



NC DEPARTMENT OF
**HEALTH AND
HUMAN SERVICES**

ROY COOPER • Governor
MANDY COHEN, MD, MPH • Secretary
DANNY STALEY • Director, Division of Public Health

May 22, 2019

Oliver Tolksdorf
Harnett County Health Dept
307 Cornelius Harnett Blvd
Lillington, NC 27546

Subject: 88 Old Barn Way, Mason Point Subdivision Lot 42
LHD Request for Review – Session Laws 2013-413 and 2014-120
Project Number: 2019-23

Dear Mr. Tolksdorf:

A submittal was received from you on May 17, 2019 requesting review of a proposed flow reduction for 88 Old Barn Way, Mason Point Subdivision Lot 42 in Fuquay-Varina, North Carolina. The Harnett County Department of Public Health Improvement Permit/ Construction Authorization application indicates the design daily flow adjustment requested is for a single-family residence with an initial Construction Authorization permit issue date of March 8, 2019 for a four-bedroom residence with a design daily flow (DDF) of 480 gallons per day (gpd). It is our understanding that Matt Burdette (Central Carolina Soil Consulting) in conjunction with Thomas S. Speight, Jr. PE (Bateman Civil Survey Company) is requesting an adjusted design daily flow based on Session Laws 2013-413 and 2014-120 for a 5-bedroom residence (DDF=600 gpd) to discharge to a subsurface wastewater system designed for a 4-bedroom residence (DDF=480 gpd). The request included information on the flow reducing fixtures proposed for installation in the residence.

Only information regarding the requested flow reduction submitted with the request was reviewed. A review was not conducted of the site information, project design/calculations and project specifications. Review has been completed of the submittal and the review comments are as follows:

1. Due to the potential for wastewater effluent strength to increase with the proposed additional bedroom, have the PE conduct an evaluation of the proposed flow reduction/residence expansion to determine whether the reduction/expansion exceeds limits necessary to ensure wastewater system integrity and protect public health, safety, and welfare based on site specific conditions and provide a written determination to the Lee County Health Department.
2. Tanks are to be sized based on unreduced DDF in accordance with 15A NCAC 18A .1952 and .1955(k). The septic tank capacity indicated on the Harnett County Department of Public Health Improvement Permit/

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Construction Authorization application does not meet the requirements of the Rule and an increase in volumetric capacity of the pump tank may be required.

3. I was unable to determine if the owner has been made aware of Session Law 2014-120 Section 53 which states, "*Neither the State nor any local health department shall be liable for any damages caused by a system approved or permitted pursuant to this section.*" We recommend that you receive verification, preferably in writing, that the owner has been made aware of this disclaimer.
4. Prior to issuing a revised IP/CA, it is strongly recommended that you have all the following information:
 - i. The additional information identified under the conditions above; and
 - ii. Written verification or concurrence from the PE in regard to proposed modifications to the original system design. For the permitted system and for any system modifications being proposed, (1) written verification is provided that the design is prepared, sealed, and signed by a PE and (2) written concurrence with a design prepared by an authorized designer or LHD is provided by a PE.
5. Prior to issuing an OP, it is strongly recommended that you have all the following information:
 - i. Written verification from the PE that the water-using fixtures in the residence are the lower-flow fixtures identified by the PE or are comparable to those identified;
 - ii. Written confirmation by the PE that they approve the system installation for the adjusted design daily flow; and
 - iii. A statement signed by the PE verifying construction is complete and in accordance with approved plans and specifications.
6. All Permits: All permits issued for adjusted design daily flow rates based on Session Laws 2013-413 and 2014-120 should include a disclaimer in keeping with Session Law 2014-120 Section 53 which states, "*Neither the State nor any local health department shall be liable for any damages caused by a system approved or permitted pursuant to this section.*"
7. Operation Permits: Also include as a condition that the specified lower-flow fixtures, low-flow technologies, or replacements with equal or less flow rates are to remain in use for the life of the applicable system.

If you have any questions concerning these comments, you may contact me by phone at (919) 715-3270, by fax at (919) 715-3227, or by e-mail at Lorna.Withrow@dhhs.nc.gov.

Sincerely,



Lorna C. Withrow, PE
On-Site Wastewater Engineering

cc: Scott Greene, LSS – On-Site Water Protection