

Published: Jan 17, 2008 12:30 AM

Modified: Jan 17, 2008 04:54 AM

Sewage spills could bring fines up to \$25,000 daily

The state says spills should be rare. A Raleigh official says more fines are likely this year

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Sewage spills could result in more state fines starting this year.

The Raleigh and Durham sewer systems, which, combined, maintain more than 3,000 miles of sewer pipe, will be among those facing higher scrutiny, even as local officials point to all they do to prevent spills.

Nearly 4 million gallons of untreated sewage spewed from cracked and clogged Raleigh pipes in 2007, while about 688,000 more gallons spilled in Durham last year. Raleigh officials note that more than 3 million gallons of their total came from two spills, one caused by a contractor and another triggered by a heavy rainstorm.

Nonetheless, the spills resulted in 34 notices of violation issued to Raleigh by the N.C. Department of Environment and Natural Resources. Durham received 29.

In years past, few spills would have drawn official reprimands from state regulators, but that changed last summer.

Paul Rawls, chief of the surface water protection section at DENR, said his department is hoping to send the message that, while some sewer spills are inevitable, they should be rare.

If notices of violation mount, cities could face fines of up to \$25,000 per violation per day.

"There was kind of a misconception before, and some people thought we didn't consider these unpermitted sewer discharges violations," Rawls said.

The increased notices of violation issued starting in mid-2007 are aimed at changing that misconception. A letter sent Dec. 1 goes a step further.

"We told the public and private sewer operators that civil penalties were going to be considered for each and every" violation, Rawls said.

Robert Massengill, Raleigh's assistant public utilities director, saw the writing on the wall.

The state was "rolling out this new enforcement policy, and they used 2007 as sort of a grace period," Massengill said.

"We expect there will be more fines issued in 2008."

The size and environmental damage caused by a spill, as well as whether the sewer operator is a repeat violator, can factor into whether the state imposes a fine.

Trouble spots

Rawls said he thinks Raleigh and Durham are doing a good job in preventing spills and, when they occur, detecting and cleaning them up quickly.

There have been some glaring exceptions.

More than 2.2 million gallons of wastewater flowed into Perry Creek in North Raleigh last August when erosion caused a pipe to burst. It took several days to clean the creek, and at least 42 fish were killed.

Durham was spared any spill that large in 2007, with the two largest both unleashing about 72,000 gallons.

But a 14,400-gallon spill in May killed at least 40 fish in Lick Creek.

Massengill points out that Raleigh, which also provides sewer service for Garner, Rolesville, Wake Forest, Knightdale, Wendell and Zebulon, already spends much time and money trying to keep the

system in working order.

Raleigh crews cleaned about 1,300 miles of sewer line in 2007. That doesn't mean they cleaned more than half of the city's 2,000-mile system.

Much of that work was cleaning the same sections of pipe, as the city is full of trouble spots that need cleaning every three or four months. Those are typically located near apartment complexes where grease is the main culprit, Massengill said.

He urged residents to not dump any fats, oils or grease down the drain, but rather collect them in a container, let them cool, then throw them in the trash.

Pamphlets are distributed to apartment complexes near where spills take place, but it's hard to get the message to stick because renters move often, Massengill said.

Durham cleaned 134 miles of its 1,100-mile system in 2007.

Like Raleigh, Durham inspects and cleans known trouble spots more often.

Officials in Raleigh and Durham said it's hard to pin down a cost to clean up the spills, because it's usually done with city staff.

Raleigh billed the contractor that shattered a pipe and spilled 950,000 gallons, charging the company \$7,687 for the clean-up plus a \$1,000 fine. Durham spent about \$3,600 to clean a 72,000-gallon spill in June.

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