Engineering Services Department

Trevor Spencer, P.E. Director



April 25, 2022

Owner/Financially Responsible Party

PTI of USA, LLC., 7 Westmount Court, Greensboro, NC 27410

RE: NOTICE OF VIOLATION

Project: Triangle Lake Road Commercial Site

Location: 3124 Triangle Lake Rd., High Point, NC 27260

Land Disturbing Permit: EN-21-0226

Dear Sir or Madame:

On April 21, 2022, staff from the Engineering Services Department conducted an inspection at your project ("Site") located at 3124 Triangle Lake Rd., High Point, NC 27260 for compliance to the City of High Point Development Ordinance ("Ordinance"). The Site was found to be in violation of the Ordinance and the Sedimentation Pollution Control Act of 1973 ("SPCA"). Specifically, the violations occurring on the Site are:

- 1) <u>Failure to Protect:</u> Failure to take all reasonable measures to protect public property or private property, including lakes and/or natural watercourses, from damage caused by land-disturbing activities. City of High Point Development Ordinance Section 9.9.6.B.2.
- 2) <u>Failure to Follow Plan</u>: Failure to conduct a land-disturbing activity in accordance with the provisions of an approved soil erosion and sedimentation control plan. City of High Point Development Ordinance Section 9.9.6.B.3.
- 3) <u>Failure to Install Devices</u>: Failure to install erosion and sedimentation control devices sufficient to retain the sediment generated by the land-disturbing activity within the boundaries of the tract(s) and prevent off-site sedimentations. City of High Point Development Ordinance 9.9.6.B.4.
- 4) <u>Failure to Maintain Temporary Measures</u>: Failure to maintain temporary soil erosion and sedimentation control measures and facilities during the development of the site. City of High Point Development Ordinance Section 9.9.6.B.6.

To bring the Site into compliance with Section 6.3 of the Ordinance, the following corrections to the site must be completed within the specified time:

a. Reinstall all silt fence according to the City of High Point Standard 600.00.

- b. Please wire fence behind all silt fence on the jobsite.
- c. Reinstall all rock check dams in the temporary diversion berm, using Class B riprap.
- d. Install temporary silt check, type B in place of what is there now.
- e. Reinstall all silt fence outlets according to City of High Point Standard 600.01 using No. #57 stone.
- f. Place matting on existing sanitary sewer line prior to crossing as shown on the approved plan.
- g. Install sediment basin according to the approved plans.
- h. The "Haul Road" that has been cut through the limits of disturbance, will need to be shown on a plan revision and a plan revision will need to be submitted to the City of High Point Engineering Services Department.
- i. Sedimentation has occurred off-site, at the end of the temporary diversion berm through a silt fence that is not showing on the approved plans. The sedimentation that has occurred beyond the limits of disturbance will need to be cleaned by hand and the area will need to be restabilized by seeding it.
- j. Follow the approved E&SC Plan.
- k. Throughout all phases of grading and building, provide and maintain inlet protection to any device or structure that collects stormwater run-off.
- I. The following items are required to be kept on site:
 - The approved Erosion & Sediment Plan (include deviations)
 - The Letter of Approval (Plan)
 - The Permit
 - A copy of the NCG01 Permit
 - Self-Inspection Logs
 - A rain gauge to measure rain events

As described in Section 9.4.1 of the Ordinance, the landowner, tenant, or occupant of any land or structure, and an architect, engineer, builder, contractor, agent, or any other person who participates in, assists, directs, creates, or maintains a situation that constitutes a violation of this Ordinance may be held responsible for the violation and is subject to the remedies and penalties set forth in this chapter. As per Section 9.4.3. of the Ordinance, it is your responsibility as the landowner and/or financially responsible party to bring the Site into compliance with local, state, and federal laws.

Therefore, as per Section 9.9.6 of the Ordinance, you are hereby notified that you have <u>fifteen (15)</u> working days (days exclusive of Saturday and Sunday during which weather conditions or soil conditions permit land-disturbing activity to be undertaken) from the date that this notice is received to bring your project into compliance. If you fail to bring your Site into compliance within the allotted time, a civil penalty with a maximum amount of \$5000.00 per day may be assessed from the day of the violation. Each day of continuing violation shall constitute a separate violation. Any person, who fails to comply within the time specified, is subject to additional civil and criminal penalties for a continuing violation.

You may appeal this Notice of Violation in writing to the Board of Adjustment within fifteen (15)

days following the date of the Notice of Violation in accordance with Sections 9.6.1 and 2.4.2 of the Ordinance. In the absence of an appeal, the decision of the Enforcement Officer shall be final. If you fail to comply with a Notice of Violation from which no appeal has been taken, or a final decision by the Board of Adjustment following an appeal, you shall be subject to such remedies and penalties as may be provided for by state law or the Ordinance.

A copy of this Notice of Violation will be forwarded to the Winston Salem Regional Office of the NC Division of Energy, Mineral and Land Resources and the NC Division of Water Quality as required.

Please note that if you have not been assessed a civil penalty under GS §113A-64 for any previous violation and you have abated the environmental damage resulting from this violation within 180 days from the date of this notice of violation, then the maximum cumulative total civil penalty assessed under GS §113A-64 for all violations associated with the above Land-Disturbing Permit will be twenty-five thousand dollars (\$25,000).

You may view the City of High Point's Development Ordinance at the following link - https://library.municode.com/nc/high-point/codes/development ordinance?nodeId=CITY HIGH-POINT DEVELOPMENT ORDINANCE. Copies of the relevant ordinance and regulations will be sent to you upon request.

<u>Please notify my office immediately after the violations have been corrected.</u> This Site will not be in compliance until I have received notification from you and inspected the Site.

Inspector Comments:

- 1) A requirement of the NCG01 General Permit/NPDES Permit is that you are required to report any off-site sedimentation and document actions taken to correct the failure to the Regional Office. Please do so if you haven not already.
- You are permitted under NC General Permit Number NCG01 to discharge stormwater to the surface waters under the National Pollutant Discharge Elimination System (NPDES). Conditions of both the NCG01 and E&SC Plan shall be followed until the completion of the construction activity and establishment of permanent ground stabilization.
 - a. Concrete Materials Onsite concrete materials, including excess concrete, shall be controlled, and managed to avoid contact with surface waters, wetlands, or buffers,
 - b. Operations and Maintenance -The permittee shall install and maintain all temporary and permanent E&SC measures as required by the NPDES Permit and the approved E&SC Plan.
 - c. Corrective Actions If self-inspections required by the NPDES Permit identify a need for maintenance of the control measures, modifications, addition(s) to control measures, corrective actions to control sediment or other pollutants, these actions shall be performed as soon as possible considering adverse weather and site conditions.
 - d. Bypass of E&SC Measures Diversion of stormwater from E&SC measures when the

- design storm has not been exceeded are not allowed. Bypasses of E&SC measures shall be reported in accordance with Part III, Section C, Item (2)(c) and (d) of the NCG01 Permit.
- e. Self-Inspections Self-Inspections are required during normal business hours in accordance with Table 4 in Part III, Section A.
- f. Recordkeeping The approved E&SC plan as well as any approved deviation shall be kept on the site. The approved E&SC plan must be kept up to date throughout the coverage under this permit. The items listed in Table 5 in Part III, Section B pertaining to the E&SC plan shall be always kept onsite and available for inspection during normal business hours.
- g. Reporting All occurrences found in Part III; Section C must be reported.
- h. Ground Stabilization Timelines Ground Stabilization shall be achieved on any area where land disturbing has ceased within the timelines listed in Table 4 in Part II, Section E.

Please call me if you have any questions, comments, or to schedule an on-site meeting to discuss the violations.

Sincerely,

Sila Vlachou, EI

Engineering Services Department

(336) 883-3197

cc: Tamera Eplin, PE, c/o Division of Energy, Mineral and Land Resources, NC Department of Environmental Quality, 450 West Hanes Mill Road, Suite 300, Winston Salem, NC 27105 (via email)

Sue Homewood, c/o Division of Water Resources, NC Department of Environmental Quality, 450 West Hanes Mill Road, Suite 300, Winston Salem, NC 27105 (via email)

Attachments: City of High Point Inspection Report (4-21-2022)



City of High Point Sedimentation Inspection Report

Inspector Jon Description Date of Inspection 4/21/22
Permit Number EN-21-0226 Project Name Triangle hake had Commercial Site
Address 3/24 Triangle hake that High Point NC 27260
Individual responsible for Erosion Control PTI of USA, LLC
Mailing address for individual 7 west mount Court Court Greens boro NC 27410
Contact made with have via Email Soil/Weather Conditions Dry Cokar 700
Site in COMPLIANCE with approved plan or in NON-COMPLIANCE Under NOV?
The following Violations that were discovered on your site are: Failure to protect Failure to follow Plan, Failure to Install devices, Failure to Maintain
temp Measures.
The necessary actions to correct the above violations are: Deinskill all Silt fence to
City of High foint STD 600.00 Place wire here behind all Silt Kense
on Johgite. Reinstall all Rock Check dams in Temp Diversion Berm
Using Class B rip-Rap and Install Temporary Rock Silt Check, Type B
in place of what is there now. Reinstall all Silt fence outlets to COHP
Standard (600:01) Using 57 Stone. Contracter has not Placed Waltery
Additional remarks by Inspector: On CXisting Sanitary Sewer Line Prior to Cressing
as Show on the approved plan, and will need to do SO, Begin Installing
Isasin for approved Plans, "Haul Mose" That has been Cut through
the disturbed Limets will need to be shown on a plan Pevision
and a Plan revision will need to be Submitted. Install Basin within the
aloke amount of working days, determined by the City of High Point.
Has off-site sedimentation occurred since last inspection? YESNO
Photographs YES NO
Describe and estimate amount of off-site sedimentation damage and area that it covers: $2 + 2 $

City of High Point Sedimentation Inspection Report Supplement

Permit Number EN-21-0226 Project Name Triongle hake Re
(CONTINUED)
Sectionent has went off site at the end of the temp diversion beam through a silt fence outlet that is not on the approved Plans, Sediment that has went beyond the L.O.D will need to be removed by have and the area will need to be re Stabilized with Seed, Coverage.
<u> </u>
Page



Jon Shepherd

DEMLR Monitoring Form Rev. 07012020

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LR Monitoring Form Rev. 07012020

INSPECTION AND MONITORING RECORDS FOR ACTIVITIES UNDER STORMWATER GENERAL PERMIT NCG010000 AND SELF-INSPECTION DECORDS FOR ACTIVITIES UNDER STORMWATER GENERAL PERMIT NCG010000 AND SELF-INSPECTION RECORDS FOR LAND DISTURBING ACTIVITIES PER G.S. 113A-54.1

RIANGLE LAKE ROAD COMMERCIAL SITE OF 141GH POINT Approval 11/06/21	Program Project/Perilli #	EN 2102- 10/07/2022
-	RIANGLE LAKE ROAD COMMERCIAL SITE Date of Plan 1 1/06/21	Date of Plan Approval 11/06/21 Expiration Bate, if applicable Date of COC Issuance

Coverage under the NCG010000 permit must be renewed annually, if issued after April 1, 2019 until Notice of Terminal

to Payt 24 the February and provide the Consective Action and location of the deficiency, the only not date noted, and the date is the date in was bosed as abled.

PART 2. STOTAL STEE PLANS AND CONTROLS: For each quadiant polity, mall, and contraporting from the law and a two-total and and an analysis and

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M 04/11/22	0.0		
T 04/12/22	0.0		
W 04/13/22	0.0		
Th 04/14/22	0.0		
F 04/15/22	0.0		
Sat (Inspection Optional)	0.0		
Sun (Inspection Optional)	personal designation of the second design of the se		

PART 1B. Phase(s) of the Plan

Check ALL applicable box(es) that apply to completed & current phases	X
Initial installation of erosion and sediment control measures	×
Clearing and grubbing of existing ground cover	
Completion of any grading that requires ground cover	
Completion of all land-disturbing activity, construction or development	
Permanent ground cover sufficient to restrain erosion has been established	

Are there any site or project conditions that limit completion of inspection?

If yes, explain conditions and areas of site that were inaccessible.

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