

Michael F. Easley, Governor

William G. Ross, Jr., Secretary
North Carolina Department of Environment and Natural Resources

Alan W. Klimek, P.E., Director
Division of Water Quality

facsimile transmittal

To: Leonard McBryde Fax: 919-361-2269

From: Barry Herzberg Date: 3/14/2006

Re: Briar Chapel Pages: 7

CC:

Urgent For Review Please Comment Please Reply Please Recycle

As you requested.

3/14/2006

Barry Herzberg
Environmental Engineer
NCDENR - DWQ
Raleigh Regional Office
919-791-4200



North Carolina Division of Water Quality
Internet: h2o.enr.slate.nc.us

Raleigh Regional Office
1628 Mail Service Center

Surface Water Protection
Raleigh, NC 27699-1628

Phone (919) 791-4200
FAX (919) 571-4718

Customer Service
1-877-623-6748



Michael F. Easley, Governor
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 North Carolina Department of Environment and Natural Resources
 Alan W. Klimek, P.E., Director
 Division of Water Quality

March 2, 2006

Mitch Barron, VP
 Briar Chapel Utilities, LLC
 5850 Fayetteville Street Suite 201
 Durham, NC 27713

Subject: Permit No. WQ0029867
 Briar Chapel Subdivision A & B
 Wastewater Collection System Extension
 Chatham County

Dear Mr. Barron:

In accordance with your permit application received February 15, 2006, and additional information received on February 21, 2006, we are forwarding herewith Permit No. WQ0029867, dated March 1, 2006, to Briar Chapel Utilities, LLC, for the construction and operation of the subject wastewater collection system extension. This permit shall be effective from the date of issuance until rescinded, and shall be subject to the conditions and limitations as specified therein. This cover letter shall be considered a part of this permit and is therefore incorporated therein by reference.

Please pay particular attention to Permit Condition 3 which requires that the wastewater collection facilities be properly operated and maintained in accordance with 15A NCAC 2H .0227 or any individual system-wide collection system permit issued to the Permittee. Your attention is also directed to Permit Condition 6 which requires Engineering Certification prior to operation of this collection system extension. Also note Permit Condition 12 which requires that the receiving wastewater treatment facilities be constructed and operational, and that the engineer's certification has been received by the Division of Water Quality, prior to flows being made tributary to this sewer extension.

Permitting of this project does not constitute an acceptance of any part of the project that does not meet 15A NCAC 2H .0200; the Division of Water Quality's (Division) Gravity Sewer Minimum Design Criteria adopted February 12, 1996 as applicable; and the Division's Minimum Design Criteria for the Fast-Track Permitting of Pump Stations and Force Mains adopted June 1, 2000 as applicable, unless specifically mentioned herein. Division approval is based on acceptance of the certification provided by a North Carolina-licensed Professional Engineer in the application. It shall be the Permittee's responsibility to ensure that the as-constructed project meets the appropriate design criteria and rules. Failure to comply may result in penalties in accordance with North Carolina General Statute §143-215.6A through §143-215.6C, construction of additional or replacement wastewater collection facilities, and/or referral of the North Carolina-licensed Professional Engineer to the licensing board.

subject to the conditions and limitations as specified in
 this permit and is therefore incorporated

One
 North Carolina
Naturally

North Carolina Division of Water Quality 1628 Mail Service Center Raleigh, NC 27699-1628 Phone (919) 791-4200
 Internet: www.ncwaterquality.org Location: 3800 Barrett Drive Raleigh, NC 27609 Fax (919) 571-4718

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Briar Chapel Utilities, LLC
Page 2
March 2, 2006

In accordance with the provisions of Article 21 of Chapter 143, General Statutes of North Carolina as amended, and other applicable Laws, Rules, and Regulations, permission is hereby granted to Briar Chapel Utilities, LLC, for the construction and operation of

- approximately 21,900 linear feet of 8-inch gravity sewer, and
- a 256-gallon per minute pump station with duplex pumps, on-site audible and visual high water alarms, and an on-site generator with automatic transfer switch, and
- a 210-gallon per minute pump station with duplex pumps, on-site audible and visual high water alarms, and an on-site generator with automatic transfer switch, and
- approximately 1,800 linear feet of 6-inch force main, and
- approximately 7,000 linear feet of 8-inch force main

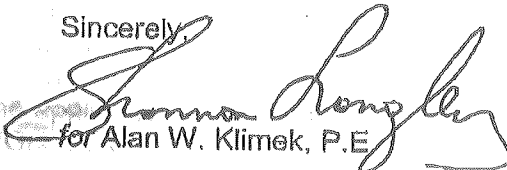
to serve 1,160 residential units as part of the Briar Chapel Subdivision A&B project, and the discharge of a maximum of 250,000 gallons per day of collected domestic wastewater into the Briar Chapel Utilities' existing sewerage system and Phase A treatment facility, and an additional discharge of 40,000 gallons per day of collected domestic wastewater into the Briar Chapel Utilities' sewerage system and Phase B treatment facility, pursuant to the application received February 15, 2006, and in conformity with 15A NCAC 2H .0200; the Division's Gravity Sewer Minimum Design Criteria adopted February 12, 1996 as applicable; the Division's Minimum Design Criteria for the Fast-Track Permitting of Pump Stations and Force Mains adopted June 1, 2000 as applicable; and other supporting data subsequently filed and approved by the Department of Environment and Natural Resources and considered a part of this permit.

The sewage and wastewater collected by this system shall be treated in the Briar Chapel Utilities Wastewater Treatment Facilities Phases A and B (Permit No. WQ0028552) prior to being land applied by spray irrigation.

If any parts, requirements, or limitations contained in this permit are unacceptable, you have the right to request an adjudicatory hearing upon written request within 30 days following receipt of this permit. This request must be in the form of a written petition, conforming to Chapter 150B of North Carolina General Statutes, and filed with the Office of Administrative Hearings, 6714 Mail Service Center, Raleigh, NC 27699-6714. Unless such demands are made, this permit shall be final and binding.

If you have any questions regarding this permit or require any additional information, please contact Barry Herzberg at (919) 791-4200, or by e-mail to barry.herzberg@ncmail.net.

Sincerely,


for Alan W. Klimek, P.E.

cc: Chatham County Health Department
Marie Doklovic, PERCS Unit
Raleigh Regional Office, SWP
Raleigh Regional Office, Jay Zimmerman
Brian King, PE; John R. McAdams Company, 2905 Meridian Parkway, Durham, NC 27713
Central Files

NORTH CAROLINA
ENVIRONMENTAL MANAGEMENT COMMISSION
DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES
RALEIGH
WASTEWATER COLLECTION SYSTEM EXTENSION PERMIT

This permit shall be effective from the date of issuance until rescinded and shall be subject to the following specified conditions and limitations:

1. This permit shall become voidable unless the wastewater collection facilities are constructed in accordance with the conditions of this permit; 15A NCAC 2H .0200; the Division of Water Quality's (Division) Gravity Sewer Minimum Design Criteria adopted February 12, 1996 as applicable; the Division's Minimum Design Criteria for the Fast-Track Permitting of Pump Stations and Force Mains adopted June 1, 2000 as applicable; and other supporting materials unless specifically mentioned herein.
2. This permit shall be effective only with respect to the nature and volume of wastes described in the application and other supporting data.
3. The wastewater collection facilities shall be properly maintained and operated at all times. The Permittee shall maintain compliance with an individual system-wide collection system permit for the operation and maintenance of these facilities as required by 15A NCAC 2H .0227. If an individual permit is not required, the following performance criteria shall be met as provided in 15A NCAC 2H .0227:
 - a. The sewer system shall be effectively maintained and operated at all times to prevent discharge to land or surface waters, and any contravention of the groundwater standards in 15A NCAC 2L .0200 or the surface water standards in 15A NCAC 2B .0200.
 - b. A map of the sewer system shall be developed and shall be actively maintained.
 - c. An operation and maintenance plan shall be developed and implemented.
 - d. Pump stations that are not connected to a telemetry system shall be inspected every day (i.e. 365 days per year). Pump stations that are connected to a telemetry system shall be inspected at least once per week.
 - e. High-priority sewer lines shall be inspected at least once per every six-month period of time.
 - f. A general observation of the entire sewer system shall be conducted at least once per year.
 - g. Inspection and maintenance records shall be maintained for a period of at least three years.
 - h. Overflows and bypasses shall be reported to the appropriate Division regional office in accordance with 15A NCAC 2B .0506(a), and public notice shall be provided as required by North Carolina General Statute §143-215.1C.
4. **This permit shall not be transferable.** In the event there is a desire for the wastewater collection facilities to change ownership, or there is a name change of the Permittee, a formal permit request shall be submitted to the Division accompanied by documentation from the parties involved, and other supporting materials as may be appropriate. The approval of this request shall be considered on its merits and may or may not be approved.

5. Construction of the gravity sewers, pump stations, and force mains shall be scheduled so as not to interrupt service by the existing utilities nor result in an overflow or bypass discharge of wastewater to the surface waters of the State.
6. Per 15A NCAC 2H .0220, upon completion of construction and prior to operation of these permitted facilities, the completed Engineering Certification form attached to this permit shall be submitted with the required supporting documents to the address provided on the form. A complete certification is one where the form is fully executed and the supporting documents are provided as applicable. Gravity sewers installed greater than ten percent below the minimum required slope per the Division's Gravity Sewer Minimum Design Criteria shall not be acceptable and shall not be certified until corrected. If there is a unforeseen obstacle in the field where all viable solutions have been examined, a slope variance can be requested from the Division with firm supporting documentation. This shall be done through a permit modification with fee. Such variance requests will be evaluated on a case by case basis. Resolution of such request shall be evident prior to completing and submitting the construction certification.
7. A copy of the construction record drawings shall be maintained on file by the Permittee for the life of the wastewater collection facilities.
8. Failure to abide by the conditions and limitations contained in this permit; 15A NCAC 2H .0200; the Division's Gravity Sewer Design Criteria adopted February 12, 1996 as applicable; the Division's Minimum Design Criteria for the Fast-Track Permitting of Pump Station and Force Mains adopted June 1, 2000 as applicable; and other supporting materials may subject the Permittee to an enforcement action by the Division, in accordance with North Carolina General Statutes §143-215.6A through §143-215.6C.
9. In the event that the wastewater collection facilities fail to perform satisfactorily, including the creation of nuisance conditions, the Permittee shall take immediate corrective action, including those as may be required by this Division, such as the construction of additional or replacement facilities.
10. The issuance of this permit shall not exempt the Permittee from complying with any and all statutes, rules, regulations, or ordinances that may be imposed by other government agencies (local, state and federal) which have jurisdiction, including but not limited to applicable river buffer rules in 15A NCAC 2B .0200, erosion and sedimentation control requirements in 15A NCAC Ch. 4 and under the Division's General Permit NCG010000, and any requirements pertaining to wetlands under 15A NCAC 2B .0200 and 15A NCAC 2H .0500.

11. Noncompliance Notification:

The Permittee shall verbally report to a water quality staff member at the Raleigh Regional Office, telephone number 919-791-4200, as soon as possible, but in no case more than 24 hours or on the next working day, following the occurrence or first knowledge of the occurrence of either of the following:

- a. Any process unit failure, due to known or unknown reasons, that renders the facility incapable of adequate wastewater transport, such as mechanical or electrical failures of pumps, line blockage or breakage, etc.; or
- b. Any failure of a pumping station or sewer line resulting in a by-pass directly to receiving waters without treatment of all or any portion of the influent to such station or facility.

Initial voice mail messages or faxed information shall not be considered as the initial verbal report. Overflows and spills occurring outside normal business hours may also be reported to the Division of Emergency Management at telephone number (800) 858-0368 or (919) 733-3300. Persons reporting any of the above occurrences shall file a spill report by completing Part I of Form CS-

SSO (or the most current Division approved form), within five days following first knowledge of the occurrence. This report shall outline the actions taken or proposed to ensure that the problem does not recur. Per Condition I(2), Part II of Form CS-SSO (or the most current Division approved form) can also be completed to show that the SSO was beyond control.

- 12. No wastewater flow shall be made tributary to the subject sanitary sewer system until the Wastewater Treatment Facility Phase A is constructed and operational for the initial 250,000 gallons per day (permit number WQ0028552), and the engineer's certification has been received by the Division of Water Quality. No wastewater flow shall be made tributary to the subject sanitary sewer system until the Wastewater Treatment Facility Phase B is constructed and operational for the final 40,000 gallons per day, and the engineer's certification has been received by the Division of Water Quality. Written approval shall be obtained from the Raleigh Regional Office prior to the use of this sewer line.

Permit issued this the 2nd Day of March, 2006.

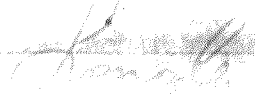
NORTH CAROLINA ENVIRONMENTAL MANAGEMENT COMMISSION


 for Alan W. Klimek, P.E., Director
 Division of Water Quality
 By Authority of the Environmental Management Commission

Permit Number WQ0029867
 Briar Chapel Utilities, LLC
 Briar Chapel A&B

It shall be made tributary to the subject sanitary sewer system until the Wastewater Treatment Facility Phase A is constructed and operational for the initial 250,000 gallons per day, and the engineer's certification has been received by the Division of Water Quality. No wastewater flow shall be made tributary to the subject sanitary sewer system until the Wastewater Treatment Facility Phase B is constructed and operational for the final 40,000 gallons per day, and the engineer's certification has been received by the Division of Water Quality. Written approval shall be obtained from the Raleigh Regional Office prior to the use of this sewer line.

2nd Day of March, 2006



 Director

NORTH CAROLINA ENVIRONMENTAL MANAGEMENT COMMISSION
 DIVISION OF WATER QUALITY

FAST TRACK ENGINEERING CERTIFICATION

Permit No. WQ0029867
Briar Chapel Utilities, LLC
Briar Chapel A&B
March 2, 2006

Complete and submit this form to the permit issuing regional office with the following:

- One copy of the project record drawings (plan & profile views of sewer lines) of the wastewater collection system extension
- supporting design calculations (selected pumps, system curve, operating point, available storage if portable generator(s) or storage greater than longest past three year outage reliability option selected) for any pump stations permitted as part of this project
- Changes to the project should be clearly identified on the record drawings or in written summary form. Permit modifications are required for any changes resulting in non-compliance with this permit, regulations or minimum design criteria.

This project shall not be considered complete nor allowed to operate until this Engineer's Certification and all required supporting documentation have been received by the Division. **Therefore, it is highly recommended that this certification be sent in a manner that provides proof of receipt by the Division.**

ENGINEER'S CERTIFICATION

Partial Final

I, _____, as a duly registered Professional Engineer in the State of North Carolina, having been authorized to observe (periodically, weekly, full time) the construction of the subject project for the Permittee hereby state that, to the best of my abilities, due care and diligence was used in the observation of the construction such that the construction was observed to be built within substantial compliance of this permit; 15A NCAC 2H .0200; the Division of Water Quality's (Division) Gravity Sewer Minimum Design Criteria adopted February 12, 1996 as applicable; the Division's Minimum Design Criteria for the Fast-Track Permitting of Pump Stations and Force Mains adopted June 1, 2000 as applicable; and other supporting materials.

North Carolina Professional Engineer's seal, signature, and date:

SEND THIS FORM & SUPPORTING DOCUMENTATION WITH REQUIRED ATTACHMENTS TO THE FOLLOWING ADDRESS

**RALEIGH REGIONAL OFFICE
1628 MAIL SERVICE CENTER
RALEIGH NC 27699-1628**

The Permittee is responsible for tracking all partial certifications up until a final certification is received. Any wastewater flow made tributary to the wastewater collection system extension prior to completion of this Engineer's Certification shall be considered a violation of the permit and shall subject the Permittee to appropriate enforcement actions.