



North Carolina Department of Environment and Natural Resources

Pat McCrory
Governor

John E. Skvarla, III
Secretary

Via e-mail

May 28, 2014

Mr. Mark Kleinschmidt
Mayor and Town Council
405 Martin Luther King Jr, Boulevard
Chapel Hill, NC 27514

Subject: Chapel Hill Police Department Property
NONCD0001846

Dear Mr. Kleinschmidt:

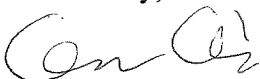
Thank you for providing our agency a copy of the public petition to the Town of Chapel Hill in regard to the subject property located at 828 Martin Luther King Jr. Boulevard, Chapel Hill, North Carolina. Our office wishes to provide clarification on several points mentioned in the petition regarding the Department of Environment and Natural Resources' (DENR) oversight and review process. It appears that the DENR's position was misconstrued; we request that this letter be entered into the record with the petition letter.

- 1) After the Town of Chapel Hill submitted sampling results indicating that a release of hazardous substances has occurred at the site, the Inactive Hazardous Site Branch in DENR's Division of Waste Management sent a letter of Regulatory Requirements to the town's representative (a copy is attached). The site has now been catalogued in our site inventory. Reports and records are available online using ID Number NCFNON0001486. To access our file records go to:
<http://portal.ncdenr.org/wcb/wm/ihome> . Click on the link called "Superfund Section File Access" on the left side of the page.
- 2) The site is still in the early stages of investigation. Groundwater data needs to be confirmed. All of the groundwater samples having elevated metals also had high turbidity values. Turbid samples result in falsely elevated laboratory results that are not indicative of true dissolved metals concentrations in the groundwater. We recommend that all existing monitoring wells be resampled using methods to obtain lower turbidity samples. Monitoring Well 4 (MW-4) in particular should be redeveloped and then sampled using a low-flow groundwater pump. Turbidity readings should be collected. Further, it would be best to wait up to the full allowed 24-hour limit before sample collection after development and purging to allow the wells to clarify.

- 3) Depending on the degree of hazards present, immediate response actions may be necessary to abate current exposure to contamination. The town should complete the Site Condition Questionnaire (attached) also found at the above identified web site and send it to our office. At higher risk sites, the Division of Waste Management will directly oversee and approve testing and contaminant abatement work conducted by responsible parties or property owners. At sites the Division determines are not the highest risk, the Division recommends that the responsible party enter into our privatized oversight program to help expedite approval of voluntary party contaminant cleanup actions. This program is called the Registered Environmental Consultant (REC) Program. The REC Program was established to remove a bottleneck for approval caused by limited state staff available for oversight of cleanup actions. The technical requirements for assessment and remediation are the same for both REC and state staff oversight and approval of work.
- 4) When the site investigation is complete, the town will be required to propose a remediation plan considering all the available data and risks if the site is determined to be a high risk case or if the Town volunteers to conduct contaminant remediation. However, it is premature to speculate about the proper final remedy at this stage. The final remedy decision will depend on site contaminants, geologic conditions, and the results of a risk evaluation. Remedies can include one or more actions, ranging from excavation and off-site disposal of contaminated materials, to remediation of contaminated groundwater, or to limited engineering controls and land use restrictions, among others.
- 5) The size of a site is not a factor in deciding if investigation and remediation are needed. Remedies are designed to address impacts to human health and to the environment. The size of a waste disposal area is but one of many factors taken into consideration when determining what type of remedy is appropriate and protective for a site.

I hope this letter provides clarification on the current status of the site, and DENR's procedures in dealing with this type of site. Please do not hesitate to contact me at 919-707-8213 or qu.qi@ncdenr.gov if you have any questions.

Sincerely,



Qu Qi, PG, Central Region Unit Supervisor
Division of Waste Management, NCDENR

enclosures

ec: Friends of Bolin Creek
Julie McClintock
Jason Damweber
Josh Dunbar