



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 4

SAM NUNN ATLANTA FEDERAL CENTER

61 FORSYTH STREET

ATLANTA, GEORGIA 30303-8960

January 12, 2024

Mr. W. Perrin de Jong  
Attorney for Petitioner  
Center for Biological Diversity  
P.O. Box 6414  
Asheville, NC 28816

RE: 828 MLK CERCLA Petition, Chapel Hill, North Carolina

Dear Mr. de Jong:

Thank you for your petition to the U.S. Environmental Protection Agency (EPA), Region 4, dated October 18, 2023, to Acting Regional Administrator Jeananne Gettle requesting that the EPA conduct a Preliminary Assessment (PA) at the 828 Martin Luther King, Jr. (MLK) Boulevard property that houses the Town of Chapel Hill Police Department in North Carolina. Your letter listed several potential contaminant releases and environmental hazards associated with coal ash at the subject property. The EPA has reviewed your request and determined that your letter meets the requirements of 40 Code of Federal Regulation (CFR) 300.420(b)(5), which allows any person who is, or may be, affected by a release or threatened release of hazardous substances, pollutants, or contaminants to petition the EPA to conduct a PA. Therefore, the EPA will enter this site into its active PA database and initiate the PA. The PA will be conducted by the Restoration & Site Evaluation Section (RSES) of Region 4's Superfund & Emergency Management Division.

The PA is designed to determine whether a site poses a threat to human health or the environment and whether the threat requires further investigation. The PA investigation includes a site visit and a review of any existing site information, including the data that the Town of Chapel Hill has collected. This information is used to evaluate the pathways through which the contamination might migrate and identify populations and environments that the contamination may threaten. Generally, environmental samples are not collected as part of a PA. If the PA results in a recommendation for further investigation, a Site Inspection will be conducted. While our regulations require the EPA to complete a PA within one year of the receipt a written request, we understand your concerns and will conduct the PA as expeditiously as possible. Once finalized, the PA report will be sent to you and the Center for Biological Diversity.

The EPA has assigned Sandra Bramble, Remedial Project Manager, of my staff, to ensure the PA is conducted in a timely manner. If you have questions or need additional information from the EPA, please contact Ms. Bramble at (404) 562-8926 or [bramble.sandra@epa.gov](mailto:bramble.sandra@epa.gov).

Sincerely,

A handwritten signature in black ink, appearing to read "Derek Mat", followed by a long horizontal line extending to the right.

Derek Matory, Manager  
Restoration & Site Evaluation Branch  
Superfund & Emergency Management Division

cc: William Hunneke, Chief, NCDEQ Superfund Section