

ENVIRONMENTAL HEALTH
Onsite Water Protection Notices of Violation
April 2018

NOV DATE	SUBJECT PROPERTY ADDRESS	TYPE OF VIOLATION	NOV EXPIRATION DATE	FORWARDED TO CO. ATTY?	COMPLIANCE STATUS (YES/NO)	COMPLIANCE DATE	NOTES	
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. 3/8/2017 - 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	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.

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. 8/28/2017 - EH received another complaint regarding the failure. 10/2/2017 - File is under review by County Attorney's Office. 10/24/2017 - Lawsuit filed by County Attorney's Office. 3/28/2018 - Site was evaluated on March 19 and classified as unsuitable for repair. Owner's options are to apply for Permanent Pump and Haul, apply for an NPDES permit from NC Division of Water Resources, or vacate the property. County Attorney's office was copied on the correspondence.
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. 11/27/2017 - EHS completed required system monitoring visit and reiterated the requirement and need for an operator to the owner on site.
6/23/2017	1914 Sherron Rd	Surface Discharge	7/24/2017	N	N	Existing system is discharging effluent to the ground surface. EH has classified the site as Unsuitable for repair. Property owner has been referred to NC DWR for possible NPDES permit.	Notice of Violation for illegal discharge to ephemeral stream issued by NC Division of Water Resources on August 31, 2017. 3/22/18 - NCDWR denied application for permit. EH will issue a revised NOV, property ownership is unclear. County Attorney's Office was contacted for assistance in determining to whom the NOV should be addressed.
7/18/2017	2505 E Club Blvd	Surface Discharge	8/18/2017	N	N	Effluent is being discharged to the ground surface via straight pipe.	8/6/2017 - Property owner has hired a consulting engineer to identify options for repair. 11/20/2017 - The owner's consulting engineer contacted EH and stated a design packet for an NPDES permit is being processed by NC DWR. 5/2/2018 - Consulting Engineer for the owner contacted EH, stated NPDES is not an option. EH advised that informal appeal of subsurface permit remains an option for the owner.
8/7/2017	4710 Bragg Rd	Surface Discharge	8/6/2017	Y	N	Existing system is discharging effluent to the ground surface. Effluent is crossing onto neighbor's property.	8/15/2017 - EH received another complaint regarding system failure. File to be forwarded to County Attorney's Office for legal remedy. 9/18/2017 - Another complaint regarding flowing sewage received by Environmental Health; 10-day demand letter issued by County Attorney's Office.
9/27/2017	5622 Ventura Dr	Sewage Back-up	9/30/2017	N	N	Sewage is backing up into household drain fixtures. Application for repair permit has been received and site evaluation is scheduled for 9/7/2017. Property owner is also exploring potential for connection to public sewer.	9/27/2017 - Repair permit denied. Owner directed to connect to sewer. Owner is working with the City of Durham and has hired a consulting engineer to design lift station.

10/6/2017	1118 Kimball Dr	Surface Discharge	11/6/2017	Y	N		Effluent is discharging to the ground surface. Failing system is connected to a residential care facility. Parcel is located within city limits of Durham, public sewer is available. NOV directs owner to connect to sewer or abandon property.	11/9/2017 - NC DHHS, Division of Health Service Regulation, Mental Health Licensure and Certification Section confirmed complaint and has issued a directive to the owner to implement corrective actions. 12/6/2017 - Eh received phone call from facility maintenance for property stating that tank was being pumped to alleviate discharge. EHS reiterated that facility must be connected to sewer. 2/26/2018 - File forwarded to County Attorney's Office for legal remedy. 3/22/2018 - EH Director contacted NC DHSR to follow-up on their investigation. DHSR representative indicated their agency would reopen their investigation and initiate license revocation for the facility if the problems cannot be corrected. 4/30/2018 - Facility continues to discharge sewage directly to the ground surface, no license action has been taken by NC DHHS/MHLC.
10/10/2017	3810 Page Road	Surface Discharge	11/10/2017	Y	N		Existing system is discharging effluent to the ground surface.	10/10/2017 - Original NOV (6/6/17) returned as undeliverable. EH contacted owner via telephone to obtain correct address. NOV reissued. 11/20/2017 - EHS contacted owner's residence and, upon stating the purpose of the call, was immediately disconnected by the individual that answered the call. 2/26/2018 - File forwarded to County Attorney's Office for legal remedy.
2/9/2018	245 Olive Branch Rd	Surface Discharge	3/10/2018	Y	N		Existing system is discharging effluent to the ground surface.	3/29/2018 - EH continues to receive complaints. File forwarded to County Attorney's Office for legal remedy. 4/12/18 - 10-day demand letter issued. 5/1/2018 - EH received documentation from the owner that a certified septic contractor has performed maintenance repairs on the septic system and addressed a leaking toilet in the house. EH will make a follow-up visit in 7 - 10 days to verify that the system is no longer discharging.
3/20/2018	2909 Tom Clark Rd	Surface Discharge	4/20/2018	N	N		Existing system is discharging effluent to the ground surface.	Site has been evaluated and classified as unsuitable for repair. Property owner has contracted a septage hauler to temporarily pump and haul. Owner has also been in contact with NC DWR and a consulting engineer to prepare an NPDES permit application package.
4/5/2018	2817 Baptist Rd	Surface Discharge	5/5/2018	N	N		Existing system is discharging effluent to the ground surface. Effluent is crossing onto neighbor's property.	4/9/2018 - Owner contacted EH for a repair permit application. 4/30/2018 - Owner has received a permit for repair and is scheduled with a certified contractor to perform the work.

ENVIRONMENTAL HEALTH

Onsite Water Protection - Compliant NOVs

July 2017 - June 2018

NOV DATE	SUBJECT PROPERTY ADDRESS	TYPE OF VIOLATION	NOV EXPIRATION DATE	FORWARDED TO CO. ATTY?	COMPLIANCE STATUS (YES/NO)	COMPLIANCE DATE	NOTES
3/1/2018	3703 Isham Chambers Rd	Surface Discharge	4/1/2018	N	Y	4/30/2018	Monitoring inspection revealed a broken effluent supply pipe. NOV directs owner to repair the pipe. **System repaired by operator.**
2/13/2017	2804 Darrow Road	Sewage Discharge	3/15/2017	Y	Y	1/31/2018	Sewer service line plugged by City of Durham due to delinquent account. Repeat violation. **City of Durham Public Works confirmed sewer account is active** 3/31/2017 - Requested 10-day demand letter from County Attorney's Office. 6/5/2017 - EH follow-up call to Public Works verified sewer service is still disconnected. 6/14/2017 - EH met onsite with agents from NC DWR to illustrate City of Durham practice of plugging sewer lines. No discharge was observed and the house appeared unoccupied during time of visit.
9/20/2017	809 Lakeview	Surface Discharge	10/21/2017	N	Y	1/31/2018	Existing system is discharging effluent to the ground surface. Additional polystyrene aggregate nitrification trenches have been installed without permit or inspection. Tax records indicate parcel has changed ownership. Revised NOV sent to new owner on 9/21/2017. A repair permit has been issued for a replacement system. **Repair system has been installed.** 11/20/2017 - House is unoccupied and being renovated. EHS has been in contact with owner regarding the repair permit.
11/30/2016	9805 Straight-a-Way Ln	No Subsurface Operator	12/30/2016	N	Y	1/3/2018	EH has not received system management reports as required by rule. **OP reissued** 07/25/2017 - Requested 10-day demand letter from County Attorney's Office.
10/19/2017	200 Hardscrabble Dr	Expired Operation Permit	11/20/2017	N	Y	1/3/2018	Operation Permit for existing Type V system has expired. Owner must submit an application for renewal. **OP Reissued**
10/19/2017	2806 Page Rd	Expired Operation Permit	11/20/2017	N	Y	11/30/2017	Operation Permit for existing Type V system has expired. Owner must submit an application for renewal. **OP reissued**
10/19/2017	9805 Straight-a-Way Ln	Expired Operation Permit	11/20/2017	N	Y	11/28/2017	Operation Permit for existing Type V system has expired. Owner must submit an application for renewal. **OP reissued**
10/19/2017	7907 Kennebec Dr	Expired Operation Permit	11/20/2017	N	Y	10/26/2017	Operation Permit for existing Type V system has expired. Owner must submit an application for renewal. **10/26/2017 - Renewal application and monitoring fee have been received**

