

ENVIRONMENTAL HEALTH
Onsite Water Protection Notices of Violation
March 2022

LEGEND
RED - Indicates updates since last report
PURPLE - Indicates County Attorney Action Requested/Legal Remedy

| NOV DATE | SUBJECT PROPERTY ADDRESS | TYPE OF VIOLATION | NOV EXPIRATION DATE | FORWARDED TO CO. ATTY? | COMPLIANCE STATUS (YES/NO) | COMPLIANCE DATE | NOTES |
|-------------------------------------|--------------------------|------------------------|--------------------------------------|------------------------|----------------------------|-----------------|---|
| 9/28/2015 8/4/2021 10/11/2021 | 6101 Cheek Rd | No Subsurface Operator | 10/28/2015 9/6/2021 11/11/2021 | Y | N | | <p>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. 8/31/2018 - System remains non-compliant. No ORC reports have been received as required by rule. 9/30/2018 - System remains non-compliant. Second NOV issued 8/4/2021. EH did not receive USPS return receipt for 2nd notice. 3rd notice hand delivered to site and to home address of property owner 10/11/2021. 10-day demand letter requested 11/30/2021 10-day demand letter issued 1/4/2022.</p> <p>EH has not received system management reports as required by rule. **THIRD NOTICE HAND DELIVERED 10/11/2021**</p> |
| 1/7/2020 | 8 Steepleton | Surface Discharge | 2/7/2020 | Y | N | | <p>2/27/2020 - EH contacted the system operator for an update. Operator stated owner has signed a work order to repair/replace the malfunctioning control panel and pretreatment media. Scheduling TBD. 5/4/2020 - Per the septic installer, the owner has postponed repair. File forwarded to County Attorney's Office with request for a 10-day demand letter. 12/17/2020 10-day demand letter issued 12/31/2020. Septic contractor notified EHS a price quote for repair will be sent to owner 1/28/2021. Owner is working with installer and has reached out to an engineer to determine potential options for pretreatment alternatives to existing peat modules. 2/23/2021 Contractor states they are still working on quote for pretreatment alternatives. 4/29/2021 EHS contacted septic installer regarding system progress. Contractor has yet to provide a bid. EHS encouraged the contractor to prioritize this project. 8/2/2021 Owner has submitted an application for repair permit. EHS will evaluate parcel to determine if an innovative system type may be utilized to repair/replace the existing failing drip irrigation system 9/29/2021 Owner contacted EHS, states they will be replacing the peat modules with synthetic media. Design proposal from PE forthcoming. 10/11/2021 Owner has made regular contact with EH, engineer, and installer. Product availability issues are delaying installation of new pretreatment modules. 2/28/2022</p> <p>Surfacing effluent over pretreatment media and malfunctioning pump controls observed during regular monitoring inspection. System type is pretreated subsurface drip irrigation.</p> |

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| 2/20/2020 9/1/2021 | 1712 Doc Nichols Rd | Surfacing Effluent | 3/23/2020 10/1/2021 | N | N | Existing system is failing. Property owner submitted an application for repair and a construction authorization for installation of a replacement system was issued concurrently with this notice of violation. | 2/26/2021 - House is unoccupied, under renovation. Septic repair is pending. Site visit by EHS on 8/10/2021 revealed home has been reoccupied, EHS e-mailed owner for confirmation. Owner states she has not been able to hire a contractor to install system. NOV will be reissued if no progress by 9/1/2021. Second NOV issued 9/1/2021. 10/8/2021 - Owner messaged EHS with an update. Owner is arranging financing for system repair. Certified installer has been hired by the owner. Installation will be scheduled when site conditions improve from recent precipitation. Installer verified hiring in phone call to EH 1/24/2022. Installation is scheduled for first week of April 3/31/2022. |
| 9/25/2020 | 3419 S Alston | Straight Pipe discharge to stream and discharge to ground surface. | 10/25/2020 | Y | N | Complaint received from City of Durham Stormwater Services of a straight pipe discharging into a stream and surface discharge of effluent above septic tank. EHS visited site and confirmed. City officials have indicated they will also issue a NOV for the straight pipe discharge into the stream. | Property owner contacted EH and stated he will explore the possibility of connecting to public sewer. 9/29/2020 EHS observed and documented unpermitted repair work on system during a site visit. System continues to discharge effluent 12/11/2020. File forwarded to County Attorney's Office with request for a 10-day demand letter. 12/17/2020 10-day demand letter issued 12/31/2020. Site has been classified as unsuitable for repair. Owner is in contact with City Public Works to determine engineering requirements for sewer extension. EHS has directed owner to temporarily pump and haul to abate discharge of effluent while sewer extension is explored. 1/21/2021. Application for sewer extension agreement has been submitted to City Public Works and is pending review as of 3/31/2021. Owner has retained services of an engineer and is meeting with utility contractors to bid the project. Septic tank is being pumped as necessary to prevent discharge. 4/27/2021 Sewer connection extension agreement still under review by Public Works 9/30/2021. Extension agreement has been approved by City of Durham. Application for plumbing permit has not yet been submitted 10/29/2021. EH called owner for an update and left a message. No response as of 1/31/2022. City of Durham Public Works states the sewer main extension is pending NC DOT review and approval 2/15/2022. Owner has been approved for City of Durham "septic to sewer" cost-share funding. 3/25/2022 |
| 7/13/2021 | 5223 Ephesus Church Rd | Surfacing Effluent | 8/13/2021 | N | N | Existing system was flooded by City water system maintenance. Prolonged discharge of water main flush onto the property destroyed the drainfield. Connection to public sewer will be facilitated by City of Durham. | EHS contacted owner for an update, left voicemail. 9/30/2021 Letter received from an engineering firm stating they are actively working on the sewer extension design and will be submitting plans to the City of Durham soon. - 10/1/2021 EH contacted owner for an update. Owner stated his application is under second review by Public Works 1/27/2022. |

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| 7/22/2021 | 213 Snow Hill Rd | Surfacing Effluent | 8/23/2021 | Y | N | Complaint investigation confirmed discharge of effluent over nitrification trenches. Application for repair permit enclosed with NOV. | EHS discussed situation with property manager. Succession growth must be cleared prior to repair evaluation. Property manager instructed to provide receipts for temporary pump and haul until such time the system is repaired. Septic tank was pumped 7/26/2021. Property manager contacted EHS and stated owner is refusing to submit an application for repair. 8/19/2021. File will be forwarded to County Attorney for legal remedy. 9/2/2021 - File forwarded to County Attorney's Office. Complaint drafted by County Attorney's Office and verification signed by OSWP Supervisor. 11/10/2021. Judgment rendered by court to vacate property and assess fines. 3/24/2022. |
| 7/22/2021 | 6032 Burgundy Rd | Pump malfunction | 8/23/2021 | N | Y | Pump malfunction discovered during routing monitoring visit. Effluent is backing up into the pump tank freeboard and riser. Owner directed to contact a certified septic installer to repair the pump. | 10/11/2021 - File forwarded to County Attorney's Office with request for demand letter. 10-day demand letter issued 10/22/2021. |
| 11/29/2021 | 3616 Alman Dr | Surfacing Effluent | 1/3/2022 | N | N | Discharge pipe discovered by EHS during complaint investigation. NOV directs owner to connect to public sewer. | EH received call from a realtor listing the property for sale. Realtor was instructed to temporarily pump and haul while connection to sewer is processed 3/25/2022. EHS observed septic tank being pumped on 3/28/2022. |
| 12/29/2021 | 4711 Bragg Rd | Expired Operation Permit | 1/31/2022 | N | N | 5-year operation permit for Type V system has expired. Owner directed to submit an application and fee for renewal. | |
| 12/29/2021 | 3326 Stagecoach Rd | Expired Operation Permit | 1/31/2022 | N | N | 5-year operation permit for Type V system has expired. Owner directed to submit an application and fee for renewal. | |
| 12/29/2021 | 5370 Red Mill Rd | Expired Operation Permit | 1/31/2022 | N | N | 5-year operation permit for Type V system has expired. Owner directed to submit an application and fee for renewal. | |

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| 1/6/2022 | 1701 Stage Rd | Surfacing Effluent | 2/7/2022 | N | N | Surfacing effluent discovered during NE Creek watershed survey. Public sewer is available. EH received call from property owner. Owner was provided contact information for Public Works and the "septic to sewer" program with the City of Durham. 1/20/2022 | |
| 1/10/2022 2/28/2022 | 5211 Leesville Rd | Unpermitted System Installation | 2/11/2022 3/28/2022 | N | N | Complaint investigation confirmed installation of an unpermitted septic system. NOV directs owner to apply for a repair permit. Site classified as unsuitable for repair. Second NOV issued directing owner to apply for a NPDES permit with NC DEQ or to apply for permanent pump and haul permit from DCoDPH. 2/28/2022 | House is unoccupied while being remodeled. EHS has reiterated to owners that they must obtain a permit for permanent pump and haul or obtain a NPDES permit from the State prior to occupancy. 3/31/2022 |
| 1/10/2022 | 2610 E Geer St | Surfacing Effluent | 2/11/2022 | N | N | Complaint investigation confirmed surface discharge of effluent over the septic tank. Public sewer is available. | |
| 2/23/2022 | 2605 E Geer St | Surfacing effluent | 3/23/2022 | N | N | Complaint investigation confirmed discharge of effluent. Owner directed to apply for a repair permit and to temporarily pump and haul. | Application for repair permit received 3/29/2022. |
| 2/23/2022 | 3136 E Geer St | Surfacing effluent | 3/23/2022 | N | N | Complaint investigation confirmed discharge of effluent. Repair permit for exploratory dig on file. Owner directed to hire a certified installer and to temporarily pump and haul. | |
| 3/10/2022 | 921 Colonial Heights Dr | Straight Pipe | 4/11/2022 | N | N | Complaint investigation confirmed discharge of effluent via straight pipe. NOV directs owner to apply for repair permit and to temporarily pump and haul until system is repaired. | |

ENVIRONMENTAL HEALTH

Onsite Water Protection - Compliant NOVs

July 2021 - June 2022

| NOV DATE | SUBJECT PROPERTY ADDRESS | TYPE OF VIOLATION | NOV EXPIRATION DATE | FORWARDED TO CO. ATTY? | COMPLIANCE STATUS (YES/NO) | COMPLIANCE DATE | NOTES | |
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| 1/18/2022 | 821 Snow Hill Rd | Unpermitted Repair | 2/22/2022 | N | N | 3/31/2022 | Complaint investigation confirmed unpermitted repair activity by new property owner. A repair permit was issued to previous owner in 2020. NOV directs current owner to hire a certified septic contractor to install repair as permitted. **Permitted repair installed and approved by EHS** | Certified septic installer contacted EH and stated they have been hired to install the permitted repair. Installation is pending drier site conditions 2/9/2022. |
| 3/3/2022 | 310 Red Mountain Rd | Surfacing Effluent | 4/3/2022 | N | Y | 3/10/2022 | Complaint investigation confirmed discharge of effluent. Site is served by permanent pump and haul and has undergone a change of ownership. New owner submitted permit application and an executed contract with a licensed septage hauler. **Owner was issued an authorization for permanent pump and haul on 3/10/2022.** | |
| 1/10/2022 | 4218 E Geer St | Surfacing Effluent and Unpermitted Installation | 2/11/2022 | N | Y | 2/1/2022 | Complaint investigation confirmed discharge of effluent and the presence of an unpermitted drainline. NOV directs owner to apply for a repair permit. Owner submitted application for repair 1/19/2022. Evaluation by EH is pending as of 1/27/2022. **Discharge pipe removed by owner, EHS revisited the site and confirmed discharge has been abated.** | |
| 12/29/2021 | 5126 Leesville Rd | Expired Operation Permit | 1/31/2022 | N | Y | 1/31/2022 | 5-year operation permit for Type V system has expired. Owner directed to submit an application and fee for renewal. **Permit renewal application received 1/31/2022** | |
| 1/6/2022 | 7728 Grace Cove | Expired Operation Permit | 2/7/2022 | N | Y | 1/31/2022 | 5-year operation permit for Type V system has expired. Owner directed to submit an application and fee for renewal. **Permit renewal application received 1/31/2022** | |

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| 1/6/2022 | 1212 N Mineral Springs Rd | Expired Operation Permit | 2/22/2022 | N | Y | 1/4/2022 | 5-year operation permit for Type V system has expired. Owner directed to submit an application and fee for renewal. **Permit renewal application received 1/4/2022** | |
| 7/15/2020 | 802 Hanson Rd | Surfacing Effluent | 8/14/2020 | N | N | NOV VOID 1/11/2022 | Existing system is failing. Public sewer is available. **EHS evaluated system for repair and was able to determine failing system is a discharging sandfilter. Site has been classified unsuitable for repair. System falls under NCDEQ regulatory authority. Notification letter of malfunctioning system was sent to NCDEQ. NOV is void.** | Property owner contacted EH and acknowledged receipt of the NOV. Owner stated she is soliciting bids from plumbers to install the sewer connection. 8/17/2020 EHS directed owner to pump tank as necessary to prevent discharge of effluent until such time owner is able to connect to sewer. 9/17/2020 EHS contacted owner for an update. Owner responded they are managing the malfunction and are working on funding for the sewer connection with hopes to complete it within the year. 2/25/2021 |
| 6/25/2015 8/3/2021 | 5114 Leesville Rd | Surfacing effluent, straight pipe from basement plumbing, and property line setback violation | 7/25/2015 9/3/2021 | Y | Y | 10/14/2021 | 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. **Basement plumbing removed and dye test by EHS confirmed discharge has been abated.** | 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. 8/20/18 - EH contacted owner via e-mail for an update but no response has been received as of 8/31/2018. 9/30/2018 - System remains non-compliant. 8/3/2021 - Second notice issued. Wastewater is being discharged via illicit straight pipe running from septic tank to road ditch. NOV directs owner to install permitted repair system. 8/16/2021 - Homeowner contacted EHS and expressed dismay that system was not in compliance despite having hired a contractor many years ago. EHS will be facilitating a site visit with owner and contractor in attempt to gain compliance. |
| 2/26/2021 | 143 Twin Oaks Dr | Surfacing Effluent | 3/26/2021 | N | Y | 10/14/2021 | Effluent is surfacing above tank and throughout drainfield. Public sewer is available. **Septic tank abandoned and sewer connection completed,** | Owner has contacted City regarding sewer connection process. EH provided owner with an application for septic tank abandonment. 4/10/2021 No sewer permit application in LDO. EHS to make a follow up site visit in October. If malfunction is observed a second NOV will be issued. 9/30/2021 |
| 9/22/2021 | 1014 Stallings Rd | Straight Pipe | 10/22/2021 | N | Y | 10/11/2021 | During a site visit for a well permit evaluation, EHS discovered the septic tank has been fitted with a sump pump that is discharging effluent directly to the ground surface. Owner directed to remove pump, temporarily pump and haul, and hire a certified septic contractor to determine existing septic system type prior to any permitting activity. **House has been vacated and the pump with straight pipe has been removed.** | |
| 4/28/2021 | 7011 Russell Rd | Surfacing Effluent | 5/30/2021 | N | Y | 10/6/2021 | Complaint investigation confirmed discharge of effluent from vicinity of septic tank. Effluent is flowing onto neighboring property. Owner has submitted an application for repair permit. *Drainfield repaired, discharge of effluent has been abated.** | Repair permit issued for exploratory dig 5/4/2021. Septic contractor on site and repair in progress as of 9/30/2021. |

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| 1/26/2021 | 3136 E Geer St | Surfacing Effluent | 2/26/2021 | N | Y | 9/30/2021 | Complaint received regarding failing septic system. Complaint investigation by EHS confirmed discharge of effluent. **Supply line/clean out repair by owner. Discharge has been abated.** | Repair permit application submitted by owner. Permit for exploratory dig has been issued. 2/16/2021. Follow-up e-mail sent to owner with a copy of repair permit. E-mail reiterated that owner must contact a certified contractor to repair the system. 6/9/2021 |
| 8/12/2021 | 1224 Bramble Dr | Unapproved Pump Controls | 9/16/2021 | N | Y | 9/13/2021 | During a routine monitoring inspection EHS observed that effluent pump has been replaced and is connected to house power by an extension cord. Owner directed to hire a contractor to properly wire pump controls within a watertight, corrosion-resistant outside enclosure. **Permanent power has been restored to the system** | |
| 10/28/2015 8/4/2021 | 3050 Ruth St | No Subsurface Operator | 11/27/2015 9/6/2021 | Y | Y | 9/7/2021 | EH has not received system management reports as required by rule. **Homeowner has signed a contract with a certified operator 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. 8/31/2018 - System remains non-compliant. No ORC reports have been received as required by rule. 9/30/2018 - System remains non-compliant. Second NOV issued 8/4/2021. Homeowner contacted EHS requesting list of certified operators 8/19/2021. |
| 7/1/2021 | 1919 So Hi Dr | Sewage Back Up | 8/2/2021 | N | Y | 8/31/2021 | Sewage is backing up into septic tank. Previous bootleg work on system appears to have resulted in part of the drainfield being disconnected and repurposed to receive water from gutter downspouts. Application for repair permit has been received. Property lines must be marked prior to issuing permit for replacement drainfield. **Repair system installed** | Repair permit issued 7/9/2021. |

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| 12/18/2020 7/15/2021 | 2717 Carpenter Rd | Surfacing Effluent | 1/18/2021 8/16/2021 | Y | Y | 8/13/2021 | Complaint received regarding failing septic system. Complaint investigation by EHS confirmed discharge of effluent. **Flow was restored to the drainfield with the installation of a new distribution box and extensive clogged pipe repair within the exiting seepage beds.** | Owner contacted EHS stating a repair application will be submitted 1/21/2021. Owner contacted EHS stating she has contacted a septic installer and will be submitting an application for repair permit. 2/19/2021 Complaint received 3/31/2021 from neighboring property owner regarding continued discharge of effluent and illegal building activity on lot. EHS will follow-up with owner 4/1/2021 and forward to County Attorney if necessary. File forwarded to County Attorney's office 4/5/2021. Owner submitted repair application to EH 4/26/2021. Permit for exploratory dig issued 4/30/2021. Additional complaint of sewage odor and discharge received from neighbor. EHS visited site and instructed property owner to have the tank pumped to prevent discharge. Owner stated that septic installer is scheduled to work on system during the first week of June. - 5/25/2021 System continues to fail, no repair scheduling has occurred. Requested County Attorney's Office proceed with 10-day demand letter. 6/2/2021 Follow-up site visit by EH confirmed discharge of effluent is ongoing. Photographs and latest complaint message forwarded to County Attorney's Office. 6/8/2021 Second notice issued that includes directive to temporarily pump & haul and to effect repairs as permitted. Notice also includes additional language regarding administrative penalty of \$50/day for non-compliance 7/15/2021. Property owner visited EH office in response to second NOV. EHS directed owner to immediately have the septic tank pumped and to arrange for a septic contractor to evaluate the malfunction asap. 7/28/2021. |
| 8/3/2021 | 4403 Pope Rd | Surfacing Effluent | 9/3/2021 | N | Y | 8/11/2021 | Complaint investigation confirmed discharge of effluent over the system. Application for repair permit included with NOV. **Alternating valve used to switch drainfields, EH walked property and did not observe any discharge of effluent.** | |
| 9/25/2020 | 7710 Massey Chapel Rd | Surfacing Effluent | 10/25/2020 | N | Y | 8/6/2021 | Existing system is discharging effluent to the ground surface. Site has been classified unsuitable for repair. Public sewer is available. **Flow to drainfield restored** | Sewer extension agreement review is pending by City of Durham Public Works Engineering 10/30/2020. Sewer extension agreement approved by City of Durham 11/16/2020. EHS contacted owner for an update. Owner responded they are waiting on a quote and scheduling from a plumbing contractor. 2/26/2021 Sewer connection is cost prohibitive for the property owner. Owner has selected to attempt repair of existing system. Effluent pump was replaced but is discharging near the septic tank when engaged. Contractor is scheduled to evaluate for blockage or damaged pipe. 7/30/2021 |

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| 7/1/2021 | 3512 Old Chapel Hill Rd | Surfacing Effluent | 8/1/2021 | N | N | n/a | Existing system is failing and non-repairable. Public sewer is available. **NOV Void. Existing discharging sandfilter falls under NC DEQ regulatory authority. DEQ notified via letter.** | |
| 6/29/2021 | 1203 E OAK DR | Surfacing Effluent | 7/29/2021 | N | Y | 7/19/2021 | Public sewer is available, owner self-reported and is pursuing connection. **Sewer connection completed 7/19/2021** | Application for sewer connection permit submitted to City/County Inspections 7/5/2021. |