

## **IX. PERMITS AND ENCROACHMENTS**

### **A. Highway Encroachments**

Encroachment agreements with NCDOT are required for any water or sewer facility installed within the limits of NCDOT rights-of-way. The sole exceptions are four inch sewer laterals and water service lines less than six-inches in diameter. Guidelines for design of utility lines within NCDOT rights-of-way are contained in the NCDOT Manual "Policies and Procedures For Accommodating Utilities on Highway Rights-of-Way" and all requirements in that document shall be considered in design of the facilities. Special Encroachment maps and copies of construction plans shall be provided to CMUD for encroachment application. a sample of an acceptable encroachment map is attached. All NCDOT encroachment agreements for facilities to be owned and maintained by CMUD will be between the City of Charlotte and NCDOT. The Engineer will be required to make changes as required by NCDOT, and will provide information as requested during encroachment negotiations. All contacts with NCDOT personnel regarding encroachments will be through the CMUD Contract Administration Section.

### **B. Railroad Encroachments**

Whenever a CMUD water or sewer facility enters a railroad right-of-way, an encroachment agreement between the railroad and the City of Charlotte is required. The engineer shall prepare a separate encroachment map and design data form as required by the individual railroad. Sample maps and blank forms for each railroad company operating in Mecklenburg County are attached. During encroachment negotiations, the Engineer will be required to make design changes and supply information as required by the railroad. However, all contacts with railroad personnel will be through the CMUD Contract Administration Section.

### **C. Permits**

Non discharge permits for sanitary sewer collection facilities and permits for water distribution facilities will be required before construction may commence on any project.

#### Local Permit Program:

Effective July 31, 1995, the Charlotte-Mecklenburg Utility Department has been granted approval to become a delegated authority to establish and administer a local permit program. This program will allow CMUD issuance of permits for public gravity sewer extensions and construction or alteration of the distribution system of a community water system within CMUD's utility service area. These permits will now (effective July 31, 1995) be issued by CMUD staff in lieu of the appropriate NC DEHNR/DEM agency.

CMUD delegation authority will apply to issuance of a permit for the construction and operation of new gravity sewer lines, water lines, modifications to proposed or existing gravity sewer lines and water mains within the corporate limits and areas of extraterritorial jurisdiction. CMUD would also issue permits in the county and surrounding counties where we are already providing water and sewer service.

This action was approved by the Environmental Management Commission on July 13, 1995.

#### Areas Where CMUD Cannot Issue Permit

The areas where CMUD will **not** be allowed to issue permits:

- Restricted Basins - map attached highlighting these areas;
- Pump Stations and Force Mains;
- Low Pressure Sewer;
- Water or Sewer Treatment Plants;
- Private Systems;
- Any variance from the minimum State/CMUD requirements

The Charlotte-Mecklenburg Utility Department has prepared new water and sewer application forms accepted by the appropriate agencies as part of our local permit program application. A sample copy of the water and sewer application is attached.  
Self Permitting Process (In House Design)

The following process will apply for in house design projects:

- The application will be made a part of the cover sheet of the original design plans.
- The application will be completed by the Design Engineer and submitted along with the original construction plans to the Civil Engineer III.
- The Civil Engineer III will approve and certify the application form along with approval of the construction plans.
- The original plans will be submitted to the Contract Administration Team that will assign a permit number. On sewer projects, the flow allocation will be taken and monitored against a Ablock@ capacity of flow that has been issued for each of the sewer treatment plants.
- The original plans will be submitted to the Chief Engineer for approval of the permit. In the absence of the Chief Engineer, the Director, Deputy Director, or Assistant Director will approve permits.
- Once the permit has been approved by the Chief Engineer, the project may be assigned for construction, pending approval of other documentation (highway encroachment, right of way, etc.).

- The project is inspected by CMUD staff. Before activation, the Civil Engineer III will certify completion of the project according to CMUD and State standards. A sample copy of the certification letter is attached.

#### Self Permitting (Donated)

- The application will be made a part of the cover sheet of the original design plans.
- The application will be completed by the Developer=s Engineer.
- The Developer=s Engineer will certify the application form and submit eleven copies of the construction plans to CMUD Staff. An application fee for developer funded projects must be paid by the Developer with a check made out to the Charlotte-Mecklenburg Utility Department for the current application fee. The check must be submitted as part of the permit application/construction plan review.
- CMUD Staff will approve review the application form and approve the construction plans.
- The plans will be submitted to the Contract Administration Team that will assign a permit number. On sewer projects, the flow allocation will be taken and monitored against a Ablock@ capacity of flow issued for each of the sewer treatment plants.
- The plans will be submitted to the Chief Engineer for approval of the permit.
- Once the permit has been approved by the Chief Engineer, the project may be assigned for construction, pending approval of other documentation (highway encroachment, right of way, etc.).
- The project is inspected by CMUD staff. Before activation, CMUD Staff (PE) will certify completion of the project according to CMUD and State standards. A sample copy of the certification letter is attached.

#### DEM/DEHNR Permits:

For projects that will be reviewed by the North Carolina Division of Environmental Management (sewer projects) and the Division of Health Services (water), the following process will apply:

- Three sets of CMUD approved plans must accompany the application. The controlling agency's application form must be used. These are attached for your use.
- All application fees must be paid with a check made out to the appropriate agency for the current application fee and must be furnished to CMUD with the three sets of approved plans.
- **Construction may not proceed until permits are received.**
- Upon completion, and before the facilities are activated, the Registered Professional Engineer that supervises inspection must certify that the facilities are constructed in accordance with approved plans and specifications.

Enforcement:

With implementation of the local permit program, the Charlotte-Mecklenburg Utility Department accepts responsibility for compliance of design/construction in accordance with State regulations.

Ordinance No. 329 was adopted by City Council on June 26, 1995 regarding extensions or modifications of water or sewer system. This ordinance created a new Article VI to Chapter 23 of the Charlotte City Code entitled APermits For Extensions Or Modifications Of Water Or Sewer System@. The ordinance includes requirements to obtain a permit before construction, procedures for administrative review and judicial review of permit decisions, enforcement authority, procedures for processing permit applications, and procedures for setting permit requirements. A copy of the ordinance has been attached for your information.

Also, a copy of the North Carolina Administrative Code, Title 15A Department of Environment, Health, and Natural Resources, Subchapter 18C - Water Supplies-Rules Governing Public Water Systems -Section .1800 - Local Plan Approval has been attached. This copy is current through July 4, 1994.

Reporting:

The Charlotte-Mecklenburg Utility Department will be responsible for submitting the following:

**DEM:**

- Quarterly report listing permit number, project name and flow allocation for projects permitted sent to NC DEM;

- One copy of plans and permit submitted quarterly to NC DEM.

**DEHNR:**

- Monthly report listing project name and permit number for projects permitted sent to DEHNR.
- One copy of plans and permit submitted monthly to NC DEHNR.

**D. Erosion Control Permits**

Each set of plans for a water or sewer project must include appropriate design of erosion and sedimentation control measures. If the area disturbed by the construction is one acre or more, a site specific erosion and sediment control plan must be submitted to the N.C. Division of Environmental Management, Land Quality Section. An application fee of \$25 for the first acre of disturbed area and \$20 for each additional acre must accompany the application. For developer funded projects, a check made out to the Division of Environmental Management in the correct amount must be submitted to CMUD with one set of approved plans. The application is submitted by CMUD and the permit is issued to CMUD. The review time for DEM is 30 calendar days, and the Engineer must respond to any questions and make any plan changes necessary to secure approval of the Erosion Control Plan. All construction is subject to inspection by DEM staff for compliance with the approved Erosion Control Plan. This requirement does not apply to subdivision projects where erosion control is administered under the City of Charlotte or Mecklenburg County Erosion and Sedimentation Control Programs.

**E. Storm Water Permits**

All construction projects which involve more than five acres of disturbed area must have a NPDES storm water discharge permit. The permit application, along with the approval for the erosion control plan, must be submitted to NCDDEM. Land disturbing activity cannot take place until the permit is issued.

**F. Blasting Permits**

Blasting permits are required before any blasting operations for removal of rock. Permits for work within the City limits of Charlotte must be obtained from the Charlotte Fire Department. Permits for work outside the Charlotte City Limits must be obtained from the Mecklenburg County Fire Administrator's Office. Encroachment agreements with the N.C. Department of Transportation or railway companies may also contain special provisions limiting blasting operations.

**G. Pavement Cutting Permits**

Before cutting any pavement for water or sewer construction within the City of Charlotte, a permit must be obtained from the Charlotte Transportation Department, Street Maintenance Division. This permit is obtained at no cost by calling the CDOT, Street Maintenance Division. The location of the project and the name of the contractor will be required to obtain the permit.

**H. Burning Permits**

Open burning is not allowed in Mecklenburg County.

**I. Wetlands Permit**

See Section XII - Wetlands Permit

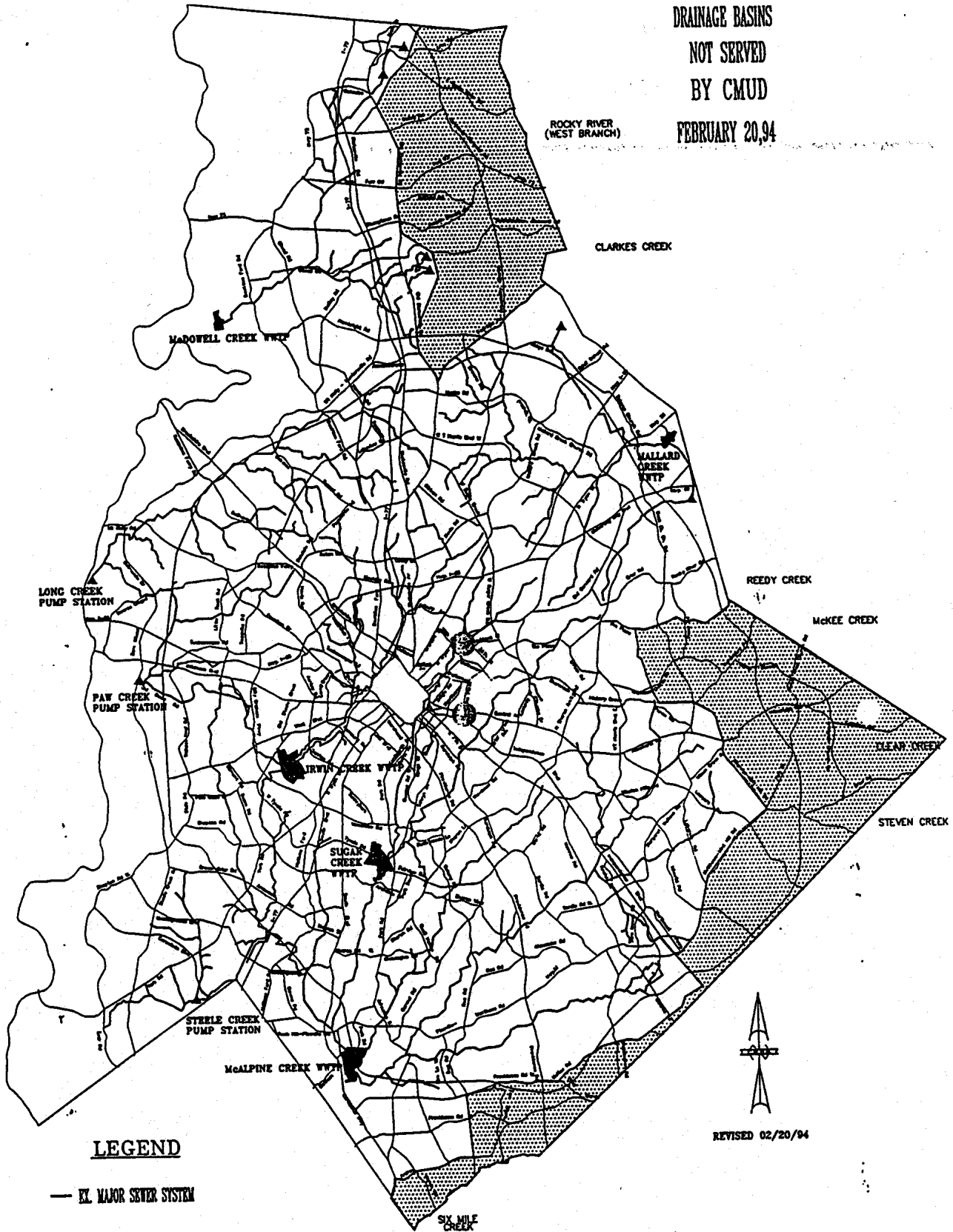
**J. Tree Removal Permit**

See Section XVI - Environmental Protection

CHARLOTTE-MECKLENBURG  
UTILITY DEPARTMENT

DRAINAGE BASINS  
NOT SERVED  
BY CMUD

FEBRUARY 20, 94



This page intentionally left blank.



**APPLICATION FOR NON-DISCHARGE PERMIT  
GRAVITY SEWER MAIN EXTENSION  
CHARLOTTE-MECKLENBURG UTILITY DEPARTMENT**

Project Name \_\_\_\_\_  
\_\_\_\_\_

CMUD Project No.: \_\_\_\_\_

Project Type:  New construction       Relocation       Modification of Permit  
No. \_\_\_\_\_  Other \_\_\_\_\_

Volume of wastewater generated by this project: \_\_\_\_\_ gallons per day  
based on 190 gal/day/single family household x \_\_\_\_\_ households or

135 gal/day/multi-family unit x \_\_\_\_\_ units or is based on :

Wastewater Treatment Plant receiving wastewater:

- McAlpine Cr (NC0024970)       Irwin Cr (NC0024945)       McDowell Cr (NC0036277)  
 Sugar Cr (NC0024937)       Mallard Cr (NC0030210)

Nature of wastewater      \_\_\_\_\_ % Domestic      \_\_\_\_\_ % Industrial  
   \_\_\_\_\_ % Commercial      \_\_\_\_\_ % Other \_\_\_\_\_

- Origin of wastewater       Subdivision       Commercial  
    School       Industrial  
    Apartments/condo's       Other \_\_\_\_\_

List any parameter and its concentration that will be greater than normal domestic levels:

\_\_\_\_\_  
\_\_\_\_\_

If wastewater is non-domestic, describe level of pretreatment:

\_\_\_\_\_  
\_\_\_\_\_

If a pretreatment permit is required, has one been issued?       Yes       No

Has Engineer determined that downstream sewers are capable to handle this flow?       Yes       No

Permit No. for sewers immediately downstream \_\_\_\_\_

Pipe diameter of sewers immediately downstream \_\_\_\_\_

Has Engineer determined that NC DEM and CMUD minimum design standards are met by this project?       Yes       No

Complete name and address of Engineering Design Firm:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Telephone \_\_\_\_\_ - \_\_\_\_\_ - \_\_\_\_\_

Professional Engineer's Certification:

I, \_\_\_\_\_, attest that this application for \_\_\_\_\_  
\_\_\_\_\_ has been reviewed by me and is accurate and complete to the  
best of my knowledge. I further attest that to the best of my knowledge the proposed design has been  
prepared in accordance with the applicable regulations. Although certain portions of this submittal  
package may have been developed by other professionals, inclusion of these materials under my  
signature and seal signifies that I have reviewed this material and have judged it to be consistent with  
the proposed design.

North Carolina Professional Engineer's Seal, Signature, and Date:

CMUD Permit No. \_\_\_\_\_ Issued \_\_\_\_\_

Plant flow allocation recorded by: \_\_\_\_\_

Permit approved by: \_\_\_\_\_  
Earl L. Lineberger, P.E., Chief Engineer

# Application for Permit for Water Main Extension

Project Name: \_\_\_\_\_

CMUD Project No.: \_\_\_\_\_

Project Description: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Designed by: Firm: \_\_\_\_\_

Engineer: \_\_\_\_\_

Address: \_\_\_\_\_  
\_\_\_\_\_

Phone: \_\_\_\_\_

This application is made under and in full accord with the provisions of Chapter 130A-317 of the North Carolina General Statutes, and such other statutes as related to public water systems. CMUD has been granted authority to issue permits for extension of water mains pursuant to 15A NCAC 18C.1801. The applicant agrees that no significant change or deviation from the plans and specifications approved by CMUD will be made without the written consent and approval of CMUD or its authorized representative. A professional engineer licensed to practice in the State of North Carolina shall submit a statement reflecting that adequate observations during and upon completion of construction indicates that construction was completed in accordance with approved plans and specifications.

Permit No. \_\_\_\_\_

Approved: \_\_\_\_\_ Date \_\_\_\_\_

Earl L. Lineberger, PE, Chief Engineer  
Charlotte Mecklenburg Utility Department  
5100 Brookshire Blvd.  
Charlotte, North Carolina 28216

This page intentionally left blank.



**CHARLOTTE.**

July 14, 1995

Mr. J. C. Lin, Supervisor  
Environmental Health Section  
N. C. Department of Human Resources  
Public Water Supply Branch  
Post Office Box 29536  
Raleigh, NC 27626-0536

**SUBJECT: Engineer's Certification ( Complete )**  
**Water Permit Number: 95-09049**  
**CMUD Job Name: 21013 Entrada Drive**  
**CMUD Job No.: 579-94-318**

Dear Mr. Lin:

I, RONALD C. WEATHERS (Registration Number 10151), as a duly registered Professional Engineer in the State of North Carolina, hereby certify that construction of these permitted facilities has been completed in accordance with the approved plans and specifications.

If you have any questions, please advise.

Sincerely,

**CHARLOTTE MECKLENBURG UTILITY DEPARTMENT**

Ronald C. Weathers, P. E.  
Land Development Manager

cc: File

ENGCERT6.WAT/RDM/

Engineering Division 5100 Brookshire Boulevard Charlotte, NC 28216 704/399-2551  
Charlotte-Mecklenburg Utility Department



**CHARLOTTE.**

July 14, 1995

Mr. A. Preston Howard, Jr., Director  
Permits & Engineering  
North Carolina Department of  
Natural Resources & Community Development  
Division of Environmental Management  
Box 27687  
Raleigh, North Carolina 27611

**SUBJECT: Engineer's Certification ( Complete )  
Sewer Permit Number: WQ0010734  
CMUD Job Name: 7511 Pence Road  
CMUD Job No.: 379-94-747**

Dear Mr. Howard:

I, RONALD C. WEATHERS (Registration Number 10151), as a duly registered Professional Engineer in the State of North Carolina, hereby certify that construction of these permitted facilities has been completed in accordance with the approved plans and specifications.

If you have any questions, please advise.

Sincerely,

**CHARLOTTE MECKLENBURG UTILITY DEPARTMENT**

Ronald C. Weathers, P. E.  
Land Development Manager

cc: Files

ENGCERT5.SWR/RDM/

Engineering Division 5100 Brookshire Boulevard Charlotte, NC 28216 704/399-2551  
Charlotte-Mecklenburg Utility Department

ORDINANCE NO. 329  
AN ORDINANCE CREATING A NEW ARTICLE VI TO CHAPTER 23 OF THE  
CHARLOTTE CITY CODE ENTITLED "PERMITS FOR EXTENSIONS OR  
MODIFICATIONS OF WATER OR SEWER SYSTEM."

BE IT ORDAINED by the City Council of the City of Charlotte:

Section 1. That a new Article VI of Chapter 23 of the Code of the City of Charlotte is hereby enacted as hereinafter set forth:

ARTICLE VI. PERMITS FOR EXTENSIONS OR  
MODIFICATIONS OF WATER OR SEWER SYSTEM.

Sec. 23-120. Definitions.

Unless the context specifically indicates otherwise, the following terms and phrases, as used in this Article, shall have the meanings hereinafter designated:

- (a) "CMUD water or sewer system," when referring to the CMUD water system, shall mean the portion of the facilities owned by the City which are used for the distribution of treated water to fire hydrants and service connections.
- (b) "CMUD water or sewer system," when referring to the CMUD sewer system, shall mean the portion of the facilities owned by the City which are used to collect and carry wastewater to a Publicly Owned Treatment Works treatment plant but does not include such plant, pumping stations and force mains.
- (c) "CMUD Standards" refers to the document entitled "Charlotte-Mecklenburg Utility Department Water and Sewer Policies Procedures Standards and Specifications" as prepared, published and amended from time to time by the Director in accordance with Section 23-121(c), together with the CMUD Extension Policy as approved and amended from time to time by the Council.

Sec. 23-121. Permit for extension, modification of water or sewer system.

- (a) No person shall do any of the following things or carry out any of the following activities concerning a water or sewer facility which is proposed to become a part of the CMUD water or sewer system or modify any existing portion of the CMUD water or sewer system unless such person shall have applied for and shall have received from the CMUD a permit for such extension or modification and shall have complied with such conditions, if any, as are prescribed by such permit:
  - (1) Construct any water or sewer facility;

- (2) Alter, extend, or change the construction or method of construction of any water or sewer facility; or
  - (3) Enter into a contract for the construction and installation of any water or sewer facility or for the alteration or extension of such a facility.
- (b) Any person proposing to undertake any thing or activity described in sub-section (a) of this Section shall make timely and proper application on such form(s) as may be prescribed by the Director and provide such information as may be required by the Director. CMUD shall not undertake any thing or activity set forth in sub-section (a) of this Section unless CMUD first complies with the provisions of this Section. A copy of all applications for permits subject to this Section and of all approved permits and plans (including applications and related documents submitted by CMUD) shall be provided to the North Carolina Department of Environment Health and Natural Resources ("DEHNR") as DEHNR in accordance with applicable law.
- (c) All water or sewer facilities proposed for inclusion in the CMUD water or sewer system and all proposed modifications to any existing portion of the CMUD water or sewer system shall be designed, constructed and installed in conformance with applicable provisions of the CMUD Standards. The plans and specifications for such facilities and modifications shall be prepared by or under the direct supervision of an engineer licensed to practice in North Carolina. The Director shall maintain a copy of the current CMUD Standards for public inspection. The Director shall have full authority to modify the CMUD Standards, except for the CMUD Extension Policy which shall require Council approval for any change. The Director shall make such changes in the CMUD Standards (except in the CMUD Extension Policy) as may be necessary to maintain certification from appropriate agencies of the State of North Carolina under G.S. 130A-317(d) and 143-215.1(f) and applicable rules and regulations implementing the provisions thereof and any changes thereto. No modification to the CMUD Standards shall be effective until approved in writing by DEHNR. The acquisition and connection to the CMUD water or sewer system of all or any portion of a water or sewer system owned or operated by any city, county or water or sewer authority as defined in Chapter 162A of the General Statutes or by a public utility under the jurisdiction of the North Carolina Utilities Commission shall not be subject to the provisions of this Section; provided that, under no circumstances shall the City be required to acquire or otherwise permit the connection of such a system to the CMUD water or sewer system except under such terms and conditions as the City may determine to be acceptable in its sole and absolute discretion.



- (d) The denial of an application for a permit subject to the provisions of this Section shall be made in writing and shall contain each reason for the denial and CMUD's estimate of the changes in the applicant's proposed activities or plan which will be required in order that the applicant may obtain a permit. Nothing in such estimate shall preclude or otherwise bar CMUD from denying a permit which incorporates such changes, based upon changed circumstance or information not previously known by CMUD.

Sec. 23-122. Processing of applications.

- (a) Each application subject to Section 23-121 shall be accompanied by a fee in the amount which would apply, if the application were being submitted to DEHNR under such schedule or fees as it may establish. A copy of the current fee schedule for DEHNR shall be maintained by the Director and made available for inspection upon request. Any application which is not accompanied by a fee in the proper amount may be considered incomplete.
- (b) CMUD shall review the fee, plans, specifications and other project data accompanying an application and shall determine if the application and accompanying material are complete and in a form acceptable to CMUD. CMUD shall acknowledge receipt of a complete application.
- (c) The Director shall take final action on all applications not later than 90 days following receipt of a complete application. All permits shall be issued in writing. A permit may contain such conditions as the Director determines to be reasonably necessary, considering the factors on which final action on a permit can be based. Final action on any permit shall be based upon: the design, capacity and manner of operation of the appropriate CMUD water or sewer system; effectuating the purposes of all applicable rules, regulations, statutes and ordinances of the City, State of North Carolina, and the United State of America; and the CMUD Standards.
- (d) If the application is not complete, the application shall be returned to the applicant. CMUD shall advise the applicant in writing:
  - (1) How the application can be modified to make it complete and acceptable; and
  - (2) That the time for CMUD to take final action on an application does not begin until receipt of a complete, corrected application.
- (e) Any permit issued by CMUD pursuant to Section 23-121 is

subject to revocation or modification upon 30 days written notice by the Director in whole or in part for good cause including, but not limited to:

- (1) Violation or any term or condition of the permit;
  - (2) Obtaining a permit by misrepresentation or failure to disclose fully all relevant facts;
  - (3) Refusal of the permittee or its contractors, agents or employees to allow authorized employees of CMUD upon presentation of credentials to inspect or observe any activity, facility or other work required by the permittee's permit.
- (f) A notice of revocation or modification issued pursuant to Section 23-122(e) shall contain each reason for the revocation or modification.

Sec. 23-123. Enforcement.

- (a) (1) Any person that violates, fails to comply or continues to violate any provision of Section 23-121 or a permit issued thereunder shall be liable to the CMUD for a maximum civil penalty of Ten Thousand Dollars (\$10,000), per violation per day for as long as the violation(s) continues. Each day on which a violation shall occur or continue shall be deemed a separate and distinct offense. In determining the amount of the civil penalty, the CMUD shall take into account all relevant circumstances, including, but not limited to, the extent of harm caused by the violation, the magnitude and duration of the violation, any economic benefit gained through the person's violation, the person's efforts to correct the violation, the compliance history of the person against whom the violation is assessed, cost of enforcement to the CMUD, whether the violation was committed willfully or intentionally, and any other factor as justice requires.
  - (2) CMUD shall provide written notification to any person assessed a civil penalty of the assessment and the reasons therefor.
- (b) If any person violates the provisions of Section 23-121 or the terms or conditions of any permit issued pursuant thereto, a civil action may be commenced in the General Court of Justice in the name of the City for such legal and equitable relief as may be appropriate.
  - (c) The remedies provided herein are not exclusive. The CMUD may take any one, all or any combination of these actions against

any person in violation of one or more provisions of Section 23-121 or terms or conditions of any permit issued pursuant thereto.

Sec. 23-124. Hearing.

(a) The following persons are entitled to hearing pursuant to this Section:

- (1) Any person whose application for a permit under Section 23-121 is denied or granted subject to conditions which are unacceptable to such person.
- (2) Any person to whom a permit has been issued and which is revoked or modified pursuant to this Article.
- (3) Any person who is assessed a civil penalty pursuant to Section 23-123(a).

(b) (1) Any person entitled to a hearing pursuant to this section shall exercise such right as set forth in Sec. 23-124(b)(2). Such demand shall be in writing and state separately each issue to be considered and such other matters as are hereinafter required.

(2) Any person making a demand for a hearing shall deliver the demand to the Director within the following applicable time limits after receipt of notice of the action to be heard:

- (a) 30 days for the denial of a permit required by this Article or for the grant of a permit required by this Article subject to conditions which are unacceptable to the person applying for the permit;
- (b) 30 days for the assessment of a civil penalty; and
- (c) 10 days for the modification or revocation of a permit required by this Article.

(c) In the demand for a hearing to consider:

- (1) the denial of a permit, the applicant must identify separately each reason for denying the permit which the applicant contends to be improper and every basis for such contention.
- (2) a permit granted subject to unacceptable conditions, the applicant must identify separately each unacceptable condition and every basis for such contention.
- (3) the modification or revocation of a permit, the person to

whom such permit was issued must state separately each reason for modifying or revoking the permit which such person contends to be improper and every basis for such contention;

- (4) a civil penalty assessment, the person to whom such penalty was assessed must state separately each reason why such penalty should not be assessed or, if the person contends that the civil penalty was assessed in an improper amount, each reason why the amount of the penalty is improper.
- (d) (1) The hearing shall be conducted by the Director and shall be subject to such rules as have been approved by the Council or the Director as hereinafter set forth. If the demand for a hearing is not made in accordance with the provisions of this Section, the Director shall reject the demand and any right to a hearing shall be terminated. If any person demanding a hearing shall fail to comply with an order of the Director or with any rules issued by the Director or approved by the Council concerning the conduct of the hearing, the Director may reject the demand and any right to a hearing shall be terminated. Within 90 days of the receipt of the written demand for a hearing, the Director shall conduct a hearing and issue a final order or decision; provided that, a hearing to consider the modification or revocation of a permit shall be held and a final order or decision issued within ten (10) days of the receipt of the written demand for a hearing. The Director shall transmit a copy of the final order or decision to the person demanding the hearing by registered or certified mail. No further review of the Director's final order or decision will be allowed, except as set forth in Sec. 23-124(f).
- (2) The Director may submit rules to the Council for approval concerning the conduct of the hearing and any other matter associated with the hearing. Such rules may impose requirements in addition to the provisions of this Section. Upon approval by the Council, such rules shall be as effective as if set forth in this Section. The Director shall make a copy of such rules available for inspection upon the request of any person.
  - (3) The Director is authorized to take any action which is reasonably necessary or convenient in considering a demand for hearing and in resolving the issues raised therein so long as such action is not contrary to the provisions of this Article, any rules approved by the Council or other applicable law.
  - (4) The Director may appoint a hearing officer to conduct any

hearing authorized by this Section. A hearing officer shall have the same authority to conduct a hearing and reach a decision as is provided to the Director; provided that, the decision of the hearing officer shall not be final but shall be a recommended decision for consideration by the Director. The Director may approve such decision without change, reject the decision and require a new or continued hearing, or issue a different or revised decision which is supported by evidence presented at the hearing. The Director may refer a recommended decision of a hearing officer to the City Manager or his designee. In the event of a referral, the City Manager or his designee shall have the same authority to act upon a recommended decision of a hearing officer as is provided to the Director. The decision of the Director or, in the event of a referral, of the City Manager or his designee shall be final. A final order may provide that the action which is the basis for the demand for a hearing is approved without change or may modify such action in any manner that is supported by the evidence presented at the hearing.

- (5) The Director may provide for any part of the hearing to be recorded by any reasonable means, including but not limited to, audio and/or video recording, stenographer, or court reporter. A transcript of any hearing, or part thereof, which is recorded need not be prepared unless requested. The original of a requested transcript shall be filed with the Director. Each person shall bear the cost of the transcript which said person requests, including any copy thereof.
- (e) (1) (a) Each assessment of a civil penalty which has been included in a demand for a hearing in accordance with the provisions of this Section is stayed and shall not take effect until the earliest occurrence of any one of the following circumstances: the assessment of the civil penalty is approved or is modified at a hearing conducted pursuant to this Section; or the person who is assessed the civil penalty and the Director agree on the assessment.
- (b) If the assessment of a civil penalty against any person is approved or modified by the Director at a hearing conducted pursuant to this Section, the Director may require the payment of said penalty within the (10) days or such additional time as the Director may specify.
- (f) Any person against whom a final order or decision of the Director is made pursuant to the hearing conducted under this Section, may seek judicial review of the order or decision by

filing a written petition within thirty (30) days after receipt of notice of the order or decision, but not thereafter, with the Superior Court of Mecklenburg County. If not previously requested, said person shall request in writing that a transcript be prepared for every part of the hearing which was recorded. Said request shall be made at or before the time that the petition is filed. A copy of the petition shall be served on the City in the manner required by law. Within thirty (30) days after service of a copy of the petition upon the City or such other time as may be ordered by the Court, the City shall prepare and transmit to the Court the original or a certified copy of the official record of the hearing as hereinafter set forth. The official record of the hearing shall consist of:

- (1) all notices, motions and other similar documents;
  - (2) all documentary and tangible service tendered at the hearing; and
  - (3) the final order or decision. A transcript of each part of the hearing that was recorded shall be included in the official record as an exhibit, if available at the time the remaining portion of the official record is transmitted to the Court. If the transcript is not available at that time, it shall be transmitted to the Court as soon as reasonably possible after the transcript has been prepared. If testimony is taken and not recorded, a narrative summary of any testimony taken shall be prepared and transmitted to the court as an exhibit to the official record.
- (g) (1) The Director may consider petitions for remission of civil penalties assessed pursuant to this Article. A petition for remission shall be in writing and shall be signed by the person against whom the civil penalty was assessed. The petition shall include: a waiver of any and all rights of the petitioner to a hearing and judicial review of the assessment; and a stipulation that the facts are correct as set forth in the document(s) assessing the civil penalty. The decision of the Director on the petition shall be final and shall not be subject to further administrative or judicial review. In determining whether a petition for remission will be approved, the Director shall consider the following factors:
- (A) whether one or more of the factors concerning the assessment of a civil penalty in Sec. 23-123(a) were wrongly applied to the detriment of the petitioner;

- (B) whether the petitioner promptly abated continuing environmental damage resulting from the violation giving rise to the assessment;
  - (C) whether the violation giving rise to the assessment was inadvertent or the result of an accident;
  - (D) whether the petitioner has been assessed civil penalties for any prior violations pursuant to this Article or by any State or Federal authority enforcing substantially similar provisions;
  - (E) whether payment of the civil penalty by the petitioner will prevent payment for any remaining, necessary remedial action.
- (2) After submitting a petition for remission, the petitioner shall provide such additional information and records as may be reasonably necessary or convenient to the Director's consideration of the petition. The Director may remit the entire amount of a civil penalty only when the petitioner has not been assessed civil penalties for any prior violation of this Article or by State or Federal authority enforcing substantially similar provisions and the payment of the civil penalty will prevent payment of any remaining, necessary remedial action.

Sec. 23-125. Permits not transferrable.

Permits issued pursuant to this Article are issued to a specific applicant. A permittee may not assign, transfer, or sell a permit, or any right or obligation in a permit, to another person.

Section 2. This ordinance shall take effect on July 31, 1995; provided that prior to said date this ordinance shall have been approved by the North Carolina Environmental Management Commission and by DEHNR in accordance with applicable law.

Approved as to form:

City Attorney

**CERTIFICATION**

I, Brenda R. Freeze, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of an Ordinance adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 26th day of June, 1995, the reference having been made in Minute Book 108, and recorded in full in Ordinance Book 46, Page(s) 445-453.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 30th day of June, 1995.

Brenda R. Freeze, City Clerk

This page intentionally left blank.



## SECTION .1800 - LOCAL PLAN APPROVAL

Rules .1801 - .1805 of Title 15A Subchapter 18C of the North Carolina Administrative Code (T15A.18C .1801 - .1805); has been transferred and recodified from Rules .2601 - .2605 Title 10 Subchapter 10D of the North Carolina Administrative Code (T10.10D .2601 - .2605), effective April 4, 1990.

**.1801 LOCAL APPROVAL PROGRAM**

This Section implements G.S. 130A-317(d) which authorizes the certification of local programs for approval of the construction or alteration of the distribution system of a community water system. For purposes of this Section, distribution system means the network of pipes, valves, hydrants and related appurtenances but does not include pumps, storage tanks, treatment devices, wells or other facilities.

*History Note: Statutory Authority G.S. 130A-317; 1985 S.L., c. 697, s. 3;  
Eff. January 1, 1986.*

**.1802 APPLICATION FOR CERTIFICATION**

Application for certification shall be made to the Public Water Supply Section, Division of Environmental Health, P.O. Box 29536, Raleigh, North Carolina 27626-0536. Application shall be submitted in triplicate and shall designate the office or agency which will administer the program.

*History Note: Statutory Authority G.S. 130A-317; 1985 S.L., c. 697, s. 3;  
Eff. January 1, 1986;  
Amended Eff. December 1, 1991.*

**.1803 CERTIFICATION**

The Department shall certify a local approval program which satisfies the requirements of G.S. 130A-317(d). The requirements of G.S. 130A-317(d)(4) are satisfied when a local approval program provides by ordinance or local law for enforcement provisions equivalent to G.S. 130A-18 and G.S. 130A-25. The requirements of G.S. 130A-317(d)(5) are satisfied when a local approval program has a minimum staff and other resources of: a designer who is a professional engineer registered in this state and whose duty is to devote the time necessary for an effective local approval program; a technical staff, budget, equipment and facilities sufficient to support a design engineering office; and an organizational structure sufficient to carry out this purpose.

*History Note: Statutory Authority G.S. 130A-317; 1985 S.L., c. 697, s. 3;  
Eff. January 1, 1986;  
Amended Eff. February 1, 1987.*

**.1804 NOTICE**

(a) A local approval program shall submit notice to the Department of each approval of the construction or alteration of the distribution system of a community water system. The notice shall consist of one copy of the application with construction plans, any revisions made to the plans and the final approval letter.

(b) The local approval program shall provide notice to the department within 10 days of any change in staff, budget or other resources which may affect the ability to effectively carry out the plan review program.

(c) Upon completion of the construction or alteration of the distribution system, the applicant shall submit a statement to the local approval program signed by a registered professional engineer stating that construction was completed in substantial accordance with approved plans and specifications and revised only in accordance with 15A NCAC 18C .0306. The statement shall be based upon adequate observations during and upon completion of construction by the engineer or a representative of the engineer's office supervised by the engineer. The local approval program shall provide a copy of the statement to the Department.

*History Note: Statutory Authority G.S. 130A-317; 1985 S.L., c. 697, s. 3;  
Eff. January 1, 1986;  
Amended Eff. December 1, 1988.*

**.1805 DEPARTMENTAL ENFORCEMENT**

If the Department determines that a community water system is violating local approval requirements and the local approval program has not enforced its requirements, the Department may, after written notice, to the local program, enforce the requirements in accordance with provisions of G.S. 130A-17 through 130A-28.

*History Note: Statutory Authority G.S. 130A-317; 1985 S.L., c. 697, s. 3;  
Eff. January 1, 1986.*

To The Division of Human Services  
Department of Human Resources:

The .....  
(name of board, or council, authorized official and title, or owner)

of .....  
(name of city, town, corporation, sanitary district, water company, or other)

in the County of ..... State of North Carolina authorized by law to  
act for the said .....  
(name of city, town, corporation, sanitary district, water company, or other)

and to expend its funds for the water project described below, herewith submit for the counsel and advice of  
the Division of Health Services plans and specifications prepared by .....  
(engineer or firm)

..... of .....  
for the installation or construction of .....  
(describe project)

..... in  
(location of project)  
..... and make application to the Division of Health Services  
(county)

for the approval of said plans and specifications as relate to public health and the protection of public water  
supplies and public water systems.

These plans have been approved and accepted by the applicant.

This application is made under and in full accord with the provisions of Chapter 130A-317 of the North  
Carolina General Statutes, and such other statutes as relate to public water systems. The applicant agrees  
that no change or deviation from the plans and specifications approved by the Division of Health Services  
will be made except as allowed by 10 NCAC 10D .0906 or with the written consent and approval of the  
Division of Health Services or its authorized representative. The applicant agrees that a professional  
engineer licensed to practice in the State of North Carolina shall submit a statement reflecting that  
adequate observations during and upon completion of construction, by the engineer or by a representative  
of the engineers office who is under the engineers supervision, indicates that construction was completed in  
accordance with approved plans and specifications.

Remarks: \_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
(Signature of Owner, Manager, Mayor, or Chairman)

\_\_\_\_\_  
(Type or Print Name Signed Above)

\_\_\_\_\_  
(Street or Box Number)

\_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_ Zip Code

**State of North Carolina**  
**Department of Environment, Health and Natural Resources**  
**Division of Environmental Management**  
Non-Discharge Permit Application  
*(THIS FORM MAY BE PHOTOCOPIED FOR USE AS AN ORIGINAL)*

**GRAVITY SEWER EXTENSION**

**I. GENERAL INFORMATION:**

1. Applicant's name (please specify the name of the municipality, corporation, individual, etc.): \_\_\_\_\_  
\_\_\_\_\_
2. Print Owners or Signing Official's name and title (the person who is legally responsible for the facility and its compliance):  
\_\_\_\_\_
3. Mailing address: \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
Telephone Number: ( \_\_\_\_\_ ) \_\_\_\_\_
4. Project Name (please specify the name of the subdivision, facility, or establishment - should be consistent with project name on plans, specifications, letters of flow acceptance, Operational Agreements, etc.):  
\_\_\_\_\_
5. Application Date: \_\_\_\_\_ 6. Fee Submitted: \$ \_\_\_\_\_
6. County where project is located: \_\_\_\_\_

**II. PERMIT INFORMATION:**

1. Application No. (will be completed by DEM): \_\_\_\_\_
2. Specify whether project is: \_\_\_\_\_ new; \_\_\_\_\_ modification.
3. If this application is being submitted as a result of a modification to an existing permit, please complete:  
existing permit number \_\_\_\_\_ and the issue date \_\_\_\_\_
4. Specify whether the applicant is \_\_\_\_\_ public or \_\_\_\_\_ private.

**III. INFORMATION ON WASTEWATER:**

1. Nature of Wastewater: \_\_\_\_\_ % Domestic/Commercial ; \_\_\_\_\_ % Industrial;  
\_\_\_\_\_ % Other waste (specify): \_\_\_\_\_
2. Please provide a one or two word description specifying the origin of the wastewater, such as school, subdivision, hospital, commercial, industrial, apartments, etc.: \_\_\_\_\_
3. Indicate any parameter(s) (and their concentration) that will be greater than normal domestic levels: \_\_\_\_\_  
\_\_\_\_\_
4. If wastewater is not domestic in nature, what level of pretreatment has been provided to ensure protection of the receiving wastewater treatment facility? \_\_\_\_\_
5. If a pretreatment permit is required, has one been issued? \_\_\_\_\_ Yes; \_\_\_\_\_ No. If yes, please attach a copy of the pretreatment permit. If No, when will one be issued: \_\_\_\_\_

6. Volume of wastewater generated by this project: \_\_\_\_\_ gallons per day.
7. Explanation of how wastewater volume was determined: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

**IV. DESIGN INFORMATION:**

1. Brief project description: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_
2. Name of wastewater treatment facility receiving wastewater: \_\_\_\_\_
- a. Facility Permit Number: \_\_\_\_\_
- b. Engineer should provide statement of his evaluation of downstream sewers ability to accept the wastewater:  
 \_\_\_\_\_  
 \_\_\_\_\_
- c. Permit Number for sewers immediately downstream: \_\_\_\_\_
- d. Pipe diameter of sewers immediately downstream: \_\_\_\_\_
3. Summary of sewer pipe to be permitted, by diameter size and pipe material:

Diameter (in)	Length (linear feet)	Pipe Material	Circle C or N Factor & Specify Value	Minimum Slope (%)	Maximum Slope (%)	Minimum Velocity (fps)	Maximum Velocity (fps)	Minimum Cover (in)

**NOTE:** The minimum velocity must not be less than 2 fps.  
 For public sewers the minimum diameter is 8 inches.  
 For private sewers the minimum diameter is 6 inches.

4. Anchors shall be provided for sewers with slopes greater than 20 %. The anchor spacing shall be a maximum of: 36 feet separation for slopes of 21% to 35%; 24 feet separation for slopes of 36% to 50%; 16 feet separation for slopes greater than 50%.

For velocities greater than 15 fps, it is strongly recommended that measures be considered which will protect the sewers and manholes from erosion. For velocities greater than 20 fps, erosion control measures must be specified.

For any excessive slopes or velocities that will occur in any sewer line segment, what measures have been taken to protect the sewer pipe and manholes? \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

5. Maximum sewer reach length between manholes: \_\_\_\_\_ linear feet.
  6. This sewer line segment occurs between manhole no. \_\_\_\_\_ and manhole no. \_\_\_\_\_.
  7. Does the owner/operator have the ability to clean this length? \_\_\_\_ Yes \_\_\_\_ No. For sewer reach lengths greater than 425 feet, please provide a letter from the owner/operator, stating the ability to clean the specified reach and include the equipment specifications.
  8. Sewers subject to existing or planned traffic bearing loads? \_\_\_\_ Yes \_\_\_\_ No. If yes, what measures are being taken to enable the sewers to withstand the loads?  
 \_\_\_\_\_  
 \_\_\_\_\_
  9. Outside drop manholes are provided where invert separations exceed: \_\_\_\_\_ feet (provide for separations > or = 2.5')
  10. Identify (by manhole number) those manholes that have drop connections: \_\_\_\_\_  
 \_\_\_\_\_
  11. Maximum allowable infiltration/exfiltration test rate: \_\_\_\_\_ GPD/pipe diameter inch/mile of pipe.  
 NOTE: Must not exceed 100 GPD/pipe diameter inch/mile of pipe.
  12. Minimum separation distances as shown on the plans or addressed in the specifications. If a, b, or c below is no, explain in an attachment:
    - a) 100 ft. horizontal separation from wells or other water supplies? \_\_\_\_ Yes \_\_\_\_ No
    - b) 12 in. vertical separation from storm sewer or ferrous pipe sanitary sewer specified? \_\_\_\_ Yes \_\_\_\_ No
    - c) 10 ft. horiz. sep. from water mains or 18 in vertical sep. (water over sewer) or ferrous pipe specified? \_\_\_\_ Yes \_\_\_\_ No
  13. Are manholes subject to flooding? \_\_\_\_ Yes \_\_\_\_ No. If yes, are manhole rim elevations 1 foot above 100-year flood level, (100 year flood elevation should be indicated on plans) \_\_\_\_ Yes \_\_\_\_ No; Or, are manholes watertight and vented 1 foot above the 100-year flood elevation ( should be shown on plans): \_\_\_\_ Yes \_\_\_\_ No
  14. Identify (by manhole number) those manholes that are vented: \_\_\_\_\_  
 \_\_\_\_\_
  15. Does this project involve any stream crossings? \_\_\_\_ Yes \_\_\_\_ No. If yes, what precautions or special features have been utilized to ensure protection of the sewer line and not restrict stream flow? Identify the sheet of the plans and station number where stream crossings are located: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_
- Please note: The Division recommends all stream crossings be located three (3) feet below the stream bed or ferrous material pipe specified. In addition, all aerial stream crossings must be located above the 25-year flood elevation. Both the 25-year flood elevation and the 100-year flood elevation should be indicated on the plans.
16. Wastewater collection systems may not be installed in WS-I watersheds. Are any of the subject wastewater collection systems located in a WS-1 watershed? \_\_\_\_\_ Yes, \_\_\_\_\_ No.

**THIS APPLICATION PACKAGE WILL NOT BE ACCEPTED BY THE DIVISION OF ENVIRONMENTAL  
MANAGEMENT UNLESS ALL OF THE APPLICABLE ITEMS ARE  
INCLUDED WITH THE SUBMITTAL**

*Required Items*

- a. One original and one copy of the completed and appropriately executed application form. If modifications to the form are required as a result of additional information requests by the Division, the additional information must be transmitted under the signature of the applicant and the actual modification must be initialed by the NC Professional Engineer.
- b. Two (2) sets of detailed plans and specifications signed and sealed by a North Carolina Professional Engineer. The plans must include a general location map, a plan view of the sewer extension, a profile of the sewer extension, and must show the proximity of the sewer extension to other utilities and natural features. Specifications may be omitted for delegated authorities. Each sheet of the plans and the first page of the specifications must be signed and sealed. Two (2) copies of the existing permit if a modification. The plans and specifications must not contain phrases (such as: FOR REVIEW ONLY, NOT FOR CONSTRUCTION, etc.) that indicate that they are anything other than final plans and specifications. However, the plans and specifications may contain: FINAL DESIGN - NOT RELEASED FOR CONSTRUCTION.
- c. The appropriate permit processing fee, in accordance with 15A NCAC 2H .0205(c)(5). The fee for sewer extensions for nondelegated municipalities is \$400. The fee for sewer extensions for delegated municipalities (applies only to those governmental jurisdictions that have specific delegation review authority, as granted by the Environmental Management Commission) is \$200. Name changes without other modifications are \$100.
- d. If the owner/authority of the wastewater treatment facility (WWTF) that will be accepting the wastewater flow from this project is different from the applicant of the project, then a letter must be provided from the owner/authority of the WWTF specifying the volume of flow that will be accepted. The letter should be a recent letter and should refer to the project by the same name as that identified on the application and the plans/specifications.
- e. If the application is being submitted in the name of a privately owned public utility, evidence must be submitted from the Utilities Commission which demonstrates that the utility is authorized to hold the franchise for the area to be served. In the case of contiguous service areas, evidence must be provided from the Utilities Commission acknowledging these areas are covered under an existing franchise.
- f. A properly executed Operational Agreement (original and one copy - form provided by DEM) must be submitted if the sewer extension will be serving single family residences, condominiums, mobile homes, or town houses and if the subject sewer extension is owned by the individual residents, a homeowners association, or a developer.
- g. A cover letter, which briefly describes the project, should be included with each application package. If necessary for clarity, feel free to include attachments to the application form. Such attachments will be considered as part of the application and should be numbered to correspond to the section to which they refer.
- h. All materials and fees submitted in support of this request for a permit become the property of the Division of Environmental Management; therefore, if the permit is not issued for any reason, the Division will return submitted materials only at its option.

Name and Complete Address of Engineering Firm: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Telephone Number: ( \_\_\_\_\_ ) \_\_\_\_\_

**Professional Engineer's Certification:**

I, \_\_\_\_\_, attest that this application for \_\_\_\_\_ has been reviewed by me and is accurate and complete to the best of my knowledge. I further attest that to the best of my knowledge the proposed design has been prepared in accordance with the applicable regulations. Although certain portions of this submittal package may have been developed by other professionals, inclusion of these materials under my signature and seal signifies that I have reviewed this material and have judged it to be consistent with the proposed design.

North Carolina Professional Engineer's Seal, Signature, and Date:

**Applicant's Certification:**

I, \_\_\_\_\_, attest that this application for \_\_\_\_\_ has been reviewed by me and is accurate and complete to the best of my knowledge. I understand that if all required parts of this application are not completed and that if all required supporting information and attachments are not included, this application package will be returned to me as incomplete.

Signature \_\_\_\_\_ Date \_\_\_\_\_

***THE COMPLETED APPLICATION PACKAGE, INCLUDING ALL SUPPORTING INFORMATION AND MATERIALS, SHOULD BE SENT TO THE FOLLOWING ADDRESS:***

**NORTH CAROLINA DIVISION OF ENVIRONMENTAL MANAGEMENT  
WATER QUALITY SECTION  
PERMITS AND ENGINEERING UNIT  
POST OFFICE BOX 29535  
RALEIGH, NORTH CAROLINA 27626-0535  
TELEPHONE NUMBER: (919) 733-5083**



**DIVISION OF ENVIRONMENTAL MANAGEMENT REGIONAL OFFICES (11/93)**

Asheville Regional WQ Supervisor  
 59 Woodfin Place  
 Asheville, NC 28801  
 (704) 251-6208  
 Fax (704) 251-6452

Washington Regional WQ Supervisor  
 Post Office Box 1507  
 Washington, NC 27889  
 (919) 946-6481  
 Fax (919) 975-3716

Raleigh Regional WQ Supervisor  
 Post Office Box 27687  
 Raleigh, NC 27611  
 (919) 571-4700  
 Fax (919) 571-4718

Avery  
 Buncombe  
 Burke  
 Caldwell  
 Cherokee  
 Clay  
 Graham  
 Haywood  
 Henderson  
 Jackson

Macon  
 Madison  
 McDowell  
 Mitchell  
 Polk  
 Rutherford  
 Swain  
 Transylvania  
 Yancy

Beaufort  
 Bertie  
 Camden  
 Chowan  
 Craven  
 Currituck  
 Dare  
 Gates  
 Greene  
 Hertford  
 Hyde

Jones  
 Lenoir  
 Martin  
 Pamlico  
 Pasquotank  
 Perquimans  
 Pitt  
 Tyrell  
 Washington  
 Wayne

Chatham  
 Durham  
 Edgecombe  
 Franklin  
 Granville  
 Halifax  
 Johnston  
 Lee

Nash  
 Northampton  
 Orange  
 Person  
 Vance  
 Wake  
 Warren  
 Wilson

Fayetteville Regional WQ Supervisor  
 Wachovia Building, Suite 714  
 Fayetteville, NC 28301  
 (910) 486-1541  
 Fax (910) 486-0707

Mooresville Regional WQ Supervisor  
 919 North Main Street  
 Mooresville, NC 28115  
 (704) 663-1699  
 Fax (704) 663-6040

Wilmington Region. WQ Supervisor  
 127 Cardinal Drive Extension  
 Wilmington, NC 28405-3845  
 (910) 395-3900  
 Fax (910) 350-2004

Anson  
 Bladen  
 Cumberland  
 Harnett  
 Hoke  
 Montgomery

Moore  
 Robeson  
 Richmond  
 Sampson  
 Scotland

Alexander  
 Cabarrus  
 Catawba  
 Gaston  
 Iredell  
 Lincoln

Mecklenburg  
 Rowan  
 Stanly  
 Union  
 Cleveland

Brunswick  
 Carteret  
 Columbus  
 Duplin

New Hanover  
 Onslow  
 Pender

Winston-Salem Regional WQ Supervisor  
 8025 North Point Boulevard, Suite 100  
 Winston-Salem, NC 27106  
 (910) 896-7007  
 Fax (910) 896-7005

Alamance  
 Alleghany  
 Ashe  
 Caswell  
 Davidson  
 Davie  
 Forsyth  
 Guilford

Rockingham  
 Randolph  
 Stokes  
 Surry  
 Watauga  
 Wilkes  
 Yadkin

This page intentionally left blank.

**State of North Carolina**  
**Department of Environment, Health and Natural Resources**  
**Division of Environmental Management**  
Non-Discharge Permit Application  
*(THIS FORM MAY BE PHOTOCOPIED FOR USE AS AN ORIGINAL)*

**GRAVITY SEWER EXTENSION  
PUMP STATIONS, AND PRESSURE SEWERS**

**I. GENERAL INFORMATION:**

1. Applicant's name (please specify the name of the municipality, corporation, individual, etc.): \_\_\_\_\_  
\_\_\_\_\_
2. Print Owners or Signing Official's name and title (the person who is legally responsible for the facility and its compliance):  
\_\_\_\_\_
3. Mailing address: \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
Telephone Number: ( \_\_\_\_\_ ) \_\_\_\_\_
4. Project Name (please specify the name of the subdivision, facility, or establishment - should be consistent with project name on plans, specifications, letters of flow acceptance, Operational Agreements, etc.):  
\_\_\_\_\_
5. Application Date: \_\_\_\_\_ 6. Fee Submitted: \$ \_\_\_\_\_
6. County where project is located: \_\_\_\_\_

**II. PERMIT INFORMATION:**

1. Application No. (will be completed by DEM): \_\_\_\_\_
2. Specify whether project is: \_\_\_\_\_ new; \_\_\_\_\_ modification.
3. If this application is being submitted as a result of a modification to an existing permit, please complete:  
existing permit number \_\_\_\_\_ and the issue date \_\_\_\_\_
4. Specify whether the applicant is \_\_\_\_\_ public or \_\_\_\_\_ private.

**III. INFORMATION ON WASTEWATER:**

1. Nature of Wastewater: \_\_\_\_\_ % Domestic/Commercial ; \_\_\_\_\_ % Industrial;  
\_\_\_\_\_ % Other waste (specify): \_\_\_\_\_
2. Please provide a one or two word description specifying the origin of the wastewater, such as school, subdivision, hospital, commercial, industrial, apartments, etc.: \_\_\_\_\_
3. Indicate any parameter(s) (and their concentration) that will be greater than normal domestic levels: \_\_\_\_\_  
\_\_\_\_\_
4. If wastewater is not domestic in nature, what level of pretreatment has been provided to ensure protection of the receiving wastewater treatment facility? \_\_\_\_\_

5. If a pretreatment permit is required, has one been issued? \_\_\_\_\_ Yes \_\_\_\_\_ No. If yes, please attach a copy of the pretreatment permit. If No, when will one be issued: \_\_\_\_\_
6. Volume of wastewater generated by this project: \_\_\_\_\_ gallons per day.
7. Explanation of how wastewater volume was determined: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

**IV. DESIGN INFORMATION:**

1. Brief project description: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_
2. Name of wastewater treatment facility receiving wastewater: \_\_\_\_\_
  - a. Facility Permit Number: \_\_\_\_\_
  - b. Engineer should provide statement of his evaluation of downstream sewers ability to accept the wastewater:  
 \_\_\_\_\_  
 \_\_\_\_\_
  - c. Permit Number for sewers immediately downstream: \_\_\_\_\_
  - d. Pipe diameter of sewers immediately downstream: \_\_\_\_\_
3. Summary of sewer pipe to be permitted, by diameter size and pipe material:

Diameter (in)	Length (linear feet)	Pipe Material	Circle C or N Factor & Specify Value	Minimum Slope (%)	Maximum Slope (%)	Minimum Velocity (fps)	Maximum Velocity (fps)	Minimum Cover (in)

**NOTE:** The minimum velocity must not be less than 2 fps.  
 For public sewers the minimum diameter is 8 inches.  
 For private sewers the minimum diameter is 6 inches.

4. Anchors shall be provided for sewers with slopes greater than 20 %. The anchor spacing shall be a maximum of: 36 feet separation for slopes of 21% to 35%; 24 feet separation for slopes of 36% to 50%; 16 feet separation for slopes greater than 50%.

For velocities greater than 15 fps, it is strongly recommended that measures be considered which will protect the sewers and manholes from erosion. For velocities greater than 20 fps, erosion control measures must be specified.

For any excessive slopes or velocities that will occur in any sewer line segment, what measures have been taken to protect the sewer pipe and manholes? \_\_\_\_\_  
 \_\_\_\_\_

5. Maximum sewer reach length between manholes: \_\_\_\_\_ linear feet.
6. This sewer line segment occurs between manhole no. \_\_\_\_\_ and manhole no. \_\_\_\_\_.
7. Does the owner/operator have the ability to clean this length? \_\_\_\_ Yes \_\_\_\_ No. For sewer reach lengths greater than 425 feet, please provide a letter from the owner/operator, stating the ability to clean the specified reach and include the equipment specifications.
8. Sewers subject to existing or planned traffic bearing loads? \_\_\_\_ Yes \_\_\_\_ No. If yes, what measures are being taken to enable the sewers to withstand the loads?  
 \_\_\_\_\_  
 \_\_\_\_\_
9. Outside drop manholes are provided where invert separations exceed: \_\_\_\_\_ feet (provide for separations > or = 2.5')
10. Identify (by manhole number) those manholes that have drop connections: \_\_\_\_\_  
 \_\_\_\_\_
11. Maximum allowable infiltration/exfiltration test rate: \_\_\_\_\_ GPD/pipe diameter inch/mile of pipe.  
 NOTE: Must not exceed 100 GPD/pipe diameter inch/mile of pipe.
12. Minimum separation distances as shown on the plans or addressed in the specifications. If a, b, or c below is no, explain in an attachment (This section must be completed for all collection systems including force mains and pressures sewers):
  - a) 100 ft. horizontal separation from wells or other water supplies? \_\_\_\_ Yes \_\_\_\_ No
  - b) 12 in. vertical separation from storm sewer or ferrous pipe sanitary sewer specified? \_\_\_\_ Yes \_\_\_\_ No
  - c) 10 ft. horiz. sep. from water mains or 18 in vertical sep. (water over sewer) or ferrous pipe specified? \_\_\_\_ Yes \_\_\_\_ No
13. Are manholes subject to flooding? \_\_\_\_ Yes \_\_\_\_ No. If yes, are manhole rim elevations 1 foot above 100-year flood level, (100 year flood elevation should be indicated on plans) \_\_\_\_ Yes \_\_\_\_ No; Or, are manholes watertight and vented 1 foot above the 100-year flood elevation ( should be shown on plans): \_\_\_\_ Yes \_\_\_\_ No
14. Identify (by manhole number) those manholes that are vented: \_\_\_\_\_
15. Does this project involve any stream crossings? \_\_\_\_ Yes \_\_\_\_ No. If yes, what precautions or special features have been utilized to ensure protection of the sewer line and not restrict stream flow? Identify the sheet of the plans and station number where stream crossings are located: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

**Please note:** The Division recommends all stream crossings be located three (3) feet below the stream bed or ferrous material pipe be specified. In addition, all aerial stream crossings must be located above the 25-year flood elevation. Both the 25-year flood elevation and the 100-year flood elevation should be indicated on the plans.

16. Sewers may not be installed in WS-I watersheds. Are any of the subject wastewater collection systems located in a WS-1 watershed? \_\_\_\_ Yes \_\_\_\_ No.
17. Miscellaneous comments: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

**V. PUMP STATION INFORMATION**

1. Pump Station No. or Name: \_\_\_\_\_ (A separate sheet 4 of 8 should be submitted for each pump station)
2. Name of closest downslope surface waters: \_\_\_\_\_
3. Classification of closest downslope surface waters: \_\_\_\_\_ (as established by the Environmental Management Commission & specified on sheet 5 of 8 of this application).
4. In accordance with 15A NCAC 2H .0219 (h)(3), describe the measures that are being implemented to prevent impacts on downslope surface waters, should a power failure occur at this pump station. NOTE: Alternative power MUST be addressed for every pump station in accordance with the above regulation. \_\_\_\_\_

5. What size pumps are provided: \_\_\_\_\_ GPM; and how many? \_\_\_\_\_
6. What is the design total dynamic head? \_\_\_\_\_ feet
7. How many pumping cycles will occur at average daily flow? \_\_\_\_\_ cycles per hour.  
NOTE: 15A NCAC 2H .0219 (h)(2) requires 2 to 8 pumping cycles per hour be achieved at average daily flow.
8. The following items are typically required in the design for pump stations. Check the appropriate blank to signify that these items have been provided in the design plans/specifications:

- Alternate Power Source \_\_\_\_\_
- Wet Well Vented with Screen \_\_\_\_\_
- Fillets in Wet Well \_\_\_\_\_
- Check Valves and Gate Valves \_\_\_\_\_
- Security Fencing \_\_\_\_\_
- Lockable Wet Well Cover \_\_\_\_\_
- Area Light \_\_\_\_\_
- 110V Electrical Convenience Outlet \_\_\_\_\_
- Flood/Buoyancy Protection \_\_\_\_\_
- High Water Alarm (one choice may be specified) \_\_\_\_\_ Audible and Visual \_\_\_\_\_ Auto Dialer

9. Summary of force main to be permitted, by diameter size and pipe material:

Diameter (in)	Length (linear feet)	Pipe Material	High Elevation (ft)	Low Elevation (ft)	Minimum Velocity (fps)	Maximum Velocity (fps)	Minimum Cover (in)

10. Are air release valves provided at all high points along the force main (must be provided where the elevation difference exceeds 10 feet)? \_\_\_ yes \_\_\_ no
11. Is pump station subject to flooding? \_\_\_ yes \_\_\_ no. If yes, what measures are being taken to protect against flooding?  
\_\_\_\_\_
12. If subject to flooding, specify the 100-year flood elevation: \_\_\_\_\_ Feet MSL
13. Are there existing or planned pump stations downstream of this station? \_\_\_ Yes \_\_\_ No. If yes, the engineer shall evaluate the ability of those pump stations to adequately handle the subject flows and shall include that evaluation as an attachment to this application.

This form must be completed by the appropriate DEM regional office and included as a part of the project submittal information.

**INSTRUCTIONS TO NC PROFESSIONAL ENGINEER:**

The classification of the downslope surface waters (the surface waters that any overflow from the facility would flow toward) in which these sewers will be constructed must be determined by the appropriate DEM regional office. Therefore, you are required, prior to submittal of the application package, to submit this form, with items 1 through 7 completed, to the appropriate Division of Environmental Management Regional Water Quality Supervisor (see page 8 of 8). At a minimum, you must include an 8.5" by 11" copy of the portion of a 7.5 minute USGS Topographic Map which shows the location of these sewers and the downslope surface waters in which they will be located. Identify the closest downslope surface waters on the attached map copy. Once the regional office has completed the classification, reincorporate this completed page and the topographic map into the complete application form and submit the application package.

1. Applicant (specify name of the municipality, corporation, individual, etc.): \_\_\_\_\_  
\_\_\_\_\_
2. Name & complete address of engineering firm: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
Telephone number: ( \_\_\_\_\_ ) \_\_\_\_\_
3. Project name: \_\_\_\_\_
4. Name of closest downslope surface waters: \_\_\_\_\_
5. County(s) where sewers and surface waters are located: \_\_\_\_\_
6. Map name and date: \_\_\_\_\_
7. NC Professional Engineer's Seal, Signature, and Date:

**TO: REGIONAL WATER QUALITY SUPERVISOR**

Please provide me with the classification of the watershed where these sewers will be constructed, as identified on the attached map segment:

Name of surface waters: \_\_\_\_\_

Classification (as established by the Environmental Management Commission): \_\_\_\_\_

Proposed classification, if applicable: \_\_\_\_\_

Signature of regional office personnel: \_\_\_\_\_ Date: \_\_\_\_\_

(All attachments must be signed)

**THIS APPLICATION PACKAGE WILL NOT BE ACCEPTED BY THE DIVISION OF ENVIRONMENTAL  
MANAGEMENT UNLESS ALL OF THE APPLICABLE ITEMS ARE  
INCLUDED WITH THE SUBMITTAL**

*Required Items*

- a. One original and one copy of the completed and appropriately executed application form. If modifications to the form are required as a result of additional information requests by the Division, the additional information must be transmitted under the signature of the applicant and the actual modification must be initialed by the NC Professional Engineer.
- b. Two (2) sets of detailed plans and specifications signed and sealed by a North Carolina Professional Engineer. The plans must include a general location map, a plan view of the sewer extension, a profile of the sewer extension, and must show the proximity of the sewer extension to other utilities and natural features. Specifications may be omitted for delegated authorities. Each sheet of the plans and the first page of the specifications must be signed and sealed. Two (2) copies of the existing permit if a modification. The plans and specifications must not contain phrases (such as: FOR REVIEW ONLY, NOT FOR CONSTRUCTION, etc.) that indicate that they are anything other than final plans and specifications. However, the plans and specifications may contain: FINAL DESIGN - NOT RELEASED FOR CONSTRUCTION.
- c. Two copies of all calculations, including pump selection, friction calculations, cycle time, pump curves (including system curves applicable with one pump running, two pumps running, three pumps running, etc.), and evaluation of downstream pump stations. These items must be submitted under the signature and seal of the NC Professional Engineer.
- d. The appropriate permit processing fee, in accordance with 15A NCAC 2H .0205(c)(5). The fee for sewer extensions for nondelegated municipalities is \$400. The fee for sewer extensions for delegated municipalities (applies only to those governmental jurisdictions that have specific delegation review authority, as granted by the Environmental Management Commission) is \$200. Name changes without other modifications are \$100.
- e. If the owner/authority of the wastewater treatment facility (WWTF) that will be accepting the wastewater flow from this project is different from the applicant of the project, then a letter must be provided from the owner/authority of the WWTF specifying the volume of flow that will be accepted. The letter should be a recent letter and should refer to the project by the same name as that identified on the application and the plans/specifications.
- f. If the application is being submitted in the name of a privately owned public utility, evidence must be submitted from the Utilities Commission which demonstrates that the utility is authorized to hold the franchise for the area to be served. In the case of contiguous service areas, evidence must be provided from the Utilities Commission acknowledging these areas are covered under an existing franchise.
- g. A properly executed Operational Agreement (original and one copy - form provided by DEM) must be submitted if the sewer extension will be serving single family residences, condominiums, mobile homes, or town houses and if the subject sewer extension is owned by the individual residents, a homeowners association, or a developer.
- h. The downslope surface waters classification must be determined by the appropriate DEM regional office, using page 5 of 8 of this form, prior to the submittal of the application package to the Water Quality Permits and Engineering Unit. Once the regional office has completed the classification, page 5 of 8 should be reincorporated into the application package and the entire application package may then be submitted to Water Quality Permits and Engineering Unit.
- i. A cover letter, which briefly describes the project, should be included with each application package. If necessary for clarity, feel free to include attachments to the application form. Such attachments will be considered as part of the application and should be numbered to correspond to the section to which they refer.
- j. All materials and fees submitted in support of this request for a permit become the property of the Division of Environmental Management; therefore, if the permit is not issued for any reason, the Division will return submitted materials only at its option.



Name and Complete Address of Engineering Firm: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Telephone Number: ( \_\_\_\_\_ ) \_\_\_\_\_

**Professional Engineer's Certification:**

I, \_\_\_\_\_, attest that this application for \_\_\_\_\_ has been reviewed by me and is accurate and complete to the best of my knowledge. I further attest that to the best of my knowledge the proposed design has been prepared in accordance with the applicable regulations. Although certain portions of this submittal package may have been developed by other professionals, inclusion of these materials under my signature and seal signifies that I have reviewed this material and have judged it to be consistent with the proposed design.

North Carolina Professional Engineer's Seal, Signature, and Date:

**Applicant's Certification:**

I, \_\_\_\_\_, attest that this application for \_\_\_\_\_ has been reviewed by me and is accurate and complete to the best of my knowledge. I understand that if all required parts of this application are not completed and that if all required supporting information and attachments are not included, this application package will be returned to me as incomplete.

Signature \_\_\_\_\_ Date \_\_\_\_\_

*THE COMPLETED APPLICATION PACKAGE, INCLUDING ALL SUPPORTING INFORMATION AND MATERIALS, SHOULD BE SENT TO THE FOLLOWING ADDRESS:*

**NORTH CAROLINA DIVISION OF ENVIRONMENTAL MANAGEMENT**

**WATER QUALITY SECTION**

**PERMITS AND ENGINEERING UNIT**

**POST OFFICE BOX 29535**

**RALEIGH, NORTH CAROLINA 27626-0535**

**TELEPHONE NUMBER: (919) 733-5083**

**DIVISION OF ENVIRONMENTAL MANAGEMENT REGIONAL OFFICES (11/93)**

Asheville Regional WQ Supervisor  
59 Woodfin Place  
Asheville, NC 28801  
(704) 251-6208  
Fax (704) 251-6452

Washington Regional WQ Supervisor  
Post Office Box 1507  
Washington, NC 27889  
(919) 946-6481  
Fax (919) 975-3716

Raleigh Regional WQ Supervisor  
Post Office Box 27687  
Raleigh, NC 27611  
(919) 571-4700  
Fax (919) 571-4718

Avery  
Buncombe  
Burke  
Caldwell  
Cherokee  
Clay  
Graham  
Haywood  
Henderson  
Jackson

Macon  
Madison  
McDowell  
Mitchell  
Polk  
Rutherford  
Swain  
Transylvania  
Yancy

Beaufort  
Bertie  
Camden  
Chowan  
Craven  
Currituck  
Dare  
Gates  
Greene  
Hertford  
Hyde

Jones  
Lenoir  
Martin  
Pamlico  
Pasquotank  
Perquimans  
Pitt  
Tyrell  
Washington  
Wayne

Chatham  
Durham  
Edgecombe  
Franklin  
Granville  
Halifax  
Johnston  
Lee

Nash  
Northampton  
Orange  
Person  
Vance  
Wake  
Warren  
Wilson

Fayetteville Regional WQ Supervisor  
Wachovia Building, Suite 714  
Fayetteville, NC 28301  
(910) 486-1541  
Fax (910) 486-0707

Mooresville Regional WQ Supervisor  
919 North Main Street  
Mooresville, NC 28115  
(704) 663-1699  
Fax (704) 663-6040

Wilmington Region. WQ Supervisor  
127 Cardinal Drive Extension  
Wilmington, NC 28405-3845  
(910) 395-3900  
Fax (910) 350-2004

Anson  
Bladen  
Cumberland  
Harnett  
Hoke  
Montgomery

Moore  
Robeson  
Richmond  
Sampson  
Scotland

Alexander  
Cabarrus  
Catawba  
Gaston  
Iredell  
Lincoln

Mecklenburg  
Rowan  
Stanly  
Union  
Cleveland

Brunswick  
Carteret  
Columbus  
Duplin

New Hanover  
Onslow  
Pender

Winston-Salem Regional WQ Supervisor  
8025 North Point Boulevard, Suite 100  
Winston-Salem, NC 27106  
(910) 896-7007  
Fax (910) 896-7005

Alamance  
Alleghany  
Ashe  
Caswell  
Davidson  
Davie  
Forsyth  
Guilford

Rockingham  
Randolph  
Stokes  
Surry  
Watauga  
Wilkes  
Yadkin



FOR AGENCY USE ONLY		
DATE RECEIVED		
YEAR	MONTH	DAY
CERTIFICATE OF COVERAGE		
DATE ISSUED		
YEAR	MONTH	DAY

**NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM**  
**NOTICE OF INTENT REQUESTING COVERAGE UNDER THE**  
**CONSTRUCTION ACTIVITIES GENERAL NPDES PERMIT NCG010000**  
**STORMWATER DISCHARGES**

Complete this Notice of Intent (NOI) and mail to the following address

North Carolina Division of Environmental Management  
 Water Quality Section, NPDES Group  
 P.O. Box 29535  
 Raleigh, North Carolina, 27626-0535

The NOI must be accompanied with a general permit filing fee of \$50.00. The check should be made out to the North Carolina Department of Environment, Health, and Natural Resources.

Applicant Information: (please print or type)

Name: \_\_\_\_\_  
 Address: \_\_\_\_\_  
 City: \_\_\_\_\_ State: \_\_\_\_\_  
 Zip: \_\_\_\_\_ Phone: (\_\_\_\_) \_\_\_\_\_

Project Information:

Name of project: \_\_\_\_\_  
 City: \_\_\_\_\_ State: \_\_\_\_\_  
 County: \_\_\_\_\_  
 Estimated time table of the project:  
 \_\_\_\_\_

**Physical Location**

Description:(Street address, state road number, distance and direction from roadway intersection, and attach a copy of a county map or USGS quad with the facility marked on the map.) \_\_\_\_\_

[Agency use only: Latitude \_\_\_\_\_ Longitude \_\_\_\_\_]

Stormwater discharges to

\_\_\_\_\_  
\_\_\_\_\_  
(name of receiving water  
or, if to a municipal separate storm sewer system, name of the municipal system)  
\_\_\_\_\_

Number of stormwater discharge points? \_\_\_\_

I hereby request coverage under the referenced General Permit. I understand that coverage under this permit will constitute the permit requirements for the discharge(s) and is enforceable in the same manner as an individual permit.

I agree to abide by the following as a part of coverage under this General Permit:

1. I agree to abide by the approved Sedimentation and Erosion Control Plan for this project and to keep a signed copy of the letter of approval of the plan on-site at all times. (A copy of the letter of approval of the plan must be attached to this request.)
2. I agree to not discharge any sanitary wastewater from this construction activity except under the provisions of another NPDES permit specifically issued therefore.
3. I agree that there will be no chemicals added to the discharge.
4. I agree that wastes composed of building materials will be disposed of in accordance with N.C. statutes and rules governing solid waste disposal.
5. I agree that maintenance activities for vehicles and heavy equipment will be performed so as to not result in contamination of the surface or ground waters.

I agree to abide by the provisions as listed above and recognize that the provisions are to be considered as enforceable requirements of the General Permit.

I certify that I am familiar with the information contained in the application and that to the best of my knowledge and belief such information is true, complete, and accurate.

\_\_\_\_\_  
signature

\_\_\_\_\_  
date

\_\_\_\_\_  
name of person signing above (printed or typed)

\_\_\_\_\_  
title

North Carolina General Statute 143-215.6B (i) provides that: Any person who knowingly makes any false statement, representation, or certification in any application, record, report, plan or other document filed or required to be maintained under Article 21 or regulations of the Environmental Management Commission implementing that Article, or who falsifies, tampers with or knowingly renders inaccurate any recording or monitoring device or method required to be operated or maintained under Article 21 or regulations of the Environmental Management Commission implementing that Article, shall be guilty of a misdemeanor punishable by a fine not to exceed \$10,000, or by imprisonment not to exceed six months, or by both. (18 U.S.C. Section 1001 provides a punishment by a fine of not more than \$10,000 or imprisonment not more than 5 years, or both, for similar offense.)

**CHARLOTTE FIRE DEPARTMENT  
BULLETIN #22.2  
BLASTING REQUIREMENTS**

Two types of permits are issued for blasting operations: 1) Routine Blasting permits are issued for predetermined locations or jobs that comply with Items I - III. 2) Pop Shot permits are issued for unexpected or unanticipated jobs that require the use of small amounts of blasting materials and comply with the items indicated by an asterisk (\*) in the left column and with Item IV.

**I. APPLYING FOR PERMIT**

A. In addition to submitting a fire department permit application, the following information and documentation are also required:

- \* 1. An original corporate surety bond in the minimum principal sum of \$1,000,000 or an original public liability insurance policy or certificate for the same amount. The bond and policy shall be in force for the duration of the blasting operations.
- 2. Two (2) copies of a site plan, 8 1/2" x 11", minimum size, drawn to scale and indicating the address and locations of on site and adjacent properties which may be affected:
  - a. Blasting area(s)
  - b. Inhabited buildings
  - c. Railways
  - d. Barricades
  - e. Storage magazines
- 3. Storage arrangements, quantities of explosives and method of detonation. Quantities of explosives shall be the maximum anticipated amount of explosives that may be brought to the blasting site at any one time.
- \* 4. A check made payable to the City of Charlotte for \$165.00.
- \* 5. A description setting forth the name, age, experience, address and home and business telephone numbers of the person(s) responsible for (in charge or) blasting operations.
- \* B. Permit applications and plans for routine blasting permits shall be submitted to the Fire Plans Examiners located at 700 N. Tryon Street between 8:00am and 11:00am weekdays. Telephone calls may be directed to 336-2101 for requests outside these hours.

- C. When blasting operations extend beyond the corporate limits of the City of Charlotte, permit issuance will be coordinated with the Mecklenburg County Fire Marshal's Office.

**II. CONDITION OF THE PERMIT**

- A. A blasting permit shall remain valid for the duration of the job or for one (1) year, whichever comes first, or until the certificate of insurance expires.
- \* B. The permit or a copy thereof shall be kept at the blasting site, preferably in the blasting log, and made available to the Fire Inspector for his/her review.
- \* C. The permit shall not be assigned or transferred.
- \* D. The permit shall not be issued to a person under 21 years of age.
- \* E. A holder of a permit to blast shall keep a daily record of all explosives materials received and fired or otherwise disposed of by the permit holder. Such records shall be retained for five years and shall be made available to the issuing authority upon request.

**III. CONDITIONS FOR BLASTING OPERATIONS**

- A. Twenty four (24) hour notice shall be given to the Fire Inspector at 336-2101 for the site inspection of the initial blasting activity for each different location. Exception: "Pop Shots" for which a valid permit has been issued.
- \* B. The Communications Division of the Fire Department shall be called prior to blasting at 336-2441.
- \* C. All federal, state and local laws and regulations applicable to obtaining, owning, transporting storing handling, and using explosive materials shall be followed.
- \* D. Explosive materials shall be protected from unauthorized possession and shall not be abandoned.
- \* E. Explosive materials shall be used only by experienced persons who are familiar with the hazards involved and who hold all required permits.
- \* F. No explosive materials shall be located or stored where they may be exposed to flame, excessive heat, sparks or impact.

- \* G. No smoking shall be permitted within 50 ft. (15.25m) of any location where explosives are being handled or used.
- \* H. No blasting operation shall be conducted in a manner contrary to the instructions of the manufacturer of the explosive materials being used.
- \* I. All explosive materials not in the process of manufacture, being transported, or being used shall be kept in storage magazines. Storage magazines shall comply with Federal Explosives Storage Requirements.
- \* J. When blasting is being conducted in a congested area or in a close proximity to a structure, railway, or highway, or any other installation that may be affected, special precautions shall be exercised to prevent damage and to minimize earth vibrations and air blasts. Blasting mats or other protective devices shall be used to prevent fragments from being thrown. Pre-blasting property surveys are suggested when blasting in these areas.
- \* K. Persons authorized to prepare explosive charges or to conduct blasting operations shall use every reasonable precaution, including but not limited to warning signals, flags, barricades, mats, or other equally effective means to ensure the safety of the general public and workers.
- \* L. Blasting operations shall be conducted during daylight hours except when authorized at other times by the Fire Marshal.
- M. Whenever blasting is being conducted in the vicinity of gas, electric, water, fire alarm, telephone, telegraph or steam utilities, the blaster shall notify the appropriate representative of such utilities at least 24 hours in advance of blasting specifying the location and intend time of such blasting.
- N. Precautions shall be taken to prevent accidental discharge of electric blasting caps from currents induced by radar and radio transmitters, lighting, adjacent power lines, dust and snow storms, or other sources of extraneous electricity. These precautions shall include, among others, the posting of signs warning against the use of mobile radio transmitters on all roads within 1000 ft. of blasting operations.

- \* O. If a misfire occurs, all personnel shall remain at a safe distance for at least one hour from the time of initiation. Correction of misfires shall be handled under the direction to the blaster in charge. A thorough search shall be made for unexploded charges before correction is attempted.
- \* P. All personnel shall remain a safe distance away from the area where undischarged explosives are being disposed of. Disposal of unexploded charges shall be in accordance with the N.C. State Fire Prevention Code.
- \* Q. Transportation of explosives shall comply with Department of Transportation (DOT) regulations.

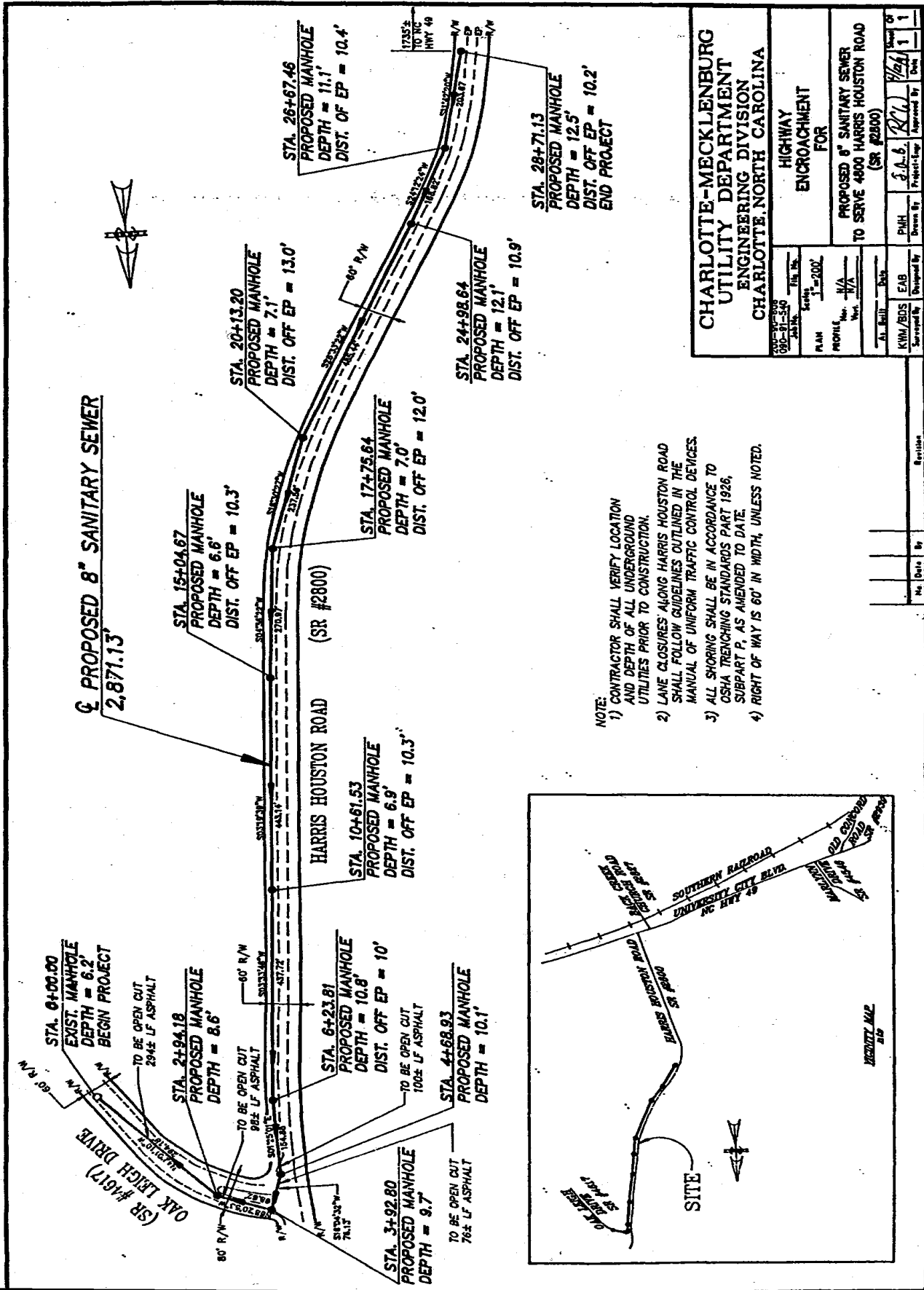
IV. POP SHOTS (\* Applicable in Addition to Below)

- A. Discharge of explosives shall be limited to 10 lbs. total.
- B. Explosives may be distributed in not more than six holes and must be discharged in a delay sequence of not more than 2 lbs. per delay shot.
- C. Explosives may not be discharged closer than 10 feet to a gas, water, electric or telecommunications line or closer than 50 feet to an occupied building.
- D. Pop Shots shall be conducted by qualified blasters only after the blast is determined to be safe.
- E. Blasting permits issued for Pop Shots shall remain valid for one (1) year or until the certificate of insurance expires.

**SHOULD EMERGENCIES OR UNFORESEEN CIRCUMSTANCES REQUIRING IMMEDIATE ATTENTION ARISE, PLEASE CALL FIRE COMMUNICATIONS AT (704)336-2441. OTHER CONCERNS MAY BE DIRECTED TO THE FIRE PREVENTION BUREAU AT (704)336-2101.**

Revised September 1992

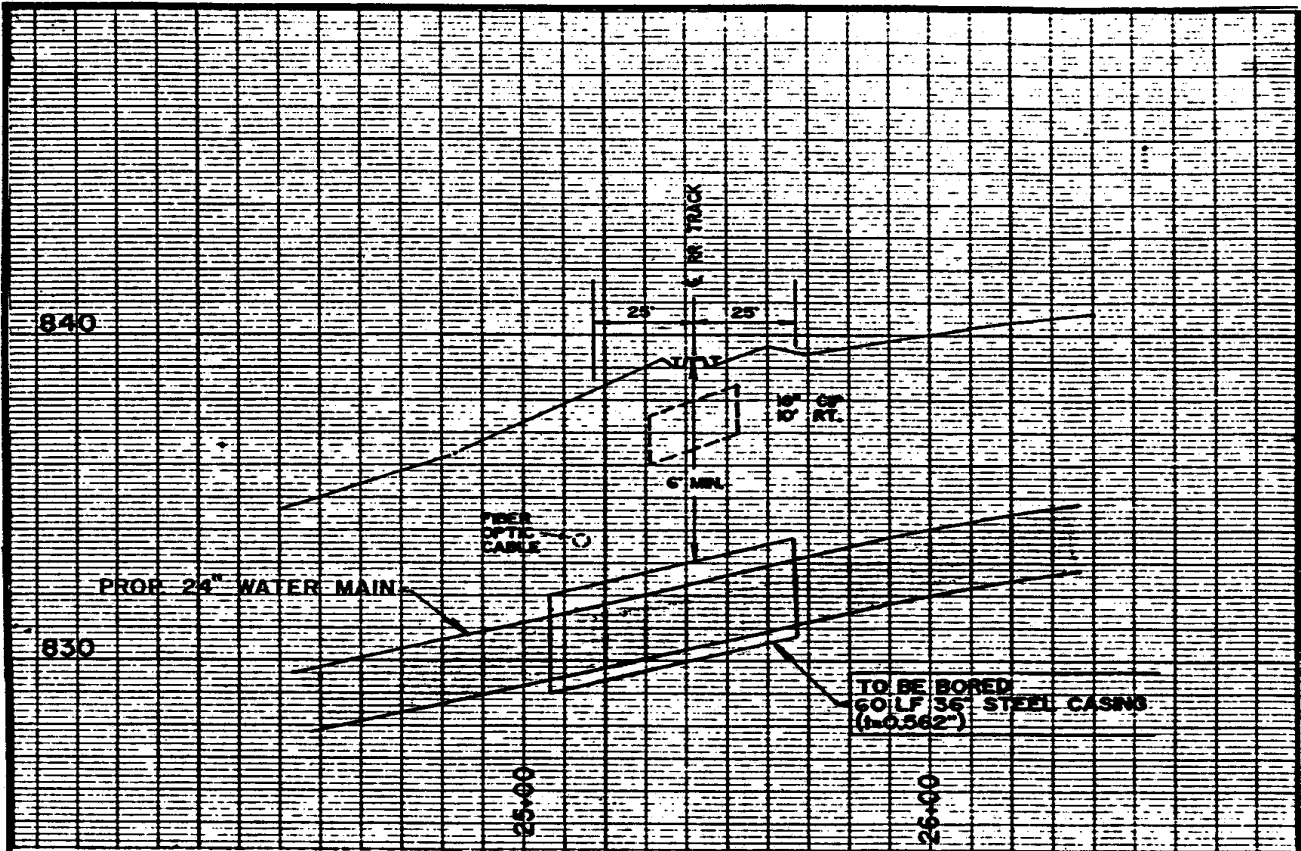




- NOTE:
- 1) CONTRACTOR SHALL VERIFY LOCATION AND DEPTH OF ALL UNDERGROUND UTILITIES PRIOR TO CONSTRUCTION.
  - 2) LANE CLOSURES ALONG HARRIS HOUSTON ROAD SHALL FOLLOW GUIDELINES OUTLINED IN THE MANUAL OF UNIFORM TRAFFIC CONTROL DEVICES.
  - 3) ALL SHORING SHALL BE IN ACCORDANCE TO OSHA TRENCHING STANDARDS PART 1926, SUBPART P, AS AMENDED TO DATE.
  - 4) RIGHT OF WAY IS 60' IN WIDTH, UNLESS NOTED.

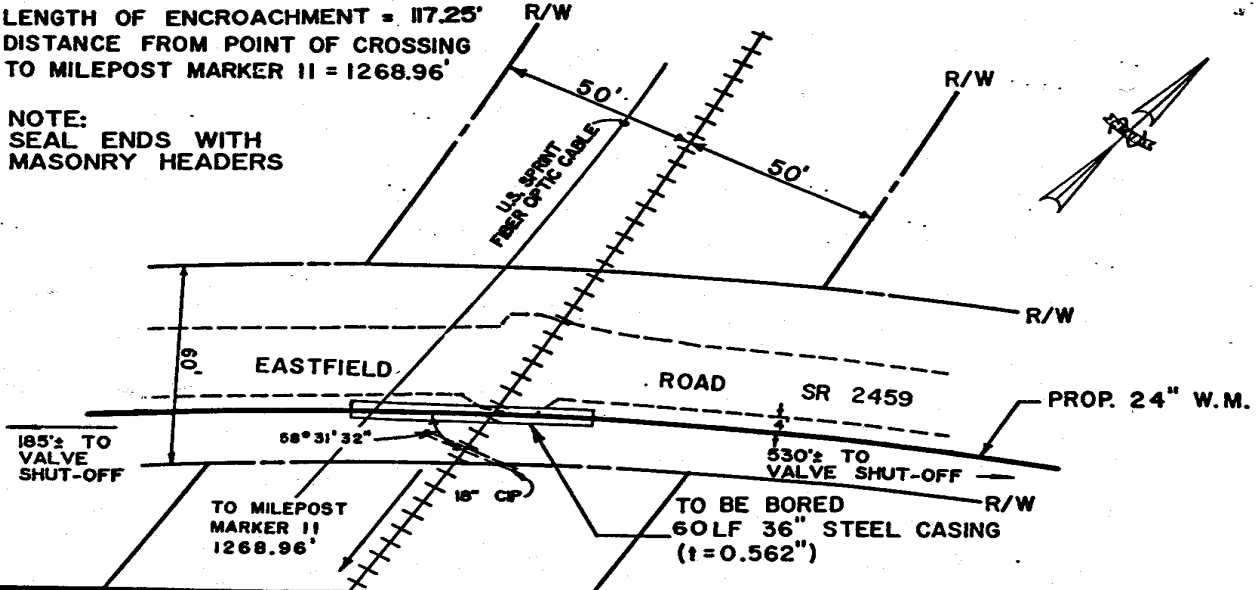
<b>CHARLOTTE-MECKLENBURG UTILITY DEPARTMENT ENGINEERING DIVISION CHARLOTTE, NORTH CAROLINA</b>	
PROJECT NO. 99-31-540 DATE 1/11/00	SHEET NO. 1 TOTAL SHEETS 1
PLAN SCALE 1"=200' PROFILE N/A VERT. N/A	HIGHWAY ENCROACHMENT FOR PROPOSED 8" SANITARY SEWER TO SERVE 4800 HARRIS HOUSTON ROAD (SR #2800)
DESIGNED BY: J.A.B. CHECKED BY: R.L.G. DATE: 1/11/00	APPROVED BY: [Signature] DATE: 1/11/00

No.	Date	By	Revision



LENGTH OF ENCROACHMENT = 117.25'  
 DISTANCE FROM POINT OF CROSSING  
 TO MILEPOST MARKER 11 = 1268.96'

NOTE:  
 SEAL ENDS WITH  
 MASONRY HEADERS



	CARRIER PIPE	CASING PIPE
CONTENTS TO BE HANDLED	WATER	
INSIDE DIAMETER	24.92"	34.88"
OUTSIDE DIAMETER	25.88"	36.00"
PIPE MATERIAL	D.I.P.	STEEL
SPECIFICATIONS	PRESS. CL. 200	35,000 PSI
GRADE	TYPE II	GRADE "B" STEEL
WALL THICKNESS	0.44"	0.562"
MAX. WORKING PRESS.	65 PSI	
TEST PRESSURE	200 PSI	
TYPE OF JOINT	PUSH-ON	WELDED
INSTALLATION METHOD	JACKED THROUGH CASING PIPE	JACKED THROUGH DRY BORE

R.R. SUBDIVISION - CHARLOTTE  
 MECKLENBURG COUNTY, N.C.

CHARLOTTE-MECKLENBURG  
 UTILITY DEPARTMENT  
 ENGINEERING DIVISION  
 CHARLOTTE, NORTH CAROLINA

661-88-281 691  
 Job No. File No.

Scale: PLAN 1" = 40'  
 PROFILE 1" = 40'  
 VERT. 1" = 4'

SOUTHERN RAILROAD  
 ENCROACHMENT FOR  
 PROP. 24" WATER MAIN  
 ALONG  
 EASTFIELD RD.

DR	KIS	KIS	M.R.C.	R.M.C.	W.H.B.
Drawn By	Designed By	Drawn By	Project Eng.	Approved By	Date



APPLICATION FOR PIPE LINE CROSSING/PARALLELISM UNDER/OVER PROPERTIES AND TRACKS

Plans for proposed installation shall be submitted to and meet the approval of the Railroad Company before construction is begun. Material and installation are to be in strict accordance with specifications of the American Railway Engineering Association and requirements of the Seaboard System Railroad. Original and twelve (12) copies of this form shall be submitted, accompanied by twelve (12) lettersize prints of a drawing showing plan, elevation section of crossing from field survey, location in respect to Mile Post, width of Railroad's right of way, location of adjacent structures affecting crossing, and all information required in Figures 1 and 2 of AREA Specifications, Part 5 - Pipelines. If open cutting or tunneling is necessary, details of sheeting and method of supporting tracks or driving tunnel shall be shown.

1. Correct Name of Applicant \_\_\_\_\_ Tel.: (\_\_\_\_) \_\_\_\_\_
2. Post Office Address \_\_\_\_\_
3. Partnership - Name and initials all partners, women - given and surnames before marriage and present \_\_\_\_\_
4. If incorporated, name of state in which incorporated \_\_\_\_\_
5. Location \_\_\_\_\_ feet \_\_\_\_\_ (Direction) from nearest RR Mile Post \_\_\_\_\_ VS \_\_\_\_\_
6. Nearest Railroad Station \_\_\_\_\_ County \_\_\_\_\_ State \_\_\_\_\_
7. Within limits of public highway name \_\_\_\_\_ Fed-State-County No. \_\_\_\_\_
8. Temporary track support or riprapping required ( ) Yes ( ) No - Describe \_\_\_\_\_
9. Wires, poles, obstructions to be relocated ( ) Yes ( ) No - Describe \_\_\_\_\_
10. Product to be conveyed \_\_\_\_\_ Flammable ( ) Yes ( ) No. Temperature \_\_\_\_\_
11. Max. Working pressure \_\_\_\_\_ PSI. Field test pressure \_\_\_\_\_ PSI. Type test \_\_\_\_\_
12. Location of shut-off valves \_\_\_\_\_

13. PIPE SPECIFICATIONS:

	<u>CARRIER PIPE</u>	<u>CASING PIPE</u>
Material	_____	_____
Material Specifications and Grade	_____	_____
Minimum Yield Strength of Material PSI	_____	_____
Mill Test Pressure PSI	_____	_____
Inside Diameter	_____	_____
Wall Thickness	_____	_____
Outside Diameter	_____	_____
Type of Seam	_____	_____
Laying Lengths	_____	_____
Kind of Joints	_____	_____
Total Length within RR R/W	_____	_____
VENTS: Number _____ Size _____ Hgt. above ground _____		
SEALS: Both ends _____ one end _____		
BURY: Base of rail to top of casing _____ ft. _____ in.		
BURY: (Not beneath tracks) _____ ft. _____ in.		
BURY: (Roadway ditches) _____ ft. _____ in.		
CATHODIC PROTECTION: ( ) Yes ( ) No		
PROTECTIVE COATING: ( ) Yes ( ) No Kind _____		
Type, size and spacing of insulators or supports _____		

14. Method of Installation \_\_\_\_\_  
 If application is approved, applicant agrees to reimburse the Railroad for any cost incurred by the Railroad incident to installation, maintenance, and/or supervision necessitated by this pipe line installation, and further agrees to assume all liability for accidents or injuries which arise as a result of this installation. Should open cut installation be required a non-refundable charge of \$600.00 will be required to resurface tracks.

\_\_\_\_\_ Date

\_\_\_\_\_ Signature and Title of Officer Signing Application

