

ROY COOPER  
Governor  
ELIZABETH S. BISER  
Secretary  
S. DANIEL SMITH  
Director



**Certified Mail # 7018 0360 0002 2096 6114**  
**Return Receipt Requested**

February 18, 2022

Robyn L Gross, Americas Asset Director Management  
Badin Business Park LLC  
201 Isabella St, Suite 500  
Pittsburgh, PA 15212-5858

SUBJECT: **NOTICE OF VIOLATION & INTENT TO ASSESS CIVIL PENALTY**  
Tracking Number: NOV-2022-LV-0135  
Permit No. NC0004308  
Badin Business Park  
Stanly County

Ms. Gross:

A review of the December 2021 Discharge Monitoring Report (DMR) for the subject facility revealed the violation(s) indicated below:

**Limit Exceedance Violation(s):**

Sample Location	Parameter	Date	Limit Value	Reported Value	Type of Violation
005 Effluent	Fluoride, Total (as F) (00951)	12/31/2021	1.8	2.17	Monthly Average Exceeded

A Notice of Violation/Intent to Issue Civil Penalty is being issued for the noted violation of North Carolina General Statute (G.S.) 143-215.1 and the facility's NPDES WW Permit. Pursuant to G.S. 143-215.6A, a civil penalty of not more than twenty-five thousand dollars (\$25,000.00) may be assessed against any person who violates or fails to act in accordance with the terms, conditions, or requirements of any permit issued pursuant to G.S. 143-215.1.

If you wish to provide additional information regarding the noted violation, request technical assistance, or discuss overall compliance please respond in writing within ten (10) business days after receipt of this Notice. A review of your response will be considered along with any information provided on the submitted Monitoring Report(s). You will then be notified of any civil penalties that may be assessed regarding the violations. **If no response is received in this Office within the 10-day period, a civil penalty assessment may be prepared.**



Remedial actions should have already been taken to correct this problem and prevent further occurrences in the future. The Division of Water Resources may pursue enforcement action for this and any additional violations of State law. If the violations are of a continuing nature, not related to operation and/or maintenance problems, and you anticipate remedial construction activities, then you may wish to consider applying for a Special Order by Consent.

**Reminder:** Pursuant to Permit Condition 6 in Section E, the Permittee is required to verbally notify the Regional Office as soon as possible, not to exceed 24 hours, from first knowledge of any non-compliance at the facility including limit violations, bypasses of, or failure of a treatment unit. A written report may be required within 5 days if directed by Division staff. Prior notice should be given for anticipated or potential problems due to planned maintenance activities, taking units off-line, etc.

If you have any questions concerning this matter or to apply for an SOC, please contact Roberto Scheller of the Mooresville Regional Office at 704-663-1699.

Sincerely,

DocuSigned by:  
*Andrew H Pitner* for  
F161FB69A2D84A3...

W. Corey Basinger, Regional Supervisor  
Water Quality Regional Operations Section  
Mooresville Regional Office  
Division of Water Resources, NCDEQ

Cc: WQS Mooresville Regional Office - Enforcement File  
NPDES Compliance/Enforcement Unit - Enforcement File

