

**ENVIRONMENTAL HEALTH**  
Onsite Water Protection Notices of Violation  
March 2017

NOV DATE	SUBJECT PROPERTY ADDRESS	TYPE OF VIOLATION	NOV EXPIRATION DATE	FORWARDED TO CO. ATTY?	COMPLIANCE STATUS (YES/NO)	COMPLIANCE DATE	NOTES
3/20/2014	913 Cartman	Surface discharge of effluent onto neighbor's yard	4/20/2014	Y	N		3/20/2014 - The complaint is valid. Issued NOV 4/29/2014 - Return visit made by EH, course of action to remedy failure communicated to owner. NOV forwarded to County Attorney's office 8/14/2014 Owner has stated he will not repair the system. 6/4/2015 - 10-day demand letter issued by County Attorney's office. 2/3/2016 - Requested County Attorney's Office file for injunctive relief. 3/22/2016 - Civil suit filed in Superior Court by County Attorney's office. 4/28/2016 - EH Spoke with owner, site visit is scheduled for 5/5/16 to determine repair options. 5/26/2016 - Property owner contacted EH to state he has hired a septic contractor to evaluate system. 7/12/2016 - Site to be reevaluated by EH. Initial hypothesis of broken pipe was not verified by septic contractor. 11/18/2016 -EH has requested site evaluation by NC DHHS Regional Soil Scientist. 1/3/2017 - Regional soil scientist recommended a certified operator evaluate system to determine if flow can be restored. 3/28/2017 - Follow-up visit scheduled for first week of April to determine if system is still failing.
12/17/2014	3500 Interworth	Surface discharge of effluent	1/19/2015	N	N		Discharging via a culvert pipe. 3/1/15-Owner is seeking a NPDES permit from NC Div. of Water Resources. 1/19/2016 - EH has verified that NPDES permit application is currently being reviewed by NC Division of Water Resources. 9/28/2016 - Application status is still pending with NC DWR. 1/30/2017 - Request for update sent to NC DEQ. 3/29/2017 - Owner is working with an environmental consultant to acquire a NPDES permit. EH instructed owner to apply for permanent pump and haul until such time a NPDES permit may be issued.
6/25/2015	5114 Leesville Rd	Surfacing effluent, straight pipe from basement plumbing, and property line setback violation	7/25/2015	Y	N		Existing system crosses property line and is discharging effluent to the ground surface. Basement plumbing is discharging via straight pipe into gutter drain. Repair permit issued same day as NOV. 2/19/2016 - 10-day demand letter issued by County Attorney's Office. 9/30/2016 - EH will follow-up with owner on progress prior to initiation of legal action. NOV to be revisited in 30 days. 3/8/17 - Requested County Attorney file lawsuit.
9/28/2015	6101 Cheek Rd	No Subsurface Operator	10/28/2015	Y	N		EH has not received system management reports as required by rule. 2/19/2016 - 10-day demand letter issued by County Attorney's Office. 9/30/2016 - EH will follow-up with owner on progress prior to initiation of legal action. NOV to be revisited in 30 days. 3/8/2017 - Requested County Attorney to file lawsuit.
10/28/2015	1725 Infinity Rd	No Subsurface Operator	11/27/2015	Y	N		EH has not received system management reports as required by rule. 9/30/2016 - Requested 10-day demand letter from County Attorney's office. 9/30/2016 - EH will follow-up with owner on progress prior to initiation of legal action. NOV to be revisited in 30 days. 3/8/2017 - Requested County Attorney file lawsuit.
10/28/2015	3050 Ruth St	No Subsurface Operator	11/27/2015	Y	N		EH has not received system management reports as required by rule. 9/30/2016 - Requested 10-day demand letter from County Attorney's office. 9/30/2016 - EH will follow-up with owner on progress prior to initiation of legal action. NOV to be revisited in 30 days. 3/8/2017 - Requested County Attorney file lawsuit.

2/16/2016	6038 Burgundy Rd	Surfacing Effluent	3/17/2016	Y	N		System failure discovered during mandated 5-year maintenance inspection.	3/16/2016 - Owners have hired a certified contractor to repair system. 9/30/2016 - EH called and left a voicemail for the certified contractor for verification of repair. Awaiting response. 11/29/2016 - EH followed up with contractor who states the system was not repaired. EH will request 10-day demand letter from County Attorney's Office. 3/8/2017 - Requested follow-up by County Attorney's Office.
2/18/2016	704 Hazelwood St	Surfacing Effluent	3/19/2016	Y	N		Issue was discovered during complaint investigation of water discharging onto neighbor's driveway. Water sample was taken from ditch and tested positive for anionic surfactants. Ammonia test was inconclusive due to sample turbidity.	8/18/2016 - NOV forwarded to County Attorney's Office. Complainant states discharge is causing mosquito problem. EH provided complainant with larvicidal mosquito dunks and has made several unsuccessful attempts to contact the owner of 704 Hazelwood. 9/30/2016 - Previous attempts to contact owner at listed tax address and business numbers have failed. EH was advised by County Attorney's office to reissue NOV and send USPS to agent of record as listed in the NC Secretary of State Corporations records and to hand deliver on site. 3/8/2017 - Continued discharge observed by EH staff. Requested 10-day demand letter from County Attorney's Office.
3/11/2016	8405 NC HWY 751	Surfacing Effluent	4/11/2016	Y	N		Previous repair (root removal) in January 2016 was not successful. Owner directed to connect to municipal sewer.	9/30/2016 - Requested 10-day demand letter from County Attorney's Office. 3/8/17 - Requested County Attorney file lawsuit.
3/18/2016	7138 Windover Dr	Surfacing Effluent	9/18/2016	N	N		Existing system is failing. Parcel has been classified as Unsuitable for repair. Owner referred to NCDWR for discharging system. 180-day compliance deadline issued to address slow permit turn-around times from NC DWR.	3/28/2016 - Owner has hired a Licensed Professional Engineer to design a discharging system. 9/28/2016 - NPDES application is currently in technical review stage at DWR. 12/14/2016 - NC DWR has issued a construction authorization for a NPDES system.
5/5/2016	5719 Claremore	Surfacing Effluent	6/5/2016	N	N		Existing system is failing. Parcel has been classified as Unsuitable for repair. Owner referred to NCDWR for discharging system or to apply for permanent pump and haul.	9/30/2016 - Owner has hired an environmental consulting firm to evaluate design options for NC DWR permit.
6/9/2016	2711 E Geer St	Surfacing Effluent	6/9/2016	Y	N		Existing system is failing. Municipal sewer available.	9/30/2016 - Requested 10-day demand letter from County Attorney's Office. 12/1/2016 - Owner is proceeding with connection to municipal sewer. Parcel must be annexed into City of Durham prior to connection. 3/8/2017 - Requested County Attorney file lawsuit.
6/30/2016	2005 Patterson	Surfacing Effluent	7/30/2016	Y	N		Existing system is failing. Property owner has submitted application for repair permit but has not cleared area or marked property lines for an evaluation.	9/30/2016 - Requested 10-day demand letter from County Attorney's Office. 9/30/2016 - EH will follow-up with owner on progress prior to initiation of legal action. 10/28/2016 - 10-Day demand letter issued by County Attorney's Office. 3/8/2017 - Requested County Attorney file lawsuit.
7/15/2016	5370 Red Mill Rd	No Subsurface Operator	8/15/2016	Y	N		EH has not received system management reports as required by rule.	9/30/2016 - Requested 10-day demand letter from County Attorney's Office. 3/8/2017 - Requested County Attorney file lawsuit.
11/15/2016	117 Overby Dr	Effluent backing up into facility	12/15/2016	N	N		Existing system has failed resulting in sewage backing up into freeboard of septic tank and household plumbing. Municipal sewer is available.	
11/30/2016	9805 Straight-a-Way Ln	No Subsurface Operator	12/30/2016	N	N		EH has not received system management reports as required by rule.	

1/25/2017	2630 Ferrell Road	Effluent backing up into facility	2/24/2017	N	N	Existing system is malfunctioning leading to sewage back-up. NOV directs owner to apply for repair permit or vacate the house and abandon all plumbing. Existing single-family dwelling, rental property.	1/30/2017 - Property owner received NOV and contacted EH by phone. Stated that he's asked property manager to investigate complaint. 2/27/2017 - House has been vacated. Owner has contracted services of a plumber and septic contractor to evaluate the failure. EH has not received an application for repair at this time.
2/13/2017	2804 Darrow Road	Sewage Discharge	3/15/2017	Y	N	Sewer service line plugged by City of Durham due to delinquent account. Repeat violation.	3/31/2017 - Requested 10-day demand letter from County Attorney's Office.
3/22/2017	3805 Valley Springs Rd	Surface Discharge/System Components Damaged/No Operator	4/24/2017	N	N	Sewage is discharging to the ground surface. LPP lateral turn-ups, cleanouts, & electrical control panel have been damaged/destroyed. Drainfield is covered with succession growth. System does not have an operator as required. Municipal sewer is available.	

**ENVIRONMENTAL HEALTH**  
Onsite Water Protection - Compliant NOVs  
FY 2017

NOV DATE	SUBJECT PROPERTY ADDRESS	TYPE OF VIOLATION	NOV EXPIRATION DATE	FORWARDED TO CO. ATTY?	COMPLIANCE STATUS (YES/NO)	COMPLIANCE DATE	NOTES
2/16/2016	5 Treadway Ct	Surfacing Effluent	3/17/2016	Y	Y	3/24/2017	9/30/2016 - Requested 10-day demand letter from County Attorney's Office. 10/28/2016 - 10-day demand letter issued by County Attorney's Office. 3/7/17 - EH received call from property owner. Owner stated he has hired a certified septic contractor to repair system. System failure discovered during mandated 5-year maintenance inspection. <b>**System repaired by certified installer.**</b>
2/21/2017	2603 E Geer St	Surface Discharge	3/23/2017	N	Y	3/1/2017	Existing system is discharging effluent to the ground surface. Site has been classified as non-repairable. Owner directed to apply for permanent pump and haul or seek a NPDES permit from NC DWR. Public sewer is not available. <b>**Exploratory digging revealed tree root intrusion. Roots were removed and flow has been restored to the original system.**</b>
3/31/2016	809 Lakeview Dr	Surfacing Effluent	5/2/2016	N	Y	2/1/2017	4/7/2016 - Owner submitted an application for repair permit. House is unoccupied. 9/30/2016 - EH will follow-up with owner on progress prior to request for 10-day demand letter. NOV to be revisited in 30 days. Repair application has been received. Follow-up with owner scheduled for February. EH received a complaint of surfacing effluent. Site visit confirmed failing system. NOV directs owner to apply for repair permit. <b>**Repairs by owner have abated discharge of effluent.**</b>
5/7/2015	920 Snow Hill	Surfacing effluent	6/7/2015	Y	Y		7/20/2015- Verified water use is within permit design. ENV HLTH continues working with homeowner & contractor to repair existing LPP. 2/4/2016 - NOV reissued. 9/30/2016 - Requested 10-day demand letter from County Attorney's office. 10/28/2016 - 10-day demand letter issued by County Attorney's Office. 11/2/2016 - Owner hired septic contractor and maintenance repairs were performed. System will be monitored to ensure function prior to release of NOV. 11/18/2016 - System continues to fail. EH has requested site evaluation by NC DHHS Regional Soil Scientist. Surfacing effluent. Recommended a course of maintenance procedures in attempt to abate failure. EH will continue to monitor the system. <b>**System has been flow balanced. Broken supply line identified and isolated.**</b>

9/27/2016	513 Bywood Dr	Surfacing Effluent	10/28/2016	N	Y	12/22/2016	Complaint investigation confirmed existing system is discharging effluent to the ground surface. EHS spoke with property owner onsite, discussed water conservation and process to apply for repair evaluation. NOV directs owner to submit an application for repair permit. <b>**Operation Permit issued for repair system.**</b>	10/6/2016- EH received application for repair permit. 10/13/2016 - Repair permit issued. 11/29/2016 - Owner has hired certified septic installer to repair system. EH met with installer for preconstruction conference, projected completion by 12/2/2016.
11/30/2016	7728 Grace Cove	No Subsurface Operator	12/30/2016	N	Y	12/15/2016	EH has not received system management reports as required by rule. <b>**Management reports have been received as required by rule.**</b>	
3/12/2014	7001 Herndon Rd	Surface discharge of effluent	4/10/2014	Y	Y	11/29/2016	3/10/2014 - Site visit, confirmed surfacing effluent. Municipal sewer available. 6/1/14 Owner has applied for sewer connection and is awaiting tap installation. Property has completed the annexation process. <b>**Property owner removed blockages from distribution box and drain lines. The system failure has been abated and verified by site visit on 11/29/2016.</b>	4/20/2015- Public Works Engineering states no application has been received for connection to sewer. 10 day letter needed. 5/20/15 - 10 day demand letter issued by County Attorney's Office. 2/29/2016 - Site visit is scheduled for first week of March to verify system failure, per recommendation of County Attorney's office. 3/1/2016 - EH verified system is still failing and notified County Attorney's office. 9/30/2016 - Requested 10-day demand letter from County Attorney's Office. 11/17/2016 - 10-day demand letter issued by County Attorney's Office.
11/15/2016	318 S Mineral Springs Rd	Effluent backing up into facility	12/15/2016	N	Y	11/23/2016	Existing system has failed resulting in sewage backing up into freeboard of septic tank and household plumbing. Municipal sewer is available. <b>**11/23/2016 - Plumbing leak was repaired, system failure has been abated.**</b>	
9/30/2016	520 Hardscrabble	Surfacing Effluent	10/30/2016	N	Y	10/26/2016	<b>**10/26/2016 - Drainage pipe cross-connection was removed.**</b>	
7/15/2016	2104 Milton Rd	Surfacing Effluent	8/15/2016	N	Y	7/21/2016	Existing system is failing. Property owner needs to mark property lines prior to evaluation. <b>**7/21/2016 - Failure abated by reduced water use.**</b>	
7/15/2016	2804 Darrow Rd	Raw Sewage Discharge	8/15/2016	Y	Y	9/28/2016	House is connected to municipal sewer. Line has been plugged by Public Works due to delinquent account. <b>**9/28/2016 - City of Durham Public Works Department confirmed sewer service has been restored**</b>	8/29/2016 - NOV forwarded to County Attorney's Office.
2/16/2016	1807 Infinity Rd	Surfacing Effluent	3/17/2016	N	Y	9/1/2016	System failure discovered during mandated 5-year maintenance inspection. <b>**Pump controls repaired**</b>	Owner has hired a certified contractor to repair the malfunctioning pump controls.
10/21/2015	4601 West Ave	Surfacing effluent, unpermitted repairs	11/21/2015	Y	Y	9/29/2016	Municipal sewer is available. <b>**9/29/2016 - City of Durham Public Works Department confirmed this property is now served by public sewer**</b>	2/19/2016 - 10-day demand letter issued by County Attorney's Office.
5/5/2015	207 Breedlove Ave	Effluent surfacing and backing up into house	6/5/2015	N	Y	9/29/2016	Effluent is discharging to the ground surface, sewage is backing up into the basement, septic tank has tree root intrusion. Non-repairable lot. Owners have applied to NC DWR for a discharge system permit. <b>**Property is now served by a permitted NPDES system.**</b>	1/19/2016 - EH staff has verified that NPDES permit application is currently being reviewed by NC Division of Water Resources.