



# Preserve Rural Orange.org

POST OFFICE BOX 1314 CARRBORO, NC 27510

(919) 593-5411

October 19, 2012

State Environmental Review Clearinghouse  
NC Department of Administration  
1301 Mail Service Center  
Raleigh, NC 27699-1301

To the State Environmental Review Clearinghouse:

I'm writing to express significant concerns about the UNC Chapel Hill SEPA Environmental Assessment for the proposed expansion of the wastewater system at the UNC Bingham Animal Research Facility in Orange County:

RECEIVED DATE: 09/06/2012

SCH #: 13E60200078 TYPE: SEPA Environmental Assessment/Finding of No Significant Impact

REVIEW CLOSE DATE: 10/22/2012

APPLICANT: UNC - Chapel Hill

Regarding the EA and Finding of No Significant Impact:

UNC's 2006 EA that predicted no significant impacts to the environment was inaccurate and incomplete. In this 2012 EA, UNC does not disclose impacts of its failed and improperly constructed wastewater system that was shut down in 2010 after a series of illegal discharges, one of which reached Collins Creek which is impaired downstream of the facility.

The UNC Animal Research Facility has an ongoing track record of non-compliance, violations of county, state and federal regulations, and after-the-fact requests for permit approvals.

In order to assess primary, secondary and cumulative impacts of the proposed project and mitigate potential damage, the University must: disclose the locations where discharges occurred and test for impacts to silt, sediment, creek water and ground water at these locations; test the murky water in a recently capped well for contaminants; develop a plan to notify and evacuate the surrounding community in case of a chlorine leak as recommended by the county Planning director; sample the surface water and soil on newly acquired properties; disclose the location and storage method of storing soiled dry bedding from the cages of hundreds or thousands of animals; disclose the numbers and species of research animals on site currently and project; disclose which pharmaceuticals will be used in research, including radioactive isotopes.

In August 2012 the NC Division of Water Quality held a public hearing for comments on UNC's wastewater permit application, at which UNC leaders stated that the facility was not expanding. Two weeks later on September 5, 2012, the day after the DWQ public comment period closed and more than a year after requesting the permit, UNC submitted the current EA which does not disclose accurate or

complete information about UNC's expansion plans. In 2011, UNC requested an after the fact stormwater permit, and received four warning letters from the NC Department of Agriculture for its new bulk propane plant which replaced an unreported and non-compliant bulk propane plant.

Most importantly, maps of existing and proposed facilities do not accurately show the current property boundary. The omission is significant as residential properties have been acquired that may have been negatively impacted by UNC's wastewater operations. The UNC facility expanded its footprint in 2010 and 2012 from 57 acres to 70 acres, acquiring thirteen acres. UNC purchased two properties adjacent to its wastewater treatment system and Collins Creek from neighbors who had inquired about environmental impacts of the University's illegal discharge of animal wastewater into Collins Creek. UNC also plans to acquire an additional 10 acres adjacent to its failed animal wastewater lagoon on the north side of the property.

The 2006 EA did not disclose the presence of wetlands filled in to build a road and wastewater irrigation system. Following the 2006 EA/FONSI, UNC improperly constructed two wastewater lagoons and a treatment system, resulting in a series of illegal discharges and equipment failures in 2009 and 2010. In 2009 UNC waited 52 days before reporting the leaking lagoon to DENR, and never tested for impacts of the leak, which reached Collins Creek. A malfunctioning, aging incinerator used to burn medical waste from UNC Hospitals was removed from the site. Following these incidents UNC has not done any testing of the creek, soil, sediment or ground water at locations where spills occurred. In 2010 UNC capped a well with murky water without testing its water for contaminants.

Currently the DWQ permit is still pending. State Property Office staff contacted the NC Attorney General's office in September 2012 about information that UNC officials failed to disclose regarding acquiring property from a seller with a pending request for a county hearing. Preserve Rural Orange has requested that the NC Attorney General and State Auditor investigate the use of public funds to acquire private residences intended to be demolished for an undisclosed research campus expansion.

Without UNC's full disclosure of the site's expanded boundaries and without evidence collected from sites where multiple illegal discharges occurred and testing for impacts throughout its 70-acre property, the state cannot accurately assess the environmental impacts of the UNC facility's past or future operations.

Sincerely,



Laura Streitfeld  
Executive Director, Preserve Rural Orange

cc: Mark Teague, Assistant Attorney General  
Don Teeter, Special Deputy Attorney General

Attachments:

1. September 7, 2012 Property map of UNC Bingham Facility expansion, Orange County
2. September 6, 2012 UNC email to neighbors re: UNC Bingham property acquisitions
3. June 18 2012 UNC letter and UNC Board of Governors' approval of property actions