From: John Richardson
To: Megan Kimball

Cc: mcclintock.julie@gmail.com; Nick Torrey; Pamela Schultz; Maurice Jones; Vencelin Harris; Laura Selmer

Subject: FW: May 15 Council Work Session

Date: Tuesday, June 04, 2019 12:01:59 PM

Hi Megan,

We're looping back on your questions. Please see the responses from our consultants, below.

See you all later today.

John

From: Megan Kimball < <a href="mkimball@selcnc.org">mkimball@selcnc.org</a> Sent: Wednesday, May 15, 2019 12:10 PM

To: John Richardson < irichardson@townofchapelhill.org>

**Cc:** Maurice Jones <<u>mjones@townofchapelhill.org</u>>; Vencelin Harris

<<u>vharris@townofchapelhill.org</u>>; Laura Selmer <<u>lselmer@townofchapelhill.org</u>>; msJuliemcclintock

<mcclintock.julie@gmail.com>; Nick Torrey <ntorrey@selcnc.org>; Pamela Schultz

<pamela.b.schultz@gmail.com>

Subject: RE: May 15 Council Work Session

Hi John,

Thank you very much for this information and thank you in advance for your response to our December letter. One of our hydrogeologists took a look at Dunklee & Dunham's March 29 memo regarding its proposed sampling and analysis plan and had a few comments.

First, with respect to the second bullet point on page three, the Town should retain the old monitoring wells for use in measuring water elevation and determining how much ash remains saturated over time. This will be especially important if some remediation is done, so that we can see the response of the water table to any remediation efforts.

- Response #1.1 Duncklee & Dunham suggested that some of the monitor wells might need
  to be abandoned because prior sample results contained high turbidity readings. Monitor
  wells are typically designed to allow the collection of samples of "fresh" groundwater not
  impacted with aquifer sediment or other material such as coal combustion products (CCP).
  CCP has a very fine grain size that can pass through a traditional sandpack and well screen.
  Thus, a more fine sandpack material should be used in the future if future monitor well
  screens contact CCP. Otherwise, high turbidity (i.e., particulate matter) increases the
  potential for groundwater samples with artificially high metals concentrations.
- Response #1.2 All of the samples that Hart & Hickman collected in 2019 had turbidity levels of <10 NTUs, indicating acceptable sample quality. Therefore, the existing monitor wells can be retained so long as the quality of future samples is not compromised by the presence of

Second, with respect to the fourth bullet point on page three, the Town should add radionuclides to the constituent list for samples that are to be collected from locations GP-5, GP-6, HH-9, HH-10, and HH-11, rather than evaluating radionuclides in a later project phase. The Town should not delay the evaluation of radionuclide considerations, and should collect this data while it is out sampling anyway.

- Response #2.1 Duncklee & Dunham obtained quotes from a laboratory in March 2019 for radionuclide analyses. However, the turnaround time for the radionuclides was too long, and the laboratory results would not have been available in the time required to evaluate the interim measures. The presence of radionuclides in groundwater samples is more of a concern for the final remedial measures. Therefore, future groundwater samples will be collected from the site to help evaluate the full-scale remedy for the site.
- Response #2.2 The schedule for the collection of future groundwater samples including radionuclide testing is not yet defined, but will likely be performed after the interim measures have been completed.
- Response #2.3 As part of the recent 2019 sampling, we did screen the site for radionuclides by collecting radon samples from the police department building, and no radon above EPA's action level was detected.

We also recommend adding hexavalent chromium to the constituent list. Only total chromium is included on the list for water samples. Total chromium is insufficient because it doesn't distinguish between hexavalent chromium, which is much more harmful, and trivalent chromium. Based on Dr. Rudo's past work on hexavalent chromium, and past data showing very high levels of hexavalent chromium in groundwater at the site, this should definitely be included in the sampling for any health risk assessment.

- Response #3.1 Hart & Hickman samples from 2016 showed low to moderate hexavalent chromium concentrations in the background soil samples BG-1 through BG-5 and MW-5 indicating that naturally occurring hexavalent chromium is present in the area of the site.
- Response #3.2 The highest hexavalent chromium concentration in groundwater was detected in August 2014 in a sample from monitor well MW-3 at a concentration of 30 ug/l. However, this sample also had very high turbidity levels at 1,500 NTU. Therefore, this sample for hexavalent chromium was biased and not representative of the mobile contaminant load in the aquifer.
- Response #3.3 NCDEQ only requires hexavalent chromium analysis if total chromium exceeds 2X background. Therefore, we typically collect sample bottles for hexavalent chromium analysis, but instruct the laboratory to hold the analysis until the total chromium results are known (although the holding time for hexavalent chromium analysis in water is short). NCDEQ also specifies that samples for hexavalent chromium analysis should be field filtered within 15 minutes of sample collection,... to minimize the errant effects of particulate matter (i.e., turbidity) in the samples. Each sample must be collected in a separate prepreserved container from those for other metals analyses. We will consider these specifications prior to developing the sampling and analysis plan for a future monitoring event

at the site.

- Response #3.4 As part of the Phase II RI, a groundwater sample was collected from MW-6 for hexavalent chromium analysis because the initial sample indicated chromium more than two times the 2L standard. No hexavalent chromium was detected (and no total chromium was detected when the well was re-sampled).
- Response #3.5 The schedule for collecting future groundwater samples is not yet defined, but will likely be performed after the interim measures have been completed.

## Thanks again,

Megan Kimball

Megan

Associate Attorney | Southern Environmental Law Center 601 West Rosemary Street, Suite 220 | Chapel Hill, NC 27516-2356

T: 919-967-1450 F: 919-929-9421 E: mkimball@selcnc.org

http://www.southernenvironment.org

PRIVILEGE AND CONFIDENTIALITY NOTICE

This message is intended only for the use of the individual or entity to which it is addressed and may contain information that is privileged, confidential, and exempt from disclosure under applicable law. If you are not the intended recipient of this message, you are hereby notified that disseminating, distributing, or copying it or any attachment to it is strictly prohibited. If you have received this message in error, please notify me immediately by email and delete the original message.

**From:** John Richardson [mailto:jrichardson@townofchapelhill.org]

**Sent:** Wednesday, May 15, 2019 11:02 AM

To: Megan Kimball

Cc: Maurice Jones; Vencelin Harris; Laura Selmer; msJuliemcclintock; Nick Torrey; Pamela Schultz

Subject: RE: May 15 Council Work Session

Hi Megan,

I've tried to address each of your questions, below. If I missed anything, please let me know.

Thanks, John

**From:** Megan Kimball [mailto:mkimball@selcnc.org]

**Sent:** Tuesday, May 14, 2019 10:28 AM

**To:** John Richardson < <u>irichardson@townofchapelhill.org</u>>

**Cc:** Maurice Jones <<u>miones@townofchapelhill.org</u>>; Vencelin Harris

<<u>vharris@townofchapelhill.org</u>>; Laura Selmer <<u>lselmer@townofchapelhill.org</u>>; msJuliemcclintock

<mcclintock.julie@gmail.com>; Nick Torrey <ntorrey@selcnc.org>; Pamela Schultz

<pamela.b.schultz@gmail.com>

Subject: RE: May 15 Council Work Session

Hi John,

Thanks for sharing this information. Could you please also share the Town's application for Brownfields eligibility?

RESPONSE: See attached.

At our meeting a few weeks ago, we discussed our concern about whether ash is in contact with the groundwater. You can find some of our comments on this in topic in the third bullet point of our March 2017 memo to the Town, and on pages 3-4 of our May 2017 comment letter. These documents are posted here:

- March 2017 Memo: <a href="https://www.townofchapelhill.org/home/showdocument?id=35243">https://www.townofchapelhill.org/home/showdocument?id=35243</a>
- May 2017 Letter: <a href="https://www.townofchapelhill.org/home/showdocument?id=35649">https://www.townofchapelhill.org/home/showdocument?id=35649</a>

Please share with Dunklee & Dunham.

RESPONSE: We have shared the text and links above with Duncklee & Dunham. After our last meeting in April, we spoke again with Duncklee & Dunham and Hart & Hickman about how to answer the question above. We are evaluating options for this now.

We are still compiling information on cost and will share with you as soon as possible.

RESPONSE: This is helpful, thank you.

Finally, we'd like to follow-up on the other information gaps we asked about in our December 2018 memo (please see attached). Is the Town working to gather information on those topics as well, and if so, when does it expect to have that information?

RESPONSE: The Town has been and will continue to gather information on the questions posed in the attached letter. In addition the information provided at our two meetings in December 2018 and April 2019, we are working with our consultants to develop a written response to your December 19, 2018 letter. Our goal will be to share this with you within the next 2-3 weeks.

Thank you, Megan

Megan Kimball

Associate Attorney | Southern Environmental Law Center

601 West Rosemary Street, Suite 220 | Chapel Hill, NC 27516-2356

T: 919-967-1450 F: 919-929-9421 E: mkimball@selcnc.org

http://www.southernenvironment.org

PRIVILEGE AND CONFIDENTIALITY NOTICE

This message is intended only for the use of the individual or entity to which it is addressed and may contain information that is

privileged, confidential, and exempt from disclosure under applicable law. If you are not the intended recipient of this message, you are hereby notified that disseminating, distributing, or copying it or any attachment to it is strictly prohibited. If you have received this message in error, please notify me immediately by email and delete the original message.

From: John Richardson [mailto:jrichardson@townofchapelhill.org]

Sent: Monday, May 13, 2019 9:24 AM

To: msJuliemcclintock; Nick Torrey; Megan Kimball; Pamela Schultz

**Cc:** Maurice Jones; Vencelin Harris; Laura Selmer **Subject:** RE: May 15 Council Work Session

Hi Julie, Nick, Megan and Pamela:

As promised below, we are sharing a link to the coal ash-related materials for Wednesday's Council Budget Work Session. To clarify, there is both a cover memo and staff report. You can also view the materials within the attached PDF (see pages 2-7).

 $\frac{https://chapelhill.legistar.com/LegislationDetail.aspx?ID=3945215\&GUID=7BFEEC8B-CB27-4B64-945D-DA02C1A7DC2D\&Options=\&Search=\&FullText=1$ 

These materials are intended to introduce the item. Our consultant will also present additional findings and details at the meeting.

John

From: John Richardson

Sent: Wednesday, May 8, 2019 8:09 PM

**To:** 'msJuliemcclintock' <mcclintock.julie@gmail.com>; Nick Torrey <ntorrey@selcnc.org>; Megan

Kimball <<u>mkimball@selcnc.org</u>>; 'Pamela Schultz' <<u>pamela.b.schultz@gmail.com</u>>

**Cc:** Maurice Jones <<u>miones@townofchapelhill.org</u>>; Vencelin Harris

<<u>vharris@townofchapelhill.org</u>>; Laura Selmer <<u>lselmer@townofchapelhill.org</u>>

**Subject:** May 15 Council Work Session

Hi Julie, Nick, Megan and Pamela:

You may already be aware, but on Wednesday, May 15<sup>th</sup> we are planning to share some additional project information with Council as part of their Budget Work Session. Because it will be a few years before the Police Department has a new home, the timing of the new Municipal Service Center will delay the implementation of any long-term remediation measures that can be taken on the current police station property. For that reason, the focus of Wednesday's presentation will be on a budget for possible interim remedial measures to begin addressing the area closest to the creek.

We are working to get some preliminary information out to the Council by Friday. I will loop back to share more as soon as it's available.

John



## John Richardson, Community Resilience Officer

405 Martin Luther King Jr Blvd. | Chapel Hill NC 27514 Town of Chapel Hill | www.townofchapelhill.org
O: 919-969-5075 M: 919-801-8225
jrichardson@townofchapelhill.org