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October 28, 2009

Mr. Bruce E. Lefler, Jr.  
*Hydrogeologist*  
**NCDENR-Inactive Hazardous Sites Branch**  
**Superfund Section**  
1646 Mail Service Center  
Raleigh, North Carolina 27699

**Re: *Hatch Road Landfill* ▪ *Unassigned State ID***  
***Task Order 42B***  
***Orange County, North Carolina***  
***Contract No. N06010S***  
***MM&A Project No.: NCUL142-02***

Dear Mr. Lefler:

An investigation of the above referenced Site performed by Marshall Miller & Associates, Inc. (MM&A) on behalf of the North Carolina Department of Environment and Natural Resources (NCDENR) determined that the Site was never used as a municipal landfill. Based on these findings, no additional inquiry will be performed beyond what has been conducted to date. A summary of the Site information accumulated during this investigation is included below.

During a review of files at the NCDENR, Division of Waste Management office in Raleigh, MM&A located several historical documents and hand-drawn maps from 1972 that indicated the Town of Chapel Hill was considering a 100-acre parcel located off of SR 1944 (now Hatch Road) owned by the Sturdivants for use as a municipal landfill. Though several letters were exchanged between state and town officials, no further details about its use and operation were located. Copies of the *Historical Documents* are included in **Attachment A**.

Through online research of Orange County parcel records, MM&A determined that Ms. Annie Lee Sturdivant currently owns a large parcel of land along Hatch Road. A certified letter was sent to Ms. Sturdivant asking her to contact MM&A to discuss the possibility of the Site's having been used as a

dump. A copy of the letter is included as **Attachment B**. Mr. Danny Sturdivant, Annie's son, contacted MM&A on September 28, 2009, in response to MM&A's letter. Mr. Sturdivant indicated that his father had previously used the Site as a dairy farm. Mr. Sturdivant indicated that, during farming, his father may have dumped trash onto the property, but that he and his mother knew nothing of any community or municipal landfill that had ever been located on their property.

MM&A also spoke with Mr. Harold Harris who had worked in the Town of Chapel Hill Public Works from 1969 until his retirement a few years ago. During his tenure, the Town of Chapel Hill ran all of the landfills in Orange County. Operations switched to the county level upon his retirement. Mr. Harris indicated that the Sturdivant's property was one of several locations that were considered in the early 1970s for use as Orange County's municipal landfill when UNC gave notice that it would discontinue its agreement with the County to use the University of NC/Old Sanitary LF (NCD980557615) north of the Horace Williams Airport. Mr. Harris had personally prepared several parts of the proposal submitted to the State about the consideration of this Site. His team eventually decided against the Site due to its proximity to the University Lake drainage basin and withdrew its plans from consideration before proceeding with borehole testing at the Site. MM&A's *Records of Communication* (**Attachment B**) are attached as supporting information.

If you have any questions or need additional information, please contact the undersigned at anytime.

Sincerely,

**MARSHALL MILLER & ASSOCIATES, INC.**



Amy E. Hendershot  
*Staff Scientist*

cc: File NCDENR/NCUL142-02

Attachments



**ATTACHMENT A**  
*Historical Documents*



289  
214  
798

N. C. STATE BOARD OF HEALTH  
CHECK-OFF SHEET FOR PROPOSED SANITARY LANDFILL SITES

COUNTY ORANGE LOCATION SR 1944 ACRES 100

PROPERTY OWNER STURDEVANT PROPOSED OPERATOR TOWN OF CHAPEL HELL  
PROPOSED TO BE LEASED

- Is this site within the boundaries of a public water supply watershed? Watershed CARBORO, WASH, CHAPEL HELL YES  NO
- Does any portion of this site contain floodplain areas? YES  NO
- Are there public or private wells nearby that could be affected? YES  NO   
Nearest well in feet \_\_\_\_\_ (Elaborate in Comments Section)
- Are there springs present on the site? Number 2 to 3 YES  NO
- Will this site require dyking? YES  NO
- Will this site require piping of surface drainage? YES  NO
- Not precluding required boring information, does this site have adequate cover material for the sanitary landfill development? YES  NO
- Will this site require diversion of surface water? YES  NO   
Receiving stream for surface drainage from site PAIC'S CREEK
- Will this site require extensive preparation, such as clearing? YES  NO   
(Elaborate in Comments Section)
- Will this site require a new all-weather access road? YES  NO   
(Elaborate in Comments Section)

11. Evaluate the following:
- |   | POOR                     | GOOD                                | EXCELLENT                |
|---|--------------------------|-------------------------------------|--------------------------|
| A. Surface soil conditions as related to cover requirements | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| B. Location as related to population density                | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| C. Accessibility to users                                   | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

12. Based on the observations made above and otherwise, do you recommend that the requestor proceed with the requirements of Section IX of the North Carolina State Board of Health "Rules and Regulations Providing Standards for Solid Waste Disposal"? YES  NO

13. COMMENTS: (Include any requirements noted by you for the sanitary landfill development and operation) 3. ONE OF PROPERTIES TO BE ABANDONED  
10. ONLY IN RAINFALL AREAS NOT BEING PRESENTLY FENCED  
11C: GOOD UPON COMPLETION OF ALL-WEATHER ROAD

14. Number of borings recommended for a representative sampling of the site 6-8

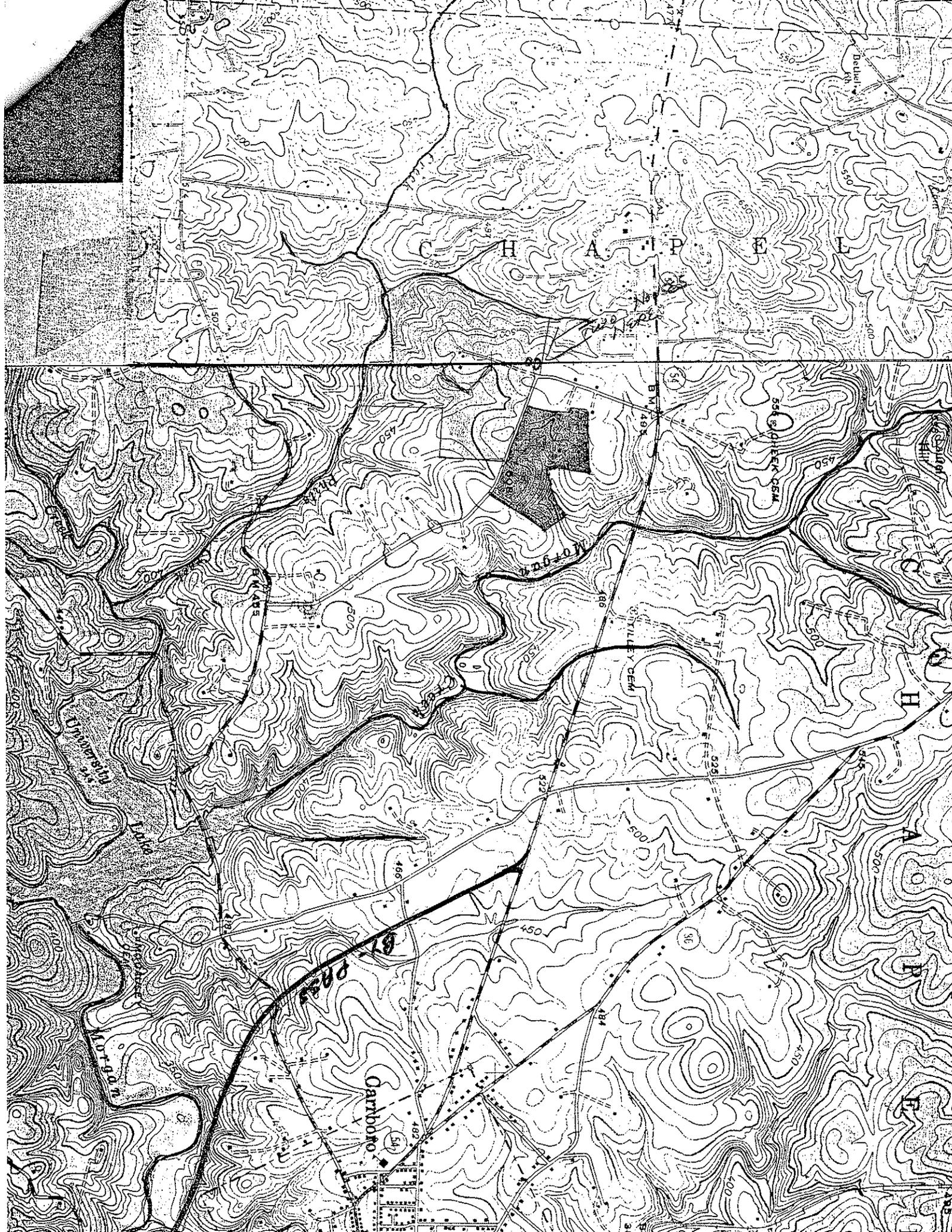
15. Percent of usable land 95%. Include sketch of site on back of this form.

20 APR 72  
(DATE)

Jimmy C. Perkins  
N. C. State Board of Health  
District Sanitarian for Solid Waste  
or  
Sanitary Engineer

SBH FORM 1350 (1/72)  
Sanitary Engineering

Joe Eagles  
Vice Chancellor  
JOSEPH C. EAGLES, JR.  
VICE CHANCELLOR, BUSINESS & FINANCE  
UNIVERSITY OF NORTH CAROLINA



Orange  
JHR  
May 24, 1972

Mr. Robert H. Peck  
City Manager  
306 North Columbia Street  
Chapel Hill, North Carolina 27514

Dear Mr. Peck:

The required information for the proposed sanitary landfill site off SR 1944 has been reviewed and the site found suitable for sanitary landfill operations.

The required information for evaluation of the proposed operational plan has been reviewed and the plan is hereby approved for operations meeting the requirements of the N. C. State Board of Health "Rules and Regulations Providing Standards for Solid Waste Disposal." In addition to meeting the minimum standards, the following conditions are included in the approval:

1. That the wooded area immediately above the spring location between contours 450 and 475 (about 0.5 acre) be left in its wooded state for erosion control and increased protection for the ground water flowing from the spring.
2. That filling around the B1 boring location be limited to above ground ramping and covering due to the high water table in that area.
3. That at least four feet of separation be maintained between excavated trench bottoms receiving waste and the ground water table at all times.
4. That appropriate measures be taken to direct surface waters around the operating areas at all times.
5. That dykes be stabilized in lifts as development of the site proceeds. Vegetation, such as trees, shrubs, grass, etc., should provide suitable stabilization.
6. That the area south of the B2 boring location be developed in conjunction with the existing contours. (This aspect of the proposed operations was discussed by Mr. Harris of Chapel Hill and Mr. Perkins, Solid Waste and Vector Control Section, N. C. State Board of Health, on May 19, 1972 in Raleigh.)

Mr. Robert H. Peck

Page 2

May 24, 1972

If bulky waste, such as tree stumps are placed in this area, ramps of a definite width and height are to be maintained with earthen side walls and appropriate cover material for accidental fire control, control of fill elevations, and drainage pattern control.

Only two copies of the boring information and the area maps (U.S.G.S.) were provided for review and as a result copies of these documents are not included in the returned enclosures.

If this section can be of further assistance in the implementation of this proposal, do not hesitate to call.

Sincerely,



Sidney H. Usry, Chief  
Solid Waste & Vector Control Section  
Sanitary Engineering Division

JCP:jp

Enclosure

cc: Mr. Joe Eagles, Jr.  
Mr. Julian Foscue

George  
JPK

May 8, 1972

Mr. Robert H. Peck  
Town Manager  
306 North Columbia Street  
Chapel Hill, North Carolina 27514

Dear Mr. Peck:

The proposed sanitary landfill site off SR 1944, containing approximately 100 acres, has been investigated on-site and the following discussion points are submitted.

- a. Since the proposed site is adjacent to Phil's Creek and one-half mile upstream from University Lake, the landfill development will be required to be in strict accordance with the N. C. State Board of Health "Rules and Regulations Providing Standards for Solid Waste Disposal." Extreme caution is to be exercised in complying with the solid waste regulations regarding the disposal of hazardous waste.
- b. The terrain and soil conditions observed lend themselves to sanitary landfill development.
- c. Operational plans, when submitted, shall include details of planned development adjacent to those areas having flood plains and springs.

It is recommended that the Town of Chapel Hill proceed with the requirements for formal site and operational plan approval including provisions dealing with the above discussion points.

Sincerely,

Jerry C. Perkins, Sanitary Engineer  
Solid Waste & Vector Control Section  
Sanitary Engineering Division

JCP:jp

cc: Mr. Julian Foscue, District Sanitarian  
Joseph Colin Eagles, Jr., J. D., Vice Chancellor, Business and  
Finance, U. N. C., Chapel Hill, N. C.

OLD N.C. 86  
"CARRBORO"  
N.C. 54 BY PASS

STATE ROAD 1107

N.C. HIGHWAY 5A

STATE ROAD 1944

SITE

1942

STATE ROAD 1005  
TO GREENSBORO

TO GEHLEM



**ATTACHMENT B**  
*Records of Communication*

Evansville, IN • (812) 491-8777  
Lenexa, KS • (913) 648-4424  
Lexington, KY • (859) 263-2855  
Bossier City, LA • (318) 747-7734  
Raleigh, NC • (919) 786-1414  
Camp Hill, PA • (717) 730-7810



Kingsport, TN • (423) 279-9775  
Ashland, VA • (804) 798-6525  
Bluefield, VA • (276) 322-5467  
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September 23, 2009

**COFY**

**VIA CERTIFIED MAIL**

Annie Lee Sturdivant  
1140 NC Highway 54 West  
Chapel Hill, North Carolina 27516

**Re: Orange County Tax PIN: 9768492633  
Hatch Road Dump; Unassigned State Site ID Number  
Orange County, North Carolina**

Dear Mrs. Sturdivant:

On behalf of the North Carolina Department of Environment and Natural Resources (NCDENR), Division of Waste Management, Superfund Section, Inactive Hazardous Sites Branch (the "Branch"), Marshall Miller & Associates, Inc. (MM&A) is submitting this certified letter requesting information regarding the above referenced old unlined landfill.

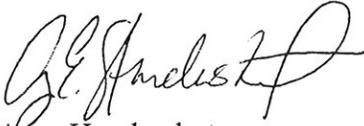
Based on brief historical information recently collected, it appears that a portion of your property at 1101 Hatch Road in Chapel Hill and/or a nearby property may have been used as a disposal area. As a contractor to the Branch, representatives of MM&A have been unable to locate a telephone number for you. Therefore, I am submitting this letter requesting your response and ask that you please contact me via telephone at 919-786-1414 ext. 223 or email to [amy.hendershot@mma1.com](mailto:amy.hendershot@mma1.com) so that we may discuss the existence and history of the dump.

I have also attached a letter from the Branch which provides details of the project. You may also contact Cheryl Marks, NCDENR (919-508-8465) or Bruce Lefler, NCDENR (919-508-8463) if you have questions.

I look forward to talking with you. You may leave a message any time, day or night. **Please respond by Friday, October 2.**

Sincerely,

**MARSHALL MILLER & ASSOCIATES, INC.**



Amy Hendershot  
 Staff Scientist

cc: File NCDENR/NCUL142-02

Attachments

**SENDER: COMPLETE THIS SECTION**

1. Article Addressed to:  
 Annie Lee Strudivant  
 1140 NC Highway 54 West  
 Chapel Hill, NC 27516

2. Article Number  
 (Transfer from service label)  
 PS Form 3811, February 2004

3. Service Type  
 Certified Mail  
 Registered  
 Insured Mail  
 Express-Mail  
 Return Receipt for Merchandise  
 C.O.D.

4. Restricted Delivery? (Extra Fee)  Yes  No

Domestic Return Receipt

7008 0500 0002 1727 9394

102595-02-M-1540

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature  
 X *Clint Sturdivant*  Agent  Addressee

B. Received by (Printed Name)  
 Clint Sturdivant

C. Date of Delivery  
 09-24-09

D. Is delivery address different from item 1?  Yes  No  
 If YES, enter delivery address below:

U.S. Postal Service™ RECEIPT  
 (Domestic Mail Only: No Insurance Coverage Provided)  
 For delivery information visit our website at www.usps.com®

**OFFICIAL USE**

Postage	\$ .80
Certified Fee	2.70
Return Receipt Fee (Endorsement Required)	2.20
Restricted Delivery Fee (Endorsement Required)	
<b>Total Postage &amp; Fees</b>	<b>\$ 5.70</b>

Sent to: Annie Lee Strudivant  
 Street, Apt. No., or PO Box No.: 1140 NC Highway 54 West  
 City, State, ZIP+4: Chapel Hill, NC 27516

Postmark Here

7008 0500 0002 1727 9394

PS Form 3800, August 2006 See Reverse for Instructions



North Carolina Department of Environment and Natural Resources  
Division of Waste Management

Beverly Eaves Perdue  
Governor

Dexter R. Matthews  
Director

Dee Freeman  
Secretary

June 17, 2009

To: Property Owner

Re: Pre-Regulatory Landfill Assessments

The North Carolina Department of Environment and Natural Resources' Division of Waste Management (State) has been tasked with gathering information and accurately locating pre-regulatory landfills. The State is in the process of compiling a statewide inventory of these sites. Over 700 pre-regulatory landfills are currently included on a list maintained by the State.

The General Assembly has appropriated funding through Senate Bill 1492 to determine the location of these landfills and identify potential hazards to the public and the environment. After reviewing the information contained in the State's files, your property and/or a nearby property may have been used as a landfill in the past. The State requests permission to inspect your property to look for the disposal area and the presence of any hazards that may exist because of the property's past use as a landfill. Any cataloged landfills determined not to be present will be removed from the State's list.

Marshall Miller & Associates, Inc. and Schnabel Engineering South, P.C. have been contracted by the State to perform location research and inspection of these pre-regulatory landfill sites. This inspection is for information gathering purposes only. By granting permission you are not assuming responsibility for any hazards found.

If you have any questions, please contact me at (919) 508-8463.

Sincerely,

Bruce E. Lefler Jr., Hydrogeologist  
Pre-Regulatory Landfill Unit  
Inactive Hazardous Sites Branch, Superfund Section  
Division of Waste Management



Senate Bill 1492  
State of North Carolina

<b>Communication Log</b>		
<b>Landfill Name:</b> Hatch Road Dump		<b>ID:</b> Unassigned
<b>Contact Name:</b> Danny Sturdivant for Annie Lee Sturdivant		<b>Phone:</b> (919) 369-3446
<b>Address:</b> 1140 NC Highway 54 West		
<i>Street Address</i>		<i>Alternate Number</i>
Chapel Hill		NC
<i>City</i>		<i>State</i>
		27516
		<i>Zip Code</i>
Date	Time	Notes
09/28/2009	10:00	Danny called in response to the certified letter sent to his mother, Annie Lee, about a possible landfill on the Sturdivant property off Hatch Road. Danny indicated that the property was once a dairy farm. His father had dug 2-3 trench silos to house the corn. When they stopped farming, his father needed to fill the trenches and so they put in wood debris, dirt, etc. from general clean-up around the farm. They later did some horse farming and still used it for dumping farm debris at that time. Danny Sturdivant even later personally dumped some used wood in there, but it was never used for municipal landfill nor did it ever receive household trash. The site has a gated fence that is locked and has always been fenced in, so he was pretty sure that there wouldn't have been illegal dumping on the site either. At present, there is still one trench remaining unfilled. He was willing to allow us to come out to see the Site, if necessary. Fridays are best for him as he works out of town the rest of the week. -AEH
10/16/2009	10:00	Left a message letting Mr. Sturdivant know that we would not need to do a site visit. -AEH

Owner of property:





Senate Bill 1492  
State of North Carolina

### Communication Log

<b>Landfill Name:</b>	Hatch Road Landfill	<b>ID:</b>	Unassigned
<b>Contact Name:</b>	Harold Harris	<b>Phone:</b>	(919) 969-5100
<b>Address:</b>	6850 Millhouse Rd		
	<i>Street Address</i>	<i>Alternate Number</i>	
	Chapel Hill	NC	27516
	<i>City</i>	<i>State</i>	<i>Zip Code</i>

Date	Time	Notes
10/22/2009	11:15	Mr. Gayle Wilson had suggested that Mr. Harris may have some information about the Site as he was working for the Town/County when they were evaluating Sites and finally settled on the Eubanks Road location. This is the same time frame of the records that were uncovered at the Oberlin Rd. NCDENR office. Left a message to call.-AEH
10/22/2009	12:15	Mr. Harris has worked in the Town of Chapel Hill Public Works since 1969. Until he retired, the Town of Chapel Hill ran all of the landfills in Orange County. The operations then switched to the County level upon his retirement. Mr. Harris indicated that this Site was one of several options that was considered in the early 1970s for use after UNC forced them to stop using its Site north of the Horace Williams Airport. He had prepared several parts of the plan/proposal submitted to the State about the consideration of this property. They eventually decided against the Site due to its proximity to the University Lake drainage basin, and they withdrew their plans from consideration (on their own, not because the State indicated that they should.) He indicated that they didn't even proceed with the bore hole testing at this location because reconsidering it. -AEH

Owner of property:





Senate Bill 1492  
State of North Carolina

### Communication Log

<b>Landfill Name:</b>	Hatch Road Landfill	<b>ID:</b>	Unassigned
<b>Contact Name:</b>	Gayle Wilson, Orange County Public Works Director	<b>Phone:</b>	(919) 968-2788
<b>Address:</b>	6850 Millhouse Road		
	<i>Street Address</i>		<i>Alternate Number</i>
	Chapel Hill	NC	27516
	<i>City</i>	<i>State</i>	<i>Zip Code</i>

Date	Time	Notes
10/07/2009	10:00	Mr. Wilson is unavailable. -AEH
10/07/2009	2:30	Mr. Wilson is unavailable. -AEH
10/08/2009	2:15	Mr. Wilson is in a meeting. -AEH
10/16/2009	1:30	Left a message with the receptionist to have Mr. Wilson call. -AEH
10/16/2009	2:45	Mr. Wilson did not recall any landfills on Hatch Road. He indicated that the Eubanks Road landfill was started in around 1972, and that this Site may have been considered as well before the county settled on that location. As far as he knew, this was never a municipal landfill. He suggested that the only other person who might know more than he does about the Orange County sites is Harold Harris. Mr. Harris was with the County for several years before Mr. Wilson joined on, so he would have been aware of that time frame. However, Mr. Harris has since retired. He suggested I try to find a home number for him (he now lives in Chatham County) or contact Mr. Norris at Town of Chapel Hill. He believes that Mr. Harris still does some consulting work for him. -AEH

Owner of property:





Senate Bill 1492  
State of North Carolina

<b>Communication Log</b>		
<b>Landfill Name:</b> Hatch Road Landfill		<b>ID:</b> Unassigned
<b>Contact Name:</b> Lance Norris, Public Works Director for Town of Chapel Hill		<b>Phone:</b> (919) 969-5100
<b>Address:</b> 6850 Millhouse Rd		
<i>Street Address</i>		<i>Alternate Number</i>
Chapel Hill		NC
<i>City</i>		<i>State</i>
		27516
		<i>Zip Code</i>
Date	Time	Notes
10/16/2009	1:25	Mr. Norris has only been with the town 8 years, so he doesn't know anything about any 1970s landfills. He suggested speaking with Mr. Gayle Wilson, Orange County Public Works Dept. He used to be with the Town before all landfill work transferred to the county level, so he would likely know if the Town had ever used this Site. -AEH

Owner of property:





Senate Bill 1492  
State of North Carolina

### Communication Log

<b>Landfill Name:</b>	Hatch Road Dump	<b>ID:</b>	Unassigned
<b>Contact Name:</b>	Donald and JoAnne Sturdivant	<b>Phone:</b>	(919) 933-8173
<b>Address:</b>	715 Hatch Road		
	<i>Street Address</i>		<i>Alternate Number</i>
	Chapel Hill	NC	27516
	<i>City</i>	<i>State</i>	<i>Zip Code</i>

Date	Time	Notes
09/22/2009	13:45	No Answer. Left message. -JAH

Owner of property:

