

**IMPROVEMENT PERMIT DENIAL**

Harnett County Government Complex  
307 W. Cornelius Harnett Boulevard  
Lillington, NC 27546  
ph: 910-893-7550  
fax: 910-893-9429

October 1, 2024

Oakwood Homes  
3005 Gillespie St  
Fayetteville, NC 28306

Re: Application for improvement Permit for property located at 1669 Rainey Drive,  
Health Department file # BRES2405-0060

Dear Oakwood Homes:

The Harnett County Health Department, Environmental Health Division, evaluated the above-referenced property at the site designated on the plat/site plan that accompanied your Improvement Permit application. According to your application the site is to serve a manufactured home with a design wastewater flow of 360 gallons per day. The evaluation was done in accordance with the laws and rules governing on-site wastewater systems in General Statutes 130A-333 to 345 and 15A NCAC 18E.

Based on the criteria set out in 15A NCAC 18E .0501 through .0602, the evaluation indicated that the site is **UNSUITABLE** for an on-site wastewater system. Therefore, we must deny your request for an Improvement Permit. A copy of the site evaluation is enclosed. The site is unsuitable based on the following:

- Unsuitable soil topography and/or landscape position (Rule .0502)
- Unsuitable soil characteristics (structure or clay mineralogy) (Rule .0503)
- Unsuitable soil wetness condition (Rule .0504)
- Unsuitable soil depth (Rule .0505)
- Unsuitable saprolite (Rule .0506)
- Presence of restrictive horizon (Rule .0507)
- Insufficient space for septic system and repair area (Rule .0508)
- Unsuitable for meeting required setbacks (Rule .0601 or .0602)
- Other (Cite applicable rule): \_\_\_\_\_

These severe soil or site limitations could cause premature system failure, leading to the discharge of untreated sewage on the ground surface, into surface waters, directly to ground water, or inside your structure.

The site evaluation included consideration of possible site modifications, as well as use of all possible systems approved under 15A NCAC 18E. However, the Health Department has determined that none of the above options will overcome the severe conditions on this site. A possible option might be a system designed to dispose of sewage to another area of suitable soil such as off-site to additional property.

For the reasons set out above, the property is currently classified UNSUITABLE, and no Improvement Permit shall be issued for this site in accordance with Rule .0509(a) and (d).

A site classified as UNSUITABLE may be classified as SUITABLE if written documentation is provided that meets the requirements of Rule .0509(b) or (c). A copy of this rule is enclosed. You may hire a consultant to assist you if you wish to try to develop a plan under which your site could be reclassified as SUITABLE.

**You have a right to an informal review of this decision.** You may request an informal review by the soil scientist or environmental health supervisor at the local health department. You may also request an informal review by the Department of Health and Human Services' Regional Soil Scientist. A request for informal review must be made in writing to the local health department.

**You also have a right to a formal appeal of this decision.** To pursue a formal appeal, you must file a petition for a contested case hearing with the Office of Administrative Hearings, 1711 New Hope Church Rd, Raleigh, NC 27609. To get a copy of a petition form, you may write the Office of Administrative Hearings, call the office at 984-236-1850, or download it from the OAH web site at <http://www.oah.nc.gov>. The petition for a contested case hearing must be filed in accordance with the provision of General Statutes 130A-24 and 150B-23 and all other applicable provisions of Chapter 150B. General Statute 130A-335(g) provides that your hearing will be held in the county where your property is located.

If you wish to pursue a formal appeal, you must file the petition form with the Office of Administrative Hearings **WITHIN 30 DAYS OF THE DATE OF THIS LETTER**. The date of this letter is October 1, 2024. Meeting the 30-day deadline is critical to your formal appeal.

If you file a petition for a contested case hearing with the Office of Administrative Hearings, **you are required** by General Statute 150B-23 to serve a copy of your petition on the Registered Agent for the Department of Health and Human Services: Julie Cronin, Office of General Counsel, Department of Health and Human Services, 2001 Mail Service Center, Raleigh, N.C. 27699-2001.

**Do not serve the petition on your local health department.** Sending a copy of your petition to the local health department will not satisfy the legal requirement in General Statute 150B-23 that you send a copy to the Office of General Counsel, Department of Health and Human Services.

You may call or write the local health department if you need any additional information or assistance.

Sincerely,



Enclosures: Copy of site evaluation  
Rule .0509

**SOIL/SITE EVALUATION  
 for ON-SITE WASTEWATER SYSTEM**

Owner: Oakwood Homes  
 Applicant:

Address: 1669 Rainey Dr  
 Proposed Facility: SWMH  
 Location of Site:

Date Evaluated:  
 Design Flow (.1949): 360 GPD  
 Property Recorded:

Water Supply:  Public  Individual  Well  Spring  Other  
 Evaluation Method:  Auger Boring  Pit  Cut  
 Type of Wastewater:  Sewage  Industrial Process  Mixed

P R O F I L E #	.1940 Landscape Position/ Slope %	Horizon Depth (In.)	SOIL MORPHOLOGY .1941		OTHER PROFILE FACTORS				Profile Class & LTAR
			.1941 Structure/ Texture	.1941 Consistence Mineralogy	.1942 Soil Wetness/ Color	.1943 Soil Depth (IN.)	.1956 Sapro Class	.1944 Restr Horiz	
1	L	0-14	F/1						
	5-7%	14-26	LS		U	104R 7/2 @ 14"			U
		26-48	SC		U	104R 8/1 @ 26"			U
2	L								
	5-7	0-14	F/1						
		14-26	LS			104R 7/2 @ 14"			U
		26-48	SC			104R 8/1 @ 26"			U
3	L	0-10	F/LL						
	2-5%	10-20	LS						
		20-48	SC1			104R 8/1 ≥ 20"			U
4+5	L	0-4	LS						
	2-5%	4-	SC1			104R 4/1 ≥ 4"			U

Description	Initial System	Repair System	Other Factors (.1946):
Available Space (.1945)			Site Classification (.1948): U
System Type(s)			Evaluated By: MO
Site LTAR			Others Present:

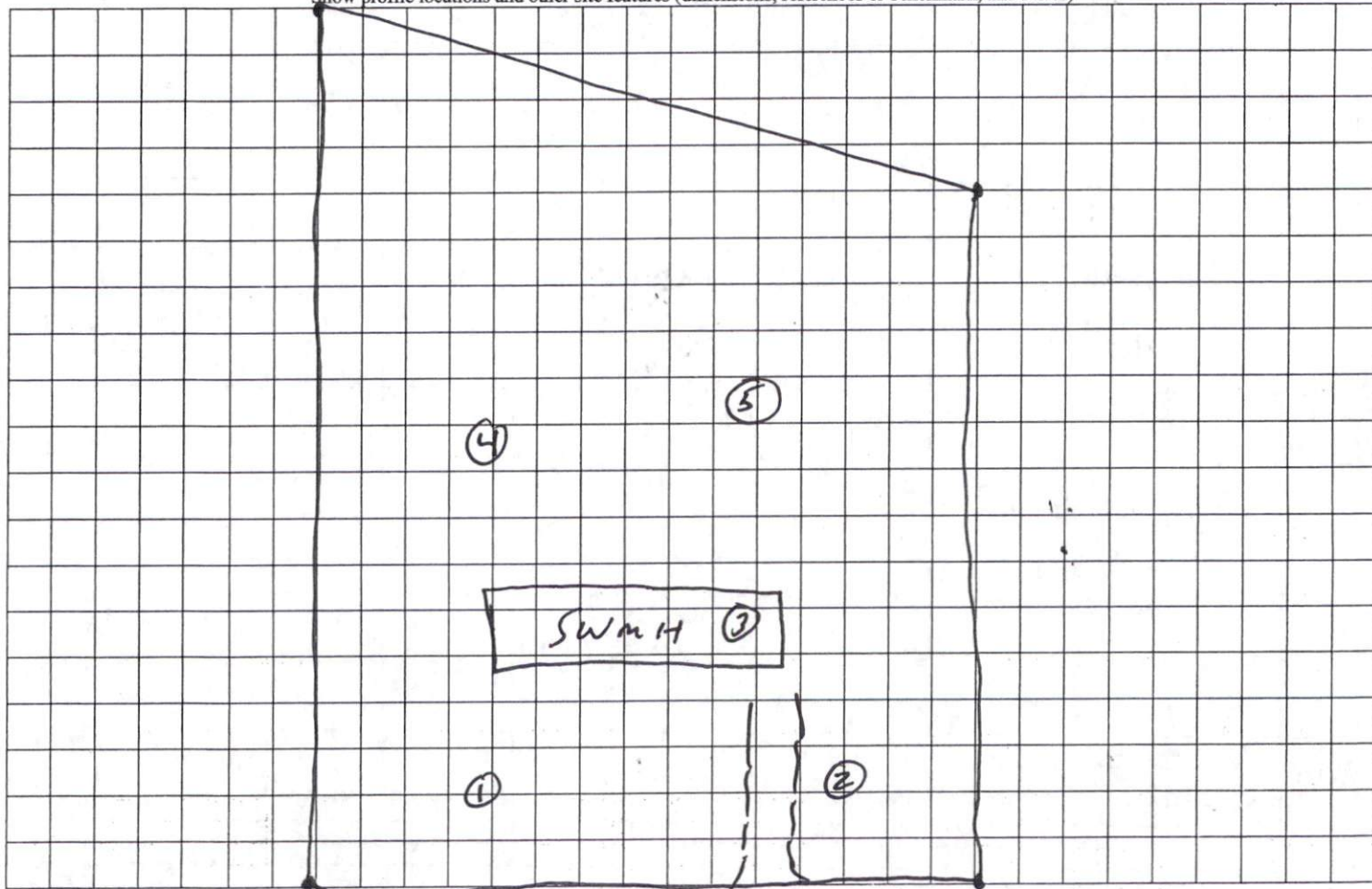
COMMENTS: \_\_\_\_\_

LANDSCAPE POSITIONS	GROUP	TEXTURES	.1955 LTAR	CONSISTENCE MOIST	WET
R-RIDGE	I	S-SAND	1.2 - 0.8	VFR-VERY FRIABLE	NS-NON-STICKY
S-SHOULDER SLOPE		LS-LOAMY SAND			
L-LINEAR SLOPE	II	SL-SANDY LOAM	0.8 - 0.6	FI-FIRM	SS-SLIGHTLY STICKY
FS-FOOT SLOPE		L-LOAM			
N-NOSE SLOPE	III	SI-SILT	0.6 - 0.3	VFI-VERY FIRM	VS-VERY STICKY
H-HEAD SLOPE		SIL-SILT LOAM			
CC-CONCLAVE SLOPE		CL-CLAY LOAM			
CV-CONVEX SLOPE		SCL-SANDY CLAY LOAM			
T-TERRACE	IV	SIC-SILTY CLAY	0.4 - 0.1	EFI-EXTREMELY FIRM	NP-NON-PLASTIC
FP-FLOOD PLAN		C-CLAY			
		SC-SANDY CLAY			SP-SLIGHTLY STICKY
					P-PLASTIC
					VP-VERY PLASTIC

STRUCTURE  
 SG-SINGLE GRAIN  
 M-MASSIVE  
 CR-CRUMB  
 GR-GRANULAR  
 SBK-SUBANGULAR BLOCKY  
 ABK-ANGULAR BLOCKY  
 PL-PLATY  
 PR-PRISMATIC

MINERALOGY  
 SLIGHTLY EXPANSIVE  
 EXPANSIVE

Show profile locations and other site features (dimensions, references or benchmark, and North)



Rainey Dr

15A NCAC 18E .0509 SITE SUITABILITY AND CLASSIFICATION (a) A site evaluated in accordance with Rules .0502 through .0508 of this Section with all parameters determined as suitable shall result in an overall site classification of suitable. Any parameter determined as unsuitable shall result in an overall site classification of unsuitable. (b) Sites classified as unsuitable may be reclassified as suitable as follows: (1) when site modifications are made that meet the requirements in Sections .0900 or .1200 of this Subchapter for the minimum vertical separation to the SWC; (2) if installation of an interceptor drain will intercept and divert lateral water to prevent saturation of the wastewater system; 17 Changed by S.L. 2024-49, Section 4.21. (3) with the use of advanced pretreatment based on the modified siting and sizing criteria in Section .1200 of this Subchapter; or (4) with the use of a wastewater system identified or approved in Sections .0900 or .1700 of this Subchapter (c) For sites that are classified as unsuitable in accordance with this Rule, a special site evaluation in accordance with Rule .0510 of this Section may be provided that demonstrates that the proposed wastewater system can be expected to overcome the unsuitable site conditions and function in accordance with this Subchapter. (d) An IP shall not be issued for a site which is classified unsuitable.