



Waste Management  
ENVIRONMENTAL QUALITY

PAT MCCRORY  
Governor

DONALD R. VAN DER VAART  
Secretary

MICHAEL E. SCOTT  
Director

**CERTIFIED MAIL**  
**Return Receipt Requested**

May 5, 2016

Mr. Lance Norris, Public Works Director  
Town of Chapel Hill  
405 Martin Luther King Jr Blvd  
Chapel Hill NC 27514

Re: Chapel Hill Police Department Property  
828 Martin Luther King Jr Blvd  
Chapel Hill, Orange County  
NONCD0001486

Dear Mr. Norris

Thank you for your ongoing cooperation in completing Phase I of the remedial investigation needed at the site located at 828 Martin Luther King Jr Blvd in Chapel Hill, North Carolina (the Site). The purpose of Phase I was to identify all releases of hazardous substances to the environment, characterize the chemical nature of such releases and collect sufficient sampling data in order to compile a list of contaminants of concern.

Based on the results of Phase I of the remedial investigation, the North Carolina Department of Environmental Quality's Division of Waste Management (Division) has determined that there is a release, or substantial threat of a release into the environment of a hazardous substance from the Site and an area accessible to the public and therefore considers the Site to be a high priority for assessment.

In light of these facts, the Division requests that you conduct Phase II of the remedial investigation under the supervision of the Division's Inactive Hazardous Sites Branch. Within ninety (90) days of your receipt of this letter, please submit a draft Remedial Investigation Plan (Plan) that complies with the current *Inactive Hazardous Sites Branch Guidelines for Assessment and Cleanup* (Guidance) available at <http://deq.nc.gov/about/divisions/waste-management/waste-management-permit-guidance/inactive-hazardous-sites-guidance-documents>.

The purpose of conducting Phase II of the remedial investigation is to delineate the lateral and vertical extent of contamination in each area of concern, to concentrations less than or equal to the unrestricted use remediation goals referenced in Section 4.1 of the Guidance or site-specific natural background levels for metals, whichever is higher. Due to the fact that you have already completed Phase I of the remedial investigation, as outlined in the Guidance, please refer to Section 2.3 for details on developing a plan to complete this phase of the investigation.

The Division will notify Chapel Hill of any changes needed in the Plan and of the time within which the changes must be made. Chapel Hill may not implement the Plan until it is approved in writing by the Division. Any desired modifications to the approved Plan or work schedule must be approved by the Division prior to implementation. Chapel Hill must notify the Division no less than ten (10) days prior to any field activity.

Following completion of the remedial investigation, Chapel Hill must provide a Remedial Investigation Report (Report) documenting implementation of the approved Plan. The Report must be organized and written as outlined in Section 3.0 of the above reference guidance.

The Division will notify Chapel Hill of any changes needed in the remedial investigation or the Report due to any hazard posed by the Site or discrepancies with the approved Remedial Investigation Plan, and of the time within which changes must be made. When the Division determines that the remedial investigation is complete, the Division will notify Chapel Hill in writing.

Any work that would constitute the “practice of engineering” as defined by G.S. 89C shall be performed under the responsible charge of, and signed and sealed by, a professional engineer registered in the state of North Carolina. Any work that would constitute the “public practice of geology” as defined by G.S. 89E shall be performed under the responsible charge of, and signed and sealed by, a geologist licensed in the state of North Carolina.

All documents submitted to the Division in relation to this work must be provided in both paper and in an electronic format designated by the Division (see the Inactive Hazardous Sites Branch website located at <http://deq.nc.gov/about/divisions/waste-management/superfund-section/inactive-hazardous-sites-program> for current specifications on electronic document submittal) and sent to:

Amy Axon  
Inactive Hazardous Sites Branch  
North Carolina Department of Environmental Quality  
1646 Mail Service Center  
Raleigh NC 27699

To protect public health and the environment, the Division has the authority under N.C.G.S. § 130A-310.1(c) to order any responsible party to conduct such monitoring, testing, analyses and reporting as deemed reasonable and necessary to ascertain the nature and extent of any hazard posed by a Site. However, prior to issuing remedial investigation orders, the Division sends letters such as this to offer responsible parties the opportunity to work cooperatively with the Division.

This offer shall expire at the close of business on the 30<sup>th</sup> day following your receipt of this letter, so please notify the Division, in writing, if Chapel Hill intends to comply with our request. If you have any questions, concerning this remedial investigation request, please contact me at (919) 707-8371. Thank you again for your cooperation.

Sincerely,

A handwritten signature in blue ink that reads "Amy Axon". The signature is written in a cursive style with a long horizontal flourish extending to the right.

Amy Axon, Hydrogeologist  
Inactive Hazardous Sites Branch

cc: Curtis Brooks, Town of Chapel Hill