

ENVIRONMENTAL HEALTH
Onsite Water Protection Notices of Violation
February 2023

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

MALFUNCTIONING SYSTEM
OTHER VIOLATION (NO DISCHARGE OF EFFLUENT)
COMPLIANT SYSTEM

| NOV DATE | SUBJECT PROPERTY ADDRESS | TYPE OF VIOLATION | NOV EXPIRATION DATE | FORWARDED TO CO. ATTY? | COMPLIANCE STATUS (YES/NO) | COMPLIANCE DATE | NOTES |
|-----------|--------------------------|--|---------------------|------------------------|----------------------------|-----------------|---|
| 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 Pretreatment design has been submitted and is under review prior to permitting. 6/29/2022. Repair permit issued 7/7/2022. Owners notified EH by e-mail they have requested contractor to schedule installation 9/22/2022. EHS contacted installer for an update, per installer the pretreatment components are on order and installation is pending delivery 10/13/2022. Materials have been received by installer, install date TBD 12/5/2022 Installation scheduled for the week of April 24th 2023. 2/8/23.</p> <p>Surfacing effluent over pretreatment media and malfunctioning pump controls observed during regular monitoring inspection. System type is pretreated subsurface drip irrigation.</p> |
| 9/25/2020 | 3419 S Alston | Straight Pipe discharge to stream and discharge to ground surface. | 10/25/2020 | Y | N | | <p>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 Per City of Durham staff, NCDOT has approved extension. Sewer design plans are now back under Public Works review. 10/19/2022.</p> <p>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.</p> |

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| 7/22/2021 | 6032 Burgundy Rd | Pump malfunction | 8/23/2021 | Y | N | 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. Site visit scheduled for 10/3/2022 to determine status prior to referring for legal remedy. EHS in contact with owner, will revisit to troubleshoot the control panel 10/31/2022. |
| 12/29/2021 | 4711 Bragg Rd | Expired Operation Permit | 1/31/2022 | Y | N | 5-year operation permit for Type V system has expired. Owner directed to submit an application and fee for renewal. | 12/29/2022 - File forwarded to County Attorney's Office with request for demand letter. 10-day demand letter issued 1/9/2023. Application for permit renewal and fee received 2/24/2023. |
| 12/29/2021 | 5370 Red Mill Rd | Expired Operation Permit | 1/31/2022 | Y | N | 5-year operation permit for Type V system has expired. Owner directed to submit an application and fee for renewal. | 12/29/2022 - File forwarded to County Attorney's Office with request for demand letter. 10-day demand letter issued 1/9/2023. Owner contacted EHS, renewal application e-mailed to owner 1/17/2023. |
| 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. | Follow-up visit by EHS, could not access back yard due to dogs. 10/31/2022 Follow-up visit, EHS spoke with tenant and observed effluent still discharging to the ground surface. 12/30/2022 10-day demand letter requested 12/30/2022 Advised by County Attorney's Office to try and contact agent of record. A second NOV may be required prior to initiating legal remedy. Messages left for agent of record, no response as of 1/31/2023. |
| 3/10/2022 | 921 Colonial Heights Dr | Straight Pipe | 4/11/2022 | Y | 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. | 10-day demand letter requested 8/25/2022, issued 9/26/2022. Legal remedy requested 10/13/2022. |
| 4/20/2022 | 2607 E Geer ST | Illicit Discharge | 5/20/2022 | N | N | Complaint investigation revealed straight pipe discharge. NOV directs owner to apply for repair permit and temporarily pump and haul. | Repair application received 5/12/2022, site visit pending. Permit for exploratory dig issued 6/14/2022. Follow-up visit by EHS, effluent observed further downslope, dye testing will be required to determine source of discharge prior to any enforcement action. 10/31/2022 Dye testing scheduled for 3/8/2023 |
| 8/30/2022 | 5702 Paragon | Straight Pipe | 10/3/2022 | N | N | Straight pipe discovered during complaint investigation. | 10/12/22 - Received inquiry from complainant. 10-day demand letter requested 10/13/2022. 10-day demand letter issued 12/7/2022. Legal remedy requested 12/30/2022. 1/24/2023 - Permit issued for exploratory dig to determine if system can be repaired or if a new system will be required. Owner notified to immediately cease illicit discharge and temporarily pump and haul to prevent discharge of effluent. |
| 10/13/2022 | 3913 Cheek Rd | Surfacing Effluent | 11/13/2022 | N | N | Complaint investigation confirmed surfacing effluent over septic tank. Public sewer is available. | 10-day demand letter requested 12/30/2022 |
| 12/30/2022 | 5904 Wilma St | Surfacing Effluent | 1/30/2023 | N | N | Complaint investigation confirmed surfacing effluent. Above ground swimming pool has been constructed over drainfield without building permit or EH approval. | Repair application received 1/10/2023, site visit pending drier soil conditions. |
| 1/9/2023 | 9801 Straightaway Ln | Surfacing Effluent | 2/9/2023 | N | N | Complaint investigation confirmed discharge of effluent over drainfield. | Application for repair received 1/15/2023. Repair permit issued for a new drainfield 1/24/2023. Follow up visit, due to site conditions soil pits will be required for site evaluation. 2/28/2023 |
| 1/24/2023 | 6517 Russell Rd | Damaged Tank | 2/24/2023 | N | N | Complaint investigation confirmed there is a hole in the end wall of the septic tank, hole is covered with a wooden door. Owner directed to apply for repair permit. Owner contacted EHS 1/31/2023 and stated application has been mailed. | Repair permit for tank replacement issued 2/7/2023. |
| 2/3/2023 | 1007 Cortez Dr | Surfacing Effluent | 3/3/2023 | N | N | Owner self-reported system malfunction. Public sewer is available, owner requested NOV for facilitation of sewer connection by City of Durham Public Works. | Application for sewer submitted to Public Works 2/9/2023. |
| 2/23/2023 | 2634 S Alston Ave | Surfacing Effluent | 3/27/2023 | N | N | Owner self-reported system malfunction. Public sewer is available, owner requested NOV for facilitation of sewer connection by City of Durham Public Works. | Application for sewer has been processed by Public Work and has been placed in their queue for installation 2/25/2023. |

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| 2/23/2023 | 5121 Leesville Rd | Surfacing Effluent Unpermitted System | 3/27/2023 | N | N | | Unpermitted septic tank and drainfield discovered during repair evaluation. System is discharging effluent to the ground surface. Site has been classified as unsuitable for repair. Owner directed to contact NCDEQ for a discharge permit or to apply for permanent pump and haul permit from Environmental Health. | |
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| Onsite Water Protection - Compliant NOVs | | | | | | | |
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| July 2022 - June 2023 | | | | | | | |
| NOV DATE | SUBJECT PROPERTY ADDRESS | TYPE OF VIOLATION | NOV EXPIRATION DATE | FORWARDED TO CO. ATTY? | COMPLIANCE STATUS (YES/NO) | COMPLIANCE DATE | NOTES |
| 2/23/2022 | 3136 E Geer St | Surfacing effluent | 3/23/2022 | N | Y | 3/13/2023 | 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. **Further investigation revealed discharge is coming from neighboring property. NOV will be issued to that property owner.** EHS left voicemail for owner regarding status 6/15/2022. No response as of 6/29/2022. EHS coordinating investigation with NC DEQ with the goal of determining if the system is conventional or a discharging sandfilter. Site visit with DEQ and owner scheduled for 1/30/2023. Discharge appears to be a straight pipe. Owner directed to apply for repair permit for evaluation of parcel to determine if a new system may be installed. 1/30/2023. |
| 1/3/2023 | 5810 Prioress Dr | Surfacing Effluent | 2/1/2023 | N | Y | 1/25/2022 | EHS observed discharge of effluent from washing machine line. EHS spoke with owner via phone. Kitchen sink is discharging into garden bed, owner agreed to removed pipe. **Wash line distribution box cleaned out and cover replaced. Discharge abated.** |
| 1/10/2022 2/28/2022 | 5211 Leesville Rd | Unpermitted System Installation | 2/11/2022 3/28/2022 | N | Y | 12/30/2022 | 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, parcel condition has been entered with Planning and Inspections Departments. No building permits will be issued until a permitted system is installed.** 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 E-mail sent to owner requesting update 9/29/2022. Parcel remains vacant. Owner responded to EHS e-mail, states house is still unoccupied, and states he intends to pursue a NPDES permit with NC DEQ prior to reoccupying the house. 10/3/2022 |
| 7/13/2021 | 5223 Ephesus Church Rd | Surfacing Effluent | 8/13/2021 | N | Y | 12/29/2022 | 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. **Follow-up visit by EHS, no effluent observed, NOV rescinded 12/29/2022.** 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. Extension agreement application posted in LDO 4/5/2022, under review by Public Works as of 4/25/2022. Sewer extension agreement approved by City of Durham on 5/27/2022. EHS spoke with owner, sewer connection is projected to be completed within the next 30 days.-10/13/2022 |
| 1/6/2022 | 1701 Stage Rd | Surfacing Effluent | 2/7/2022 | N | Y | 12/29/2022 | 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 **Follow-up visit by EHS, no effluent observed, NOV rescinded 12/29/2022.** |
| 4/13/2022 | 3014 Forrester St | Illicit Discharge | 5/13/2022 | N | Y | 12/6/2022 | Complaint investigation confirmed back up of sewage into septic tank, effluent surfacing over tank, and a sump pump has been placed into the tank and is pumping effluent into the woods on neighboring property. **Illicit discharge removed, house has been vacated, septic tank cover has been replaced. Parcel condition entered into LDO requiring follow through on repair permit prior to re-occupancy.** Repair application received 5/13/2022, site visit pending. Permit issued for exploratory dig 6/15/2022. Owner contacted EHS and stated that the house has been vacated. EHS to follow up with site visit. 10/31/2022 Follow up visit confirmed house is vacant but septic tank damage was observed. EHS left voicemail with owner and followed up with an e-mail. Additional NOV may be issued depending upon response from owner. 11/30/2022. |

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| 6/6/2022 10/19/2022 | 901 Usher St | Damaged Septic Tank | 7/6/2022 11/19/2022 | N | Y | 12/1/2022 | Septic tank is damaged and partially collapsed. NOV directs owner to connect to public sewer and to properly abandon the septic tank. Change of ownership, NOV reissued to new owner of record 10/19/2022. **Septic tank abandoned, sewer connection confirmed by Public Works Dept.** | EHS received a call from the broker in charge for the property. Health Dept. file was provided via e-mail along with instructions for tank abandonment. EHS requested proof of sewer connection. Follow up visit by EHS confirmed tank has been abandoned. NOV compliance is pending sewer confirmation. 11/30/2022 |
| 4/5/2022 | 219 W Rockway St | Surfacing Effluent | 5/5/2022 | N | Y | 10/27/2022 | Complaint investigation confirmed discharge of effluent. NOV directs owner to connect to public sewer and to temporarily pump and haul until sewer connection is completed. **Sewer connection inspected and approved by City/County Inspections Dept.** | EHS corresponded with new owner. Property is currently vacant and new owner is working on sewer application process 5/23/2022. Plumbing permit for sewer connection issued 7/7/2022 (#22302365). |
| 4/29/2022 | 7219 Fayetteville Rd | Sewage Discharge | 5/29/2022 | N | Y | 10/19/2022 | Complaint investigation confirmed plumbing is discharging sewage into crawl space of house. NOV directs owner to hire a licensed plumber to repair damaged piping to eliminate discharge and to reconnect into existing septic system. **Site visit by EHS confirmed discharge has been abated** | Plumbing permit for re-piping of drains has been issued by City County Inspections (#22301821). |
| 12/29/2021 | 3326 Stagecoach Rd | Expired Operation Permit | 1/31/2022 | N | Y | 10/19/2022 | 5-year operation permit for Type V system has expired. Owner directed to submit an application and fee for renewal. **Operation permit renewed** | Operator report received, operation permit renewal is still required. EHS left voicemail with property manager to submit an application for renewal. 7/25/2022. Follow-up email requesting application and fee sent to property manager 9/29/2022. |
| 6/6/2022 | 2431 E Geer St | Straight Pipe | 7/6/2022 | N | Y | 10/1/2022 | Complaint investigation revealed sewage being discharged from a straight pipe which appeared to have been recently installed. NOV directs owner to connect to public sewer. **Sewer connection completed and approved by City/County Inspections.** | Plumbing permit application for sewer connected received by City/County Inspections 8/5/2022 (#22302787) |
| 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 | Y | 9/29/2022 | EH has not received system management reports as required by rule. **THIRD NOTICE HAND DELIVERED 10/11/2021** | 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. Dwelling is vacated, system not in use 9/29/2022. |
| 11/29/2021 | 3616 Alman Dr | Surfacing Effluent | 1/3/2022 | N | Y | 7/13/2022 | Discharge pipe discovered by EHS during complaint investigation. NOV directs owner to connect to public sewer. **Septic tank has been abandoned, sewer connection verified 7/13/2022** | 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. Plumbing permit issued for sewer connection 6/20/2022 |