

Exhibit L

Phil Vilaro

From: Phil Vilaro
Sent: Thursday, March 05, 2020 3:17 PM
To: kevin.neal@dhhs.nc.gov
Cc: Victoria Hudson; Angoli, Trish (trish.angoli@dhhs.nc.gov)
Subject: 3200 Damascus Ch Rd existing unpermitted septic system EOP?

Dear Kevin and Trish:

I had a voicemail from a Robin Maycock Perez (NCLSS?) a couple of days ago, concerning doing an EOP for an existing bootleg system. I have been unable to get in contact with her, but she mentioned speaking to you (Kevin) about this situation in her voicemail.

The Cliff Notes backstory is that the owner (Tony Merritt) built the structure in question between 2000-2002, and installed a well and septic system, without a septic permit, building permit, well permit, or any inspections. It is currently in use as both an office for a gravel pit/beneficial fill operation, and also as a residence. The existing septic tank is partially under a deck. We did a site/soil evaluation in 2002, and found that the existing drainfield is in unsuitable soil. I found usable soil upslope, and issued an IP and CA for an approved 5-bedroom system in 2002. We issued multiple NOV's and went to court to try to force them to install the approved system in 2005, apparently won a verdict in district court, then lost on appeal. There is no documentation of any of these legal proceedings in our (EH) files.

Within the last 3 years, NCSL 2017-211 revived my permits until 1/1/2020, the person who purchased the adjoining property has gotten into a bitter feud with the owner of the subject lot, and deluged us with email complaints and Internet posts, etc.. Based on an "anonymous" complaint, I recently made a site visit, and verified the building served was still occupied as both a business and residence, before I was run off in a hail of curses and shouts (even though I was actually on the adjacent property). Based on that, I issued an NOV for them to apply for new permits to replace the now-expired ones within 10 days, and install an approved septic system within 30 days.

I would greatly value both of your opinions on this matter: can they really do an EOP to legitimize a 20-year-old existing unpermitted system installed in unsuitable soil, that doesn't meet several setbacks? I thought EOP's were essentially privatized IP/CAs, which only applied to new system construction or repairs.

I wish they would just use an EOP to install what I permitted in 2002, and be done with it.

Thanks,

Phil

Please tell us how we are doing by taking this very quick survey. We appreciate your comments.

<https://www.surveymonkey.com/r/EHSURVEY2019-2020>

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