

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

Financially Responsible Party

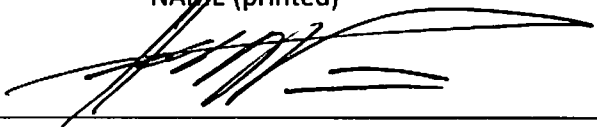
PTI of USA, LLC.
7 Westmont Court,
Greensboro, NC 27410

RE: REMISSION REQUEST OF CONTINUING NOTICE OF VIOLATION - CIVIL PENALTY ASSESSMENT
For Violations of: Section 6.3 of the City of High Point Development Ordinance
Project: Triangle Lake Rd. Commercial Site
Location: 3124 Triangle Lake Rd., High Point, NC
Land Disturbing Permit: EN-21-0226
Amount Assessed: \$1,300.00

Having been assessed civil penalties totaling \$1,300.00 for violation(s) as set forth in the First Notice of Civil Penalty Assessment of the Engineering Services Director for the City of High Point Dated June 9, 2022, 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 First Notice of Civil Penalty Assessment.

The undersigned further understands that all evidence presented in support of remission of this civil penalty must be submitted to the N.C. Sedimentation Control Commission within thirty (30) calendar days of receipt of the First Notice of Civil Penalty Assessment. No new evidence in support of a remission request will be allowed after thirty (30) calendar days from the receipt of the First Notice of Civil Penalty Assessment.

This the 29th day of June, 2022.

ANSER WAREATCH
NAME (printed)

SIGNATURE

ADDRESS:

7 WESTMONT CT.
GREENSBORO, NC 27410

TELEPHONE: 336-516-0260

JUSTIFICATION OF REMISSION REQUEST

Financially Responsible Party

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

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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 City of High Point 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) one or more of the civil penalty assessment factors in Section 9.9.6 of the Development ordinance were wrongfully applied to the detriment of the petitioner (please refer to the "Assessment Factors" summary attached).
- (b) the violator 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) 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) the violator had not been assessed civil penalties for any previous violations.
- (e) 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 violator'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):

1. The area where sediment has gone is corrected by removing the sediment by hand and area is stabilized by following the seeding plans. The pictures are attached for your review.
2. The sediment basin is built and we are in the phase of stabilizing the pond. It is being seeded as per the plans. The delay in completion was due to the unavailability of RCP and other related materials. The lead period on RCP is running from 16-24 weeks presently in the market. Now we have acquired all the materials needed to complete this project (erosion control measures) and there are no more violations. The delay was due to the circumstances which were beyond our control. We request for the remission of this civil penalty.
Thank you in advance.





