



NORTH CAROLINA
Environmental Quality

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LINDA CULPEPPER
Interim Director

August 29, 2018

JOHN NICHOLS – UTILITIES DIRECTOR
BRUNSWICK COUNTY
POST OFFICE BOX 249
BOLIVIA, NORTH CAROLINA 28422

Subject: Permit No. WQ0006085
Ocean Isle Beach WWTP
Reclaimed Water Generation,
Conjunctive Reclaimed Water
Utilization, and Non-
Conjunctive Reclaimed Water
Utilization System
Brunswick County

Dear Mr. Nichols:

In accordance with your permit renewal request received February 21, 2018, and subsequent additional information received June 20, 2018, we are forwarding herewith Permit No. WQ006085 dated August 29, 2018, to Brunswick County for the continued operation of the subject reclaimed water generation, conjunctive reclaimed water utilization, and non-conjunctive reclaimed water utilization facilities. Please note that this renewed permit shall become effective on September 1, 2018 (i.e., the day after the expiration date of the existing permit).

This permit shall be effective from September 1, 2018 until August 31, 2023, shall void Permit No. WQ0006085 issued August 21, 2015, and shall be subject to the conditions and limitations as specified therein. Please pay particular attention to the monitoring requirements listed in Attachments A and B for they may differ from the previous permit issuance. Failure to establish an adequate system for collecting and maintaining the required operational information shall result in future compliance problems.

Please note the following permit conditions have been removed since the last permit issuance dated August 21, 2015:

- Old Condition I.1. - An Engineer's Certification has been received by the Division for the construction of the diversion gravity sewer, pump station, and associated force main permitted under Permit No. WQ0037162.



- Old Condition I.3. – An Engineer’s Certification has been received by the Division for the 16.5 MG storage pond and 120.5 acres of conjunctive utilization at Leopard’s Chase golf course.

If any parts, requirements or limitations contained in this permit are unacceptable, the Permittee has the right to request an adjudicatory hearing upon written request within 30 days following receipt of this permit. This request shall be in the form of a written petition, conforming to Chapter 150B of the North Carolina General Statutes, and filed with the Office of Administrative Hearings at 6714 Mail Service Center, Raleigh, NC 27699-6714. Unless such demands are made, this permit shall be final and binding.

If you need additional information concerning this permit, please contact Ashley Kabat at (919) 707-3658 or ashley.kabat@ncdenr.gov.

Sincerely,


Linda Culpepper, Interim Director
Division of Water Resources

cc: Brunswick County Health Department (Electronic Copy)
Wilmington Regional Office, Water Quality Regional Operations Section (Electronic Copy)
Laserfiche File (Electronic Copy)
Digital Permit Archive (Electronic Copy)
Central Files

NORTH CAROLINA
ENVIRONMENTAL MANAGEMENT COMMISSION
DEPARTMENT OF ENVIRONMENTAL QUALITY
RALEIGH

**RECLAIMED WATER GENERATION, CONJUNCTIVE RECLAIMED WATER
UTILIZATION, AND NON-CONJUNCTIVE RECLAIMED WATER UTILIZATION SYSTEM
PERMIT**

In accordance with the provisions of Article 21 of Chapter 143, General Statutes of North Carolina as amended, and other applicable Laws, Rules and Regulations

PERMISSION IS HEREBY GRANTED TO

Brunswick County
Brunswick County

FOR THE

continued operation of a 1,050,000 gallon per day (GPD) reclaimed water generation system consisting of:

a 4.68 million gallon (MG) lagoon; two 7.125 MG lined equalization lagoons connected hydraulically to contain 5-Day storage; an influent wastewater flow meter; a mechanically-cleaned bar screen with an auxiliary manually-cleaned bar screen; an eight foot diameter vortex grit removal system with a 100 gallon per minute (GPM) airlift unit; an adjustable flow splitter box ; three 422,500 gallon sequencing batch reactor (SBR) tanks each with a 100 GPM sludge wasting pump and three 1,595 cubic feet per minute (CFM) positive displacement blowers; a 422,500 gallon aerated sludge holding tank with a 200 GPM sludge removal pump and use of the aforementioned SBR blowers; a traveling bridge filter unit consisting of two 507 square foot (ft²) filter beds with a maximum loading rate of 1.38 gallons per minute per square foot (GPM/ft²); two 4,900 gallon clear wells with a 25 GPM backwash pump and gravity drainage of backwash water to a pump station with two 400 GPM pumps returning the backwash water to the headworks; an ultraviolet (UV) disinfection system; a turbidimeter; an automatically activated standby power generator; and all associated piping, valves, controls, and appurtenances; the

continued operation of a conjunctive reclaimed water utilization system consisting of:

a 9.3 MG reclaimed water storage pond; a pump station with two 1,880 GPM pumps and high-water alarms; 3,540 linear feet (LF) of 10-inch force main to transport reclaimed water to the golf course irrigation wet well; 92.5 acres of conjunctive utilization at the Lion's Paw golf course; 84.9 acres of conjunctive utilization at the Panther's Run golf course; 76.3 acres of conjunctive utilization at the Tiger's Eye golf course; a 16.5 MG reclaimed water storage pond; 120.5 acres of conjunctive utilization at the Leopard's Chase golf course; and all associated piping, valves, controls, and appurtenances; and the

continued operation of a 1,032,000 gallon per day (GPD) non-conjunctive reclaimed water utilization system consisting of:

a 250,000 gallon lined pump well; a 22.5 million gallon lined effluent storage lagoon; a pump station with two 400 GPM pumps; a pump station with dual 700 GPM pumps; a flow meter; 191 acres of reclaimed water utilization area (i.e. Fields 1-23); and all associated piping, valves, controls, and appurtenances

to serve Ocean Isle Beach WWTP, with no discharge of wastes to surface waters, pursuant to the application received February 21, 2018, and subsequent additional information received by the Division of Water Resources, and in conformity with the project plans, specifications, and other supporting data subsequently filed and approved by the Department of Environmental Quality and considered a part of this permit.

This permit shall be effective from September 1, 2018 until August 31, 2023, shall void Permit No. WQ0006085 issued August 21, 2015, and shall be subject to the following specified conditions and limitations:

I. SCHEDULES

1. Prior to utilizing the reclaimed water storage and conjunctive irrigation facilities at the Ocean Ridge site (rescinded Permit No. WQ0011614), the Permittee shall obtain a permit, properly install and certify a force main to convey reclaimed water from the Ocean Isle Beach WWTP to the conjunctive reclaimed water storage and utilization sites at Ocean Ridge. [15A NCAC 02T .0108(b)(1)]
2. The Wilmington Regional Office, telephone number (910) 796-7215, shall be notified at least 48 hours in advance (excluding weekends and holidays) of operation of the installed facilities (i.e. the 16.5 MG storage pond and 120.5 acres of conjunctive utilization at the Leopard's Chase golf course) such that an in-place inspection can be made. Notification to the regional supervisor shall be made from 8:00 a.m. until 5:00 p.m. on Monday through Friday, excluding State Holidays. [15A NCAC 02T .0108(b)(2)]
3. No later than six months prior to the expiration of this permit, the Permittee shall request renewal of this permit on official Division forms. Upon receipt of the request, the Division will review the adequacy of the facilities described therein, and if warranted, will renew the permit for such period of time and under such conditions and limitations as it may deem appropriate. Please note Rule 15A NCAC 02T .0105(d) requires an updated site map to be submitted with the permit renewal application. [15A NCAC 02U .0106, 02U .0109]

II. PERFORMANCE STANDARDS

1. The subject reclaimed water facilities shall be effectively maintained and operated at all times so there is no discharge to surface waters, nor any contravention of groundwater or surface water standards. In the event the facilities fail to perform satisfactorily, including the creation of nuisance conditions due to improper operation and maintenance, or failure of the utilization areas to adequately assimilate the reclaimed water, the Permittee shall take immediate corrective actions including Division required actions, such as the construction of additional or replacement reclaimed water generation and utilization facilities, and additional or replacement reclaimed water utilization facilities or cessation of reclaimed water utilization activities. [G.S. 143-215.1, 143-213.3(a)]
2. This permit shall not relieve the Permittee of their responsibility for damages to groundwater or surface water resulting from the operation of this facility. [15A NCAC 02B .0200, 02L .0100]
3. Effluent limitations for generated reclaimed water shall not exceed those specified in Attachment A. [15A NCAC 02U .0300]
4. Application rates shall not exceed those specified in Attachment B. [15A NCAC 02U .0401(g), 02U .0402(m)]
5. The non-conjunctive reclaimed water irrigation system shall be connected to a rain or moisture sensor, which shall indicate when utilization is not appropriate in accordance with Conditions III.6. and III.7. of this permit. [15A NCAC 02T .0108(b)(1)]

6. The following shall be requirements for the reclaimed water distribution, storage and utilization facilities:
 - a. All reclaimed water valves, storage facilities and outlets shall be tagged or labeled to warn the public or employees that reclaimed water is not intended for drinking. Where appropriate, such warning shall inform the public or employees to avoid contact with reclaimed water.
 - b. All reclaimed water piping, valves, outlets and other appurtenances shall be color-coded, taped or otherwise marked to identify the source of the water as being reclaimed water.
 - i. All reclaimed water piping and appurtenances shall be either colored purple (i.e., Pantone 522) and embossed or integrally stamped or marked "CAUTION: RECLAIMED WATER – DO NOT DRINK" or be installed with a purple (i.e., Pantone 522) identification tape or polyethylene vinyl wrap. The warning shall be stamped on opposite sides of the pipe and repeated every three feet or less.
 - ii. Identification tape shall be at least three inches wide and have white or black lettering on purple (i.e., Pantone 522) field stating "CAUTION: RECLAIMED WATER – DO NOT DRINK." Identification tape shall be installed on reclaimed water pipelines in a visible manner, fastened at least every 10 feet to each pipe length and run continuously the entire length of the pipe.
 - iii. Existing underground distribution systems retrofitted for the purpose of distributing reclaimed water shall be taped or otherwise identified as noted above. This identification need not extend the entire length of the distribution system, but shall be incorporated within 10 feet of crossing any potable water supply line or sanitary sewer line.
 - c. All reclaimed water valves and outlets shall be of a type, or secured in a manner, that permits operation by authorized personnel only.
 - d. Hose bibs shall be located in locked, below grade vaults that shall be labeled as being of non-potable quality. As an alternative to the use of locked vaults with standard hose bib services, other locking mechanisms such as hose bibs which can only be operated by a tool may be placed above ground and labeled as non-potable water.

[15A NCAC 02U .0403]

7. No direct cross-connections shall be allowed between reclaimed water and potable water systems, unless such connection has been approved by the Department pursuant to 15A NCAC 18C .0406. [15A NCAC 02U .0403(f)]
8. The compliance and review boundaries are established at the property boundary. Any exceedance of standards at the compliance or review boundary shall require action in accordance with 15A NCAC 02L .0106. [15A NCAC 02H .0219(k)(1)(C)(i)(III)]
9. The Permittee shall apply for a permit modification to establish a new compliance boundary prior to any sale or transfer of property affecting a compliance boundary. [15A NCAC 02L .0107(c)]
10. No wells, excluding Division approved monitoring wells, shall be constructed within the compliance boundary except as provided for in 15A NCAC 02L .0107(g). [15A NCAC 02L .0107(d)]
11. Except as provided for in 15A NCAC 02L .0107(g), the Permittee shall ensure any landowner who is not the Permittee and owns land within the compliance boundary shall execute and file with the Brunswick County Register of Deeds an easement running with the land containing the following items:
 - a. A notice of the permit and number or other description as allowed in 15A NCAC 02L .0107(f)(1);
 - b. Prohibits construction and operation of water supply wells within the compliance boundary; and
 - c. Reserves the right of the Permittee or the State to enter the property within the compliance boundary for purposes related to the permit.

The Director may terminate the easement when its purpose has been fulfilled or is no longer needed.

[15A NCAC 02L .0107(f)]

12. The facilities permitted herein shall be constructed according to the following setbacks:

a. The setbacks for reclaimed utilization sites shall be as follows (all distances in feet):

- i. Surface waters not classified SA: 25
- ii. Surface waters classified SA: 100
- iii. Any well with exception to monitoring wells: 100

[15A NCAC 02H .0219(k)(1)(C)(i)]

b. The setbacks for treatment units permitted prior to September 1, 2006 shall be as follows (all distances in feet):

- i. Any well with exception of monitoring wells: 100
- ii. Any property line: 50¹

¹ Per a setback waiver recorded in the Brunswick County Register of Deeds, reduced setbacks from treatment and storage units to any property line are as follows:

Parcel No.	Deed Book / Page	Setback	Easement
2280001015	4067 / 614	20 feet	30 feet

[15A NCAC 02H .0219(j)(5)]

c. The setbacks for treatment units permitted after September 1, 2006 shall be as follows (all distances in feet):

- i. Any habitable residence or place of public assembly under separate ownership: 100
- ii. Any private or public water supply source: 100
- iii. Surface waters: 50
- iv. Any well with exception of monitoring wells: 100
- v. Any property line: 50¹

¹ Per a setback waiver recorded in the Brunswick County Register of Deeds, reduced setbacks from treatment and storage units to any property line are as follows:

Parcel No.	Deed Book / Page	Setback	Easement
2280001015	4067 / 614	20 feet	30 feet

[15A NCAC 02U .0701]

d. The setbacks for final effluent storage units permitted prior to September 1, 2006 shall be as follows (all distances in feet):

- i. Any well with exception of monitoring wells: 100
- ii. Any property line: 50¹

¹ Section 22.(c)(2) of Session Law 2013-413 exempts final reclaimed water effluent storage facilities constructed prior to June 18, 2011 from having a setback to property lines.

[15A NCAC 02H .0219(j)(5)]

e. The setbacks for final effluent storage units permitted after September 1, 2006 shall be as follows (all distances in feet):

- i. Any private or public water supply source: 100
- ii. Surface waters: 50
- iii. Any well with exception of monitoring wells: 100
- iv. Any property line: 50¹

¹ Section 22.(c)(2) of Session Law 2013-413 exempts final reclaimed water effluent storage facilities constructed prior to June 18, 2011 from having a setback to property lines.

[15A NCAC 02U .0701]

III. OPERATION AND MAINTENANCE REQUIREMENTS

1. The reclaimed water generation and utilization facilities shall be properly maintained and operated at all times. The facilities shall be effectively maintained and operated as a reclaimed water system to prevent the discharge of any reclaimed water or partially treated effluent resulting from the operation of this facility. [15A NCAC 02T .0108(b)(1)]

2. The Permittee shall maintain an Operation and Maintenance Plan, which at a minimum shall include the following:

- a. Description of the system in sufficient detail to show what operations are necessary for the system to function and by whom the functions will be conducted;
- b. A map of all distribution lines and record drawings of all utilization systems under the Permittee's control;
- c. Description of anticipated maintenance activities;
- d. Include provisions for safety measures including restriction of access to sites and equipment; and
- e. Spill control provisions including response to upsets and bypasses including control, containment, remediation, and contact information for plant personnel, emergency responders and regulatory agencies.

[15A NCAC 02U .0801]

3. Upon the Water Pollution Control System Operators Certification Commission's (WPCSOCC) classification of the subject non-discharge facilities, in accordance with 15A NCAC 08G .0200 the Permittee shall designate and employ a certified operator in responsible charge (ORC) and one or more certified operator(s) as back-up ORC(s). The ORC or their back-up shall visit the facilities in accordance with 15A NCAC 08G .0200, and shall comply with all other conditions specified in the previously cited rules. [15A NCAC 02U .0117]

4. An operator certified by the Water Pollution Control System Operators Certification Commission (WPCSOCC) of a grade equivalent or greater than the facility classification shall be on call 24 hours per day. [15A NCAC 02U .0401(e), 02U .0402(i)]

5. A suitable year round vegetative cover shall be maintained on irrigation sites at all times, such that crop health is optimized, allows for even distribution of reclaimed water, and allows inspection of the irrigation system. [15A NCAC 02T .0108(b)(1)]

6. Adequate measures shall be taken to prevent reclaimed water ponding in or runoff from the irrigation sites. [15A NCAC 02T .0108(b)(1)]

7. Irrigation shall not be performed during inclement weather or when the ground is in a condition that will cause ponding or runoff. [15A NCAC 02T .0108(b)(1)]

8. All non-conjunctive reclaimed water irrigation equipment shall be tested and calibrated at least once per permit cycle. Calibration records shall be maintained at the facility for a period of no less than five years, and shall be made available to the Division upon request. [15A NCAC 02T .0108(b)(1)]
9. The turbidimeter shall be tested and calibrated at a minimum of once per year. Calibration records shall be maintained at the facility for a period of no less than five years, and shall be made available to the Division upon request. [15A NCAC 02T .0108(b)(1)]
10. Only reclaimed water generated at Ocean Isle Beach WWTP shall be utilized in accordance with this permit. [G.S. 143-215.1]
11. An automatically activated standby power source capable of powering all essential treatment units shall be on site and operational at all times. If a generator is employed as an alternate power supply, it shall be tested weekly by interrupting the primary power source. [15A NCAC 02U .0402(h)]
12. Public access to the reclaimed water generation facilities and five day upset pond shall be prohibited. [15A NCAC 02U .0402(f)]
13. Public access to reclaimed water utilization sites shall be controlled during active site use. Such controls may include the posting of signs showing the activities being conducted at each site. [15A NCAC 02U .0501]
14. Diversion or bypassing of untreated or partially treated wastewater from the treatment facilities is prohibited unless diverted to an alternate treatment or collection system. [15A NCAC 02T .0108(b)(1)]
15. Freeboard in the two 7.125 MG equalization lagoons, the 4.68 MG lagoon, 22.5 MG storage lagoon, 9.3 MG storage lagoon, and 16.5 MG storage lagoon shall not be less than two feet at any time. [15A NCAC 02T .0108(b)(1)]
16. Gauges to monitor water levels in the two 7.125 MG equalization lagoons, the 4.68 MG lagoon, 22.5 MG storage lagoon, 9.3 MG storage lagoon, and 16.5 MG storage lagoon shall be provided. These gauges shall have readily visible permanent markings at inch or tenth of a foot increments. [15A NCAC 02T .0108(b)(1)]
17. A protective vegetative cover shall be established and maintained on all earthen embankments (i.e., outside toe of embankment to maximum allowable temporary storage elevation on the inside of the embankment), berms, pipe runs, erosion control areas, and surface water diversions. Trees, shrubs, and other woody vegetation shall not be allowed to grow on the earthen dikes or embankments. Earthen embankment areas shall be kept mowed or otherwise controlled and accessible. [15A NCAC 02T .0108(b)(1)]
18. All effluent shall be routed to the five day upset pond should the limit for fecal coliform (e.g., daily maximum concentration of 25 colonies per 100 mL) or turbidity (e.g., instantaneous maximum of 10 NTU) be exceeded, until the problems associated with the wastewater treatment plant have been corrected. The wastewater in the five day upset pond shall be pumped back to the treatment plant headworks for re-treatment or treated in the five day upset pond prior to utilization. [15A NCAC 02U .0402(e)]
19. The Permittee shall develop and implement an education program to inform users (including employees) about the proper use of reclaimed water. Educational material shall be provided to all residents and/or other facilities provided with reclaimed water, and these materials shall be maintained consistent with the reclaimed water uses. All educational materials shall be made available to the Division upon request. [15A NCAC 02U .0501(a)(4)]
20. The Permittee shall provide notification to the public and/or employees about the use of reclaimed water, and that reclaimed water is not intended for drinking. Such notification shall be provided to employees in a language they can understand. [15A NCAC 02U .0501]

21. The residuals generated from the wastewater treatment facilities shall be disposed or utilized in accordance with 15A NCAC 02T .1100. The Permittee shall maintain a residual management plan pursuant to 15A NCAC 02U .0802. [15A NCAC 02T .1100, 02U .0802]

IV. MONITORING AND REPORTING REQUIREMENTS

1. Any Division required monitoring (including groundwater, plant tissue, soil and surface water analyses) necessary to ensure groundwater and surface water protection shall be established, and an acceptable sampling reporting schedule shall be followed. [15A NCAC 02T .0108(c)]
2. A Division certified laboratory shall conduct all laboratory analyses for the required effluent, groundwater or surface water parameters. [15A NCAC 02H .0800]
3. Flow through the reclaimed water generating facility shall be continuously monitored, and daily flow values shall be reported on Form NDMR.

The Permittee shall install and maintain an appropriate flow measurement device to ensure the accuracy and reliability of flow measurement consistent with accepted engineering and scientific practices. Selected flow measurement devices shall be capable of measuring flows with a maximum deviation of less than ten percent from true flow; accurately calibrated at a minimum of once per year; and maintained to ensure the accuracy of measurements is consistent with the selected device's accepted capability. The Permittee shall maintain records of flow measurement device calibration on file for a period of at least five years. At a minimum, documentation shall include:

- a. Date of flow measurement device calibration,
- b. Name of person performing calibration, and
- c. Percent from true flow.

[15A NCAC 02T .0105(k)]

4. The Permittee shall monitor the reclaimed water from the generating facility at the frequencies and locations for the parameters specified in Attachment A. [15A NCAC 02T .0108(c)]
5. The Permittee shall maintain adequate records tracking the amount of conjunctive reclaimed water distributed to each user and shall include the following information:
 - a. Date of reclaimed water distributed; and
 - b. Volume of reclaimed water distributed to each approved offsite user facility (monthly total).

Monthly tracking records for all users shall be summed and reported on Form NDMR (see Attachment A) under parameter WQ01 (Flow, Reclaimed Water Distributed). This value shall represent the total volume of reclaimed water distributed to all users for that month. [15A NCAC 02T .0108(c)]

6. The Permittee shall maintain adequate records tracking the amount of non-conjunctive reclaimed water utilized. Records shall be maintained for a minimum of five years. At a minimum, these records shall include the following information for each utilization site listed in Attachment B:
 1. Date of reclaimed water utilization;
 2. Volume of reclaimed water irrigated;
 3. Site irrigated;
 4. Length of time site is irrigated;
 5. Continuous weekly, monthly, and year-to-date hydraulic (inches/acre) loadings;
 6. Weather conditions; and
 7. Maintenance of cover crops.

[15A NCAC 02T .0108(c)]

7. Freeboard (i.e., water level to the lowest embankment elevation) in the two 7.125 MG equalization lagoons, the 4.68 MG lagoon, 22.5 MG storage lagoon, 9.3 MG storage lagoon, and 16.5 MG storage lagoon shall be measured to the nearest inch or tenth of a foot, and recorded weekly. Weekly freeboard records shall be maintained at the facility for a period of no less than five years, and shall be made available to the Division upon request. [15A NCAC 02T .0108(c)]

8. A record shall be maintained of all residuals removed from this facility. This record shall be maintained at the facility for a period of no less than five years, and shall be made available to the Division upon request. At a minimum, this record shall include:

- a. Name of the residuals hauler;
- b. Non-Discharge permit number authorizing the residuals disposal, or a letter from a municipality agreeing to accept the residuals;
- c. Date the residuals were hauled; and
- d. Volume of residuals removed.

[15A NCAC 02T .0108(c)]

9. A maintenance log shall be maintained at this facility. This log shall be maintained at the facility for a period of no less than five years, and shall be made available to the Division upon request. At a minimum, this log shall include:

- a. Visual observations of treatment plant and plant site;
- b. Date of calibration of flow measurement device(s);
- c. Date of calibration of turbidimeter;
- d. Date and results of power interruption testing on alternate power supply;
- e. Record of preventative maintenance (e.g., changing/adjusting of equipment, pump and valve maintenance, cross connection control, testing, inspections and cleanings, etc.); and
- f. Record of all unpermitted releases of reclaimed water to surface water or land surface including date of occurrence, estimated volume of release, cause, and corrective action taken.

[15A NCAC 02T .0108(b)(1)]

10. The Permittee shall develop and maintain a routine review and inspection program for offsite users of reclaimed water. A log documenting user inspections shall be maintained for a minimum of five years, and shall be made available to the Division upon request. At a minimum, this log shall include:

- a. Visual observations of the reclaimed water user sites; and
- b. Record of preventative maintenance (e.g., pump and valve maintenance, cross connection control, etc.).

[15A NCAC 02T .0108(b)(1)]

11. Three copies of all effluent monitoring data and reclaimed water distribution data (as specified in Conditions IV.3., IV.4., and IV.5.) shall be submitted on Form NDMR for each PPI listed in Attachment A. Reporting forms shall be submitted on or before the last day of the following month. If no reclaimed water distribution activities occurred during the monitoring month, monitoring reports documenting the absence of the activity are still required to be submitted. All effluent monitoring data shall be submitted to the following address: Division of Water Resources, Information Processing Unit, 1617 Mail Service Center, Raleigh, North Carolina, 27699-1617. [15A NCAC 02T .0105(1)]

12. Three copies of all operation and utilization records (as specified in Conditions IV.6. and IV.11.) shall be submitted on Form NDAR-1 for every non-conjunctive utilization site listed in Attachment B. (Note: conjunctive use sites do not require NDAR-1 submission). Reporting forms shall be submitted on or before the last day of the following month. If no reclaimed water utilization activities occurred during the month, monitoring reports are still required documenting the absence of the activity. All information shall be submitted to the following address: Division of Water Resources, Information Processing Unit, 1617 Mail Service Center, Raleigh, North Carolina, 27699-1617. [15A NCAC 02T .0105(1)]
13. Pursuant to § 143-215.1C., the Permittee shall provide to its users and the Division of Water Resources an annual report summarizing the performance of the wastewater treatment and utilization facility and the extent to which the facility has violated this permit, or federal or State laws, regulations, or rules related to the protection of water quality. This report shall be prepared on either a calendar or fiscal year basis and shall be provided no later than 60 days after the end of the calendar or fiscal year. Two copies of the annual report provided to the Permittee's users shall be submitted to: Division of Water Resources, Water Quality Permitting Section, 1617 Mail Service Center, Raleigh, North Carolina 27699-1617. [15A NCAC 02U .1401(f)]

14. Noncompliance Notification:

The Permittee shall report by telephone to the Wilmington Regional Office, telephone number (910) 796-7215, as soon as possible, but in no case more than 24 hours, or on the next working day following the occurrence or first knowledge of the occurrence of any of the following:

- a. Treatment of wastes abnormal in quantity or characteristic, including the known passage of a hazardous substance.
- b. Any process unit failure (e.g., mechanical, electrical, etc.), due to known or unknown reasons, rendering the facility incapable of adequate wastewater treatment.
- c. Any failure resulting in a discharge of reclaimed water directly to surface waters or any unpermitted release of reclaimed water to land surface greater than or equal to 5,000 gallons. Unpermitted releases less than 5,000 gallons to land surface shall be documented by the Permittee in accordance with Condition IV.10.f. but do not require Regional Office notification.
- d. Any time self-monitoring indicates the facilities permitted herein have gone out of compliance with the limitations contained in this permit.
- e. Ponding in or runoff from the reclaimed water utilization sites.

Any emergency requiring immediate reporting (e.g., discharges to surface waters, imminent failure of a storage structure, etc.) outside normal business hours shall be reported to the Division's Emergency Response personnel at telephone number (800) 662-7956, (800) 858-0368, or (919) 733-3300. Persons reporting such occurrences by telephone shall also file a written report in letter form within five days following first knowledge of the occurrence. This report shall outline the actions taken or proposed to be taken to ensure the problem does not recur. [15A NCAC 02T .0108(b)(1)]

V. INSPECTIONS

1. The Permittee shall provide adequate inspection and maintenance to ensure proper operation of the reclaimed water generation and utilization facilities. [15A NCAC 02T .0108(b)]
2. The Permittee or their designee shall inspect the reclaimed water generation and utilization facilities to prevent malfunction, facility deterioration and operator errors resulting in discharges, which may cause the release of wastes to the environment, a threat to human health or a public nuisance. The Permittee shall maintain an inspection log that includes, at a minimum, the date and time of inspection, observations made, and any maintenance, repairs, or corrective actions taken. The Permittee shall maintain this inspection log for a period of five years from the date of the inspection, and this log shall be made available to the Division upon request. [15A NCAC 02T .0108(b)]
3. Any duly authorized Division representative may, upon presentation of credentials, enter and inspect any property, premises or place on or related to the reclaimed water generation and utilization facilities permitted herein at any reasonable time for the purpose of determining compliance with this permit; may inspect or copy any records required to be maintained under the terms and conditions of this permit, and may collect groundwater, surface water or leachate samples. [G.S. 143-215.1]

VI. GENERAL CONDITIONS

1. Failure to comply with the conditions and limitations contained herein may subject the Permittee to an enforcement action by the Division in accordance with North Carolina General Statutes 143-215.6A to 143-215.6C. [G.S. 143-215.6A to 143-215.6C]
2. This permit shall become voidable if the permitted facilities are not constructed in accordance with the conditions of this permit, the Division approved plans and specifications, and other supporting documentation. [15A NCAC 02T .0110]
3. This permit is effective only with respect to the nature and volume of wastes described in the permit application, Division approved plans and specifications, and other supporting documentation. No variances to applicable rules governing the construction or operation of the permitted facilities are granted, unless specifically requested and approved in this permit pursuant to 15A NCAC 02T .0105(n). [G.S. 142-215.1]
4. The issuance of this permit does not exempt the Permittee from complying with any and all statutes, rules, regulations, or ordinances, which may be imposed by other jurisdictional government agencies (e.g., local, state, and federal). Of particular concern to the Division are applicable river buffer rules in 15A NCAC 02B .0200; erosion and sedimentation control requirements in 15A NCAC Chapter 4 and under the Division's General Permit NCG010000; any requirements pertaining to wetlands under 15A NCAC 02B .0200 and 02H .0500; National Pollutant Discharge Elimination System (NPDES) requirements under 15A NCAC 02H .0100, and documentation of compliance with Article 21 Part 6 of Chapter 143 of the General Statutes. [15A NCAC 02T .0105(c)(6)]
5. In the event the permitted facilities change ownership or the Permittee changes their name, a written permit modification request shall be submitted to the Division. This request shall be made on official Division forms, and shall include appropriate property ownership documentation and other supporting documentation as necessary. The Permittee of record shall remain fully responsible for maintaining and operating the facilities permitted herein until a permit is issued to the new owner. [15A NCAC 02T .0104]
6. The Permittee shall retain a set of Division approved plans and specifications for the life of the facilities permitted herein. [15A NCAC 02T .0108(b)(1)]
7. The Permittee shall maintain this permit until all permitted facilities herein are properly closed or permitted under another permit issued by the appropriate permitting authority. [15A NCAC 02T .0105(j)]

8. This permit is subject to revocation or unilateral modification upon 60 days notice from the Division Director, in whole or part for the requirements listed in 15A NCAC 02T .0110. [15A NCAC 02T .0110]
9. Unless the Division Director grants a variance, expansion of the permitted facilities contained herein shall not be granted if the Permittee exemplifies any of the criteria in 15A NCAC 02T .0120(b). [15A NCAC 02T .0120]
10. The Permittee shall pay the annual fee within 30 days after being billed by the Division. Failure to pay the annual fee accordingly shall be cause for the Division to revoke this permit. [15A NCAC 02T .0105(e)(3)]

Permit issued this the 29th day of August 2018

NORTH CAROLINA ENVIRONMENTAL MANAGEMENT COMMISSION


Linda Culpepper, Interim Director
Division of Water Resources
By Authority of the Environmental Management Commission

Permit Number WQ0006085

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PPI 001 – Reclaimed Water Generation System Effluent

EFFLUENT CHARACTERISTICS		EFFLUENT LIMITS				MONITORING REQUIREMENTS		
PCS Code	Parameter Description	Units of Measure	Monthly Average	Monthly Geometric Mean	Daily Minimum	Daily Maximum	Measurement Frequency	Sample Type
00310	BOD, 5-Day (20 °C)	mg/L	10			15	2 x Week ¹ / 2 x Month ²	Composite
31616	Coliform, Fecal MF, M-FC Broth, 44.5 °C	#/100 mL		14		25	2 x Week ¹ / 2 x Month ²	Grab
50050	Flow, in Conduit or thru Treatment Plant	GPD	1,032,000				Continuous	Recorder
00610	Nitrogen, Ammonia Total (as N)	mg/L	4			6	2 x Week ¹ / 2 x Month ²	Composite
00625	Nitrogen, Kjeldahl, Total (as N)	mg/L					2 x Week ¹ / 2 x Month ²	Composite
00620	Nitrogen, Nitrate Total (as N)	mg/L					2 x Week ¹ / 2 x Month ²	Composite
00600	Nitrogen, Total (as N)	mg/L					2 x Week ¹ / 2 x Month ²	Composite
00400	pH	su					5 x Week	Grab
00665	Phosphorus, Total (as P)	mg/L					2 x Week ¹ / 2 x Month ²	Composite
00530	Solids, Total Suspended	mg/L	5			10	2 x Week ¹ / 2 x Month ²	Composite
00076	Turbidity, HCH Turbidimeter	NTU				10	Continuous	Recorder

1. 2 x Week sampling shall be conducted from June through August.
2. 2 x Month sampling shall be conducted from September through May.
3. Based upon information provided by the Permittee demonstrating that the facility only exceeds the 500,000 gallons per day (GPD) threshold during the months of June, July, and August, PPI 001 has been modified such that the sampling frequencies for 5-Day Biochemical Oxygen Demand, Fecal Coliform, Ammonia, Nitrate, Total Phosphorus, and Total Suspended Solids have been split into two times per week and two times per month.

PPI 002 - Flow Conveyed from Ocean Isle Beach WWTP to West Brunswick Regional WRF (WQ0023693)

EFFLUENT CHARACTERISTICS		EFFLUENT LIMITS				MONITORING REQUIREMENTS		
PCS Code	Parameter Description	Units of Measure	Monthly Average	Monthly Geometric Mean	Daily Minimum	Daily Maximum	Measurement Frequency	Sample Type
50050	Flow, in Conduit or thru Treatment Plant	GPD	293,000				Continuous	Recorder

PPI 003 – Conjunctive Reclaimed Water Utilized at the Lion's Paw Golf Course

EFFLUENT CHARACTERISTICS		EFFLUENT LIMITS				MONITORING REQUIREMENTS		
PCS Code	Parameter Description	Units of Measure	Monthly Total	Monthly Geometric Mean	Daily Minimum	Daily Maximum	Measurement Frequency	Sample Type
WQ01	Flow, Reclaimed Water Distributed	Gallons					Monthly	Recorder

PPI 004 – Conjunctive Reclaimed Water Utilized at the Panther's Run Golf Course

EFFLUENT CHARACTERISTICS		EFFLUENT LIMITS				MONITORING REQUIREMENTS		
PCS Code	Parameter Description	Units of Measure	Monthly Total	Monthly Geometric Mean	Daily Minimum	Daily Maximum	Measurement Frequency	Sample Type
WQ01	Flow, Reclaimed Water Distributed	Gallons					Monthly	Recorder

PPI 005 – Conjunctive Reclaimed Water Utilized at the Tiger's Eye Golf Course

EFFLUENT CHARACTERISTICS		EFFLUENT LIMITS				MONITORING REQUIREMENTS		
PCS Code	Parameter Description	Units of Measure	Monthly Total	Monthly Geometric Mean	Daily Minimum	Daily Maximum	Measurement Frequency	Sample Type
WQ01	Flow, Reclaimed Water Distributed	Gallons					Monthly	Recorder

PPI 006 – Conjunctive Reclaimed Water Utilized at the Leopard's Chase Golf Course

EFFLUENT CHARACTERISTICS		EFFLUENT LIMITS				MONITORING REQUIREMENTS		
PCS Code	Parameter Description	Units of Measure	Monthly Total	Monthly Geometric Mean	Daily Minimum	Daily Maximum	Measurement Frequency	Sample Type
WQ01	Flow, Reclaimed Water Distributed	Gallons					Monthly	Recorder

Brunswick County – Ocean Isle Beach WWTP

IRRIGATION AREA INFORMATION										APPLICATION LIMITATIONS			
Zone	Owner	County	Latitude	Longitude	Net Acreage	Dominant Soil Series	Parameter	Hourly Rate	Yearly Max	Units			
1	Brunswick County	Brunswick	33.914773°	-78.448554°	7.86		01284 – Non-Discharge Application Rate		91	inches			
2	Brunswick County	Brunswick	33.924289°	-78.458063°	7.86		01284 – Non-Discharge Application Rate		91	inches			
3	Brunswick County	Brunswick	33.923766°	-78.460063°	7.86		01284 – Non-Discharge Application Rate		91	inches			
4	Brunswick County	Brunswick	33.924899°	-78.455222°	7.86		01284 – Non-Discharge Application Rate		91	inches			
5	Brunswick County	Brunswick	33.92201°	-78.458529°	7.86		01284 – Non-Discharge Application Rate		91	inches			
6	Brunswick County	Brunswick	33.922680°	-78.455424°	7.86		01284 – Non-Discharge Application Rate		91	inches			
7	Brunswick County	Brunswick	33.921235°	-78.456579°	7.86		01284 – Non-Discharge Application Rate		91	inches			
8	Brunswick County	Brunswick	33.919944°	-78.458191°	7.86		01284 – Non-Discharge Application Rate		91	inches			
9	Brunswick County	Brunswick	33.921244°	-78.455003°	7.86		01284 – Non-Discharge Application Rate		91	inches			
10	Brunswick County	Brunswick	33.920179°	-78.454314°	7.86		01284 – Non-Discharge Application Rate		91	inches			
11	Brunswick County	Brunswick	33.918401°	-78.455857°	7.86		01284 – Non-Discharge Application Rate		91	inches			
12	Brunswick County	Brunswick	33.918817°	-78.454229°	7.86		01284 – Non-Discharge Application Rate		91	inches			
13	Brunswick County	Brunswick	33.916815°	-78.452907°	7.86		01284 – Non-Discharge Application Rate		91	inches			
14	Brunswick County	Brunswick	33.915775°	-78.452686°	7.86		01284 – Non-Discharge Application Rate		91	inches			
15	Brunswick County	Brunswick	33.926099°	-78.451441°	5.90		01284 – Non-Discharge Application Rate		46.8	inches			
16	Brunswick County	Brunswick	33.926468°	-78.265500°	8.57		01284 – Non-Discharge Application Rate		46.8	inches			
17	Brunswick County	Brunswick	33.926828°	-78.449968°	7.46		01284 – Non-Discharge Application Rate		46.8	inches			
18	Brunswick County	Brunswick	33.924012°	-78.451597°	7.85		01284 – Non-Discharge Application Rate		46.8	inches			
19	Brunswick County	Brunswick	33.545300°	-78.265500°	7.19		01284 – Non-Discharge Application Rate		46.8	inches			
20	Brunswick County	Brunswick	33.922907°	-78.462689°	8.69		01284 – Non-Discharge Application Rate		46.8	inches			
21	Brunswick County	Brunswick	33.922328°	-78.464568°	8.11		01284 – Non-Discharge Application Rate		46.8	inches			
22	Brunswick County	Brunswick	33.921226°	-78.461907°	14.05		01284 – Non-Discharge Application Rate		46.8	inches			
23	Brunswick County	Brunswick	33.920568°	-78.464002°	13.16		01284 – Non-Discharge Application Rate		46.8	inches			
Totals					191.02								

APPROVED USERS FOR OFFSITE IRRIGATION

Brunswick County – Ocean Isle Beach WWTP

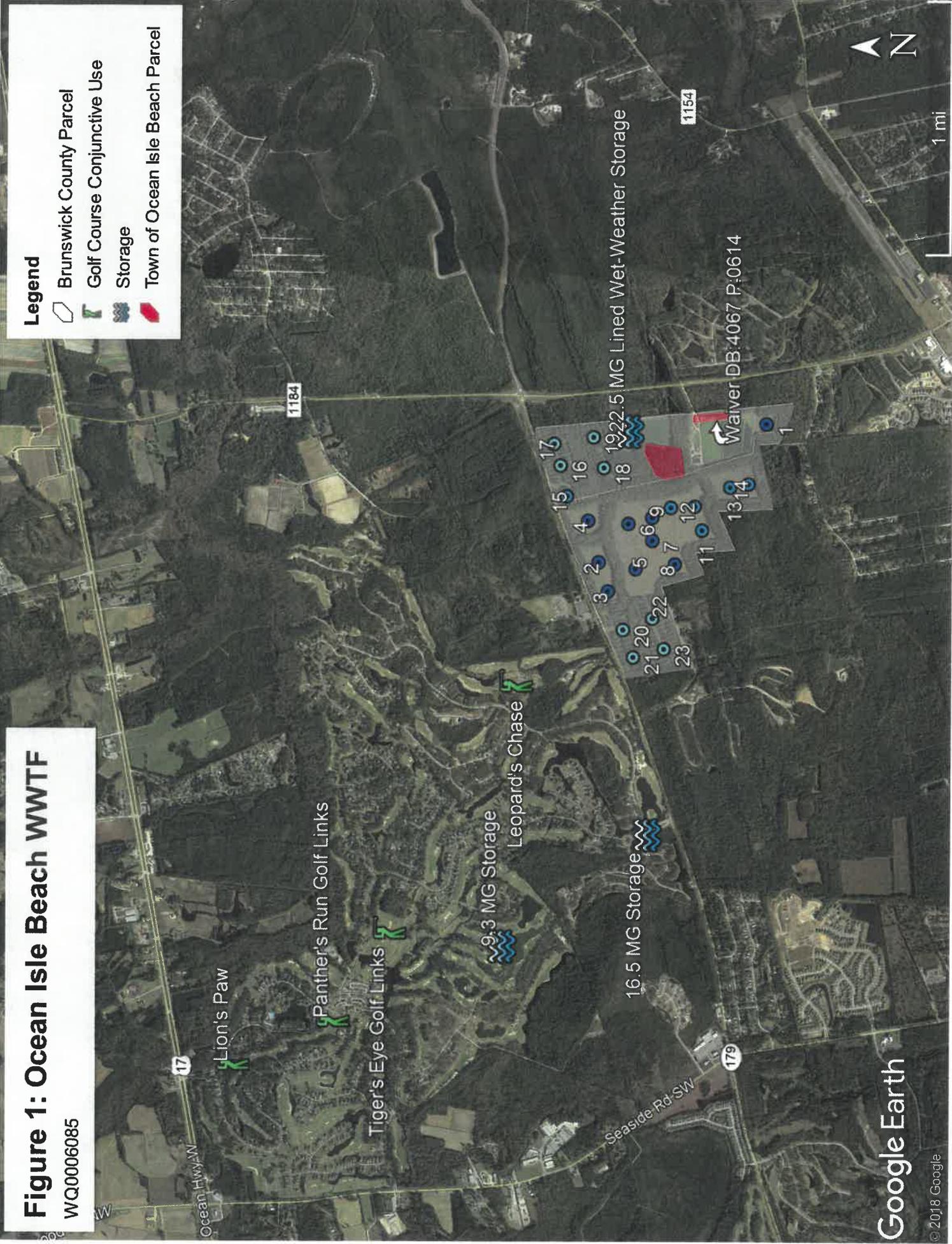
Site ID	Location Name	Owner ²	County	Latitude	Longitude	Approved Use	Net Acreage	Parameter	Units
1	Lion's Paw	Ocean Ridge Plantation Golf, Inc.	Person	33,943863°	-78,492411°	Spray Irrigation	92.5	01284 – Non-Discharge Application Rate	inches
2	Panther's Run	Ocean Ridge Plantation Golf, Inc.	Person	33,938205°	-78,489412°	Spray Irrigation	84.9	01284 – Non-Discharge Application Rate	inches
3	Tiger's Eye	Ocean Ridge Plantation Golf, Inc.	Person	33,935007°	-78,483377°	Spray Irrigation	76.3	01284 – Non-Discharge Application Rate	inches
4	Leopard's Chase	MAS Properties, LLC	Person	33,927889°	-78,466431°	Spray Irrigation	120.5	01284 – Non-Discharge Application Rate	inches

Notes:

- Utilization records for these sites are not required to be reported on Form NIDAR-1.
- Per an agreement recorded in the Brunswick County Register of Deeds (DB: 2415, PG: 658-664), the conjunctive use of reclaimed water produced by Ocean Isle Beach WWTP is permissible on the golf courses owned by Ocean Ridge Plantation Golf, Inc. and MAS Properties, LLC.

Figure 1: Ocean Isle Beach WWTF

WQ0006085



Legend

- Brunswick County Parcel
- Golf Course Conjointive Use
- Storage
- Town of Ocean Isle Beach Parcel

Figure 2: Ocean Isle Beach WWTF

WQ0006085



Figure 3: Ocean Isle Beach WWTF

WQ0006085

Legend

- Brunswick County Parcel
- Golf Course Conjunctive Use
- Non-Conjunctive Spray Irrigation
- Storage
- Town of Ocean Isle Beach Parcel



Google Earth

© 2018 Google

1 mi 7.125 MG Lined EQ

Brunswick County Register of Deeds
Robert J. Robinson
Inst #337284 Book 2415 Page 658
06/23/2006 08:38:04am Rec# 275297



NORTH CAROLINA

RET Barley Smithwick
7 TOTAL 32 REV. TC# 10
REC# 17 CK AMT 1680
CASH REP. BY JB

BRUNSWICK COUNTY

Reuse Water Agreement

THIS REUSE WATER AGREEMENT (the "Agreement") is made effective as of June 19, 2006, by and among MAS Properties, L.L.C. and Ocean Ridge Plantation Golf, Inc. (collectively, the "Golf Course Owners", which term shall include their successors and assigns as owners of the Golf Courses (defined below)), Coastal Communities at Ocean Ridge Plantation, Inc. (the "Developer") and Brunswick County (the "County").

WITNESSETH:

WHEREAS, the Golf Course Owners own parcels of land comprising four eighteen-hole golf courses known or to be known as Lion's Paw, Panther's Run, Tiger's Eye, and Leopard's Chase, which courses are known or to be known collectively as the Ocean Ridge Plantation Golf Course, located in the development known as Ocean Ridge, near the Town of Ocean Isle Beach in Brunswick County, North Carolina, and such courses being referenced as the four golf courses shown and described on that certain Planned Unit Development Master Plan for Ocean Ridge Plantation, dated November, 1996, revised December 18, 2001, and approved by the Brunswick County Planning Board on January 2, 2002, as amended from time to time (such golf courses being referred to herein as the "Golf Courses");

WHEREAS, MAS Properties, L.L.C. and Developer own or will own the remainder of the Ocean Ridge development in which the Golf Courses are located;

WHEREAS, pursuant to that certain Sewer Service Agreement (the "Sewer Service Agreement") being entered into by the County, MAS Properties, L.L.C., Developer and Ocean Isle Palms, Inc., the County will own and operate a facility known as the Ocean Ridge Wastewater Treatment Plant (the "Ocean Ridge Facility");

WHEREAS, the County will construct a pump station to pump wastewater from the Ocean Ridge Facility to the a facility known as the West Brunswick Regional Wastewater Treatment Facility (the "Regional Facility"), and the County intends to pump all wastewater

previously originating from property described in the Sewer Service Agreement to the Regional Facility;

WHEREAS, the County has agreed to terminate its Reuse Water Agreement and amend its Sewer Service Agreement, in both cases with respect to the development (including a golf course) located in Brunswick County and known as Angel's Trace in accordance with a Termination of Reuse Water Agreement and Amendment to Sewer Service Agreement made in conjunction herewith (the "Termination Agreement");

WHEREAS, the County has agreed to supply treated effluent reuse water to the Golf Courses for irrigation purposes, and the Golf Course Owners have agreed to accept up to a certain amount of treated effluent reuse water for irrigation of the Golf Courses under the terms described herein, including without limitation the condition that the Termination Agreement be effectuated.

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties hereto agree as follows:

1. Provisions and Acceptance of Reuse Water. Upon conveyance of the Ocean Ridge Facility to the County, the County shall supply reuse water to the Golf Course Owners, without cost to the Golf Course Owners, and the Golf Course Owners shall accept such reuse water for irrigation of the Golf Courses, or portions thereof. The Golf Course Owners agree to accept up to 900,000 GPD of reuse water for irrigation of the Golf Courses, subject to applicable permit requirements. Until dismantling of the Ocean Ridge Facility has commenced in accordance with the terms of the Sewer Service Agreement, however, the Golf Course Owners shall have no obligation to accept reuse water from any facility other than the Ocean Ridge Facility. The portions of the Golf Courses to receive reuse water shall be determined solely by the Golf Course Owners in accordance with applicable permit requirements. The Golf Course Owners are not required by the terms hereof to modify the Golf Courses in any way to allow an increase in the amount of reuse water that is to be accepted for irrigation of the Golf Courses hereunder. The Golf Course Owners shall have the right, but not the obligation, however, to transfer a portion of the reuse water provided hereunder to other suitable areas in Ocean Ridge permitted for acceptance of reuse water with the cooperation of the Developer. While the Ocean Ridge Facility is being operated, the County shall not supply reuse water from the Ocean Ridge Facility to any other property without the written consent of the Golf Course Owners. The Golf Course Owners, the Developer and the County shall cooperate to modify or obtain required permits for irrigation of the Golf Courses and/or other areas in accordance with this Agreement.

2. Reuse Irrigation Storage Ponds and Reuse Water Lines. The Golf Course Owners have constructed reuse irrigation storage ponds to receive reuse water from the Ocean Ridge Facility (or, once the pump station has been constructed, the Regional Facility). The Golf Course Owners and the Developer shall provide necessary easements for a reuse water line from public rights of way to said reuse irrigation storage ponds and for a connection to the existing reuse water line to the irrigation ponds on the Golf Courses. Such easements shall be located in the places chosen by the then-owner of the property to be burdened thereby at the time of the

establishment of such easements. The County, at its expense, shall design, engineer, permit, construct, install, operate and maintain the reuse water line from the Regional Facility to the irrigation ponds on the Golf Courses.

3. Operation and Maintenance of Irrigation Facilities; Acceptance of Reuse Water. The Golf Course Owners shall own, operate and maintain the irrigation storage ponds located on the Golf Courses, and the irrigation lines, pipes, pumps and other equipment used to irrigate the Golf Courses. The Golf Course Owners shall provide a certified spray irrigation operator at all times in accordance with 15A NCAC 8G, including site visitation requirements. The mere aesthetic desires or optimal management of the Golf Course Owners shall not be justifiable reasons for violating permit conditions related to irrigation, but the Golf Course Owners shall have the right to suspend acceptance of reuse water during any period in which the water does not meet applicable requirements or standards, or in which acceptance of the reuse water would likely damage or endanger health or property. In the event that the Golf Course Owners fail to operate and maintain the irrigation system so as to provide for acceptance of reuse water in accordance with this Agreement, then the County shall have the right to enter upon the Golf Courses to perform such operation and maintenance.

4. Permit Compliance, Record Keeping, Enforcement and Civil Penalties. The County shall provide to the Golf Course Owners copies of all permits, renewals, notices and correspondence from DWQ or any other regulatory authority with respect to the reuse water and spray irrigation systems. All reuse water provided by the County shall meet the requirements and standards of applicable law and permits. The County shall be responsible for conducting all sampling and testing of the treated wastewater effluent, as required by applicable permits. The irrigation operator shall maintain records regarding irrigation of the Golf Courses, as required by applicable permits, and such information shall be provided to the County in a timely manner. The County shall be responsible for maintaining records regarding reuse water inflow to the Golf Course ponds, and for submitting all required reports regarding such reuse water to DWQ. In the event that a civil penalty is assessed against the County by DWQ for any permit violation for which the Golf Course Owners are responsible, the Golf Course Owners shall remit the amount of the penalty to the County for payment to DWQ; provided that the Golf Course Owners shall have the right to contest any alleged violation and the County shall cooperate for that purpose. The County shall timely pay any civil penalty that results from a permit violation for which the County is responsible.

5. Conservation Easements. The County acknowledges that the Golf Course Owners and the Developer may desire to establish conservation easements on the Golf Courses, utility easement areas associated with the reuse water irrigation systems or portions of either areas. The County agrees to cooperate in any attempts to establish such easements should the Golf Course Owners or the Developer elect to establish conservation easements and desire County assistance in such regard.

6. Term; Modifications. The initial term of this Agreement shall be fifty (50) years, and such term shall automatically be extended for successive periods of ten (10) years unless terminated as hereinafter provided. The Golf Course Owners and the County shall each have the

right to unilaterally terminate their obligations hereunder as of the expiration of the initial term or any extension thereof by giving written notice to the other party at least two (2) years prior to such expiration date. Any other termination, modification or amendment shall be in writing specifically referring to this Agreement and signed by the parties whose obligations are affected by such modification or amendment.

7. Condition to Agreement. It is a material condition to the making of this Agreement by the Golf Course Owners, and the obligation of their performance hereunder, that the County enter into and honor its obligations under the Sewer Service Agreement and the Termination Agreement. Such condition may only be waived by the Golf Course Owners and solely at their discretion. At its discretion, the Golf Course Owners may assign their waiver rights hereunder by providing written notice thereof to the County; no consent of the County to such assignment is necessary.

8. Successors and Assigns. This Agreement shall be binding on and shall inure to the benefit of the parties hereto and their respective successor in interest. The Golf Course Owners shall have the right to convey all or portions of the Golf Courses, without the consent of Brunswick County, provided that any conveyance of any portion of the Golf Courses that is permitted by DWQ for reuse water irrigation shall be made subject to the provisions of this Agreement. In the event that the Golf Course Owners convey the entire portion of the Golf Courses that is permitted for reuse water irrigation, such conveyance shall be deemed to have been made subject to this Agreement, and the Golf Course Owners shall have no further obligations hereunder. Otherwise, the parties hereto shall not have the right to assign any of their obligations hereunder without the prior written consent of the other parties.

9. Miscellaneous. This Agreement, together with the Sewer Service Agreement and the Termination Agreement, constitutes the entire understanding of the parties hereto, revokes and supersedes all prior agreements between or among the parties hereto (whether written or oral) with respect to the subject matter hereof, and is intended as a final expression of their mutual understanding. No waiver by any party hereto of any default shall be deemed a waiver of any prior or subsequent default under the same or other provisions of this Agreement. This Agreement may be executed in any number of counterpart signature pages (including facsimile counterpart signature pages), each of which shall be deemed an original and all of which, taken together, shall constitute one and the same instrument. This Agreement shall be governed by the laws of the State of North Carolina.

[Remainder of page intentionally left blank.]

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be duly executed as of the day and year first above written.

MAS Properties, L.L.C.

By: [Signature]
Manager

Ocean Ridge Plantation Golf, Inc.

By: [Signature]
Vice President

Coastal Communities at Ocean Ridge Plantation, Inc.

By: [Signature]
President

Brunswick County

By: [Signature], Chairman
Board of Commissioners

Clerk to the Board:
[Signature]



"This instrument has been preaudited in the manner required by the Local Government Budget and Fiscal Control Act."

[Signature]
Ann B. Hardy, Finance Director
Brunswick County, North Carolina

NORTH CAROLINA

BRUNSWICK COUNTY

I certify that the following person(s) personally appeared before me this day, each acknowledging to me that he or she voluntarily signed the foregoing document for the purpose stated therein and in the capacity indicated: MARK A. SAUNDERS MANAGER, MAS PROPERTIES, L.L.C.
[name(s) of principal(s); capacity]

Date: 19 JUNE 2006

Joan A. Hertzog
JOAN A. HERTZOG, Notary Public
[print name]

My commission expires:

24 JUNE 2007



[OFFICIAL SEAL]

NORTH CAROLINA

Brunswick COUNTY

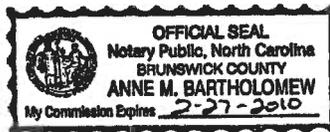
I certify that the following person(s) personally appeared before me this day, each acknowledging to me that he or she voluntarily signed the foregoing document for the purpose stated therein and in the capacity indicated: Carroll M. Lipscombe, Jr. Vice-President, Ocean Ridge Plantation Golf, Inc.
[name(s) of principal(s); capacity]

Date: 6-19-06

Anne M. Bartholomew
Anne M. Bartholomew, Notary Public
[print name]

My commission expires:

2-27-2010



[OFFICIAL SEAL]

NORTH CAROLINA

BRUNSWICK COUNTY

I certify that the following person(s) personally appeared before me this day, each acknowledging to me that he or she voluntarily signed the foregoing document for the purpose stated therein and in the capacity indicated: MARK A. SAUNDERS, PRESIDENT, COASTAL COMMUNITIES
[name(s) of principal(s); capacity] AT OCEAN RIDGE PLANTATION, INC.

Date: 19 JUNE 2006

Joan A. Hertzog
JOAN A. HERTZOG, Notary Public
[print name]

My commission expires:

24 JUNE 2007



[OFFICIAL SEAL]

NORTH CAROLINA

Brunswick COUNTY

I certify that the following person(s) personally appeared before me this day, each acknowledging to me that he or she voluntarily signed the foregoing document for the purpose stated therein and in the capacity indicated: DAVID R. SANDIFER, Chair
[name(s) of principal(s); capacity]

Date: June 19, 2006

Marjorie C. Stephenson
MARJORIE C. STEPHENSON, Notary Public
[print name]

My commission expires:

August 12, 2007



[OFFICIAL SEAL]