

Civil Penalty Remission Request Summary for Local Program Case File

Prepared by the DEMLR Central Office

Financially Responsible Party: Larry Ward (Individual)

First-time Assessed Penalty? Yes

Project Name: 2508 Brookwood Drive, Raleigh, NC

Local Program: Wake County

Local Project ID or Case ID: VIO-000700-2019

LQS Case Number: LQS-20-Wake-VIO-000700-2019

CPA Received Date: 11/13/2019

Violations Cited for Penalty:

- (1) Failure to have an approved plan
- (2) Failure to protect against off-site sedimentation
- (3) Failure to have a Land Disturbance Permit
- (4) Failure to maintain erosion control measures
- (5) Failure to provide adequate ground cover

Penalty Amount: \$5,000

Day(s) out of Compliance: 10/31/2019 – present; last inspection on 12/8/2020 under assessment.

Field items addressed within 20 days. Plan not provided & no permit.

Remission factor(s) requested for consideration: (b) Whether the petitioner promptly abated continuing environmental damage resulting from the violation.

Oral Presentation Requested? Yes

Date	Item or Description
10/31/19	Inspection - Date of violation No plan. Off-site sedimentation into intermittent stream and street.
11/5/19	NOV with CPA – Deadline of 7 days from receipt for field items or 11/20/2019
11/6/19	Onsite meeting with contractor; seeding & mulching

11/7/19	NOV with CPA sent via e-mail
11/13/19	NOV with CPA sent via USPS certified & first-class mail
11/25/19	Compliance Inspection. Seed & mulch applied. Field items from NOV have been corrected; plan still not submitted. Cannot lift NOV.
12/5/19	Deadline for E&SC plan to be submitted.
4/8/20	New remission request process introduced to Local Program.
7/8/20	Inspection. Grass planted in Fall has died. Some erosion exists. Plan still not provided and grading permit not applied for.
11/10/20	Wake Recommendation Received by Petitioner
12/8/20	Inspection. Mostly stable site. Riparian buffer still in need of repair. Plan still not provided and grading permit not applied for. NOV still in effect.
	Events Since Assessment Period
1/8/21	Correspondence with Wake County. No plan has ever been received by their office.
1/22/21	Inspection. Still no plan. Ground cover has been applied except for an area of the north side of the site. Program is monitoring for stabilization of 80%.