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Director



NORTH CAROLINA  
*Environmental Quality*

March 29, 2021

**CERTIFIED MAIL**  
**RETURN RECEIPT REQUESTED**

7018 1830 0001 8032 1269

The Chemours Company FC, LLC  
Attn: Mr. Stephen H. Shoemaker, Director, Corporate Remediation Group  
22828 NC Hwy 87 W  
Fayetteville, NC 28306

Re: Civil Penalty Assessment for Violations of the Sedimentation Pollution Control Act of 1973, N.C. General Statute 113A-50 et seq.  
Bladen County  
LQS-2021-003

Dear Sir or Madam:

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:

- (3) 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 Carolyn McLain, Assistant



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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 days 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 **NCDEQ**) to Carolyn McLain, 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 **NCDEQ** 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. Bill Lane  
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.

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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.

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) 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) The petitioner promptly abated continuing environmental damage resulting from the violation.
- 3) The violation was inadvertent or a result of an accident.
- 4) The petitioner had been assessed civil penalties for any previous violations.
- 5) 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:*

Julie Coco, PE, State Sediment Engineer  
DEMLR  
1612 Mail Service Center  
Raleigh, NC 27699-1612

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

Julie Coco, PE, State Sediment Engineer  
DEMLR  
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.

Please also be aware that because you have never previously been assessed a civil penalty for violations of the Sedimentation Pollution Control Act, should you abate continuing environmental damage resulting from these violations within 180 days of the date of the receipt of the Notice of Violation, then the maximum cumulative civil penalty assessed against you for these violations cannot exceed **\$25,000.00**.

CERTIFIED MAIL

Stephen H. Shoemaker

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March 29, 2021

Your attention to this matter is appreciated.

Sincerely,

A handwritten signature in black ink that reads "WE Vinson, Jr." The signature is written in a cursive, slightly slanted style.

William E. (Toby) Vinson, Jr., PE

Chief of Program Operations

DEMLR

cc: Julie Coco, PE, State Sedimentation Engineer & Carolyn McLain, Assistant Attorney General

STATE OF NORTH CAROLINA

DEPARTMENT OF ENVIRONMENTAL QUALITY

COUNTY OF BLADEN

LQS-2021-003

IN THE MATTER OF:	)	
	)	
THE CHEMOURS COMPANY FC, LLC	)	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 of the North Carolina Administrative Code (NCAC) and delegated to me by the Secretary of the Department, I, William E. Vinson, Jr., PE, Chief of Program Operations make the following:

I. FINDINGS OF FACT

- A. The subject property is located on NC Highway 87 West in the Hollow Township, Bladen County, North Carolina. The project is known as Chemours Seep C Wastewater Treatment Plant.
- B. The owner of record is The Chemours Company FC, LLC, a corporation duly registered to do business and doing business in the State of North Carolina.
- C. On 9/1/2020, Mr. Brian D. Long, Plant Manager listed as the “Financially Responsible Person” signed a Financial Responsibility/Ownership form, stating under oath, that, The Chemours Company FC, LLC (d/b/a The Chemours Company) was financially responsible for the land disturbance.
- D. An express review erosion control plan (hereinafter "Plan") for the project was received on 9/4/2020 and was approved on 9/4/2020.
- E. On 12/1/2020, a duly authorized representative of the Division of Energy, Mineral, and Land Resources (hereinafter "DEMLR"), 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 industrial purposes and covered approximately 0.25 acres.
- G. On 1/4/2021, DEMLR initiated delivery methods for the Notice of Violation (hereinafter "Notice") which cited violations of the SPCA with The Chemours Company FC, LLC via certified mail, with return receipt requested, along with hand-delivery options as required for first-time violators under the SPCA. The NOV was emailed to appropriate Chemours representatives on 1/4/2021.
- First-time violators are provided the option of receiving the NOV in person within an initial fifteen-day period. Facility representative(s) received the NOV in person on 1/13/2021. Following the fifteen-day period or hand-delivery receipt date, the NOV is sent via certified mail as described above, regardless of whether it was received in person. The NOV was mailed certified on January 13, 2021. 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.
- H. A follow-up compliance inspection was conducted on January 14, 2021 and the site was determined to be in compliance with the SPCA and NPDES NCG010000 Construction Stormwater General Permit.

## II. CONCLUSIONS OF LAW

- I. A civil penalty may be assessed against The Chemours Company FC, LLC, pursuant to North Carolina General Statute 113A-64(a) for the violations committed on the subject property.
- J. From 12/1/2020 through 12/2/2020, 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. 133A-54.1(b) and 15A N.C.A.C 4B.0118(a) were violated for failure to submit a revised plan.
  3. 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 install such sedimentation and erosion control devices and practices that are sufficient to retain sediment generated by land-disturbing activity within the boundaries of the tract during construction.
  4. 15A NCAC 04B .0105 was violated for failure to take measures to protect all public and private property from sedimentation and erosion damage caused by land-

disturbing activity.

5. N.C.G.S. 133A-57(1) was violated for failure to retain a buffer zone of sufficient width along a lake, trout water or natural watercourse (25-foot minimum for trout waters) in which to confine visible siltation by natural or artificial means within the 25 percent of that portion of the buffer zone nearest the land-disturbing activity.

### III. DECISIONS

- A. Pursuant to N.C.G.S. 113A-64(a) and the authority delegated to me by the Secretary of the Department, I, William E. (Toby) Vinson, Jr., PE, Chief of Program Operations, DEMLR, do hereby assess a civil penalty against The Chemours Company FC, LLC in the amount of \$5,000 per day for the one (1) day period beginning 12/1/2020, the day the violation was discovered and ending on 12/2/2020. The total penalty amount is calculated at **\$5,000**.
- B. In determining the amount of this penalty, I have considered the criteria in N.C.G.S. 113A-64(a)(3).
- C. I hereby put The Chemours Company FC, LLC on notice that I reserve the right to initiate further enforcement action for any violations occurring after 12/2/2020.

3/29/2021  
Date



\_\_\_\_\_  
William (Toby) Vinson, PE  
Chief of Program Operations  
Division of Energy, Mineral, and Land Resources

## JUSTIFICATION FOR REMISSION REQUEST

DEMLR Case Number: LQS-2021-003  
Assessed Party: The Chemours Company FC, LLC

County: Bladen

Project No. (If applicable): **BLADE-2021-003**

Amount Assessed: **\$5,000.00**

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) 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) 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; proof is recommended);
- (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):



STATE OF NORTH CAROLINA

SEDIMENTATION POLLUTION  
CONTROL COMMISSION

COUNTY OF BLADEN

IN THE MATTER OF ASSESSMENT )  
OF CIVIL PENALTIES AGAINST )  
THE CHEMOURS COMPANY FC, LLC )

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

CASE NO. LQS-2021-003

Having been assessed civil penalties totaling \$5,000.00 for violation(s) as set forth in the assessment document of the Division of Energy, Mineral and Land Resources dated Click or tap to enter a date. 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 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

\_\_\_\_\_

ROY COOPER  
Governor

MICHAEL S. REGAN  
Secretary

BRIAN WRENN  
Director



NORTH CAROLINA  
Environmental Quality

January 4, 2021

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

**AND**

**GENERAL PERMIT - NCG010000  
TO DISCHARGE STORMWATER UNDER THE  
NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM  
FOR  
CONSTRUCTION ACTIVITIES**

**CERTIFIED MAIL: 7018 0040 0000 4771 9503**  
**RETURN RECEIPT REQUESTED**

The Chemours Company  
Attn: Stephen H. Shoemaker, Director, Corporate Remediation Group  
22828 NC Highway 87 West  
Fayetteville, NC 28306

RE: Project Name: Chemours Seep C Wastewater Treatment Plant  
Project ID: BLADE-2021-003  
County: Bladen  
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. Shoemaker:

On December 1, 2020, personnel of this office inspected the subject project located in Bladen County, North Carolina. This inspection was performed to determine compliance with the North Carolina Sedimentation Pollution Control Act (SPCA) of 1973 and General Permit - NCG010000 to Discharge Stormwater Under the National Pollutant Discharge Elimination System for Construction Activities (Construction Stormwater General Permit NCG010000). The inspection revealed land-disturbing activities outside the limits of disturbance as indicated on the erosion control plan that was approved for the project on September 4, 2020.



North Carolina Department of Environmental Quality | Division of Energy, Mineral and Land Resources  
Fayetteville Regional Office | 225 Green Street, Suite 714 | Fayetteville, North Carolina 28301  
910.433.3300

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 General Permit NCG010000. 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). **At the time of the December 1, 2020 inspection, land disturbing activities were observed outside the limits of disturbance of the erosion control plan that was approved on September 4, 2020.**
2. Failure to file an acceptable, revised plan after being notified of the need to do so. G.S. 113A-54.1 (b) and 15A NCAC 4B .0118 (a). **The requirement to submit a revised erosion control plan for review and approval prior to conducting additional land disturbing and construction activities associated with the subject project was verbally relayed to project representatives during a previous inspection conducted on October 16, 2020. At the time of the December 1, 2020 inspection, an area of land disturbance and construction beyond the limits of disturbance of the erosion control plan that was approved on September 4, 2020 was observed. Upon file review, a revised erosion control plan for this additional land disturbance was not approved prior to the commencement of activity.**
3. Failure when a land-disturbing activity that will disturb more than one acre is undertaken on a tract, to install sedimentation and erosion control devices sufficient to retain the sediment generated by the land-disturbing activity within the boundaries of the tract during construction upon and development of the tract. G.S. 113A-57(3). **At the time of the December 1, 2020 inspection, sufficient sedimentation and erosion control measures were not installed in the area of additional land disturbance, specifically in and around the downstream side of a natural watercourse (Seep C).**
4. Failure to take measures to protect all public and private property from sedimentation and erosion damage caused by the land-disturbing activities. 15A NCAC 4B .0105. **At the time of the December 1, 2020 inspection, sedimentation control measures were not observed along a natural watercourse (Seep C).**
5. Failure to retain a buffer zone of sufficient width along a lake, trout water or natural watercourse (25-foot minimum for trout waters) in which to confine visible siltation by natural or artificial means within the 25 percent of that portion of the buffer zone nearest the land-disturbing activity. G.S. 113A-57(1). **At the time of the December 1, 2020 inspection, a buffer zone was not retained along a natural watercourse (Seep C).**

**The violations of the Construction Stormwater General Permit NCG010000 that were found are:**

1. Discharge of stormwater without a permit. Because the additional land-disturbing activity did not have an approved erosion and sedimentation control plan at the time of inspection it did not have modified coverage under the Construction Stormwater General Permit NCG010000 and you are not permitted to discharge stormwater from the additional area. G.S. 143-215.1(a) and 15A NCAC 2H .0126
2. Failure to develop or adhere to the erosion and sedimentation control plan as approved on September 4, 2020. The approved erosion and sedimentation control plan is considered a condition of Construction Stormwater General Permit NCG010000, Part I.

To correct these violations, you must:

1. With time being of the essence and no later than ten (10) days from receipt of this correspondence, stabilize all disturbed areas and install erosion and sedimentation control measures necessary to prevent offsite sedimentation.
2. Upon approval of the revised erosion control plan, you must submit an online Modification form to update the Certificate of Coverage under the Construction Stormwater General Permit NCG010000. For more information and to access the online Modification form, please visit: <https://deq.nc.gov/about/divisions/energy-mineral-land-resources/energy-mineral-land-permits/stormwater-permits/construction-sw>.

**SPCA Violations**

The violations of the SPCA cited herein may be referred to the Division of Energy, Mineral and Land Resources 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 days of receipt of this Notice, this office may request that the Division 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 General Permit NCG010000 Violations

The violations of the Construction Stormwater General Permit NCG010000 cited herein may be referred to the Division of Energy, Mineral and Land Resources for appropriate enforcement action, including civil penalty assessments for a continuing violation.

Accordingly, you are directed to respond to this letter in writing within 5 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:

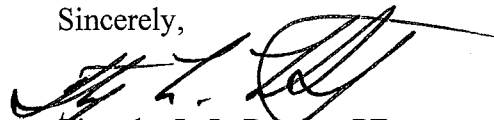
1. The date by which the corrective actions listed above have been or will be completed.
2. A plan of action to prevent future violations.

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 length of time 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 site should not begin until the area presently disturbed is brought into compliance with the SPCA and Construction Stormwater General Permit NCG010000. 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 General Permit NCG010000 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 General Permit NCG010000. The relevant statute and administrative rules can be found at the Division's website at <http://deq.nc.gov/E&SC>. The NCG010000 permit can be found at the Division's website at <http://deq.nc.gov/ncg01>. Should you have questions concerning this notice or the requirements of the SPCA and Construction Stormwater General Permit NCG010000 please contact either Mike Lawyer or myself at your earliest convenience.

Sincerely,



Timothy L. LaBounty, PE  
Regional Engineer  
DEMLR

Enclosures: Sedimentation/Construction Stormwater Inspection Report  
Resources for Technical Assistance

cc: Christel Compton, Environmental Manager – The Chemours Company  
Russ Brown, Construction Manager – The Chemours Company  
Timothy Carroll, Field Contractor Specialist – The Chemours Company  
Sebastian Bahr, Project Director – The Chemours Company  
Jake Fancher, Construction Service Manager – GEOServices, LLC  
Chris Butler, Senior Project Manager – GEOServices, LLC  
Bill Butcher, Superintendent – Summit Environmental Services, LLC  
Toby Vinson, Jr., PE, Section Chief, Program Operations – DEMLR  
Julie Coco, PE, State Sediment Engineer – DEMLR  
Annette Lucas, PE, Supervisor – DEMLR, Stormwater Program  
Alaina Morman, Environmental Specialist – DEMLR, Stormwater Program  
Trent Allen, Regional Supervisor – DWR, Water Quality Regional Operations Section  
Tom Charles – US Army Corps of Engineers, Wilmington District Office

cc: FRO – DEMLR

# Sedimentation/Construction Stormwater Inspection Report

North Carolina Department of Environmental Quality  
Land Resources: Systel Building, 225 Green Street, Suite 714, Fayetteville, NC 28301-5094  
(910) 433-3300

- County: Bladen      Project: Chemours Seep C Wastewater Treatment Plant      River basin: Cape Fear
- Person financially responsible: The Chemours Company - Stephen H Shoemaker, Director, Corporate Remediation Group      Project #: BLADE-2021-003  
Address: 22828 NC Highway 87 West, Fayetteville, NC 28306      NPDES COC: NCC204031
1. **Project Location:** NC 87 W, Hollow Township  
**Pictures:** Yes - Digital
2. **Weather and soil conditions:** cold/sunny, wet soils      **Initial inspection:** No
3. **Is site currently under notice of violation?** No
4. **Is the site in compliance with S.P.C.A. and rules?** No      If no, check violations below:
5. **Violations:**
- ✓ b. Failure to follow approved plan, G.S. 113A-57(5)
  - ✓ c. Failure to submit revised plan, G.S. 113A-54.1(b) and 15A N.C.A.C. 4B.0118(a)
  - ✓ e. Insufficient measures to retain sediment on site, G.S. 113A-57(3)
  - ✓ f. Failure to take measures to protect property, 15A N.C.A.C. 4B.0105
  - ✓ g. Inadequate buffer zone, G.S. 113A-57(1)
  - ✓ m. Discharge without a permit, G.S. 143-215.1(a) and 15A N.C.A.C. 02H.0126
  - ✓ n. Failure to develop or adhere to approved plan, NCG 010000, Part I
6. **Is the site in compliance with NPDES Permit NCG010000 Construction Stormwater requirements?** No  
Describe: See violations noted above and Comments section below.
7. **Has sedimentation damage occurred since last inspection?** No      If Yes, where? (check all that apply)
- Degree of damage:
8. **Contact made with (name):** Timothy Carroll, Jake Fancher, Bill Butcher  
Inspection report: Sent Report      Date given/sent: January 04, 2021
9. **Corrective action needed:**
1. Install erosion and sediment control devices sufficient to retain sediment on the tract.
  2. Provide an adequate stream buffer zone of sufficient width to confine visible sedimentation within the 25 % of the buffer nearer the land disturbance using natural or artificial means (minimum 25-foot width in Trout Waters) including the following areas: along natural watercourse (Seep C).
  3. Provide adequate temporary or permanent ground cover on areas where land-disturbing activity has ceased in 7 or 14 days according to NCG 010000 permit conditions.
10. **Comments:** At the time of inspection, an area of land disturbance and construction associated with the installation of a concrete structure within a natural watercourse (Seep C) was observed that is beyond the limits of disturbance of the erosion control plan approved on 9/4/2020. Upon file review, a revised erosion control plan for this additional land disturbance was not approved prior to the commencement of activity. Additionally, the Certificate of Coverage under the NPDES NCG010000 Construction Stormwater General Permit has not

## Sedimentation/Construction Stormwater Inspection Report

North Carolina Department of Environmental Quality

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

been modified to reflect the additional acreage of disturbance, which cannot be done until after approval of a revised erosion control plan. Sufficient sedimentation control measures were not installed in the area of additional land disturbance, specifically in and around the downstream side of a natural watercourse (Seep C). An appropriate buffer zone has not been provided along the natural watercourse (Seep C). Graded slopes within the area of additional land disturbance need to be adequately stabilized with ground cover per stabilization timeframes.

**Reported by:** Mike Lawyer

**Others present:** Penny Markle

**Date of inspection:** December 01, 2020

**Time arriving on site:** 10:50 AM **Time leaving site:** 11:23 AM

**cc:**



ROY COOPER

Governor

MICHAEL S. REGAN

Secretary

BRIAN WRENN

Director



NORTH CAROLINA  
Environmental Quality

Resources for Technical Assistance – Erosion and Sedimentation Control

**Erosion and Sedimentation Control Plan Requirements and Submittal Documents:**

DEQ Erosion and Sedimentation Program Website: <http://deq.nc.gov/E&SC>

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.
- 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 these websites:

NC Board of Examiners for Engineers & Surveyors:

<http://www.ncbels.org/>

NC Board of Licensed Soil Scientists:

<https://ncblss.wordpress.ncsu.edu/>

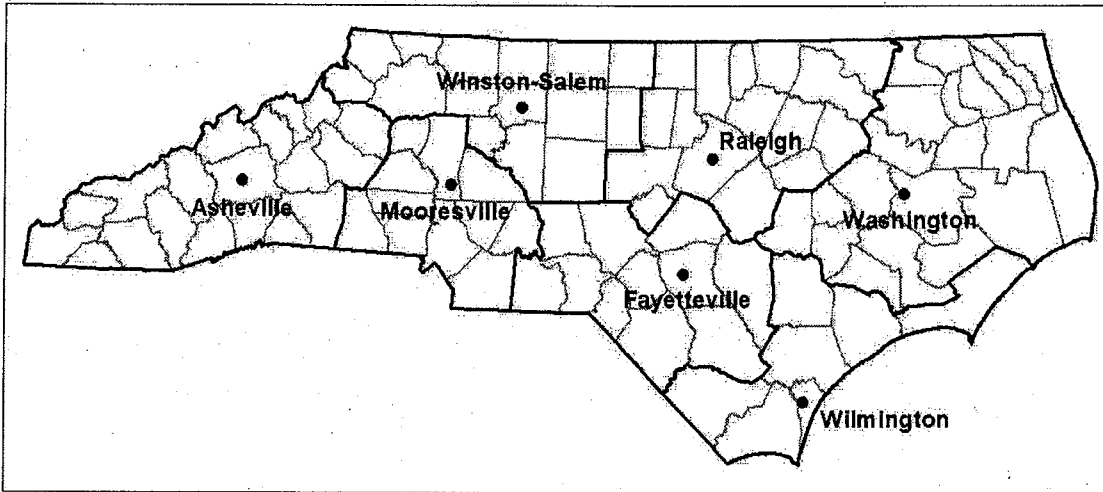
Certified Professionals in Erosion and Sediment Control:

<http://www.cpesc.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 28778-8211  
(828) 296-4500

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**

Iredell County Government  
Center South Building  
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: Bill Denton, PE

**Washington Regional Office**

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

Regional Engineer: Samir Dumpor, 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: Tamera Eplin, PE, CPESC

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