTIFIED MAIL # 7017 0190 0000 9569 8381**  
**RETURN RECEIPT REQUESTED**

October 22, 2020

John L McDonald  
Old North State Water Company LLC  
PO Box 10127  
Birmingham, AL 35202-0127

SUBJECT: **NOTICE OF VIOLATION**  
**Tracking Number: NOV-2020-DV-0454**  
Sanitary Sewer Overflows - September 2020  
Collection System Permit No. WQCS00372  
Briar Chapel Collection System  
Chatham County

Dear Mr. McDonald:

The self-reported Sanitary Sewer Overflow (SSO) 5-Day Report submitted by Old North State Water Company LLC indicates violations of permit conditions stipulated in the subject permit and North Carolina G.S. 143-215.1. Violations include failing to effectively manage, maintain, and operate the subject collection system so that there is no SSO to the land or surface waters and making an outlet to waters of the State for purposes of G.S. 143-215.1(a)(1), for which a permit is required.

Specific incident(s) cited in the subject report include the following:

Incident Number	Start Date	Duration (Mins)	Location	Cause	Total Vol (Gals)	Total Vol Surface Water (Gals)	DWR Action
202002690	9/26/2020	82	Lift station A Dog Park, Great Ridge Parkway	Pump station equipment failure	200	200	Notice of Violation





Remedial actions, if not already implemented, should be taken to correct the above noncompliance. Please submit a written response to this Notice of Violation. Your response is to be received by the regional office within 15 business days following receipt of this violation. Please include any additional documentation about this incident(s) in the response. The submittal will be considered in determining whether the Division will assess a civil penalty for the cited violations.

If you have any questions, please do not hesitate to contact Mitchell Hayes with the Water Quality Section in the Raleigh Regional Office at 919-791-4200 or via email at [mitch.hayes@ncdenr.gov](mailto:mitch.hayes@ncdenr.gov).

Sincerely,



*for*

Scott Vinson, Regional Supervisor  
Water Quality Regional Operations Section  
Raleigh Regional Office  
Division of Water Resources, NCDEQ

Cc: Raleigh Regional Office - WQS File  
Laserfiche



**MAILED**  
11/20/20

ROY COOPER  
*Governor*  
MICHAEL S. REGAN  
*Secretary*  
S. DANIEL SMITH  
*Director*



**CERTIFIED MAIL: 7017 0190 0000 9569 8831**  
**RETURN RECEIPT REQUESTED**

November 17, 2020

John L McDonald  
Old North State Water Company LLC  
PO Box 10127  
Birmingham, AL 35202-0127

**SUBJECT: NOTICE OF VIOLATION & INTENT TO ISSUE CIVIL PENALTY**  
**Tracking No.: NOV-2020-DV-0506**  
Sanitary Sewer Overflows - October 2020  
Collection System Permit No. WQCS00372  
Briar Chapel Collection System  
Chatham County

Dear Mr. McDonald:

A review has been conducted of the self-reported Sanitary Sewer Overflows (SSO's) 5-Day Report/s submitted by Old North State Water Company LLC. The Division's Raleigh Regional Office concludes that the Old North State Water Company LLC violated Permit Condition I (2) of Permit No. WQCS00372 by failing to effectively manage, maintain, and operate their collection system so that there is no SSO (Sanitary Sewer Overflow) to the land or surface waters and the SSO constituted making an outlet to waters of the State for purposes of G.S. 143-215.1(a)(1), for which a permit is required by G.S. 143-215.1.

The Raleigh Regional Office is providing the Old North State Water Company LLC an opportunity to provide evidence and justification as to why the Old North State Water Company LLC should not be assessed a civil penalty for the violation that is summarized below:

Incident Number	Start Date	Duration (Mins)	Location	Cause	Total Vol (Gals)	Total Vol Surface Water (Gals)	DWR Action
202002890	10/31/2020	255	1690 Great Ridge Drive	Pipe Failure (Break)	6,167	300	Notice of Violation - Notice of Intent

OFFICIAL COPY

Nov 29 2023




This Notice of Violation / Notice of Intent to Enforce (NOV/NOI) is being issued for the noted violation. Pursuant to G.S. 143-215.6A, a civil penalty of not more than twenty-five thousand dollars (\$25,000.00) may be assessed against any person who violates or fails to act in accordance with the terms, conditions, or requirements of any permit issued pursuant to G.S. 143-215.1.

**This office requests that you respond to this Notice, in writing, within 10 business days of its receipt.** In your response, you should address the causes of non-compliance, remedial actions, and all other actions taken to prevent the recurrence of similar situations. The response to this correspondence will be considered in this process. Enforcement decisions will also be based on volume spilled, volume reaching surface waters, duration and gravity, impacts to public health, fish kills or recreational area closures. Other factors considered in determining the amount of the civil penalty are the violator's history of non-compliance, the cost of rectifying the damage, whether the spill was intentional and whether money was saved by non-compliance.

If you have any questions, please do not hesitate to contact Mitchell Hayes with the Water Quality Section in the Raleigh Regional Office at 919-791-4200 or via email at [mitch.hayes@ncdenr.gov](mailto:mitch.hayes@ncdenr.gov).

Sincerely,

  
for Scott Vinson, Regional Supervisor  
Water Quality Regional Operations Section  
Raleigh Regional Office  
Division of Water Resources, NCDEQ

Cc: Raleigh Regional Office - WQS File  
Laserfiche