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SEP 16 2016

STATE OF NORTH CAROLINA

SEDIMENTATION

COUNTY OF ROCKINGHAM

LAND QUALITY SECTION

CONTROL COMMISSION

IN THE MATTER OF ASSESSMENT)
OF CIVIL PENALTIES AGAINST)
CITY OF REIDSVILLE, A)
MUNICIPAL CORPORATION)

**WAIVER OF RIGHT TO AN
ADMINISTRATIVE HEARING AND
STIPULATION OF FACTS**

CASE NO. LQS 16-006

Having been assessed civil penalties totaling \$4,400 for violation(s) as set forth in the assessment document of the Director of the Division of Energy, Mineral and Land Resources dated July 20, 2016, the undersigned, desiring to seek remission of the civil penalties, does hereby waive the right to an administrative hearing in the above-stated matter and does stipulate that the facts are as alleged in the assessment document.

The undersigned further understands that all evidence presented in support of remission of this civil penalty must be submitted to the Director of the Division of Energy, Mineral and Land Resources within sixty (60) calendar days of receipt of the civil penalty assessment. No new evidence in support of a remission request will be allowed after sixty (60) calendar days from the receipt of the civil penalty assessment.

This the 8 day of August, 2016.

Frank Salimbene
NAME (printed)

[Signature]
SIGNATURE

ADDRESS

S+S Building and Development
2501 Greengate Drive
Greensboro, NC 27406

TELEPHONE

336-808-1328

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SEP 16 2016

LAND QUALITY SECTION

NORTH CAROLINA

POWER OF ATTORNEY (Limited)

ROCKINGHAM COUNTY

Know all men by these presents, that the CITY OF REIDSVILLE, a Municipal Corporation of Rockingham County, State of North Carolina, by and through JOHN M. "JAY" DONECKER, Mayor of the City of Reidsville, having made, constituted and appointed and by these presents do make, constitute and appoint Frsnk Salimbene, member/manager of S & S Building and Development, LLC, a licensed General Contractor, organized and doing business in the State of North Carolina, its true and lawful attorney-in-fact, to act for the City of Reidsville and in its name and stead and to do and perform only those matters and things hereinafter set forth.

This power of attorney is given under and by virtue of the authority of North Carolina General Statutes §32-26 and §32-27, said statutes being incorporated herein by reference.

The matters and things to be performed under this power of attorney are expressly limited to the following:

1. To execute and perform any and all acts necessary, to testify, present evidence, exhibits or explanations in order to perfect a remissions request before the North Carolina Sedimentation Control Commission regarding Case #LQS 16-006, Project # ROCKI-2015-005, the amount of penalty being assessed against the City of Reidsville being in the amount of \$4,400.00.

2. By conveying the power and authority to Frank Salimbene, member/manager of S & S Building and Development, LLC to appear in its behalf before the Sedimentation Control Commission in the above referred to matter as its Attorney-in-Fact, the City of Reidsville understands and acknowledges that any decision by the Sedimentation Control Commission as the same relates to the remission request will be binding upon the City of Reidsville, and the City of Reidsville understands that the burden of proof in the matter to be set before the Sedimentation Control Commission is that of the City of Reidsville.

3. This Limited Power of Attorney is given expressly for the transaction stated above and shall automatically expire upon the decision being decided by the Sedimentation Control Commission.

4. The City of Reidsville does hereby ratify and confirm all things done by its said attorney-in-fact, within the scope of the authority herein given said attorney-in-fact, as fully and to the same extent as if by the City of Reidsville done and

performed by its qualified officials

IN TESTIMONY WHEREOF, the City of Reidsville, a Municipal Corporation of Rockingham County, North Carolina, with the authority of the Reidsville City Council, acting by and through its Mayor, has caused this Power of Attorney to be executed and attested by the Clerk of the City of Reidsville, and the seal of said City to be affixed thereto.

CITY OF REIDSVILLE

BY: John M. Donecker
JOHN M. "JAY" DONECKER - MAYOR



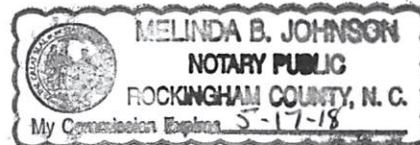
ATTEST:
Angela G. Stadler
CITY CLERK

NORTH CAROLINA
ROCKINGHAM COUNTY

On the 14th day of September, 2016, before me Melinda B. Johnson, a Notary Public, in and for said county and state, personally appeared Angela G. Stadler, City Clerk of the City of Reidsville, a Municipal Corporation of Rockingham County, North Carolina, who, being by me duly sworn, says that she knows the common seal of the City of Reidsville and is acquainted with JOHN M. "JAY" DONECKER, who is the Mayor of the City of Reidsville, and that she, Angela G. Stadler, is the City Clerk of said City, and that she saw the Mayor sign the foregoing instrument, and that she, the City Clerk as aforesaid, affixed the seal to the said instrument, and that she, the said Angela G. Stsdler, signed her name in attestation of the execution of said instrument.

Witness my hand and notarial seal this the 14th day of September, 2016.

Melinda B. Johnson
Notary Public
My Commission Expires: 5/17/2018



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SEP 16 2016

JUSTIFICATION FOR REMISSION REQUEST

DEMLR Case Number: LQS 16-006

County: Rockingham

LAND QUALITY SECTION

Assessed Party: City of Reidsville, a Municipal Corporation

Project No. (If applicable): ROCKI-2015-005

Amount Assessed: \$4,400.00

Please use this form when requesting remission of this civil penalty. You must also complete the "Waiver of Right to an Administrative Hearing, and Stipulation of Facts" form to request remission of this civil penalty. You should attach any documents that you believe support your request and are necessary for the Commission to consider in evaluating your request for remission. Please be aware that a request for remission is limited to consideration of the factors listed below. Requesting remission is not the proper procedure for contesting whether the violation(s) occurred or the accuracy of any of the factual statements contained in the civil penalty assessment document. Pursuant to N.C.G.S. § 113A-64.2(b), the following factors shall be considered in determining whether a civil penalty remission request will be approved. Please check each factor that you believe applies to your case and provide a detailed explanation, including copies of supporting documents, as to why the factor applies (attach additional pages as needed).

- (a) Whether one or more of the civil penalty assessment factors in N.C.G.S. 113A-64(a)(3) were wrongfully applied to the detriment of the petitioner (please refer to the "Assessment Factors" summary attached);
- (b) Whether the petitioner promptly abated continuing environmental damage resulting from the violation (i.e., explain the steps that you took to correct the violation and prevent future occurrences);
- (c) Whether the violation was inadvertent or a result of an accident (i.e., explain why the violation was unavoidable or something you could not prevent or prepare for);
- (d) Whether the petitioner had not been assessed civil penalties for any previous violations;
- (e) Whether payment of the civil penalty will prevent payment for the remaining necessary remedial actions or would otherwise create a significant financial hardship (i.e., explain how payment of the civil penalty will prevent you from performing the activities necessary to achieve compliance);
- (f) the assessed property tax valuation of the petitioner's property upon which the violation occurred, excluding the value of any structures located on the property.

Please note that you have the burden of providing information concerning the financial impact of a civil penalty and the burden of showing any financial hardship.

EXPLANATION (attach additional pages as necessary):

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LAND QUALITY SECTION

Justification for Remission Request

Case Number LQS 16-006

Explain the steps taken to correct the violation and prevent further occurrences:

(b) Berms were built around ponds as requested and have been maintained. Sowing and seeding was completed. The site is a continuously active construction site and due to the continuous working on site these areas would not hold. No sediment or silt has left the site.

We were advised that plastic material was suitable to place under construction material being stored onsite as the lot has not been graveled.

We have made every effort to address any concerns raised by the inspector following every visit.

(d) To our knowledge no previous penalties have been assessed to either the City of Reidsville or S & S Building and Development, LLC.

SPCA VIOLATION / DATE TRACKING

- | | |
|------------------------------------|--------------------------------------|
| a) No approved plan | g) Inadequate buffer zone |
| b) Failure to follow plan | h) Graded slopes and fills too steep |
| c) Failure to submit revised plan | i) Unprotected exposed slopes |
| d) Failure - adequate ground cover | j) Failure to maintain |
| e) Insufficient measures to retain | k) Other |
| f) Failure - reasonable measures | |

Project Name: Reidsville Senior Center County: Rockingham
 LQS Project Number: ROCKI- 2015- 005

DATE	a	b	c	d	e	f	g	h	i	j	k	INSPECTOR / COMMENTS
9/19/2014												Permit application received
10/17/2014												Letter of Approval issued
3/26/2015												Site inspection by Shannon Leonard. Measures being installed.
4/7/2015												Site inspection by Shannon Leonard. Measures still being installed.
4/29/2015												Site inspection by Shannon Leonard.
5/27/2015												Site inspection by Shannon Leonard.
7/22/2015												Site inspection by Shannon Leonard.
9/3/2015	X					X			X			Site inspection by Shannon Leonard.
10/28/2015	X		X	X	X	X			X	X		Site inspection by Shannon Leonard.
11/2/2015												NOV issued and NOV for General Stormwater issued.
11/4/2015												NOV hand delivered and received.
11/6/2015												NOV for General Stormwater received.
11/12/2015												Site inspection by Shannon Leonard. Compliance deadline was 11/9/2015. Site not in compliance. Deadline extended to 11/20/2015.
11/25/2015	X		X			X				X	X	Site inspection by Shannon Leonard. Site still not in compliance. Deadline extended to 12/4/2015. Follow-up compliance inspection was never conducted.
4/21/2016	X		X			X					X	Site inspection by Shannon Leonard. Site still not in compliance with 11/2/2015 NOV.
4/28/2016												New NOV issued.
6/15/2016	X		X			X					X	Site inspection by Shannon Leonard. Site not in compliance. Compliance deadline was 5/12/2016.
6/23/2016												NOCV issued.
7/6/2016	X		X			X					X	Follow-up site inspection by Shannon Leonard. Site not in compliance with NOV.

SPCA VIOLATION / DATE TRACKING

- | | |
|------------------------------------|--------------------------------------|
| a) No approved plan | g) Inadequate buffer zone |
| b) Failure to follow plan | h) Graded slopes and fills too steep |
| c) Failure to submit revised plan | i) Unprotected exposed slopes |
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Project Name: Reidsville Senior Center County: Rockingham
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7/22/2015												Site inspection by Shannon Leonard.
9/3/2015	X					X			X			Site inspection by Shannon Leonard.
10/28/2015	X		X	X	X	X			X	X		Site inspection by Shannon Leonard.
11/2/2015												NOV issued and NOV for General Stormwater issued.
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11/12/2015												Site inspection by Shannon Leonard. Compliance deadline was 11/9/2015. Site not in compliance. Deadline extended to 11/20/2015.
11/25/2015	X		X		X				X	X		Site inspection by Shannon Leonard. Site still not in compliance. Deadline extended to 12/4/2015. Follow-up compliance inspection was never conducted.
4/21/2016	X		X		X					X		Site inspection by Shannon Leonard. Site still not in compliance with 11/2/2015 NOV.
4/28/2016												New NOV issued.
6/15/2016	X		X		X					X		Site inspection by Shannon Leonard. Site not in compliance. Compliance deadline was 5/12/2016.
6/23/2016												NOCV issued.
7/6/2016	X		X		X					X		Follow-up site inspection by Shannon Leonard. Site not in compliance with NOV.

Case Name: REIDSVILLE SENIOR CENTER
Case Number: LPS 16-006
County: ROCKINGHAM
Regional Office: WSRO

WORKSHEET
CIVIL PENALTY ASSESSMENT FOR SPCA VIOLATIONS
(Criteria: NCGS 113A-64-(a); 15A NCAC 04C .0106)

- A. Type(s) of Violation b, d, f, j \$ 400
- B. Degree and Extent of the Harm Caused by the Violation. \$ Ø
- | | |
|----------|-----------------|
| Severe | \$300 to \$5000 |
| Moderate | \$100 to \$300 |
| Slight | \$0 to \$100 |
| None | \$0 |
- C. Adherence to Plan/Effectiveness of Plan Submitted by Violator (Effectiveness of Steps Taken to Correct Violations). \$ 2,000
- D. Prior Record of Violator in Complying or Failing to Comply with the Act and Rules. \$ Ø
- E. Whether the Violation was Committed Willfully. \$ 2,000
- F. Amount of Money the Violator Saved by His Noncompliance. \$ Ø
- G. Cost of Rectifying the Damage. \$ Ø
- H. Staff Investigative Costs. \$ Ø
- TOTAL PENALTY \$ 4,400
- ACTUAL PENALTY \$ 4,400

Date of Violation: APRIL 21, 2016

JULY 5, 2016
Date

Matthew Datt
Regional Engineer, Land Quality Section

Case Name: Reidsville Senior Center
Case Number: LOS 16-006
LOS Project Number: ROCKI-2015-005
County: Rockingham

GUIDELINES FOR ASSESSING CIVIL PENALTIES FOR VIOLATIONS OF THE
SEDIMENTATION POLLUTION CONTROL ACT

- I. The following guidelines are to be used to assist the Director, Division of Land Resources, in determining the amounts of civil penalties to be assessed under the SPCA in a fair and consistent manner.
- II. The following guidelines should be applied in determining the amounts of civil penalties:
- A. Type of Violation. Check the applicable violations of the Sedimentation Pollution Control Act of 1973 and rules:
- a. No approved plan, G.S. 113A-54(d)(4), G.S. 113A-57(4) and 15A NCAC 4B .0107(c).
 - b. Failure to follow approved plan, G.S. 113A-57(5).
 - c. Revised plan required, G.S. 113A-54.1(b) and 15A NCAC 4B .0118(a)
 - d. Failure to provide adequate groundcover, G.S. 113A-57(3) and 15A NCAC 4B .0107(b).
 - e. Insufficient measures to retain sediment on site, G.S. 113A-57(3).
 - f. Failure to take all reasonable measures, 15A NCAC 4B .0105.
 - g. Inadequate buffer zone, G.S. 113A-57(1).
 - h. Graded slopes and fills too steep, G.S. 113A-57(2).
 - i. Unprotected exposed slopes, G.S. 113A-57(2).
 - j. Failure to maintain erosion control measures, 15A NCAC 4B .0113.
 - k. Other (describe):

B. Degree and Extent of the Harm Caused by the Violation.

1. Describe the resource affected by off-site sedimentation.

There was no off-site sediment observed.

2. What was the size and extent of the resource damage?

N/A

3. a. Describe the type of erosion.

N/A

- b. Estimate the volume of sedimentation damage to a lake/natural watercourse or other property. (Check one)

- (1) None
 (2) 1-9 cubic yards
 (3) 10-99 cubic yards
 (4) 100-999 cubic yards
 (5) 1000 or more cubic yards

4. When was the violation discovered?

Site inspection was conducted on April 21, 2016. Notice of Violation was issued on April 28, 2016.

5. When was the NOV received?

The Notice of Violation was received on May 2, 2016.

6. Is the site still in violation?

Compliance deadline was 5/12/2016. Compliance inspection was conducted on 6/15/2016. Site was not in compliance. NOCV issued on 6/23/2016.

7. Degree of sedimentation damage. (Check one)

- Lake/Natural Watercourse on the tract
- Lake/Natural Watercourse off the tract
- Other Property

- a. Severe
- b. Moderate
- c. Slight
- d. None

C. Adherence to Plan / Effectiveness of Plan Submitted by Violator.

1. Was there an approved plan prior to beginning the land-disturbing activity?

Yes, the plan was approved on 10/17/2014.

2. Was the approved plan adequately implemented?

Yes, the erosion control measures were installed per approved plan.

3. Was a revised plan required?

No.

4. Was the revised plan adequately implemented?

N/A

5. Effectiveness of steps taken to correct violations: (Check one)

- a. No steps
- b. Basically ineffective
- c. Mixed results
- d. Wholly effective

D. Prior Record of the Violator in Complying or Failing to Comply With The Sedimentation Act and Rules.

1. Was this person previously under an NOV for this site?

Yes. An NOV was issued on 11/2/2015.

2. Has this person previously received an NOV for violations at other sites? If yes, explain.

No. A review of the enforcement database from 5/15/2002 to 2/24/2016 indicates the City of Reidsville has not received any NOV's on other sites.

3. Has this person ever been subject to prior enforcement action?

No. A review of the enforcement database from 5/15/2002 to 2/24/2016 indicates the City of Reidsville has not been subject to enforcement action.

4. To what kind of enforcement action has this person been subject? (Check all that apply)

- a. Injunction
 b. Civil penalty

5. Overall, does the person have a good record of compliance with SPCA and rules? Explain.

No. This site has received an NOV issued on 11/2/2015 and an NOV issued on 4/28/2016. Corrective items listed in inspection reports are either not completed or not completed in a timely manner. The erosion control measures are not being maintained on site as required and/or needed.

E. Whether the Violation was Committed Willfully.

1. Does the violator have a prior record? See D above.
2. Did the violator have knowledge of the law prior to beginning the land-disturbing activity?

Yes. An approved E&SC Plan was issued on 10/17/2014.

3. Are there any other factors that would make this violation willful or not willful?

Corrective items listed in the inspection reports are not being completed and/or not being completed within a timely manner. For example, providing a stabilized surface for storage and staging of building materials has been noted in the following inspection reports: 5/27/15, 7/22/15, 10/28/15, 11/12/15, 11/25/15, 4/21/16, and 6/15/16. As of the 6/15/16 inspection, this item has still not been completed.

F. Amount of Money the Violator Saved by His Noncompliance.

1. What costs did the violator save by his noncompliance, if known?

The cost saved are unknown. However, costs for labor, materials, and equipment have been saved by not repairing and maintaining the erosion control measures as required.

Ease or difficulty of compliance based on circumstances of site. (Check one.)

- a. Difficult
- b. Average
- c. Easy
- d. Unknown

G. Cost of Rectifying the Damage.

1. Has the damage been corrected? N/A
2. If so, what was the cost, if known, of correction? N/A
3. If not, is it practical for the damage to be corrected? N/A

H. Staff Investigative Costs. (Check one)

- a. Below Average
- b. Average
- c. Above Average

Prepared by: Sharon Leonard

Reviewed by: [Signature]
Assistant Regional Engineer

Date: 7/20/16


Reviewed by: [Signature]
Regional Engineer

Date: 7/20/16

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AUG 11 2016

LAND QUALITY SECTION

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY														
<ul style="list-style-type: none">Complete items 1, 2, and 3.Print your name and address on the reverse so that we can return the card to you.Attach this card to the back of the mailpiece, or on the front if space permits.	<p>A. Signature X <i>[Signature]</i> <input type="checkbox"/> Agent <input type="checkbox"/> Addressee</p>														
<p>1. Article Addressed to: City of Reidsville, a Municipal Corp Attn: Thomas Wiggins, Assistant City Manager 230 West Morehead Street Reidsville, NC 27320</p> <p> 9590 9403 0921 5223 9943 11</p>	<p>B. Received by (Printed Name) <i>Cynthia Farns</i> C. Date of Delivery <i>7/22/16</i></p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No</p>														
<p>2. Article Number (Transfer from service label) 7013 1710 0002 1865 6662</p>	<p>3. Service Type</p> <table border="0"><tr><td><input type="checkbox"/> Adult Signature</td><td><input type="checkbox"/> Priority Mail Express®</td></tr><tr><td><input type="checkbox"/> Adult Signature Restricted Delivery</td><td><input type="checkbox"/> Registered Mail™</td></tr><tr><td><input checked="" type="checkbox"/> Certified Mail®</td><td><input type="checkbox"/> Registered Mail Restricted Delivery</td></tr><tr><td><input type="checkbox"/> Certified Mail Restricted Delivery</td><td><input type="checkbox"/> Return Receipt for Merchandise</td></tr><tr><td><input type="checkbox"/> Collect on Delivery</td><td><input type="checkbox"/> Signature Confirmation®</td></tr><tr><td><input type="checkbox"/> Collect on Delivery Restricted Delivery</td><td><input type="checkbox"/> Signature Confirmation Restricted Delivery</td></tr><tr><td><input type="checkbox"/> Mail Restricted Delivery (00)</td><td></td></tr></table>	<input type="checkbox"/> Adult Signature	<input type="checkbox"/> Priority Mail Express®	<input type="checkbox"/> Adult Signature Restricted Delivery	<input type="checkbox"/> Registered Mail™	<input checked="" type="checkbox"/> Certified Mail®	<input type="checkbox"/> Registered Mail Restricted Delivery	<input type="checkbox"/> Certified Mail Restricted Delivery	<input type="checkbox"/> Return Receipt for Merchandise	<input type="checkbox"/> Collect on Delivery	<input type="checkbox"/> Signature Confirmation®	<input type="checkbox"/> Collect on Delivery Restricted Delivery	<input type="checkbox"/> Signature Confirmation Restricted Delivery	<input type="checkbox"/> Mail Restricted Delivery (00)	
<input type="checkbox"/> Adult Signature	<input type="checkbox"/> Priority Mail Express®														
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<p>PS Form 3811, July 2015 PSN 7530-02-000-9053 7-25-16 <i>SM</i> Domestic Return Receipt</p>															



PAT MCCRORY
Governor

DONALD R. VAN DER VAART
Secretary

July 20, 2016

CERTIFIED MAIL 7013 1710 0002 1865 6662
RETURN RECEIPT REQUESTED

City of Reidsville, a Municipal Corporation
230 West Morehead Street
Reidsville, NC 27320
Attn: Thomas Wiggins, Assistant City Manager

Re: Civil Penalty Assessment for Violations of the Sedimentation Pollution Control Act of 1973, N.C. General Statute 113A-50 et seq.
Rockingham County
LQS 16-006

Dear Mr. Wiggins:

Pursuant to North Carolina Administrative Code 15A 4A.0001 et seq. and the above-referenced Act, this letter is notice of a civil penalty assessed by the Department of Environmental Quality (**DEQ**), formerly Department of Environment and Natural Resources. The civil penalty assessment document is attached.

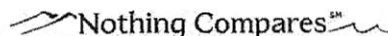
Within thirty (30) days from the date of receipt of this letter, you must do one of the following:

- (1) Pay the civil penalty assessment; or
- (2) File a written petition for a contested case hearing in the Office of Administrative Hearings (**OAH**).

Alternatively, if you choose to stipulate to the facts on which this assessment was based, but wish to request remission of the civil penalty, then within sixty (60) days from the date of receipt of this letter, you must do the following:

- (1) File a written request for a remission of the civil penalty.

Pursuant to N.C. General Statute 150B-22, informal settlement negotiations may be initiated at any time. To negotiate a settlement of this assessment, please contact John A. Payne, Assistant Attorney General, who may be reached by telephone at (919) 716-6600. Settlement offers do not extend the 30-day deadline for payment or filing of a contested case petition, nor the 60 day



CERTIFIED MAIL

City of Reidsville, a Municipal Corporation

Page 2

July 20, 2016

deadline for request for remission.

Additional information about your options is provided below.

PAYMENT

To pay the penalty, send your payment by check or money order made payable to the North Carolina Department of Environmental Quality (or **DEQ**) to John A. Payne, Assistant Attorney General, North Carolina Department of Justice, Environmental Division, 9001 Mail Service Center, Raleigh, North Carolina 27699-9001. The Attorney General's Office will represent **DEQ** in the resolution of this civil penalty assessment.

APPEAL

If you file a contested case petition, it must be in writing and in the form prescribed by N.C. General Statutes 150B-23. File the original petition and one copy with:

Office of Administrative Hearings
6714 Mail Service Center
Raleigh, North Carolina 27699-6714

Any questions about filing a petition may be directed to the Clerk of OAH by telephoning (919) 431-3000.

You must serve **DEQ** by mailing a copy of the petition to:

Mr. Sam M. Hayes
Registered Agent and General Counsel
1601 Mail Service Center
Raleigh, North Carolina 27699-1601

REMISSION

A request for remission is limited to consideration of the six factors listed below and is not the proper procedure for contesting the accuracy of any of the statements contained in the assessment document.

Because a remission request forecloses the option of an administrative hearing, such a request will not proceed without a waiver of your right to an administrative hearing and a stipulation that there are no factual or legal issues in dispute.

CERTIFIED MAIL

City of Reidsville, a Municipal Corporation

Page 3

July 20, 2016

You must execute and return to this office the attached "Waiver of Right to an Administrative Hearing and Stipulation of Facts" and the attached "Justification of Remission Request" which should provide additional information on the following factors which shall be considered in determining whether a civil penalty remission request will be approved:

- 1) Whether one or more of the civil penalty assessment factors in G.S. 113A-64(a)(3) were wrongly applied to the detriment of the petitioner.
- 2) Whether the petitioner promptly abated continuing environmental damage resulting from the violation.
- 3) Whether the violation was inadvertent or a result of an accident.
- 4) Whether the petitioner had been assessed civil penalties for any previous violations.
- 5) Whether the payment of the civil penalty will prevent payment for necessary remedial actions or would otherwise create a significant financial hardship.
- 6) The assessed property tax valuation of the petitioner's property upon which the violation occurred, excluding the value of any structures located on the property.

You have the burden of providing information concerning the financial impact of a civil penalty and the burden of showing any financial hardship.

If you file a request for remission of the civil penalties, you must submit the required information within 60 days of receipt of this notice. Submit this information to the attention of:

*If sending by First Class Mail via
the US Postal Service:*

Tracy E. Davis, Director
DEMLR – Land Quality Section
1612 Mail Service Center
Raleigh, NC 27699-1612

*If sending via delivery service
(e.g. UPS, FedEx):*

Tracy E. Davis, Director
DEMLR – Land Quality Section
512 N. Salisbury Street
Raleigh, NC 27604

Payment of this penalty will not foreclose further enforcement action against you for any new violation. If the violations which resulted in this penalty assessment are continuing in nature, **DEQ** reserves the right to assess additional civil penalties in the future, or take other enforcement action against you.

CERTIFIED MAIL

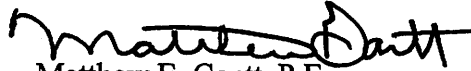
City of Reidsville, a Municipal Corporation

Page 4

July 20, 2016

Your attention to this matter is appreciated.

Sincerely,

A handwritten signature in black ink, appearing to read "Matthew Gantt". The signature is written in a cursive style with a large initial "M" and a long horizontal stroke extending to the right.

Matthew E. Gantt, P.E.

Regional Engineer

Land Quality Section

cc: John A. Payne, Assistant Attorney General

JUSTIFICATION FOR REMISSION REQUEST

DEMLR Case Number: LQS 16-006

County: Rockingham

Assessed Party: City of Reidsville, a Municipal Corporation

Project No. (If applicable): ROCKI-2015-005

Amount Assessed: \$4,400.00

Please use this form when requesting remission of this civil penalty. You must also complete the "Waiver of Right to an Administrative Hearing, and Stipulation of Facts" form to request remission of this civil penalty. You should attach any documents that you believe support your request and are necessary for the Commission to consider in evaluating your request for remission. Please be aware that a request for remission is limited to consideration of the factors listed below. Requesting remission is not the proper procedure for contesting whether the violation(s) occurred or the accuracy of any of the factual statements contained in the civil penalty assessment document. Pursuant to N.C.G.S. § 113A-64.2(b), the following factors shall be considered in determining whether a civil penalty remission request will be approved. Please check each factor that you believe applies to your case and provide a detailed explanation, including copies of supporting documents, as to why the factor applies (attach additional pages as needed).

- (a) Whether one or more of the civil penalty assessment factors in N.C.G.S. 113A-64(a)(3) were wrongfully applied to the detriment of the petitioner (please refer to the "Assessment Factors" summary attached);

- (b) Whether the petitioner promptly abated continuing environmental damage resulting from the violation (i.e., explain the steps that you took to correct the violation and prevent future occurrences);

- (c) Whether the violation was inadvertent or a result of an accident (i.e., explain why the violation was unavoidable or something you could not prevent or prepare for);

- (d) Whether the petitioner had not been assessed civil penalties for any previous violations;

- (e) Whether payment of the civil penalty will prevent payment for the remaining necessary remedial actions or would otherwise create a significant financial hardship (i.e., explain how payment of the civil penalty will prevent you from performing the activities necessary to achieve compliance);

- (f) the assessed property tax valuation of the petitioner's property upon which the violation occurred, excluding the value of any structures located on the property.

Please note that you have the burden of providing information concerning the financial impact of a civil penalty and the burden of showing any financial hardship.

EXPLANATION (attach additional pages as necessary):

STATE OF NORTH CAROLINA

SEDIMENTATION
CONTROL COMMISSION

COUNTY OF ROCKINGHAM

IN THE MATTER OF ASSESSMENT)
OF CIVIL PENALTIES AGAINST)
CITY OF REIDSVILLE, A)
MUNICIPAL CORPORATION)

**WAIVER OF RIGHT TO AN
ADMINISTRATIVE HEARING AND
STIPULATION OF FACTS**

CASE NO. LQS 16-006

Having been assessed civil penalties totaling \$4,400 for violation(s) as set forth in the assessment document of the Director of the Division of Energy, Mineral and Land Resources dated July 20, 2016, the undersigned, desiring to seek remission of the civil penalties, does hereby waive the right to an administrative hearing in the above-stated matter and does stipulate that the facts are as alleged in the assessment document.

The undersigned further understands that all evidence presented in support of remission of this civil penalty must be submitted to the Director of the Division of Energy, Mineral and Land Resources within sixty (60) calendar days of receipt of the civil penalty assessment. No new evidence in support of a remission request will be allowed after sixty (60) calendar days from the receipt of the civil penalty assessment.

This the _____ day of _____, 20____.

NAME (printed)

SIGNATURE

ADDRESS

TELEPHONE

NORTH CAROLINA DIVISION OF ENERGY, MINERAL AND LAND RESOURCES

Violator: City of Reidsville, a Municipal Corporation
Project Name: Reidsville Senior Center
County: Rockingham **Case Number:** LQS 16-006
Project Number: ROCKI-2015-005

ASSESSMENT FACTORS

G.S. 113A-64(a)(3) - Civil Penalty Assessment Factors

- 1) The degree and extent of harm caused by the violation;**
Not assessed
- 2) The cost of rectifying the damage;**
Not assessed
- 3) The amount of money saved by noncompliance;**
The amount of money saved by noncompliance includes: the cost of proper stabilization of eroding areas, the cost of maintaining sediment fence, proper maintenance of sediment skimmer basins #1 and #2, installation of a rain gauge, proper dust control on the project, and proper record keeping per the NPDES construction storm water permit requirements.
- 4) Whether the violation was committed willfully or intentionally;**
City of Reidsville, a Municipal Corporation, has no prior record of NOV's or Civil Penalty Assessments.
- 5) The prior record of the violator in complying or failing to comply with this Article, or any ordinance, rule, or order adopted or issued pursuant to this Article by the Commission or by a local government; and**
City of Reidsville, a Municipal Corporation, has no prior record of NOV's or Civil Penalty Assessments.

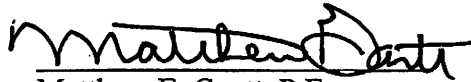
15A NCAC 04C .0106 – Civil Penalty Assessment Criteria

- 6) Type(s) of Violation**
The following violations were found: failure to follow the approved plan, failure to provide an adequate groundcover, failure to take all reasonable measures, and failure to maintain measures.
- 7) The severity of the violation(s), degree and extent of the harm, duration, cause, and extent of any off-site damage which may have resulted from the violation(s);**
Not assessed.
- 8) The effectiveness of action taken by the violator;**
The site is still not in compliance with the Notice of Violation issued on April 28, 2016.
- 9) The adherence to the plan submitted by the violator;**
The approved plan had not been implemented. No actions had taken place to bring the site into compliance with the Notice of Violation dated April 28, 2016.

- 10) **The effectiveness of the plan submitted by the violator;**
The approved plan had not been properly implemented. No action has taken place to bring the site into compliance with the Notice of Violation dated April 28, 2016.
- 11) **The cost of rectifying any damage;**
Not assessed.
- 12) **The violator's previous record in complying with rules of the Commission;**
City of Reidsville, a Municipal Corporation, has no record of prior Notices of Violation or Civil Penalty Assessments.
- 13) **The estimated cost of installing and/or maintaining corrective sediment control measures; and**
The cost of installing all approved sediment control measures, the cost of providing an adequate ground cover, and the cost of proper maintenance of all sediment control measures.
- 14) **The cost of staff investigations.**
Minimum of 10 hours by Assistant Regional Engineer, two hours by Regional Engineer, two hours by Section Chief. (minimum of 14 hours of investigative costs)

July 20, 2016

Date



Matthew E. Gantt, P.E.

Regional Engineer

Land Quality Section

Division of Energy, Mineral and Land Resources

STATE OF NORTH CAROLINA

DEPARTMENT OF ENVIRONMENTAL

QUALITY

LQS 16-006

COUNTY OF ROCKINGHAM

IN THE MATTER OF:

)

)

THE CITY OF REIDSVILLE,
A MUNICIPAL CORPORATION

)

)

CIVIL PENALTY ASSESSMENT

)

)

FOR VIOLATIONS OF:

)

)

THE SEDIMENTATION POLLUTION
CONTROL ACT OF 1973

)

)

Acting pursuant to North Carolina General Statutes (N.C.G.S.) 113A-64(a) and North Carolina Sedimentation Control Commission (Commission) Rule Title 15A North Carolina Administrative Code (NCAC) 04C .0103, and delegated to me by the Director, Division of Land Resources, I, Matthew E. Gantt, P.E., Regional Engineer, Land Quality Section, make the following:

I. FINDINGS OF FACT

A. The subject property is located off of North Washington Street in Reidsville, Rockingham County, North Carolina. The project is known as the Reidsville Senior Center.

B. The owner of record is the City of Reidsville, A Municipal Corporation.

C. On September 17, 2014, Thomas Wiggins as Assistant City Manager signed a Financial Responsibility/Ownership form, stating, under oath, that the City of Reidsville, a Municipal Corporation was financially responsible for the land disturbance.

D. An erosion control plan (hereinafter "Plan") for the project was received on September 19, 2014 and was approved on October 17, 2014.

E. On April 21, 2016, a duly authorized representative of the Land Quality Section (hereinafter "LQS"), North Carolina Department of Environmental Quality (hereinafter "DEQ"), inspected the subject property and determined that a land-disturbing activity had occurred on the site in violation of the Sedimentation Pollution Control Act (hereinafter "SPCA") of 1973 (G.S. 113A-50, et seq.).

F. The land-disturbing activity was conducted for institutional purposes and covered approximately 3.7 acres.

G. On April 28, 2016, the LQS Regional Engineer sent a Notice of Violation (hereinafter "Notice") to the City of Reidsville, a Municipal Corporation, by certified mail, return receipt requested, which was received on May 2, 2016, and which cited violations of the SPCA. A copy of the Notice is attached hereto and

incorporated herein by reference. The Notice required that the corrective measures stated therein be completed within 10 days of receipt of the Notice.

II. CONCLUSIONS OF LAW

A. An initial civil penalty may be assessed against the City of Reidsville, a Municipal Corporation, pursuant to North Carolina General Statute 113A-64(a) for the violations committed on the subject property.

B. On April 21, 2016, violations of one or more of the requirements of the SPCA or the rules adopted thereunder existed on the subject property as follows:

1. N.C.G.S. 113A-57(5) was violated for failure to conduct a land-disturbing activity in accordance with the approved erosion and sedimentation control plan.
2. N.C.G.S. 113A-57(3) was violated for failure, when land-disturbing activity that will disturb more than one acre is undertaken on a tract, to plant or otherwise provide a permanent ground cover sufficient to restrain erosion after completion of construction or development within 15 working days or 90 calendar days following completion of construction or development, whichever period is shorter, as required by 15A NCAC 04B .0107(b), except as provided in 15A NCAC 04B .0124(e).
3. 15A NCAC 04B .0105 was violated for failure to take all reasonable measures to protect all public and private property from damage caused by land-disturbing activity.
4. 15A NCAC 04B .0113 was violated for failure to install and maintain all temporary and permanent erosion and sedimentation control measures as required by the approved plan or any provision of the SPCA or rules adopted thereunder.

III. DECISIONS

A. Pursuant to N.C.G.S. 113A-64(a) and 15A NCAC 04C .0103, and the authority delegated to me by the Director, Division of Land Resources, I, Matthew E. Gantt, P.E, Regional Engineer, Land Quality Section, do hereby assess a civil penalty against the City of Reidsville, a Municipal Corporation, in the amount of \$ 4,400 for the initial violations as cited in the Notice.

B. In determining the amount of this penalty, I have considered the criteria in 15A NCAC 04C .0106 and N.C.G.S. 113A-64(a)(3).

C. I hereby put the City of Reidsville, a Municipal Corporation, on notice that I reserve the right to initiate further enforcement action for any violations occurring after April 21, 2016.

7/20/2016
Date

Matthew Gantt
Matthew E. Gantt, P.E.
Regional Engineer
Division of Energy, Mineral, and Land Resources

Land Quality Section



PAT MCCRORY

Governor

DONALD R. VAN DER VAART

Secretary

TRACY DAVIS

Director

Resources for Technical Assistance – Erosion and Sedimentation Control

Erosion and Sedimentation Control Plan Requirements and Submittal Documents:

DEQ Erosion and Sedimentation Program Website: <http://portal.ncdenr.org/web/lr/erosion>

On this page, you will find the following information:

- Sedimentation Pollution Control Act and Administrative Code (the Law and Rules)
- Information regarding any upcoming workshops or training events
- Manuals and Publications, including the Erosion and Sedimentation Pollution Control Planning and Design Manual. A direct link to the design manual may be found here:

<http://portal.ncdenr.org/web/lr/576>

- Downloads and Links, which provide several helpful design calculations spreadsheets for various E&SC measures
- Forms needed for plan submittal, including the Financial Responsibility/Ownership form (required) and the Plan Checklist for Designers, which lists all necessary items for complete plan submittal
- Express Plan Review Options, and the corresponding forms

To Locate a Plan Designer:

The level of design needed for your plan will depend on the specific project conditions. There is no statutory requirement that erosion and sedimentation control plans be designed by a professional engineer or any other licensed/certified person. However, persons with these licenses or certifications are often qualified to prepare and submit adequate erosion and sedimentation control plans.

The following are provided as references. Directories of licensed or certified individuals may be found on both websites:

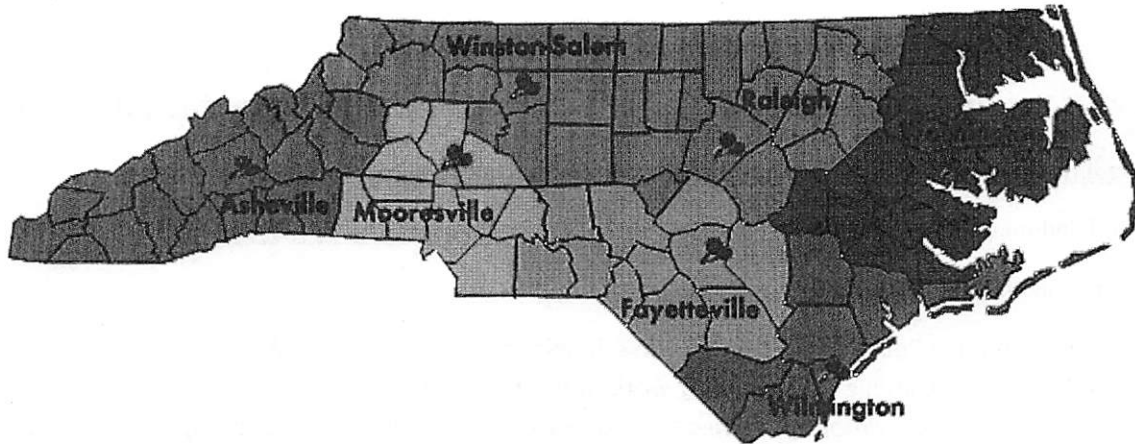
NC Board of Examiners for Engineers & Surveyors: <http://www.ncbels.org/>

NC Board of Licensed Soil Scientists <http://www.ncblss.org/>

Certified Professionals in Erosion and Sediment Control: <http://www.cpesec.org/>

If you have any other questions, or need additional information, please do not hesitate to contact your NC DEQ regional office (see reverse side of this sheet). We appreciate your cooperation in resolving the violations noted during our inspection.

Land Quality Section Regional Office Contact Information



Asheville Regional Office

2090 US Highway 70
Swannanoa, NC 28778
(828) 298-4500

Regional Engineer: Stan Aiken, PE

Fayetteville Regional Office

225 Green Street (Systel Building), Suite 714
Fayetteville, NC 28301-5094
(910) 433-3300

Regional Engineer: Tim LaBounty, PE

Mooresville Regional Office

610 East Center Avenue
Mooresville, NC 28115
(704) 663-1699

Regional Engineer: Zahid Khan, CPESC, CPSWQ

Raleigh Regional Office

3800 Barrett Drive, Raleigh, NC 27609
Mail: 1628 Mail Service Center
Raleigh, NC 27699
(919) 791-4200

Regional Engineer: John Holley, PE

Washington Regional Office

943 Washington Square Mall
Washington, NC 27889
(252) 946-6481

Regional Engineer: Pat McClain, PE

Wilmington Regional Office

127 Cardinal Drive Extension
Wilmington, NC 28405
(910) 796-7215

Regional Engineer: Dan Sams, PE

Winston-Salem Regional Office

450 West Hanes Mill Road, Suite 300
Winston-Salem, NC 27105
(336) 776-9800

Regional Engineer: Matthew Gantt, PE



PAT MCCRORY
Governor
DONALD R. VAN DER VAART
Secretary

April 28, 2016

**NOTICE OF VIOLATIONS OF THE
SEDIMENTATION POLLUTION CONTROL ACT
AND
GENERAL PERMIT - NCG 010000
TO DISCHARGE STORMWATER UNDER THE
NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM
FOR
CONSTRUCTION ACTIVITIES**

CERTIFIED MAIL 7013 1710 0002 1865 9267
RETURN RECEIPT REQUESTED

City of Reidsville, a Municipal Corporation
230 W. Morehead St.
Reidsville, NC 27320
Attn: Thomas Wiggins, Assistant City Manager

RE: Project Name: Reidsville Senior Center
Project ID: ROCKI-2015-005
County: Rockingham
Compliance Deadlines: 10 days from receipt for SPCA violations
10 days from receipt by certified mail for
Construction Stormwater Permit NCG 010000 violations

Dear Mr. Wiggins:

On April 21, 2016, personnel of this office inspected a project located on N. Washington Street, Reidsville in Rockingham County, North Carolina. This inspection was performed to determine compliance with the North Carolina Sedimentation Pollution Control Act (SPCA) of 1973 and General Permit - NCG 010000 to Discharge Stormwater Under The National Pollutant Discharge Elimination System for Construction Activities (Construction Stormwater Permit NCG 010000). The inspection revealed a land-disturbing activity of approximately 3.7 acres being conducted.



It is our understanding that you and/or your firm are responsible for this land-disturbing activity. The purpose of this letter is to inform you that this activity was found to be in violation of the SPCA, G.S. 113A-50 to 66, Title 15A, North Carolina Administrative Code (NCAC), Chapter 4 and Construction Stormwater Permit NCG 010000. If you feel that you are not responsible for the following violations, please notify this office immediately.

The violations of the SPCA that were found are:

1. Failure to conduct a land-disturbing activity in accordance with the approved erosion and sedimentation control plan. G.S. 113A-57(5). Failure to follow the approved plan and failure to maintain erosion control measures constitutes this violation.
2. Failure when a land-disturbing activity that will disturb more than one acre is undertaken on a tract, to provide a permanent ground cover sufficient to restrain erosion on such exposed areas within 15 working days or 90 calendar days, whichever is shorter, after completion of construction or development. G.S. 113A-57(3) and 15A NCAC 4B .0107(b).
3. Failure to take all reasonable measures to protect all public and private property from damage by such land-disturbing activities. 15A NCAC 4B .0105. Failure to follow the approved plan and failure to maintain erosion control measures constitutes this violation.
4. Failure to install and maintain all temporary and permanent erosion and sedimentation control measures as required by the approved plan or any provision of the SPCA, and rules adopted thereunder, during or after the development of a site. 15 NCAC 4B .0113. Failure to maintain erosion control measures constitutes this violation.

The violations of the Construction Stormwater Permit NCG 010000 that were found are:

1. Failure to implement the erosion and sedimentation control plan. The Permittee must implement and follow the erosion and sedimentation control plan. The approved erosion and sedimentation control plan is considered a condition of Construction Stormwater Permit NCG 010000. NCG 010000 Section III. 3) (a).
2. Failure to provide ground stabilization, NCG 010000 Section II. B. 2).
 - a. Soil stabilization shall be achieved on any area of a site where land-disturbing activities have temporarily or permanently ceased according to the following schedule:
 - i. All perimeter dikes, swales, ditches, perimeter slopes and all slopes steeper than 3 horizontal to 1 vertical (3: 1) shall be provided temporary or permanent stabilization with ground cover as soon as practicable but in any event within 7 calendar days from

- the last land-disturbing activity.
 - ii. All other disturbed areas shall be provided temporary or permanent stabilization with ground cover as soon as practicable but in any event within 14 calendar days from the last land-disturbing activity.
- b. Conditions - In meeting the stabilization requirements above, the following conditions or exemptions shall apply:
- i. All slopes 50' in length or greater shall apply the ground cover within 7 days except when the slope is flatter than 4: 1. Slopes less than 50' shall apply ground cover within 14 days except when slopes are steeper than 3: 1, the 7 day-requirement applies.
3. Failure to meet self-inspection and reporting requirements. NCG 010000 Section II. B. 3).
- a. A rain gauge shall be maintained in good working order on the site
 - b. A written record of the daily rainfall amounts shall be retained and all records shall be made available upon request.
 - c. Erosion and sedimentation control measures shall be inspected to ensure that they are operating correctly. Inspection records must be maintained for each inspection event and for each measure. At a minimum, inspection of measures must occur at the frequency indicated below:
 - i. All erosion and sedimentation control measures must be inspected by or under the direction of the permittee at least once every seven calendar days,
 - ii. All erosion and sediment control measures must be inspected by or under the direction of the permittee within 24 hours after any storm event of greater than 0.50 inches of rain per 24 hour period.
 - d. Once land disturbance has begun on the site, stormwater runoff discharge outfalls shall be inspected by observation for erosion, sedimentation and other stormwater discharge characteristics such as clarity, floating solids, and oil sheens. Inspections of the outfalls shall be made at least once every seven calendar days and within 24 hours after any storm event of greater than 0.50 inches of rain per 24 hour period.
4. Failure to install and maintain BMPs and control measures, NCG 010000 Section III. 4)
The permittee must select, install, implement and maintain best management practices (BMPs) and control measures that minimize pollutants in the discharge to meet the requirements of this permit.

5. Failure to operate and maintain control measures, NCG 010000 Section IV, 1)
The permittee shall at all times properly operate and maintain all control measures and systems of treatment and control (and related appurtenances) which are installed or used by the permittee to achieve compliance with the conditions of this general permit .

To correct these violations, you must:

1. Repair and stabilize eroded areas, including slopes, throughout entire site.
2. Remove accumulated sediment from skimmer flexible pipe in Basin #2 (so skimmer can function properly).
3. Repair and maintain silt fence where damaged throughout entire site.
4. Provide a stabilized surface for storage and staging of building materials. Note: this item has been noted in the following inspection reports: 5/27/15, 7/22/15, 10/28/15, 11/12/15, and 11/25/15. The item has not been completed to date.
5. Remove accumulated sediment from Skimmer Basin #1. In addition, install diversion berms along top of slope and slope drains to convey surface water into basin (similar to what has been done around SB #2).
6. Install a rain gauge onsite. In addition, adequately complete NPDES Records and ensure the records are maintained and available at all times.
7. Seed and mulch remaining bare/disturbed/sparse areas located outside the active construction areas.
8. Adequately control dust from the construction site.
9. Submit NPDES rainfall records for December 1, 2015 thru April 21, 2016 to this office for review.

SPCA Violations

The violations of the SPCA cited herein may be referred to the Director of the Division of Energy, Mineral and Land Resources (Director) for appropriate enforcement action, including civil penalty assessments for an initial one-day violation and/or a continuing violation. The penalty for an initial one-day violation of the SPCA may be assessed in an amount not to exceed \$5,000.00. The Division of Energy, Mineral and Land Resources is not required to provide a time period for compliance before assessing an initial penalty for the violations of the SPCA cited herein. Please be advised that a civil penalty may be assessed for the initial day of violations of the SPCA regardless of whether the violations are corrected within the time period set out below.

In addition, if the violations of the SPCA cited herein are not corrected within 10 calendar days of receipt of this Notice, this office may request that the Director take appropriate legal action against you for continuing violations pursuant to NCGS 113A-61.1 and 113A-64. A penalty may be assessed from the date of the violation of the SPCA, pursuant to NCGS 113A-64(a)(1), and for each day of a continuing violation of the SPCA in an amount not to exceed \$5,000.00 per day.

Construction Stormwater Permit NCG 010000 Violations

The violations of the Construction Stormwater Permit NCG 010000 cited herein may be referred to the Director of the Division of Energy, Mineral and Land Resources (Director) for appropriate enforcement action, including civil penalty assessments for a continuing violation. This Notice serves as a letter of proposed civil penalty assessment. You have 10 calendar days from receipt of this Notice by certified mail to cease the violations listed above, and to submit in writing reasons why the civil penalty should not be assessed.

Accordingly, you are directed to respond to this letter in writing within 10 calendar days of receipt of this Notice by certified mail. Your response should be sent to this regional office at the letterhead address and include the following:

1. The date by which the corrective actions listed above have been or will be completed.
2. Rainfall data and self-inspection or self-monitoring records from December 1, 2015 to April 21, 2016.
3. A plan of action to prevent future violations.
4. Reasons why a civil penalty should not be assessed.

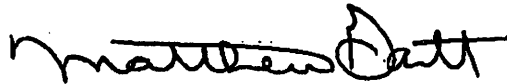
Notice of Violations
Reidsville Senior Center
April 28, 2016
Page 6 of 6

Pursuant to G.S. 143-215.6A, these violations and any future violations are subject to a civil penalty assessment of up to a maximum of \$25,000.00 per day for each violation. Your above-mentioned response to this correspondence, the degree and extent of harm to the environment and the duration and gravity of the violation(s) will be considered in any civil penalty assessment process that may occur.

Please be advised that any new land-disturbing activity associated with this project should not begin until the area presently disturbed is brought into compliance with the SPCA and Construction Stormwater Permit NCG 010000. When corrective actions are complete, you should notify this office so that work can be inspected. You should not assume that the project is in compliance with the SPCA and Construction Stormwater Permit NCG 010000 until we have notified you. After installation, all erosion control measures must be maintained in proper working order until the site is completely stabilized.

We solicit your cooperation, and would like to avoid taking further enforcement action. At the same time, it is your responsibility to understand and comply with the requirements of the SPCA and Construction Stormwater Permit NCG 010000. Copies of the relevant statute and administrative rules may be examined at this office or will be sent to you upon request. Should you have questions concerning this notice or the requirements of the SPCA and Construction Stormwater Permit NCG 010000 please contact either Shannon Leonard or me at your earliest convenience.

Sincerely,



Matthew E. Gantt, P.E.
Regional Engineer
Land Quality Section

Enclosures: Sedimentation Inspection Report

cc: State Sedimentation Specialist

SEDIMENTATION/CONSTRUCTION STORMWATER INSPECTION REPORT

North Carolina Department of Environmental Quality

Land Quality Section: 450 West Hanes Mill Road, Suite 300, Winston-Salem, NC 27105, Phone: 336-776-9800

COUNTY: Rockingham PROJECT: REIDSVILLE SENIOR CENTER RIVER BASIN: ROANOKE
PERSON FINANCIALLY RESPONSIBLE: Thomas Wiggins, City of Reidsville PROJECT # ROCKI-2015-005
ADDRESS: 230 W. Morehead St Reidsville NC 27320 CASE # _____

1. **PROJECT LOCATION:** N Washington Ave. Reidsville NC 27320
Pictures: YES Video: _____ Digital: X
2. **Weather and Soil Conditions:** SUNNY, 67, WORKABLE SOIL First Inspection: NO
3. **Is site currently under Notice of Violation?** YES
4. **Is the site in compliance with S.P.C.A. and rules?** NO
5. **Violations:**
b. Failure to follow approved plan - G.S. 113A-57(5) and Failure to implement the erosion and sedimentation control plan, NCG 010000 Section III. 3) (a)
d. Failure to provide adequate groundcover - Failure to provide adequate groundcover, G.S. 113A-57(3) and 15A N.C. A.C. 4B.0107(b) or 15A N.C.A.C. 4B.0124(e)
f. Failure to take all reasonable measures - 15A N.C.A.C. 4B.0105
j. Failure to maintain measures - 15A N.C.A.C. 4B.0113
6. **Is the site in compliance with NPDES Permit NCG 010000?:** NO
n. Failure to provide ground stabilization NCG 010000 Section II. B. (2)
o. Failure to maintain a rain gauge or record daily rainfall NCG 010000 Section II. B. (3)(a-b)
p. Failure to meet self inspection and reporting requirements NCG 010000 Section II. B. 3)(c-i)
s. Failure to install and maintain BMPs and control measures NCG 010000 Section III. (4)
t. Failure to operate and maintain control measures Failure to operate and maintain control measures, NCG 010000 Section IV, (1)
7. **Has Sedimentation Damage occurred since last inspections?** NO
Lake/natural watercourse on the tract: _____ Lake/natural watercourse off the tract: _____ Other Property: _____
Description: _____
Degree of Damage: _____
Stormwater Discharge Outfall with high turbidity or sedimentation loss: _____
8. **Contact Made with (name):** WORKER Title: _____
Inspection Report: SENT TO PERSON FINANCIALLY RESPONSIBLE Date Given/Sent: APR 28, 2016

Report By: Shannon Leonard Others Present: _____
Date of Inspection: APR 21, 2016 Time Arriving on Site: 12:15 PM Time Leaving Site: 12:47 PM
cc; TWIGGINS@CI.REIDSVILLE.NC.US, CURTIS@SANDBUILDING.COM
Revision Date 10/16/2015

9. Corrective Actions Needed:

1. Repair and stabilize eroded areas, including slopes, throughout entire site.
2. Remove accumulated sediment from skimmer flexible pipe in Basin #2 (so skimmer can function properly).
3. Repair and maintain silt fence where damaged throughout entire site.
4. Provide a stabilized surface for storage and staging of building materials. Note: this item has been noted in the following inspection reports: 5/27/15, 7/22/15, 10/28/15, 11/12/15, and 11/25/15. The item still has not been completed to date.
5. Remove accumulated sediment from Skimmer Basin #1. In addition, install diversion berms along top of slope and slope drains to convey surface water into basin (similar to what has been done around SB #2).
6. Install a rain gauge onsite. In addition, adequately complete NPDES Records and ensure the records are maintained and available at all times.
7. Seed and mulch remaining bare/disturbed/sparse areas located outside the active construction areas.
8. Adequately control dust from the construction site.
9. Submit NPDES rainfall records for December 1, 2015 thru April 21, 2016 to this office for review.

10. COMMENTS: 1. NOV issued on 11/2/15 and was hand delivered on 11/4/15. Compliance date was 11/9/15. Compliance inspection conducted on 11/12/15. Site was not in compliance with NOV and compliance date was extended to 11/20/15. Follow-up compliance inspection conducted today and site is still not in compliance with NOV. Compliance date was extended to 12/4/15. Another compliance inspection was not completed.

2. All items from 11/2/15 NOV have been completed, except for Item No. 8, which still has not been completed to date.

3. Send a new Notice of Violation and begin enforcement actions at this time.

4. Crews were onsite today working on the building.

SEDIMENTATION/CONSTRUCTION STORMWATER INSPECTION REPORT

North Carolina Department of Environmental Quality

Land Quality Section: 450 West Hanes Mill Road, Suite 300, Winston-Salem, NC 27105, Phone: 336-776-9800

COUNTY: Rockingham PROJECT: REIDSVILLE SENIOR CENTER RIVER BASIN: ROANOKE
PERSON FINANCIALLY RESPONSIBLE: Thomas Wiggins, City of Reidsville PROJECT # ROCKI-2015-005
ADDRESS: 230 W. Morehead St Reidsville NC 27320 CASE # _____

1. **PROJECT LOCATION:** N Washington Ave. Reidsville NC 27320
Pictures: YES Video: Digital: X
2. **Weather and Soil Conditions:** SUNNY, 82, WORKABLE SOIL First Inspection: NO
3. **Is site currently under Notice of Violation?** YES
4. **Is the site in compliance with S.P.C.A. and rules?** NO
5. **Violations:**
 - b. Failure to follow approved plan - G.S. 113A-57(5) and Failure to implement the erosion and sedimentation control plan, NCG 010000 Section III. 3) (a)
 - d. Failure to provide adequate groundcover - Failure to provide adequate groundcover, G.S. 113A-57(3) and 15A N.C. A.C. 4B.0107(b) or 15A N.C.A.C. 4B.0124(e)
 - f. Failure to take all reasonable measures - 15A N.C.A.C. 4B.0105
 - j. Failure to maintain measures - 15A N.C.A.C. 4B.0113
6. **Is the site in compliance with NPDES Permit NCG 010000?:** NO
 - n. Failure to provide ground stabilization NCG 010000 Section II. B. (2)
 - o. Failure to maintain a rain gauge or record daily rainfall NCG 010000 Section II. B. (3)(a-b)
 - p. Failure to meet self inspection and reporting requirements NCG 010000 Section II. B. 3)(c-i)
 - s. Failure to install and maintain BMPs and control measures NCG 010000 Section III. (4)
 - t. Failure to operate and maintain control measures Failure to operate and maintain control measures, NCG 010000 Section IV, (1)
7. **Has Sedimentation Damage occurred since last inspections?** NO

Lake/natural watercourse on the tract: _____ Lake/natural watercourse off the tract: _____ Other Property: _____

Description: _____

Degree of Damage: _____

Stormwater Discharge Outfall with high turbidity or sedimentation loss: _____
8. **Contact Made with (name):** CURTIS Title: _____
Inspection Report: SENT TO PERSON FINANCIALLY RESPONSIBLE Date Given/Sent: JUL 27, 2016

Report By: Shannon Leonard Others Present: _____

Date of Inspection: JUL 21, 2016 Time Arriving on Site: 1:44 PM Time Leaving Site: 3:11 PM

cc; TWIGGINS@CI.REIDSVILLE.NC.US, CURTIS@SANDSBUILDING.COM

9. Corrective Actions Needed:

1. Repair and stabilize eroded areas, including slopes, throughout entire site. Note: Ensure eroded areas are properly repaired before seeding/mulching.
2. Repair and maintain silt fence where damaged throughout entire site. Also, provide silt fence below power line installation on NE side of site or extend diversion berm as discussed in the field.
3. Provide a stabilized surface for the remaining storage and staging of building materials. This includes stabilization of the parking lot/access roads on site.
4. Remove accumulated sediment from Skimmer Basin #1. In addition, repair baffles and diversion berms along top of slope.
5. Raise height of diversion berm along north side of site to Basin #2 as discussed in the field.
6. Repair & maintain inlet protection for yard/drop/curb inlets throughout site. Ensure 16" of stone is provided. In addition, ensure mortar mix slurry does not enter pipe system.
7. Adequately complete NPDES Records. Ensure dates, daily rainfall amounts, and signature are recorded. In addition, ensure the measures are inspected in the field and any problems/repairs noted on the form in the proper locations.
8. Seed and mulch remaining bare/disturbed/sparse areas located outside the active construction areas.

10. COMMENTS: 1. NOV issued on 4/28/16 and was received on 5/2/16. Compliance date was 5/12/16. Compliance inspection conducted on 6/15/16. Site is not in compliance with NOV. NOCV issued on 6/23/16 and enforcement procedures started at this time. A follow-up compliance inspection was conducted on 7/6/16. Site not in compliance with NOV. A follow-up compliance inspection was conducted today. Site still not in compliance with NOV.

2. Based on inspection conducted today, the following items have been completed in NOV since last inspection: Item #2, part of Item #4 has been completed (other areas remain), part of Item #5 has been completed (need to remove accumulated sediment), part of Item #6 has been completed (need to fill out reports properly), and Item #9 has been completed. A few areas have been seeded/mulched, however, the erosion was not repaired prior to seeding. In addition, a response to the Construction Stormwater Permit Violations has not been received to date. This response was required within 10 calendar days from receipt of NOV.

3. Work on building continues. Outside of building is almost complete in some areas and doesn't lack much more work in other areas to complete construction. Work on canopy's in front of building still remain under construction. Work on stabilizing parking lot/access roads has not begun to date. Grading contractor was onsite working on removing materials and shaping up ground immediately beside building today. Parking lot stabilization has not started yet.

4. The portion of SS line that crosses Basin #2 cannot be installed until approval to remove basin has been obtained from this office. This basin cannot be removed until the access drive/parking lot area has been stoned and remaining slopes/areas have been seeded & mulched.

5. Rain gauge is located by fence on left side of construction entrance.

SEDIMENTATION/CONSTRUCTION STORMWATER INSPECTION REPORT

North Carolina Department of Environmental Quality

Land Quality Section: 450 West Hanes Mill Road, Suite 300, Winston-Salem, NC 27105, Phone: 336-776-9800

COUNTY: Rockingham PROJECT: REIDSVILLE SENIOR CENTER RIVER BASIN: ROANOKE
PERSON FINANCIALLY RESPONSIBLE: Thomas Wiggins, City of Reidsville PROJECT # ROCKI-2015-005
ADDRESS: 230 W. Morehead St Reidsville NC 27320 CASE # _____

1. PROJECT LOCATION: N Washington Ave. Reidsville NC 27320
Pictures: YES Video: Digital: X
2. Weather and Soil Conditions: SUNNY, 81, WORKABLE SOIL First Inspection: NO
3. Is site currently under Notice of Violation? YES
4. Is the site in compliance with S.P.C.A. and rules? NO
5. Violations:
 - b. Failure to follow approved plan - G.S. 113A-57(5) and Failure to implement the erosion and sedimentation control plan, NCG 010000 Section III. 3) (a)
 - d. Failure to provide adequate groundcover - Failure to provide adequate groundcover, G.S. 113A-57(3) and 15A N.C. A.C. 4B.0107(b) or 15A N.C.A.C. 4B.0124(e)
 - f. Failure to take all reasonable measures - 15A N.C.A.C. 4B.0105
 - j. Failure to maintain measures - 15A N.C.A.C. 4B.0113
6. Is the site in compliance with NPDES Permit NCG 010000?: NO
 - n. Failure to provide ground stabilization NCG 010000 Section II. B. (2)
 - o. Failure to maintain a rain gauge or record daily rainfall NCG 010000 Section II. B. (3)(a-b)
 - p. Failure to meet self inspection and reporting requirements NCG 010000 Section II. B. 3)(c-i)
 - s. Failure to install and maintain BMPs and control measures NCG 010000 Section III. (4)
 - t. Failure to operate and maintain control measures Failure to operate and maintain control measures, NCG 010000 Section IV, (1)
7. Has Sedimentation Damage occurred since last inspections? NO

Lake/natural watercourse on the tract: _____ Lake/natural watercourse off the tract: _____ Other Property: _____

Description: _____

Degree of Damage: _____

Stormwater Discharge Outfall with high turbidity or sedimentation loss: _____
8. Contact Made with (name): TOM WIGGINS, TOM MOREAU, CURTIS, FRANK Title: _____
Inspection Report: SENT TO PERSON FINANCIALLY RESPONSIBLE Date Given/Sent: JUL 11, 2016

Report By: Shannon Leonard Others Present: _____

Date of Inspection: JUL 06, 2016 Time Arriving on Site: 9:45 AM Time Leaving Site: 11:30 AM

cc; TWIGGINS@CI.REIDSVILLE.NC.US, CURTIS@SANDSBUILDING.COM

9. Corrective Actions Needed:

1. Repair and stabilize eroded areas, including slopes, throughout entire site.
2. Remove accumulated sediment from skimmer flexible pipe in Basin #2 (so skimmer can function properly).
3. Repair and maintain silt fence where damaged throughout entire site. Also, provide silt fence below soil stockpile on NE side of site.
4. Provide a stabilized surface for storage and staging of building materials. Note: this item has been noted in the following inspection reports: 5/27/15, 7/22/15, 10/28/15, 11/12/15, 11/25/15, 4/21/16, and 6/15/16. This item still has not been completed to date.
5. Remove accumulated sediment from Skimmer Basin #1. In addition, install diversion berms along top of slope and slope drains to convey surface water into basin (similar to what has been done around SB #2).
6. Adequately complete NPDES Records and ensure the records are maintained and available at all times.
7. Seed and mulch remaining bare/disturbed/sparse areas located outside the active construction areas.
8. Submit NPDES rainfall records for December 1, 2015 thru April 21, 2016 to this office for review.

10. **COMMENTS:** 1. NOV issued on 4/28/16 and was received on 5/2/16. Compliance date was 5/12/16. Compliance inspection conducted on 6/15/16. Site is not in compliance with NOV. NOCV issued on 6/23/16 and enforcement procedures started at this time. Onsite meeting requested today by City of Reidsville. A follow-up compliance inspection was also conducted today. Site not in compliance with NOV.

2. Based on inspection conducted today, it appears there have been no attempts to complete any corrective items noted in the NOV, except to install a rain gauge. Item #8 of NOV (to control dust) was not an issue during this inspection due to recent rains. In addition, a response to the Construction Stormwater Permit Violations has not been received to date. This response was required within 10 calendar days from receipt of NOV.

3. The diversion berm located on the N side of building has been re-installed. Work on building continues. Outside of building is almost complete in some areas and doesn't lack much more work in other areas to complete construction. Work on canopy's in front of building is well underway. Work on stabilizing parking lot/access roads has not begun to date. Grading contractor is supposed to be onsite next week to repair measures & begin working on parking lot stabilization.

4. Discussed all corrective items noted in the NOV and discussed necessary repairs to comply with NOV. The portion of SS line that crosses Basin #2 cannot be installed until approval to remove basin has been obtained from this office. This basin cannot be removed until the access drive/parking lot area has been stoned and remaining slopes/areas have been seeded & mulched.

5. Some NPDES Records were reviewed for February 2016, however, there were no recent records onsite for review. Records need to be onsite and available for review. Rain gauge has been installed by fence on left side of construction entrance.



Energy, Mineral
and Land Resources
ENVIRONMENTAL QUALITY

PAT MCCRORY

Governor

DONALD R. VAN DER VAART

Secretary

TRACY DAVIS

June 23, 2016

**NOTICE OF CONTINUING VIOLATIONS OF THE
SEDIMENTATION POLLUTION CONTROL ACT**

City of Reidsville, a Municipal Corporation
230 W. Morehead St.
Reidsville, NC 27320
Attn: Thomas Wiggins, Assistant City Manager

RE: Project Name: Reidsville Senior Center
Project ID: ROCKI-2015-005
County: Rockingham

Dear Mr. Wiggins:

On May 2, 2016, you received a Notice of Violations indicating that you and/or your firm were conducting a land-disturbing activity located on N. Washington Street, Reidsville in Rockingham County, North Carolina that was in violation of the Sedimentation Pollution Control Act of 1973.

The compliance deadline outlined in the Notice was May 12, 2016. A compliance inspection of this project on June 15, 2016, indicated that the violations outlined in the Notice had not been corrected.


Because the violations were not corrected on or before the deadline for compliance, which was May 12, 2016, this matter is being referred to the Director, Division of Land Resources, for enforcement. I urge you to correct these violations immediately. A civil penalty of up to \$5000.00 per day for violations is authorized by G.S. 113A-64. It should be noted that each day of noncompliance constitutes a separate violation of the Sedimentation Pollution Control Act of 1973. A penalty may be assessed from the date of the violation until the date the violations are corrected. Please be advised that if compliance is not immediately undertaken, other appropriate action may be requested.

Division of Energy, Mineral, and Land Resources
Energy Section • Geological Survey Section • Land Quality Section
450 West Hanes Mill Road, Suite 300, Winston-Salem, NC 27105 • Phone: 336-776-9800 • FAX: 336-776-9798
Internet: <http://portal.ncdenr.org/web/tr/>

An Equal Opportunity \ Affirmative Action Employer – 50% Recycled \ 10% Post Consumer Paper

Please do not hesitate to contact me regarding any questions you might have about this matter.

Sincerely,



Matthew E. Gantt, PE
Regional Engineer
Land Quality Section

Enclosure: Sedimentation Inspection Report

cc: State Sedimentation Specialist
WSRO File

SEDIMENTATION/CONSTRUCTION STORMWATER INSPECTION REPORT

North Carolina Department of Environmental Quality

Land Quality Section: 450 West Jones Mill Road, Suite 300, Winston-Salem, NC 27105, Phone: 336-776-9800

COUNTY: Rockingham PROJECT: REIDSVILLE SENIOR CENTER RIVER BASIN: ROANOKE
PERSON FINANCIALLY RESPONSIBLE: Thomas Wiggins, City of Reidsville PROJECT # ROCKI-2015-005
ADDRESS: 230 W. Morehead St Reidsville NC 27320 CASE # _____

1. **PROJECT LOCATION:** N Washington Ave. Reidsville NC 27320
Pictures: YES Video: Digital: X
2. **Weather and Soil Conditions:** CLOUDY, 81, WORKABLE SOIL First Inspection: NO
3. **Is site currently under Notice of Violation?** YES
4. **Is the site in compliance with S.P.C.A. and rules?** NO
5. **Violations:**
 - b. Failure to follow approved plan - G.S. 113A-57(5) and Failure to implement the erosion and sedimentation control plan, NCG 010000 Section III. 3) (a)
 - d. Failure to provide adequate groundcover - Failure to provide adequate groundcover, G.S. 113A-57(3) and 15A N.C. A.C. 4B.0107(b) or 15A N.C.A.C. 4B.0124(e)
 - f. Failure to take all reasonable measures - 15A N.C.A.C. 4B.0105
 - j. Failure to maintain measures - 15A N.C.A.C. 4B.0113
6. **Is the site in compliance with NPDES Permit NCG 010000?:** NO
 - n. Failure to provide ground stabilization NCG 010000 Section II. B. (2)
 - o. Failure to maintain a rain gauge or record daily rainfall NCG 010000 Section II. B. (3)(a-b)
 - p. Failure to meet self inspection and reporting requirements NCG 010000 Section II. B. 3)(c-i)
 - s. Failure to install and maintain BMPs and control measures NCG 010000 Section III. (4)
 - t. Failure to operate and maintain control measures Failure to operate and maintain control measures, NCG 010000 Section IV, (1)
7. **Has Sedimentation Damage occurred since last inspections?** NO

Lake/natural watercourse on the tract: _____ Lake/natural watercourse off the tract: _____ Other Property: _____

Description: _____

Degree of Damage: _____

Stormwater Discharge Outfall with high turbidity or sedimentation loss: _____
8. **Contact Made with (name):** MICHAEL Title: _____
Inspection Report: SENT TO PERSON FINANCIALLY RESPONSIBLE Date Given/Sent: JUN 23, 2016

Report By: Shannon Leonard Others Present: _____
Date of Inspection: JUN 15, 2016 Time Arriving on Site: 12:46 PM Time Leaving Site: 2:31 PM

cc; TWIGGINS@CI.REIDSVILLE.NC.US, CURTIS@SANDBUILDING.COM

9. Corrective Actions Needed:

1. Repair and stabilize eroded areas including slopes, throughout entire site.
2. Remove accumulated sediment from skimmer flexible pipe in Basin #2 (so skimmer can function properly).
3. Repair and maintain silt fence where damaged throughout entire site. Also, provide silt fence below soil stockpile on NE side of site.
4. Provide a stabilized surface for storage and staging of building materials. Note: this item has been noted in the following inspection reports: 5/27/15, 7/22/15, 10/28/15, 11/12/15, 11/25/15, and 4/21/16. This item still has not been completed to date.
5. Remove accumulated sediment from Skimmer Basin #1. In addition, install diversion berms along top of slope and slope drains to convey surface water into basin (similar to what has been done around SB #2).
6. Install a rain gauge onsite. In addition, adequately complete NPDES Records and ensure the records are maintained and available at all times.
7. Seed and mulch remaining bare/disturbed/sparse areas located outside the active construction areas.
8. Adequately control dust from the construction site.
9. Submit NPDES rainfall records for December 1, 2015 thru April 21, 2016 to this office for review.

10. COMMENTS: 1. NOV issued on 4/28/16 and was received on 5/2/16. Compliance date was 5/12/16. Compliance inspection conducted today (6/15/16). Site is not in compliance with NOV. Send NOCV and begin enforcement procedures at this time.

2. Based on compliance inspection conducted today, it appears there have been no attempts to complete any corrective items noted in the NOV. In addition, a response to the Construction Stormwater Permit Violations has not been received to date. This response was required within 10 calendar days from receipt of NOV.

3. A portion of the diversion berm located on the N side of building had to be removed to obtain access for concrete tank delivery during inspection today. Ensure diversion berm is re-installed at the end of the work day today.

4. Talked to plumbing contractor during inspection today regarding SS line that crosses Basin #2. This portion of SS line cannot be installed until approval to remove basin has been obtained from this office. This basin cannot be removed until the access drive/parking lot area has been stoned and remaining slopes/areas have been seeded & mulched. Crews were onsite today working on the building.

SEDIMENTATION/CONSTRUCTION STORMWATER INSPECTION REPORT

North Carolina Department of Environmental Quality

Land Quality Section: 450 West Hanes Mill Road, Suite 300, Winston-Salem, NC 27105, Phone: 336-776-9800

COUNTY: Rockingham PROJECT: REIDSVILLE SENIOR CENTER RIVER BASIN: ROANOKE
PERSON FINANCIALLY RESPONSIBLE: Thomas Wiggins, City of Reidsville PROJECT # ROCKI-2015-005
ADDRESS: 230 W. Morehead St Reidsville NC 27320 CASE # _____

1. **PROJECT LOCATION:** N Washington Ave. Reidsville NC 27320
Pictures: YES Video: Digital: X
2. **Weather and Soil Conditions:** CLOUDY, 81, WORKABLE SOIL First Inspection: NO
3. **Is site currently under Notice of Violation?** YES
4. **Is the site in compliance with S.P.C.A. and rules?** NO
5. **Violations:**
 - b. Failure to follow approved plan - G.S. 113A-57(5) and Failure to implement the erosion and sedimentation control plan, NCG 010000 Section III. 3) (a)
 - d. Failure to provide adequate groundcover - Failure to provide adequate groundcover, G.S. 113A-57(3) and 15A N.C. A.C. 4B.0107(b) or 15A N.C.A.C. 4B.0124(e)
 - f. Failure to take all reasonable measures - 15A N.C.A.C. 4B.0105
 - j. Failure to maintain measures - 15A N.C.A.C. 4B.0113
6. **Is the site in compliance with NPDES Permit NCG 010000?:** NO
 - n. Failure to provide ground stabilization NCG 010000 Section II. B. (2)
 - o. Failure to maintain a rain gauge or record daily rainfall NCG 010000 Section II. B. (3)(a-b)
 - p. Failure to meet self inspection and reporting requirements NCG 010000 Section II. B. 3)(c-i)
 - s. Failure to install and maintain BMPs and control measures NCG 010000 Section III. (4)
 - t. Failure to operate and maintain control measures Failure to operate and maintain control measures, NCG 010000 Section IV, (1)
7. **Has Sedimentation Damage occurred since last inspections?** NO

Lake/natural watercourse on the tract: _____ Lake/natural watercourse off the tract: _____ Other Property: _____

Description: _____

Degree of Damage: _____

Stormwater Discharge Outfall with high turbidity or sedimentation loss: _____
8. **Contact Made with (name):** MICHAEL Title: _____
Inspection Report: SENT TO PERSON FINANCIALLY RESPONSIBLE Date Given/Sent: JUN 23, 2016

Report By: Shannon Leonard Others Present: _____

Date of Inspection: JUN 15, 2016 Time Arriving on Site: 12:46 PM Time Leaving Site: 2:31 PM

cc: TWIGGINS@CI.REIDSVILLE.NC.US, CURTIS@SANDBUILDING.COM

9. Corrective Actions Needed:

1. Repair and stabilize eroded areas, including slopes, throughout entire site.
2. Remove accumulated sediment from skimmer flexible pipe in Basin #2 (so skimmer can function properly).
3. Repair and maintain silt fence where damaged throughout entire site. Also, provide silt fence below soil stockpile on NE side of site.
4. Provide a stabilized surface for storage and staging of building materials. Note: this item has been noted in the following inspection reports: 5/27/15, 7/22/15, 10/28/15, 11/12/15, 11/25/15, and 4/21/16. This item still has not been completed to date.
5. Remove accumulated sediment from Skimmer Basin #1. In addition, install diversion berms along top of slope and slope drains to convey surface water into basin (similar to what has been done around SB #2).
6. Install a rain gauge onsite. In addition, adequately complete NPDES Records and ensure the records are maintained and available at all times.
7. Seed and mulch remaining bare/disturbed/sparse areas located outside the active construction areas.
8. Adequately control dust from the construction site.
9. Submit NPDES rainfall records for December 1, 2015 thru April 21, 2016 to this office for review.

10. COMMENTS: 1. NOV issued on 4/28/16 and was received on 5/2/16. Compliance date was 5/12/16. Compliance inspection conducted today (6/15/16). Site is not in compliance with NOV. Send NOCV and begin enforcement procedures at this time.

2. Based on compliance inspection conducted today, it appears there have been no attempts to complete any corrective items noted in the NOV. In addition, a response to the Construction Stormwater Permit Violations has not been received to date. This response was required within 10 calendar days from receipt of NOV.

3. A portion of the diversion berm located on the N side of building had to be removed to obtain access for concrete tank delivery during inspection today. Ensure diversion berm is re-installed at the end of the work day today.

4. Talked to plumbing contractor during inspection today regarding SS line that crosses Basin #2. This portion of SS line cannot be installed until approval to remove basin has been obtained from this office. This basin cannot be removed until the access drive/parking lot area has been stoned and remaining slopes/areas have been seeded & mulched. Crews were onsite today working on the building.

SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY																	
<ul style="list-style-type: none"> Complete items 1, 2, and 3. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. 		<p>A. Signature <input checked="" type="checkbox"/> <i>C. P. Harris</i> <input type="checkbox"/> Agent <input type="checkbox"/> Addressee</p>																	
<p>1. Article Addressed to:</p> <p>City of Reidsville Attn: Thomas Wiggins 230 W. Morehead Street Reidsville, NC 27320</p>		<p>B. Received by (Printed Name) <i>Cynthia P Harris</i></p> <p>C. Date of Delivery <i>5/2/16</i></p>																	
<p>2. Article Number (Transfer from service label) 7013 1710 0002 1865 9267</p>		<p>D. Is delivery address different from item 1? If YES, enter delivery address below: <input type="checkbox"/> Yes <input type="checkbox"/> No</p>																	
<p>9590 9403 0921 5223 9838 58</p>		<p>3. Service Type</p> <table border="0"> <tr> <td><input type="checkbox"/> Adult Signature</td> <td><input type="checkbox"/> Priority Mail Express®</td> </tr> <tr> <td><input type="checkbox"/> Adult Signature Restricted Delivery</td> <td><input checked="" type="checkbox"/> Registered Mail™</td> </tr> <tr> <td><input checked="" type="checkbox"/> Certified Mail®</td> <td><input type="checkbox"/> Registered Mail Restricted Delivery</td> </tr> <tr> <td><input type="checkbox"/> Certified Mail Restricted Delivery</td> <td><input type="checkbox"/> Return Receipt for Merchandise</td> </tr> <tr> <td><input type="checkbox"/> Collect on Delivery</td> <td><input checked="" type="checkbox"/> Signature Confirmation™</td> </tr> <tr> <td><input type="checkbox"/> Collect on Delivery Restricted Delivery</td> <td><input type="checkbox"/> Signature Confirmation Restricted Delivery</td> </tr> <tr> <td><input type="checkbox"/> Insured Mail</td> <td></td> </tr> <tr> <td><input type="checkbox"/> Insured Mail Restricted Delivery (over \$500)</td> <td></td> </tr> </table>		<input type="checkbox"/> Adult Signature	<input type="checkbox"/> Priority Mail Express®	<input type="checkbox"/> Adult Signature Restricted Delivery	<input checked="" type="checkbox"/> Registered Mail™	<input checked="" type="checkbox"/> Certified Mail®	<input type="checkbox"/> Registered Mail Restricted Delivery	<input type="checkbox"/> Certified Mail Restricted Delivery	<input type="checkbox"/> Return Receipt for Merchandise	<input type="checkbox"/> Collect on Delivery	<input checked="" type="checkbox"/> Signature Confirmation™	<input type="checkbox"/> Collect on Delivery Restricted Delivery	<input type="checkbox"/> Signature Confirmation Restricted Delivery	<input type="checkbox"/> Insured Mail		<input type="checkbox"/> Insured Mail Restricted Delivery (over \$500)	
<input type="checkbox"/> Adult Signature	<input type="checkbox"/> Priority Mail Express®																		
<input type="checkbox"/> Adult Signature Restricted Delivery	<input checked="" type="checkbox"/> Registered Mail™																		
<input checked="" type="checkbox"/> Certified Mail®	<input type="checkbox"/> Registered Mail Restricted Delivery																		
<input type="checkbox"/> Certified Mail Restricted Delivery	<input type="checkbox"/> Return Receipt for Merchandise																		
<input type="checkbox"/> Collect on Delivery	<input checked="" type="checkbox"/> Signature Confirmation™																		
<input type="checkbox"/> Collect on Delivery Restricted Delivery	<input type="checkbox"/> Signature Confirmation Restricted Delivery																		
<input type="checkbox"/> Insured Mail																			
<input type="checkbox"/> Insured Mail Restricted Delivery (over \$500)																			
<p>PS Form 3811, July 2015 PSN 7530-02-000-9053</p>																			

NOV - Rocki - 2015 - 005 Domestic Return Receipt

U.S. Postal Service™		CERTIFIED MAIL™ RECEIPT	
<p>(Domestic Mail Only; No Insurance Coverage Provided)</p> <p>For delivery information visit our website at www.usps.com</p>			
<p>OFFICIAL USE</p>			
Postage	\$	<p><i>NOV</i> <i>NCG-010000</i> Postmark Here <i>Rocki - 2015 - 005</i></p>	
Certified Fee			
Return Receipt Fee (Endorsement Required)			
Restricted Delivery Fee (Endorsement Required)			
Total Postage & Fees	\$ <i>6.675</i>		
<p>Sent To City of Reidsville</p> <p>Street, or PO Box Attn: Thomas Wiggins</p> <p>City, State, ZIP+4® 230 W. Morehead Street Reidsville, NC 27320</p>		<p>PS Form 3811, July 2015 PSN 7530-02-000-9053</p>	

7013 1710 0002 1865 9267

SEDIMENTATION/CONSTRUCTION STORMWATER INSPECTION REPORT

North Carolina Department of Environmental Quality

Land Quality Section: 450 West Hanes Mill Road, Suite 300, Winston-Salem, NC 27105, Phone: 336-776-9800

COUNTY: Rockingham PROJECT: REIDSVILLE SENIOR CENTER RIVER BASIN: ROANOKE
PERSON FINANCIALLY RESPONSIBLE: Thomas Wiggins, City of Reidsville PROJECT # ROCKI-2015-005
ADDRESS: 230 W. Morehead St Reidsville NC 27320 CASE # _____

1. **PROJECT LOCATION:** N Washington Ave. Reidsville NC 27320
Pictures: YES Video: Digital: X
2. **Weather and Soil Conditions:** SUNNY, 89, WORKABLE SOIL First Inspection: NO
3. **Is site currently under Notice of Violation?** YES
4. **Is the site in compliance with S.P.C.A. and rules?** NO

5. **Violations:**
b. Failure to follow approved plan - G.S. 113A-57(5) and Failure to implement the erosion and sedimentation control plan, NCG 010000 Section III. 3) (a)
f. Failure to take all reasonable measures - 15A N.C.A.C. 4B.0105
j. Failure to maintain measures - 15A N.C.A.C. 4B.0113

6. **Is the site in compliance with NPDES Permit NCG 010000?:** NO
s. Failure to install and maintain BMPs and control measures NCG 010000 Section III. (4)
t. Failure to operate and maintain control measures Failure to operate and maintain control measures, NCG 010000 Section IV, (1)

7. **Has Sedimentation Damage occurred since last inspections?** NO
Lake/natural watercourse on the tract: _____ Lake/natural watercourse off the tract: _____ Other Property: _____
Description: _____
Degree of Damage: _____
Stormwater Discharge Outfall with high turbidity or sedimentation loss: _____

8. **Contact Made with (name):** CURTIS Title: _____
Inspection Report: SENT TO PERSON FINANCIALLY RESPONSIBLE Date Given/Sent: SEP 02, 2016

9. **Corrective Actions Needed:**
1. Repair and maintain silt fence where damaged throughout entire site. Also, provide silt fence below power line installation on NE side of site.
 2. Re-install inlet protection for curb inlets where removed and ensure inlet protection for yard/drop inlets are repaired/maintained as necessary. Ensure 16" of stone is provided.
 3. Ensure NPDES Records are completed properly as required. Ensure dates, daily rainfall amounts, and signature are recorded. In addition, ensure the measures are inspected in the field and any problems/repairs noted on the form in the proper locations.
 4. Adequately seed & mulch remaining bare/disturbed/dead areas as completion of construction progresses.

Report By: Shannon Leonard Others Present: _____

Date of Inspection: AUG 25, 2016 Time Arriving on Site: 1:38 PM Time Leaving Site: 2:52 PM

cc; TWIGGINS@CI.REIDSVILLE.NC.US, CURTIS@SANDSBUILDING.COM

10. COMMENTS: 1. NOV issued on 4/28/16 and was received on 5/2/16. Compliance date was 5/12/16. Compliance inspection conducted on 6/15/16. Site is not in compliance with NOV. NOCV issued on 6/23/16 and enforcement procedures started at this time. A follow-up compliance inspection was conducted on 7/6/16. Site not in compliance with NOV. A follow-up compliance inspection was conducted 7/21/16. Site still not in compliance with NOV. Another follow-up compliance inspection was conducted today. Site still not in compliance with NOV.

2. Based on inspection conducted today, the following items have been completed in NOV since last inspection: Item #1, Item #2, Item #4, the remaining portion of Item #5 is not needed now (concerning removing accumulated sediment) since parking lot has been stoned, part of Item #6 has been completed (need to fill out reports properly), Item #7, Item #8, and Item #9. In addition, a response to the Construction Stormwater Permit Violations has not been received to date. This response was required within 10 calendar days from receipt of NOV. Note: the NPDES Reports for Item #6 were not reviewed due to escalating tensions between Contractor and I during the inspection. Contractor indicated he was not going to complete the remaining items and/or complete anything not shown on the plans, referring to the additional silt fence needing to be installed on NE side of site. Contractor also alluded to removing all the silt fence and not re-installing. The silt fence is the only remaining measure once the diversion berms and basins are removed. Therefore, the silt fence will still be required. Failure to comply could lead to additional fines of up to \$5,000 per day being issued.

3. Work on building continues. Outside of building is nearing completion in some areas. Work on canopy in front of building still under construction. Curb & Gutter has been installed and stone has been placed on all areas, except for small area close to the building where crews are still working. Crews were cutting vegetation off exterior chain link fence & appear to be removing fence.

4. The silt fence around perimeter of site must be repaired & maintained and extended as noted in the inspection report. In addition, adequate inlet protection for all curb/yard/drop inlets must be re-installed and/or repaired. Once these items have been completed, Basins #1 & #2 may be removed from service to allow final installation of SS line and fill placement around building.

SEDIMENTATION/CONSTRUCTION STORMWATER INSPECTION REPORT

North Carolina Department of Environmental Quality

Land Quality Section: 450 West Hanes Mill Road, Suite 300, Winston-Salem, NC 27105, Phone: 336-776-9800

COUNTY: Rockingham PROJECT: REIDSVILLE SENIOR CENTER RIVER BASIN: ROANOKE
PERSON FINANCIALLY RESPONSIBLE: Thomas Wiggins, City of Reidsville PROJECT # ROCKI-2015-005
ADDRESS: 230 W. Morehead St Reidsville NC 27320 CASE # _____

1. **PROJECT LOCATION:** N Washington Ave. Reidsville NC 27320
Pictures: YES Video: Digital: X
2. **Weather and Soil Conditions:** CLOUDY, 78, WORKABLE SOIL First Inspection: NO
3. **Is site currently under Notice of Violation?** YES
4. **Is the site in compliance with S.P.C.A. and rules?** NO

5. **Violations:**
b. Failure to follow approved plan - G.S. 113A-57(5) and Failure to implement the erosion and sedimentation control plan, NCG 010000 Section III. 3) (a)
f. Failure to take all reasonable measures - 15A N.C.A.C. 4B.0105
j. Failure to maintain measures - 15A N.C.A.C. 4B.0113

6. **Is the site in compliance with NPDES Permit NCG 010000?:** NO
t. Failure to operate and maintain control measures Failure to operate and maintain control measures, NCG 010000 Section IV, (1)

7. **Has Sedimentation Damage occurred since last inspections?** NO
Lake/natural watercourse on the tract: _____ **Lake/natural watercourse off the tract:** _____ **Other Property:** _____
Description: _____
Degree of Damage: _____
Stormwater Discharge Outfall with high turbidity or sedimentation loss: _____

8. **Contact Made with (name):** N/A **Title:** _____
Inspection Report: SENT TO PERSON FINANCIALLY RESPONSIBLE **Date Given/Sent:** OCT 07, 2016

9. **Corrective Actions Needed:**
1. Repair & maintain silt fence where damaged and/or undermined throughout site. In addition, extend silt fence along disturbed areas below where power line installation (NE Side) occurred. This action has been noted in the 8/25, 7/21, 7/6, and 6/15 sediment inspections and has not been completed to date.
 2. Install inlet protection for CI #B8 per approved plans.
 3. Ensure NPDES Records are completed properly as required. Ensure dates, daily rainfall amounts, and signature are recorded. In addition, ensure the measures are inspected in the field and any problems/repairs noted on the form in the proper locations.
 4. Continue seeding & mulching remaining disturbed areas as construction ceases and/or is completed. Also, seed & mulch disturbed areas located below the silt fence along the North side of site (e.g. where dirt slid down existing slope).

Report By: Shannon Leonard **Others Present:** _____

Date of Inspection: SEP 28, 2016 **Time Arriving on Site:** 12:59 PM **Time Leaving Site:** 1:31 PM

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10. COMMENTS: 1. NOV issued on 4/28/16 and was received on 5/2/16. Compliance date was 5/12/16. Compliance inspection conducted on 6/15/16. Site is not in compliance with NOV. NOCV issued on 6/23/16 and enforcement procedures started at this time. A follow-up compliance inspection was conducted on 7/6/16. Site not in compliance with NOV. A follow-up compliance inspection was conducted 7/21/16. Site still not in compliance with NOV. Another follow-up compliance inspection was conducted on 8/25/16. Site still not in compliance with NOV. Another follow-up inspection was conducted today. Site was judged to be in compliance with the NOV at this time.

2. It appeared the silt fence had been repaired since the 8/25/16 inspection. However, recent rains has caused damage to silt fence and/or undermined it in several areas. The site was judged to be in compliance with the NOV since it appeared the silt fence had been repaired as required by the NOV.

3. Item #1 above must be completed by 10/14/16. Failure to comply could result in a Notice of Violation with fines of up to \$5,000 per day being assessed.

4. Work on building continues. Crews excavating for sidewalk on E side above parking lot. Sidewalk installed along part of N side. Underground stormwater system is installed & crews are backfilling around structure on S end today..