

ROY COOPER  
Governor  
ELIZABETH S. BISER  
Secretary  
RICHARD E. ROGERS, JR.  
Director



NORTH CAROLINA  
Environmental Quality

**Certified Mail # 7022 1670 0000 9974 9614**  
**Return Receipt Requested**

February 7, 2024

Donald Ike McRee, Jr  
Currituck County  
153 Courthouse Rd  
Ste 204  
Currituck, NC 27929-9733

**SUBJECT: NOTICE OF VIOLATION & INTENT TO ASSESS CIVIL PENALTY**

Tracking Number: NOV-2024-LV-0131  
Permit No. WQ0035706  
Moyock Regional WWTP  
Currituck County

Dear Mr. McRee:

A review of the November 2023 Non-Discharge Monitoring Report (NDMR) 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
001	BOD, 5-Day (20 Deg. C) (00310)	11/30/2023	10	201	Monthly Average Exceeded
001	Coliform, Fecal MF, MFC Broth, 44.5 C (31616)	11/30/2023	14	2,420	Monthly Geometric Mean Exceeded
001	Nitrogen, Ammonia Total (as N) (00610)	11/30/2023	4	57.55	Monthly Average Exceeded
001	Nitrogen, Nitrate Total (as N) (00620)	11/30/2023	10	36.45	Monthly Average Exceeded
001	Nitrogen, Total (as N) (00600)	11/30/2023	7	73.55	Monthly Average Exceeded
001	Phosphorus, Total (as P) (00665)	11/30/2023	3	11.47	Monthly Average Exceeded



North Carolina Department of Environment and Natural Resources  
Wilmington Regional Office | 943 Washington Square East | Wilmington, North Carolina 28401  
252-666-1461

**Limit Exceedance Violation(s):**

Sample Location	Parameter	Date	Limit Value	Reported Value	Type of Violation
001	Solids, Total Suspended (00530)	11/30/2023	15	64.55	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 Non-discharge 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 11 in Section 4, 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 Robert Tankard 252-948-3921 or Victoria Herdt 252-948-3844 of the Washington Regional Office.

Sincerely,

*Robert Tankard*

Robert Tankard, Assistant Regional Supervisor  
Water Quality Regional Operations Section  
Washington Regional Office  
Division of Water Resources, NCDEQ

Cc: Laserfiche



North Carolina Department of Environmental Quality | Division of Water Resources  
Washington Regional Office | 943 Washington Square, 4th Fl. | Washington, North Carolina 27589  
252-946-6481