

ROY COOPER
Governor

ELIZABETH S. BISER
Secretary

RICHARD E. ROGERS, JR.
Director



Certified Mail # 7022 1670 0000 9974 8983
Return Receipt Requested

January 30, 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-0098

Permit No. WQ0035706

Moyock Regional WWTP

Currituck County

Dear Mr. McRee:

A review of the October 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)	10/31/2023	10	118.5	Monthly Average Exceeded
001	Coliform, Fecal MF, MFC Broth, 44.5 C (31616)	10/31/2023	14	1,563.39	Monthly Geometric Mean Exceeded
001	Nitrogen, Ammonia Total (as N) (00610)	10/31/2023	4	56.35	Monthly Average Exceeded
001	Nitrogen, Total (as N) (00600)	10/31/2023	7	63.3	Monthly Average Exceeded
001	Phosphorus, Total (as P) (00665)	10/31/2023	3	8.22	Monthly Average Exceeded
001	Solids, Total Suspended (00530)	10/31/2023	15	149	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 Victoria Herdt of the Washington Regional Office at 252-948-3844.

Sincerely,

DocuSigned by:

Robert Tankard

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

Cc: Laserfiche

