

Via Email

April 28, 2025

Town of Chapel Hill
405 Martin Luther King Jr. Blvd.
Chapel Hill, NC 28514

Attention: Mr. John Richardson

Subject: Updated Environmental Justice, Regulatory, and Community Sensitivity Evaluation
Chapel Hill Police Property
828 Martin Luther King Jr. Blvd Property
Chapel Hill, North Carolina
Brownfields Project No. 23022-19-068
H&H Job No. TCH-009

Dear John:

Per your request, Hart & Hickman, PC (H&H) has prepared an updated environmental justice, regulatory, and community sensitivity evaluation (Evaluation) for potential disposal facilities associated with the removal of coal combustion products (CCPs) from the property located at 828 Martin Luther King, Jr. Blvd. in Chapel Hill (site). The initial Evaluation was prepared by Duncklee & Dunham dated October 17, 2019. Consistent with the 2019 Evaluation, the following landfills were included in our review:

- Upper Piedmont Environmental Landfill, 9650 Oxford Road, Rougemont, Person County, NC (Permit # 7304-MSWLF-1997);
- Uwharrie Environmental Regulatory Landfill, 500 Landfill Road, Mount Gilead, Montgomery County, NC (Permit # 6204-MSWLF-1995);
- Great Oak Landfill, 3597 Old Cedar Falls Road, Randleman, Randolph County, NC (Permit # 7607-MSWLF-2015);
- Sampson County Disposal, LLC, 7434 Roseboro Highway, Roseboro, Sampson County, NC (Permit # 8202-MSWLF-2000); and

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- BFI Charlotte Motor Speedway V Subtitle D Landfill, 5105 Morehead Road, Concord, Cabarrus County, NC (Permit # 1304-MSWLF-1992).

H&H also reached out to Wake County to inquire about the South Wake Landfill in Apex, North Carolina, and its capacity to accept CCPs. Mr. Roy Baldwin, Solid Waste Facilities Manager, confirmed that while the South Wake Landfill is a Subtitle D Municipal Solid Waste landfill, it does not accept CCPs.

To complete the Evaluation, H&H attempted to utilize the U.S. Environmental Protection Agency's (EPA) Environmental Justice Screening and Mapping Tool (EJSCREEN) and the North Carolina Department of Quality (NCDEQ) Community Mapping System to review available demographic data on population, race, income, gender, and health in the vicinity of each landfill. However, the EJSCREEN is no longer available, and information associated with demographics, race, income, gender, and health have been removed from the Community Mapping System. Additional sources reviewed include the November 2022 Justice40 Web Map, NCDEQ Division of Waste Management (DWM) Site Locator Tool, the NCDEQ Laserfiche public document portal, and verbal correspondence with select disposal facility representatives. A summary of our findings is provided in Table 1.

Based on the proximity of disadvantaged communities to select facilities, regulatory concerns, community sensitivity information, distance from the site, and/or other relevant information, H&H does not recommend disposal of CCPs at the following landfills: Great Oak Landfill (Randleman), Sampson County Disposal, LLC (Roseboro), or BFI Charlotte Motor Speedway V Subtitle D Landfill (Concord). Subject to approval by the respective facilities, the Upper Piedmont Environmental Landfill (Rougemont) and the Uwharrie Environmental Regulatory Landfill (Mount Gilead) may be suitable options for disposal of CCPs based on the Evaluation criteria.

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If you have any questions or comments concerning our evaluation, please let us know.

Sincerely,

Hart & Hickman, PC



Steve Hart, PG
Principal



Justin Ballard, PG
Project Manager

cc: Mary Jane Nirdlinger, Town of Chapel Hill (via email)

Attachment

Table 1
Environmental Justice, Regulatory, and Community Sensitivity Evaluation Summary
828 Martin Luther King, Jr. Blvd
Chapel Hill, North Carolina
H&H Job No. TCH-009

Landfill	Address	Distance from 828 Martin Luther King, Jr. Blvd., Chapel Hill (approximate miles)	General Operations Description	Date of Establishment	Permit #	NCDEQ Laserfiche ⁽¹⁾				NCDEQ Mapping System ⁽²⁾		Justice40 Tracts ⁽³⁾
						Violations	Releases	Complaints	Environmental Monitoring	Racial/Ethnic Composition	Poverty Rate	
Upper Piedmont Environmental Landfill	9650 Oxford Road, Rougemont, Person County	40	Municipal Solid Waste Landfill (MSWLF) operated by Republic Services of North Carolina, LLC; receives solid waste from counties within 60 miles of Person County; accepts tires, white goods, etc.	1997	7304-MSWLF-1997	As of August 14, 2024, no violations noted during a compliance inspection although previous violation of exposed waste in cell 6B was being addressed (refer to Releases section)	Leachate release on October 20, 2020 within the leachate containment tanks and secondary containment, per Notice of Violation dated October 30, 2020. Periodic leachate releases noted in 2011	Periodic odor complaints with the most recent occurring in July 2022. Based on documents from 2014, there have been disputes between the facility and Person County concerning disposal of coal ash at the facility. Recent conversations with the facility indicate the facility may consider accepting CCPs on a case-by-case basis.	Groundwater, surface water, and leachate sampling conducted semi-annually. Landfill gas monitoring conducted quarterly	Approximately 27.58% of the population is people of color	Approximately 13.64% of the population is below the poverty level	No
Uwharrie Environmental Regulatory Landfill	500 Landfill Road, Mount Gilead, Montgomery County	80	MSWLF operated by Republic Services, Inc.; receives solid waste from within NC; includes yard waste treatment/processing area, scrap tire collection, white good, and drop-off for residential; accepts ~2,200 tons waste per day	1978	6204-MSWLF-1995	As of August 24, 2023, no violations noted during a compliance inspection although a previous violation of insufficient soil cover was noted in March 2023	None documented in the recent public record	None documented in the recent public record	Groundwater, surface water, underdrain, and leachate sampling conducted semi-annually. Landfill gas monitoring conducted quarterly	Approximately 10.57% of the population is people of color	Approximately 9.73% of the population is below the poverty level	No
Great Oak Landfill	3597 Old Cedar Falls Road, Randleman, Randolph County	50	MSWLF owned Randolph County and operated by Waste Management of Carolinas, Inc.; receives solid waste from within NC; cannot accept tires, white goods, hazardous waste, yard waste, liquid waste, etc.	1981	7607-MSWLF-2015	As of February 12, 2025, no violations noted during a compliance inspection; Notice of Violation issued on October 31, 2022 for accepting approximately 18 tons of sludge material that exceeded hazardous waste standards; Notice of Violation issued on March 22, 2022 for insufficient soil cover and a leachate release.	Fire noted in October 2024 on the landfill surface from unknown received material but quickly addressed; leachate release noted in March 2022.	None documented in the recent public record	Groundwater, surface water, and leachate sampling conducted semi-annually. Landfill gas monitoring conducted quarterly	Approximately 7.56% of the population is people of color	Approximately 16.43% of the population is below the poverty level	Yes ⁽⁴⁾
Sampson County Disposal, LLC	7434 Roseboro Highway, Roseboro, Sampson County	100	MSWLF is operated by GFL Environmental, LLC; receives solid waste, C&D waste, yard waste, WWTP sludge, and pallets from within NC	1973	8202-MSWLF-2000	As of October 3, 2024, no violations noted during a compliance inspection	Leachate release on February 9, 2024 with soil remediation subsequently completed	Historical complaints from the community of Snow Hill related to odor, dump truck traffic, and PFAS concerns In December 2024, a federal judge approved a Consent Decree filed by the Environmental Justice Community Action Network that requires the landfill to reduce PFAS in leachate, monitor emissions via drone, and address odor complaints	Groundwater, surface water, and leachate sampling conducted semi-annually. Landfill gas monitoring conducted quarterly	Approximately 76.03% of the population is people of color	Approximately 6.17% of the population is below the poverty level	Yes ⁽⁵⁾
BFI Charlotte Motor Speedway V Subtitle D Landfill	5105 Morehead Road, Concord, Cabarrus County	130	MSWLF is operated by Republic Services, Inc.; receives solid waste from counties within NC and five SC counties; accepts ~ 4,000 tons waste per day	1992	1304-MSWLF-1992	As of December 28, 2023, no new violations were observed during a compliance inspection although previous violations were being addressed including inadequate cover over waste and leachate previously observed in a perimeter ditch; Notice of Continuing and Additional Violations issued on July 7, 2023 for items noted above; Notice of Violation issued on April 27, 2023 for inadequate soil cover; Notice of Deficiency issued on February 28, 2023 for inadequate soil cover and windblown waste issues.	Leachate releases observed on June 29, 2023 and July 25, 2023 with corrective actions noted as being in progress as of December 2023	Periodic odor complaints with the most recent occurring in October/November 2020	Groundwater, surface water, underdrain, and leachate sampling conducted semi-annually. Landfill gas monitoring conducted quarterly	Approximately 39.33% of the population is people of color	Approximately 3.39% of the population is below the poverty level	No

Notes:

(1) H&H reviewed publicly available documents on the North Carolina Department of Environmental Quality (NCDEQ) Laserfiche document portal for an evaluation of *recent* compliance violations, contaminant releases, community complaints, and on-going environmental monitoring activities. H&H also reviewed media reports related to community complaints associated with each of the landfills.

(2) The NCDEQ Community Mapping System was utilized for evaluation of available demographic information. As of February 2025, due to changes in federal demographic data availability, not all data was accessible; however, available information is included.

(3) Justice40 Tracts is a map released by ESRI in November 2022 as part of the Justice40 Initiative Criteria to identify disadvantaged communities across eight categories.

(4) Great Oak Landfill is categorized as disadvantaged based on the following: Climate Change, Water and Wastewater, and Health.

(5) Sampson County Landfill is categorized as disadvantaged based on the following: Climate Change, Energy, and Transportation.