



## CHATHAM COUNTY PUBLIC HEALTH DEPARTMENT

### DIVISION OF ENVIRONMENTAL HEALTH

80 EAST ST., P.O. BOX 130 - PITTSBORO, NC 27312-0130

PHONE 919-542-8208

### IMPROVEMENT PERMIT DENIAL

August 26, 2024

**COPY**

Connie & Harlen Adkins  
446 Wood Rd.,  
Pittsboro, NC 27312

**Re: Application for Improvement Permit for Improvement Permit for 2-Bedroom. Property location: 37 East Cotton, Pittsboro, NC 27312. Parcel number: 64508**

Dear The Adkins:

The Chatham County Health Department, Environmental Health Division, on 7/8/2024, evaluated the above-referenced property at the site designated on the plat/site plan that accompanied your improvement permit application. According to your application the site is to serve a 2-Bedroom residence, with a design wastewater flow of 240 gallons per day. The evaluation was done in accordance with the laws and rules governing on-site wastewater systems in General Statutes 130A-333 to 345 and 15A NCAC 18E.

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

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

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

The site evaluation included consideration of possible site modifications, as well as use of systems described in 15A NCAC 18E .0902 THROUGH .0905, .0907, and .0909.. However, the Health Department has determined that none of the above options will overcome the severe conditions on this site

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

**Leading the Charge to a Healthier Chatham**

80 East Street, PO Box 130, Pittsboro, NC 27312 • Phone: 919-542-8208 • [www.chathamnc.org/environmentalhealth](http://www.chathamnc.org/environmentalhealth)

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

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

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

If you wish to pursue a formal appeal, you must file the petition form with the Office of Administrative Hearings **WITHIN 30 DAYS OF THE DATE OF THIS LETTER**. The date of this letter is 8/26/2024. Meeting the 30-day deadline is critical to your formal appeal.

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

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

You may call (919.542.8208) or write (80 East St., Pittsboro, NC 27312) the Chatham County Public Health Department if you need any additional information or assistance.

Sincerely,

Miguel Lopez   
Environmental Health Specialist

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Enclosures:

1. Site Evaluation Notes
2. Rule .0509 (b) or (c)

## 15A NCAC 18E .0509 SITE SUITABILITY AND CLASSIFICATION

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

*History Note: Authority G.S. 130A-335(e).*

**COPY**

Parcel Number: 64508

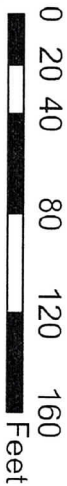
Owner: Connie & Harlen Adkins

Auger Boring Locations



Legend

- Auger Boring Sites
- Road Centerlines
- Parcels
- Building Footprints (2023)



COPY

Author: *[Signature]*

Date: 8-23-2024



PROPERTY ID #: 64508  
COUNTY: CHATHAM

SOIL/SITE EVALUATION for ON-SITE WASTEWATER SYSTEM

(Complete all fields in full)

OWNER: Connie & Harlen Adkins Applicant: Dave Klarmann DATE EVALUATED: 7-8-2024  
ADDRESS: 446 Wood Rd., Pittsboro, NC 27312  
PROPOSED FACILITY: New Single Family Residence PROPOSED DESIGN FLOW (.0400): 240 PROPERTY SIZE: 1.496 Acres  
LOCATION OF SITE: 37 East Cotton, Pittsboro, NC 27312 PROPERTY RECORDED:  
WATER SUPPLY: Public Single Family Well Shared Well Spring Other WATER SUPPLY SETBACK:  
EVALUATION METHOD: Auger Boring Pit Cut TYPE OF WASTEWATER: Domestic High Strength IPWW

#	.0502 LANDSCAPE POSITION/ SLOPE %	HORIZON DEPTH (IN.)	SOIL MORPHOLOGY		OTHER PROFILE FACTORS				.0509 PROFILE CLASS & LTAR*	.0502 SLOPE CORREC TION
			.0503 STRUCTURE/ TEXTURE	.0503 CONSISTENCE/ MINERALOGY	.0504 SOIL WETNESS/ COLOR	.0505 SOIL DEPTH	.0506 SAPRO CLASS	.0507 RESTR HORIZ		
1	L 5%	0-8"	C 1 S3K	EFF, VP, EXP	-	8" EXP	-	-	US	
2	L 5%	0-8"	CL 1 B3K	FL, SP, SEXP	-	22" SH	-	-	S .25	2"
		8"-22"	C 1 S3K	FL, P, SEXP						
3	L 8%	0-4"	CL 1 B3K	FL, SP, SEXP	30" wet succ		-	-	S .25	3"
		4"-24"	SC 1 S3K	FL, P, SEXP						
		24"-30"	SC 1 B3K	FL, SP, SEXP						
4	L 5%	0-17"	CL 1 B3K	FL, SP, SEXP		22" EXP	-	-	S .2	2"
		17"-22"	C 1 S3K	VF, VP, EXP						

DESCRIPTION	INITIAL SYSTEM	REPAIR SYSTEM	SITE CLASSIFICATION (.0509): <u>Unsuitable</u> EVALUATED BY: <u>Miguel Lopez</u> OTHER(S) PRESENT: <u>Carl Kivett</u>
Available Space (.0508)	x	x	
System Type(s)	x	x	
Site LTAR	x	x	
Maximum Trench Depth	x	x	

Comments: Existing system present on property. The existing system was damaged during the expansion of 15-501  
3 East Cotton Rd.

**SOIL/SITE EVALUATION**  
(Continuation Sheet-Complete all field in full)

Page 2 of 2

DEPARTMENT OF HEALTH AND HUMAN SERVICES  
DIVISION OF PUBLIC HEALTH  
ENVIRONMENTAL HEALTH SECTION  
ON-SITE WATER PROTECTION BRANCH

PROPERTY ID #: 64508  
DATE OF EVALUATION: 7-8-2024  
COUNTY: CHATHAM

**COPY**

#	.0502 LANDSCAPE POSITION/ SLOPE %	HORIZON DEPTH (IN.)	SOIL MORPHOLOGY		OTHER PROFILE FACTORS				.0509 PROFILE CLASS & LTAR*	.0502 SLOPE CORREC TION
			.0503 STRUCTURE/ TEXTURE	.0503 CONSISTENCE/ MINERALOGY	.0504 SOIL WETNESS/ COLOR	.0505 SOIL DEPTH	.0506 SAPRO CLASS	.0507 RESTR HORIZ		
5	L 2%	0-8"	C / EXP	VFI, EXP	-	EXP	-	-	U	1"
6	L 2%	9-15"	C / EXP	VFI, EXP	-	EXP	-	-	U	1"
7	L 2%	0-12"	C / EXP	VFI, EXP	-	EXP	-	-	U	1"
8	L 2%	0-8"	C / EXP	VFI, EXP	-	EXP	-	-	U	1"

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