

From: Mcclintock.Julie@epamail.epa.gov
Sent: Monday, June 24, 2002 2:52 PM
To: Cal Horton
Subject: Petition to Town Council- edited

ATTACHMENT 1

Cal

I think that the 4 points asked of the Manager are more clearly stated in this version.

Julie

MEMORANDUM

To: Mayor and Council
From: Bob Epting, Julie McClintock, Dan Coleman
Re: Hazardous Waste on Horace Williams Tract
Date: June 24, 2002

James Moeser, Chancellor of North Carolina announced last month to the press that he had decided to develop that part of the Horace Williams Tract now occupied by the airport. In his announcement is stated that "the development of the airport land could also allow the university to delay the remediation of a hazardous waste site on the Horace Williams property".1 (1 Chapel Hill News 5/01/02)

Therefore, we turn to you our elected public officials, our stewards of public health and safety in Chapel Hill, to actively pursue a responsible and timely cleanup of hazardous waste sites on the Horace Williams property.

It is essential for the Town to establish a factual record on what wastes are buried on this tract. One primary hazardous waste site is listed on the EPA list of Superfund sites. It is adjacent to the Chapel Hill Public Works facilities and surrounded by neighborhoods in Northern Chapel Hill and Orange County, including North Haven, Ironwoods, Elkins Hills, Old Forest Creek, Priestly Creek, Glen Heights, and Windsor Circle. There is also an old landfill, and we believe there are other dumping sites. In 1996, UNC held a public hearing to announce the contamination of ground water on the Horace Williams site, and plans for correcting the problem. We are not aware of any subsequent reports to the public.

A factual record of buried wastes will help the Town and appropriate agencies to ensure that all wastes are cleaned up prior to construction. Anything less than a complete clean-up of this tract endangers the health, safety and welfare of town citizens, and could also affect the health and safety of construction workers and UNC employees.

We call upon the Town government to request that the University disclose all relevant information and promptly undertake to perform its legal and moral responsibility to clean up hazardous waste sites located on this tract before any development is permitted. In this regard, we ask you to charge the Town Manager with the following by passing the attached resolution:

- 1) Communicate to UNC the Town's request that UNC provide current copies of all site assessments and reports detailing wastes at the Horace Williams site, including all communications to or from any state or federal agencies with respect to these sites;
- 2) Communicate with the State Department of Environment and Natural Resources to determine what State efforts have been made, as well as what State efforts are being made to meet the State's

duties of oversight, what disclosure requirements apply, and advice on how the Town and citizens can become actively involved in this process. (8)

3) Communicate with the federal Environmental Protection Agency to clarify federal and state responsibilities regarding clean up of this toxic waste dump, and in particular to determine how interested citizens may become involved and assist in seeing that this property is cleaned up in accordance with the law.

4) Ask UNC to provide the Town with its timetable for meeting its legal duties to clean up this toxic waste site without further delay, and for quarterly reports on actions taken toward this goal.

Given that staff will need to prepare a report to Council, we believe it is reasonable to request that this report come back to you at your August meeting if possible. Considering that in 1996 these wastes were already moving off site toward Crow Branch, we believe that time is of the essence.

Resolution for Council's consideration:

Whereas the Chancellor has declared UNC's intention to develop the Horace Williams tract in the near future;

Whereas the Chapel Hill Town Council is charged with protection of public health, safety and welfare of its citizens;

Whereas this property contains at least one hazardous waste site listed on the EPA list of Superfund sites and is adjacent to neighborhoods in Northern Chapel Hill and Orange County;

Whereas it is essential for the Town to establish a factual record on what wastes are buried on this tract;

Be it therefore resolved that the Town Council requests a report from the Town Manager after addressing the following:

1) Communicate to UNC the Town's request that UNC provide current copies of all site assessments and reports detailing wastes at the Horace Williams site, including all communications to or from any state or federal agencies with respect to these sites;

2) Communicate with the State Department of Environment and Natural Resources to determine what State efforts have been made, what State efforts are being made to meet the State's duties of oversight, what disclosure requirements apply, and advice on how the Town and citizens can become actively involved in this process.

3) Communicate with the federal Environmental Protection Agency to clarify federal and state responsibilities regarding clean up of this toxic waste dump, and in particular to determine how interested citizens may become involved and assist in seeing that this property is cleaned up in accordance with the law.

4) Ask UNC to provide the Town with its timetable for meeting its legal duties to clean up this toxic waste site without further delay, and for quarterly reports on actions taken toward this goal.

cc: Carrboro Board of Aldermen
Orange County Board of Commissioners

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