

MEMORANDUM OF AGREEMENT TO PERFORM A WATER QUALITY MANAGEMENT PROGRAM IN WAKE COUNTY, NORTH CAROLINA

AGREEMENT

The statutory authority for enforcement of North Carolina's public health laws and rules, along with the adoption of local regulations is addressed in Article 2 of Chapter 130A of the General Statutes of North Carolina. This authority and associated powers are granted to local Boards of Health, the Health Director and their agents authorized by North Carolina Department of Environmental Quality in accordance with public health rules pertaining to wells, on-site wastewater systems, etc. For Wake County, the Wake County Human Services Board, acting in its statutory capacity as the local Board of Health, has exercised its statutory authority to adopt local public health regulations, including local regulations pertaining to wells and on-site wastewater systems. The Director of the Wake County Human Services Department, acting in her statutory capacity as Local Health Director, has exercised her statutory authority to delegate authority to enforce certain of North Carolina's public health laws and rules, including local regulations pertaining to wells and on-site wastewater systems, to the Director of the Wake County Environmental Services Department and its authorized agents.

The Wake County Human Services Board is authorized under the provisions of Chapter 130A-39 and 43 of the General Statutes of North Carolina to adopt appropriate rules and regulations for the protection of public health. The Wake County Human Services Board directs Wake County Department of Environmental Services to develop necessary procedures for enforcing the provisions of the regulations.

The provisions of any federal, state, or municipal law or regulation establishing standards affording greater protection to the public welfare, safety, health and the groundwater resources shall prevail within the jurisdiction of such agency or municipality over standards established by this Agreement.

The North Carolina Department of Environmental Quality ("DEQ"), Division of Water Resources ("DWR") hereby agrees that Wake County Department of Environmental Services ("WCES") will perform within its jurisdiction those functions of the water quality management program described below.

DWR recognizes that WCES has the authority under G.S. 130A-39(b) to implement more stringent regulation and acknowledges that the inspection and monitoring of non-municipal wastewater treatment facilities in Wake County will be carried out pursuant to WCES's more frequent and thorough compliance inspections program in order to determine compliance with permits issued by DWR.

PURPOSE

This document describes a broad working agreement between WCES and DWR, which will most effectively protect and enhance the quality of surface and ground waters in Wake County. This goal will be accomplished by establishing the basic functions to be performed by WCES in general terms. The specific methods, procedures and protocols of each duty will be described in the Work Plan. Lastly, it is the intent of this Agreement that both parties perform their respective duties in a manner which provides timely communication, sharing of information and resources, and which demonstrates a spirit of cooperation to best accomplish the goal of the arrangement.

SCOPE

DWR does not relinquish any of its responsibilities, powers or authority by the execution of this Agreement. The functions to be performed by WCES are described as follows:

1. National Pollutant Discharge Elimination System (NPDES) Program (for minor non-municipal sources treating sewage)
 - A. Conduct site investigations during the initial application phase of the permitting process and prepare staff reports.
 - B. Conduct site inspections during construction of permitted facilities.
 - C. Conduct site inspections of operating facilities.
 - D. Sample, analyze and interpret NPDES discharge and ambient water quality parameters. DWR sample collection and field parameter protocols will be followed by WCES.
 - E. Sample, analyze and interpret ambient stream parameters and groundwater parameters, where appropriate.
 - F. Review and interpret NPDES self-monitoring data from DMR-1 forms and BIMS. DWR will make this data available.
 - G. Investigate complaints and incidents involving NPDES permit holders.
 - H. Document all inspections and submit NPDES staff-report recommendations when applicable.
2. Non-Discharge Wastewater Program (for minor non-municipal surface irrigation and reclaimed water systems)
 - A. Conduct site investigations during the initial application phase of the permitting process.
 - B. Conduct site inspections during construction of permitted facilities.

- C. Review and interpret self-monitoring and/or monitoring well data (e.g. NDMR, NDAR, GW-59 reports) as needed. DWR will make this data available.
- D. Conduct site inspections of operating facilities.
- E. Investigate complaints and incidents involving spray irrigation, drip irrigation, and reclaimed wastewater facilities.
- F. Document all inspections and submit non-discharge staff report recommendations when applicable.

3. Incident Response

WCES personnel will respond in an advisory role to incidents within the borders of Wake County involving oil spills, chemical spills, privately owned collection systems overflows, and other incidents that have a potential to adversely impact surface waters of the County. WCES personnel will provide recommendations regarding mitigation and/or remediation activities. WCES personnel are not expected to support spill incidents in such a way as to take action to contain, control and correct the situation.

The duties of WCES personnel enumerated in the preceding paragraph specifically pertain to incidents that are not covered under the requirements of a municipality's local Storm Water Regulations. These duties will reside within that program section within the County's Water Quality Division. DWR reserves the right to assume lead authority whenever necessary.

With respect to incidents that are covered under the requirements of a municipality's local Storm Water Regulations, WCES personnel will respond in an advisory role when needed to assist the municipality's Storm Water Department in responding to the incident, specifically by assisting with after-hours response to spills, complaint investigation when the municipality is unable to respond in a timely manner, and requested assistance in an advisory role on behalf of DWR. WCES personnel will also assist municipalities with enforcement of their local NPDES Phase II Storm Water Permits Illicit Discharge enforcement, when requested by a municipality to do so.

4. Reporting Duties

Submit timely reports as required to DWR concerning Articles 1-3 above per the outline provided in the Work Plan.

5. Work Plans

Submit a Work Plan to DWR on a once every five-year basis containing a description of the methods, procedures, and protocols to be used and the responsibilities for both DWR and WCES.

PENALTIES

DWR shall retain exclusive authority and responsibility for the assessment of administrative penalties, or for instituting legal action for violations of State statutes and regulations. Assessment of penalties for violations of State statutes and regulations does not prohibit WCES from assessment of penalties for separate violations of Wake County's Unified Development Ordinance so long that issuance of any County penalty has been coordinated with DWR and municipal programs to prevent the assessment of potentially duplicative penalties.

COORDINATION OF ACTIVITIES

The staff of both DWR and WCES will make all reasonable effort to coordinate activities. When coordination is not possible, nothing will preclude either DWR or WCES from conducting its activities independently. In those instances, activities will be coordinated as soon as possible after the activity.

FOLLOW-UP ACTIVITIES

All problems or violations of environmental laws or regulations found that are the responsibility of DWR shall be reported to and coordinated through the DWR-Raleigh Regional Office (RRO).

GROUNDWATER PROTECTION

It is understood that this agreement and the protocols, which will be developed, will not prevent WCES from establishing a local groundwater protection program within the jurisdiction of Wake County.

TERMINATION


This Memorandum of Agreement will terminate on December 31, 2022, unless prior arrangements are made between the signing parties. DWR or WCES, without giving cause, may terminate this agreement by providing at least sixty (60) days written notice.

EFFECTIVE


This agreement shall become effective on the date that the second party executes the agreement, as shown below.

AGREEMENT

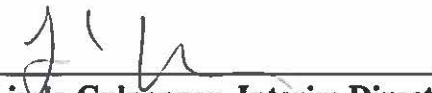
The undersigned does hereby agree to support the fulfillment of this Memorandum of Agreement.


Joseph Threadcraft, Ph.D., P.E., Director
Wake County Department of Environmental Services

1-24-18
Date


Michael Orbon, P.E., Director
Wake County Water Quality Division

1.24.18
Date


Linda Culpepper, Interim Director
DEQ Division of Water Resources

2/5/2018
Date

**WATER QUALITY WORK PLAN
FOR THE PERIOD
JANUARY 1, 2018 THROUGH DECEMBER 31, 2022**

**Submitted To:
NORTH CAROLINA DEPARTMENT OF ENVIRONMENTAL
QUALITY
DIVISION OF WATER RESOURCES
1617 MAIL SERVICE CENTER
RALEIGH, NORTH CAROLINA 27699-1617**

**Submitted By:
WAKE COUNTY DEPARTMENT OF ENVIRONMENTAL SERVICES
WATER QUALITY DIVISION
POST OFFICE BOX 550
RALEIGH, NORTH CAROLINA 27602**

PURPOSE

The purpose of this Work Plan is to outline the specific commitments and procedures which are to be followed by both Wake County Environmental Services (WCES) and the North Carolina Division of Water Resources (DWR) in order to more effectively protect and enhance groundwater and surface water quality in Wake County through a mutually cooperative effort on the part of both agencies.

It is the intent of this Work Plan to bring together the efforts of the water quality programs and eliminate duplication of efforts between the two agencies. It is not the intent of this Work Plan to limit either DWR or WCES from acting under their own pertinent authorities if either believes it is in the best interest of public health and/or the environment to do so. The development of this Work Plan is a requirement, which has been specified in the Memorandum of Agreement (MOA).

WAKE COUNTY ENVIRONMENTAL SERVICES **PROGRAM DESCRIPTION**

The purpose of the WCES program pertaining to water quality monitoring is to maintain or restore the chemical, physical, and biological integrity of the waters of Wake County and to ensure compliance with local, state and federal water quality standards. Efforts to fulfill this purpose primarily involve the assessment of water quality through an established water quality-monitoring program, and the identification and elimination of sources of pollution through a number of program activities.

WCES is dedicated to providing an integrated and comprehensive water quality program for the citizens of Wake County by utilization of resources in the Water Quality Division. The program receives policy guidance through the Environmental Services Committee. The Program is currently composed of an Environmental Consultant within the Water Quality Division, along with assignments of designated task to other Water Quality staff.

The allocation of program resources and the development and implementation of program activities and procedures, as well as the assessment of program effectiveness, is primarily the responsibility of the designated Environmental Engineer/Consultant in conjunction with the Wastewater Management Manager and Division Director. Staff members are responsible for fulfilling assigned program activities in accordance with established guidelines and procedures, and for fulfilling the obligations specified in this Work Plan.

PROGRAM HISTORY

Field investigations by Environmental Health staff during 1988 revealed numerous violations of NPDES permits, process deficiencies, and poor effluent characteristics indicating that point source pollution was degrading the quality of surface water in the County. Sludge accumulation in receiving streams, non-functional chlorinators, and dark odorous effluent was evidence that water quality was being negatively impacted by wastewater treatment facilities. In 1990, a similar survey of DWQ-permitted non-discharged sites took place. Numerous permit violations were found which were having a negative impact on surface and groundwater in the County.

The Water Quality Monitoring Program of WCES began inspection of the sixty-four (64) NPDES non-municipal systems in June 1989 with the initiation of the first MOA and Work Plan to cover the period of 1989 to 1990. This plan also initiated the start-up of an ambient water sampling and monitoring program, citizen complaint investigation program, and emergency response team. In 1989, the Wake County Board of Commissioners required that the cost associated with the inspection of permitted facilities be recovered. As a result of the action, several changes in the inspection program have taken place since the implementation of the program in 1989. More emphasis on

community service concerns, such as water quality in and around park areas, swimming beaches, school areas, and less routine monitoring of streams and rivers have been implemented.

Currently, the monitoring program inspects a total of 117 NPDES and non-discharge wastewater system (increased from 108 systems in 2012). Distribution of system type includes approximately 25 community discharge systems, 12 commercial and community non-discharge systems, and 57 single-family systems, and six (6) reclaimed water systems. 17 systems are permitted but not yet constructed or operating. Approximately four (4) systems were closed and/or permits rescinded during the last five year period.

Many of the larger community systems have increased treatment capacity and others have permits for expansion. The number of discharge systems has declined while the number of non-discharge systems has increased. The total amount of wastewater permitted for these systems has increased to approximately 2,441,780 GPD for the NPDES program and approximately 850,214 GPD for the non-discharge program for a total permitted flow of 3.29 MGD within Wake County. As of 2016, Wake County contained approximately 201 miles of 303(d) streams listed for impairment, a reduction of 25 miles from 2014. This value shall be tracked going forward to help evaluate the effectiveness of the water quality program.

Significant improvements in maintenance and the quality of the effluent of these various systems inspected by the program have been accomplished over the years. However, more challenges continue as the NPDES permit limitations and the N.C. Groundwater Standards have become more stringent. Direct citizen contacts have been very positive in the timely investigations of water quality related complaints. The Emergency Response Program has developed to become an integral part of environmental response systems in the County. Overall, the program has provided a proactive approach to watershed protection in the County of Wake. This program worked to eliminate many illegal discharges to storm sewers and surface waters throughout the county.

OBJECTIVES

NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEMS (NPDES)

Limited to: Minor NPDES non-municipal wastewater treatment facilities treating sewage.

1. DWR will provide WCES with a copy of all permit correspondence letters and applications for minor non-municipal discharges. WCES may conduct on-site investigations during the initial phase of the permit review process for proposed facilities. WCES will submit comments (staff reports) to Raleigh Regional Office (RRO) for inclusion in the permit files with its recommendation.
2. DWR will provide WCES with a copy of all discharge permits and Authorizations to Construct as well as approved plans and specifications for all minor non-municipal dischargers. WCES may conduct on-site inspections during the construction of discharge facilities and will make the necessary reports to the RRO.
3. WCES will conduct Compliance Evaluation Inspections (CEI), or Compliance Sampling Inspections (CSI) once per year.

Where Compliance Evaluation Inspections, or Compliance Sampling Inspections identify violations, WCES will conduct Reconnaissance Inspections (RI) and Follow-up Inspections when necessary to document regulatory compliance at these facilities. Additional Reconnaissance Inspections and Follow-up Inspections will be conducted as deemed necessary by either WCES or RRO. Inspection reports and draft letters will be submitted directly to RRO. Every attempt will be made to provide for electronic communication of information between RRO and WCES. Necessary changes to reports and letters may be effected by RRO with WCES being copied.

4. WCES will sample, analyze, and interpret stream and lake data, as it deems necessary.
5. DWR will provide WCES with access to self-monitoring data from all minor non-municipal sources in Wake County.
6. WCES will respond to reported complaints and incidents involving minor non-municipal permitted discharges in the County.
7. **Exclusions:** WCES will not inspect facilities or respond to complaints or emergencies, which involve the Duke Energy -Shearon Harris Nuclear Plant, or the Raleigh-Durham International Airport. Other facilities may be excluded upon written mutual agreement by the DWR-RRO Water Quality Regional Operations Section Supervisor and the WCES Environmental Services Director.

NON-MUNICIPAL, NON-DISCHARGE WWTP SYSTEMS

Limited to: Minor non-municipal wastewater treatment facilities treating sewage.

1. DWR will provide WCES with a copy of all permit acknowledgement letters, applications, proposed plans and specifications for the facilities. WCES may conduct on-site investigations during the initial phase of the permit review process for proposed facilities. WCES may submit comments (staff reports) to RRO for inclusion in the permit files with its recommendation.
2. DWR will provide WCES with a copy of all permits and Authorizations to Construct as well as approved plans and specifications for all subject facilities. WCES may conduct on-site inspections during the construction of all permitted subject facilities.
3. WCES will conduct Compliance Evaluation Inspections once per year. Where Compliance Evaluation Inspections identify violations, WCES will conduct Reconnaissance Inspections and Follow-up Inspections when necessary to document regulatory compliance at these facilities. Inspection reports and draft letters will be submitted to the RRO.
4. DWR will make available to WCES self-monitoring and/or monitoring well data from all subject facilities in Wake County as needed.
5. WCES will respond to reported complaints and incidents involving the subject facilities in the County. The WCES will respond to all complaints and incidents of this nature within at least three (3) working days from when reported to WCES. Some complaints may be of a nature to require same-day response and will be investigated accordingly.
6. **Exclusions:** WCES will not inspect treatment facilities, respond to complaints, or any emergency which involves the Mallinckrodt Chemical Manufacturing Co. Inc. Other facilities may be excluded upon written mutual agreement by the DWR-RRO and the WCES Environmental Services Director.

EMERGENCY RESPONSE

1. WCES will respond to reported emergency situations and complaints, which involve potential impacts to surface waters of the State, which lie within the geographical boundaries of Wake County.
2. **Exclusions:** WCES will not respond to spills or other environmental emergencies for which a municipality is the responsible party.

REPORTS AND INFORMATION

Both WCES and DWR will submit in a timely and effective manner the reports, data and other information, which are necessary to ensure that the responsibilities outlined in this Work Plan are effectively fulfilled. The DWR-RRO will review and process in a timely and effective manner the letters, reports, and other information submitted by WCES.

ENFORCEMENT

WCES will act on behalf and through the DWR-RRO concerning matters covered by this Work Plan and will compile data and information for enforcement of applicable regulations of the North Carolina Environmental Management Commission.

Dependent on workload demands and nature of the enforcement action, WCES may elect to relinquish this role to the DWR.

COORDINATION ACTIVITIES

WCES and the DWR-RRO will maintain open lines of communication and when necessary, coordinate activities to ensure the successful implementation of the MOA. WCES and the DWR-RRO will hold meetings as often as necessary to discuss plan implementation and program effectiveness.

PROGRAM IMPLEMENTATION STRATEGY

A. NPDES WASTEWATER SYSTEMS (treating sewage as previously defined).

1. All written comments submitted to the DWR-RRO by WCES staff concerning the issuance of NPDES permits will contain factual information regarding the nature of the proposed discharge site and receiving waters as well as possible alternatives. Other factual information applicable to the issuance of the permit may also be provided. WCES will submit comments within thirty (30) calendar days following receipt of a copy of the permit application. All such information will be placed into the permit file by the DWR-RRO for consideration during the permit review process.
2. Copies of discharge permits and Authorizations to Construct as well as plans and specifications for minor NPDES facilities in the County will be provided to WCES by the DWR-RRO as soon as available. Inspections of these facilities by WCES will be performed under the guidelines of the approved plans and specifications provided by DWR. The DWR-RRO will be notified in writing concerning the inspections conducted and all deficiencies detected. All written correspondence with the permit holder will be performed by the DWR-RRO. WCES will submit to the DWR-RRO, a suggested draft letter for transmitting inspection results to the permit holder.

3. All inspections of NPDES facilities will be performed by WCES in accordance with the Environmental Protection Agency (EPA) Compliance Inspection Manual and DWR/RRO requirements. The EPA Form 3560-36 and the Basin-wide Information Management System (BIMS) NPDES Compliance Inspection Report, will serve as the standard reporting forms to the DWR-RRO concerning these inspections. All written correspondence with the permit holder will be performed by the DWR-RRO. WCES will submit to the DWR-RRO a suggested draft letter for transmitting inspection results to the permit holder. WCES will conduct follow-up inspections as requested by the DWR-RRO.
4. WCES and the DWR-RRO will attempt to coordinate monitoring activities to prevent any duplication of efforts. WCES and the DWR-RRO will notify one another when monitoring data indicates a violation of State water quality standards in the County.
5. Self-Monitoring data provided by DWR will be reviewed by WCES staff on a regular basis and prior to conducting a CSI or CEI.
6. WCES will respond to complaints and incidents involving minor NPDES discharge facilities in the County within three (3) working days from when received by WCES and every attempt will be made to respond on a same day basis. All such reports, which are received by the DWR-RRO, will be referred to WCES within two (2) working days. WCES will conduct on-site inspections and collect samples when necessary to identify problems and concerns. WCES will issue verbal notification to the DWR-RRO, regarding results found while conducting the on-site investigations. The DWR-RRO will also be notified in writing concerning all significant inspections conducted in response to reported complaints and incidents. The individual making the complaint or reporting the incident will be issued verbal notification by WCES regarding the on-site investigation. All written correspondence with the permit holder will be performed by the DWR-RRO. WCES will submit to the DWR-RRO a suggested draft letter for the transmitting inspection results to the permit holder. WCES will be copied on all correspondence.

B. NON-DISCHARGE WASTEWATER SYSTEMS (as previously defined).

1. All written comments submitted to the DWR-RRO by WCES concerning the issuance of non-discharge permits will contain factual information applicable to the issuance of the permit. WCES will submit written comments to the DWR-RRO within thirty (30) calendar days following receipt of a copy of the permit application. All such information will be placed into the permit file by the DWR-RRO for consideration during their permit review process.
2. Copies of non-discharge permits, approved plans and specifications will be provided to WCES by DWR-RRO as soon as possible following approval. Review

of these facilities by WCES may consist of inspections of non-discharge treatment and collection systems as previously defined. The guides to be used for conducting these inspections are the permit conditions and the approved plans and specifications as provided by DWR. The DWR-RRO will be notified in writing concerning the inspections, which reveal a failure to comply with approved plans and specifications. WCES will submit to the DWR-RRO a suggested draft letter for transmitting inspection results to the permit holder. WCES will conduct follow-up investigations as requested by the DWR-RRO.

3. WCES will respond to reported complaints and incidents involving non-discharge facilities in the county within three (3) working days from when received and every attempt will be made to respond on a same day basis. All such reports, which are received by the DWR-RRO, will be referred to WCES within two (2) working days. WCES will conduct on-site investigations and collect samples when deemed necessary to identify problems and concerns. The DWR-RRO will be notified regarding results from these inspections. The individual making the complaint or reporting the incident will be issued verbal notification by WCES regarding the site investigation. All written correspondence with the permit holder will be performing by the DWR-RRO. WCES will submit to the DWR-RRO a suggested draft letter for transmitting inspection results to the permittee.

C. EMERGENCY RESPONSE

WCES will respond to all reported emergency situations in the County within 2 hours from when received. Non-emergency situations shall be responded to within 24 hours of receipt of notification. Emergencies resulting from an illegal discharge of petroleum, hazardous substances or any wastes as defined by N.C.G.S. 143-213 to surface waters or in such proximity to surface waters that an impact is imminent, will be reported to the DWR-RRO. Emergencies associated with the discharge of wastes from any of the permitted facilities described above in Paragraph A and B will be reported to the DWR-RRO. Any emergencies not impacting or threatening surface waters and that are not associated with waste treatment facilities permitted by the DWR should be reported to the Division of Waste Management. All emergency situations in the County, as outlined above and which are reported to the DWR-RRO, will be immediately referred to WCES. With some incidents, which are reported by citizens, WCES may determine that potential environmental impacts are minimal or nonexistent. In these cases, WCES may not respond to the incident or report to the DWR-RRO but will instead maintain a log at WCES of the reported incident. In all cases when WCES determines that the environment is threatened by an emergency situation, every effort will be made to assess the event immediately upon receipt of notification. The information will be relayed to the DWR-RRO staff by telephone immediately upon WCES having received notification of the incident provided the report is received during normal working hours. If the report is received during normal non-working hours, the twenty-four (24) hour emergency reporting line will be contacted. The DWR-RRO reserves the right to assume lead authority in emergency response matters whenever it deems necessary.

WCES will contact the DWR-RRO from the scene of emergencies, which are judged by WCES to require involvement by the DWR-RRO personnel. At the scene of the emergency, WCES will direct the responsible party to immediately notify the DWR regarding details of the situation. WCES will provide the DWR-RRO with reports for all field investigations conducted in response to emergencies through use of the DWR Basin-wide Information Management System (BIMS) Incident Database. The BIMS Incident Database will serve as the standard reporting mechanism. All reports will contain information concerning the type and quantity of material(s) involved, initiator of the spill and location where the spill occurred, time and cause of the incident, surface water which may be impacted as well as information relating to the control of the situation and other pertinent details. The individual reporting the incident will be issued verbal notification by WCES regarding the field investigation. All written correspondence to the initiator of the incident will be signed by the appropriate DWR-RRO Regional Supervisor. WCES will submit to the DWR-RRO a suggested draft letter. WCES will conduct follow-up investigations as requested by the DWR-RRO.

D. CITIZENS COMPLAINTS

WCES will respond to citizen complaints regarding water quality concerns in the County within three (3) working days from when reported to WCES. All such complaints, which are received by the DWR-RRO, will be referred to WCES within two (2) working days. WCES will conduct field investigations in response to citizen complaints when it is deemed necessary in order to ensure the protection of water quality. Some complaints may be of a nature to require same-day response and will be investigated accordingly. WCES will report to the DWR-RRO (through use of the BIMS Incident Database) all field investigations conducted concerning situations which impact water quality. The citizen filing the complaint will be issued verbal and/or written notification by WCES regarding the field investigation. WCES will submit to DWR-RRO a draft letter of notification concerning water quality violations. WCES will be copied on all correspondence to violators by the DWR-RRO. WCES will conduct follow-up investigations to ensure the correction of violations and/or water quality concerns. These investigations will be supplemental to any requirements of local stormwater ordinances.

REPORTS AND INFORMATION

Listed below is a summary of the written and verbal correspondence to be exchanged between the DWR-RRO and WCES.

I. From WCES to the DWR-RRO

<u>Type Correspondence</u>	<u>Form Used</u>
1. Factual information regarding issuance of discharge and non-discharge permits.	DWR Staff Report
2. Inspections of discharge & non-discharge facilities during construction	Activity Report /Memorandum
3. NPDES inspections based on classification of facility and draft letter to permittee.	EPA 3560-3/BIMS Rpt. Draft Letter
4. Inspection of previously defined non-discharge facilities and draft letter to permittee.	BIMS Inspection Rpt. Draft Letter
5. Inspections of minor non-municipal discharge and non-discharge facilities in response to complaints and incidents as well as draft letter.	Service Request/ Work Order Draft Letter
6. Sampling data which indicated that State Water Quality standards have been exceeded.	Verbal/Copy of Lab Data
7. Notification of field investigations in response to reported emergency situations and draft letters, if required.	BIMS Incident DB/ Draft Letter
8. Written correspondence with citizens lodging complaints or reporting incidents.	Copies of Letters/ Draft Letters
9. Inspections in response to citizens complaints regarding water quality violations as well as possible draft letters	Service Request/ Complaint Form/ Draft Letter/Fax/Email
10. Problems or violations of environmental laws or regulations which are detected and are the responsibility of DWR.	Verbal/Fax/Email Memorandum

II. DWR TO WCES

<u>Type Correspondence</u>	<u>Form Used</u>
1. Copies of acknowledgement letters, plans/specifications, for all minor NPDES and non-discharge facilities	Copies of Correspondence, plans and specs.
2. Copies of transmittal letters for discharge and non-discharge permits, authorizations to construct, engineer certifications, and all attachments as soon as possible following approval.	Copies of Trans. Letters
3. NPDES self-monitoring data DMR-1 and monitoring well data GW-59 forms	BIMS, copies or files at RRO
4. Referral of complaints/incidents for minor discharge and non-discharge facilities within two (2) working days.	Verbal/Fax/Email Written notice
5. Copies of response letters to violation notices concerning minor non-municipal facilities as previously as previously defined.	Copies/Fax
6. Referral of emergencies in Wake County	Emergency beeper
7. Referrals of citizen complaints regarding water quality concerns.	Verbal/Fax/Email Written
8. Copies of all written correspondence to violators of water quality regulations, as well as any other pertinent correspondence as defined in this Work Plan, or water quality in Wake County.	Copies of reports/ Letters
9. NPDES and WQ inspection letters to municipal permittees.	Letters
10. Meeting and training activities.	Varied
11. Notification of in-place inspections of newly installed facilities	Verbal

ENFORCEMENT

In order to assist the Division of Water Resources with the overall goal of protection of the environment, the Wake County Environmental Services may provide the following:

1. Draft enforcement packages for facilities for situations observed or inspected by WCES as directed by DWR.
2. Laboratory data field observations, testimony, written reports, photographs, and other forms of evidence gathered by WCES required for the enforcement of general statutes and appropriate rules and regulations.
3. WCES recognizes that DWR will retain exclusive authority and responsibility for the assessment of administrative penalties or for instituting legal action for violation of State statutes. The RRO will provide WCES with a copy of DWR's enforcement procedures as well as all current State Water Quality regulations and will provide copies of any future changes.
4. WCES reserves the right to enforce any local regulations that may apply to environmental violations (including violations of Articles contained within the Wake County Unified Development Ordinance).

COORDINATION OF ACTIVITIES

1. WCES will report to and coordinate through RRO all problems and violations of the environmental laws or regulations which are detected and are the responsibility of DWR. The RRO will notify WCES concerning activities to be undertaken in Wake County, which relate to the activities outlined in this Work Plan.
2. The RRO will have the lead responsibility in setting up meetings, training, etc., which it feels is essential to the success of the Work Plan. WCES will ensure its staff's attendance and support during such meetings and training opportunities. WCES and RRO will hold meetings as necessary to fulfill the objectives of this Work Plan.

PROGRAM EVALUATION

WCES will submit upon request by the RRO a written report which contains the number of activities performed during the previous month toward the fulfillment of this Work Plan including number of CSI's, CEI's, RI's and complaints as well as the number of other activities performed by WCES's staff. At any time during the Work Plan period, an evaluation of the program as established under this Work Plan may be conducted by RRO and WCES. Following the evaluation, necessary modifications of the Work Plan will be made for the next year's fiscal activities provided that both DWR and WCES agreed that the MOA should continue.