



ORANGE COUNTY HEALTH DEPARTMENT

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Environmental Health Services

Health Promotion and Education Services

Personal Health Services

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Environmental Health Services

July 20, 2005

Mr. Lamaar Proctor Assistant District Attorney PO Box 8181 Hillsborough, NC 27278

Dear Mr. Proctor:

The intent of this letter is to update you on the Tony Merritt septic system situation at 3200 Damascus Church Rd. [TMBL 7.119..7B]. I have enclosed a copy of my May 10th, 2005 letter to the owner, Ms. Lela Lou Merritt for your reference.

To summarize, the dwelling at this location has been occupied without providing an approved wastewater (septic) system as required by NC General Statutes 130A-335 and 336. The septic system that exists was installed in an area determined to be unsuitable for septic systems, the construction and location of the components do not meet the required standards, none of the required permits were obtained, and no inspection of the system was conducted as required by the North Carolina Administrative Code.

Our office has investigated the existing system several times and has determined that the existing system can not be modified to meet the requirements and must be abandoned in accordance with the regulations. The tank can either be removed, properly collapsed and filled, or it can be filled with concrete grout, depending on whether the tank is accessible below the deck. The contractor doing the abandonment must first consult with our office to arrange for inspections.

If the residence is to continue to be occupied, an approved septic system must be installed in accordance with the Construction Authorization that was issued by our office on October 22, 2002 (copy enclosed). The registered septic contractor will need to schedule a pre-construction conference with us when the installation begins.

The owner was given a notice to have the septic system installed and the old tank abandoned by July 11th, 2005. I received a letter from Doug Fisher that their intent was to have the system installed, however; as of July 20th, 2005, no one has contacted our office regarding the installation of the system or the abandonment of the existing tank.

Should you have any questions about this issue, please do not hesitate to contact me.

Sincerely,

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Tom Konsler, RS Environmental Health Supervisor

- Cc: Mr. Tony Merritt & Lela Lou Merritt Mr. Nick Herman Mr. C. Douglas Fisher Mr. Geoff Gledhill Mr. Ron Holdway Mr. Mike Canova

Enclosures x 2