

From: Nick Torrey <ntorrey@selcnc.org>

Date: May 13, 2016 at 5:24:24 PM EDT

To: ""pheimminger@townofchapelhill.org"" <pheimminger@townofchapelhill.org>, ""mayorandcouncil@townofchapelhill.org"" <mayorandcouncil@townofchapelhill.org>, ""lnorris@townofchapelhill.org"" <lnorris@townofchapelhill.org>

Cc: "amy.axon@ncdenr.gov" <amy.axon@ncdenr.gov>, Frank Holleman <fholleman@selcnc.org>, "julie mcclintock (mcclintock.julie@gmail.com)" <mcclintock.julie@gmail.com>

Subject: FW: Chapel Hill Police Station coal ash soil testing

Dear Mayor Hemminger and Council,

Recently, the town received a letter from the NC Department of Environmental Quality regarding health risk calculations based on soil samples taken from around the Bolin Creek greenway just below the unlined coal ash dump on the town's Police Station property. The letter is attached. It states that the soil levels of pollutants are below state and federal "maximum acceptable limits."

However, I spoke with Amy Axon at NC DEQ this afternoon, and she confirmed my understanding that DEQ's health risk calculations for chromium were based solely on Chromium III. That is not what the recent Police Station soil test results show. Instead, these soil tests are for Total Chromium, which includes both Chromium III and the much more dangerous Chromium VI (famous from Erin Brockovich's water contamination cases in California). Therefore, it appears that the current health risk calculations do **not** reflect the test results from the site. Without testing for Chromium VI, we do not know how much of the total chromium that was found at the site is Chromium III and how much is Chromium VI.

The industrial hygienist who did the calculations is out of the country until May 23rd, and will revisit the calculations after she returns. In the meantime, the town should **not** assume the soil is safe based on the calculation that was performed by DEQ. We urge the town to test the soil around the greenway and coal ash dump for Chromium VI as soon as possible.

Thank you for your consideration,
Nick Torrey

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From: Nick Torrey

Sent: Thursday, May 12, 2016 1:43 PM

To: 'Axon, Amy'; qu.qi@ncdenr.gov

Cc: julie mcclintock (mcclintock.julie@gmail.com); Frank Holleman

Subject: Chapel Hill Police Station coal ash soil testing

Dear Ms. Axon,

I have an important question regarding your May 2 letter to the Town of Chapel Hill transmitting the soil sample health risk calculations performed by DEQ. The letter (attached) states that an industrial hygienist has determined that the soil sample test results from around the Bolin Creek greenway are below state and federal maximum acceptable limits. I am concerned that there may be a misunderstanding of the test results.

The documentation attached to the letter appears to indicate that all the health risk calculations were based on Chromium III. However, the soil test results at this site were all for Total Chromium, which includes Chromium VI as well as Chromium III. Chromium VI is much more dangerous than Chromium III, and is a mutagenic carcinogen. On the basis of the current test results, we do not know how much of the chromium is hexavalent Chromium VI and how much is Chromium III. Thus, if I am reading the risk calculation documents correctly, they are not an accurate reflection of the test results because they appear to assume all the chromium is Chromium III.

Given the high levels of Total Chromium in the test results, it is imperative that the Town of Chapel Hill be required to test for Chromium VI in soil samples along the greenway and on the coal ash dump site. Without knowing how much Chromium VI is in the soil below the coal ash dump and along the greenway, DEQ's calculation that the soil levels are acceptable appears to be unfounded.

Please let me know if I've got this right and how you plan to proceed.

Thanks very much,
Nick Torrey

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