



North Carolina Department of Environment and Natural Resources

Division of Water Quality

Beverly Eaves Perdue
Governor

Coleen H. Sullins
Director

Dee Freeman
Secretary

February 23, 2010

Richard L. Mann – Vice Chancellor for Finance and Administration
The University of North Carolina at Chapel Hill
302 South Building CB#1000
Chapel Hill, North Carolina 27599

Subject: UNC-Chapel Hill Bingham Facility
Research Resources Facility
Orange County

Dear Mr. Mann,

The Division of Water Quality (Division) met with representatives from The University of North Carolina (UNC) and McKim & Creed, Inc. on February 19, 2010 to address the plans UNC has for the Bingham Facility. During the meeting UNC submitted a Pump and Haul Application and indicated that both the formerly deemed permitted animal treatment facility and the permitted treatment facility (WQ0023896) were to be taken off line for a period of approximately six months. During this period, a complete review of both facilities will be conducted and a final plan will be generated for the treatment and disposal of waste at the UNC-Chapel Hill Bingham Facility. This action is in response to a letter dated February 1, 2010, in which, the Division required the Permittee to submit an application to permit the operations at the formerly deemed permitted animal research facility within thirty days.

The Pump and Haul Permit (WQ0034607) was issued on February 22, 2010 and a start up inspection is scheduled for February 24, 2010. During the six months that both systems are offline, all waste generated for both facilities will be hauled to Orange County Water and Sewer Authority (OWASA) – Mason Farm Wastewater Treatment Facility. The Division has determined that this short term plan is sufficient to satisfy the requirement in the letter dated February 1, 2010 for an individual Water Quality Permit to cover the waste generation at the formerly deemed permitted animal waste facility. In the event the system improvements require a Pump and Haul Permit for a period longer than six (6) months, UNC will need to submit another permit application for a permit extension.

Within thirty (30) days, UNC shall submit a schedule detailing specific tasks proposed to be undertaken by UNC, for development of a long term solution regarding the treatment and disposal of wastes generated at the UNC-Chapel Hill Bingham Facility. This schedule and associated tasks shall include specific plans for an evaluation of the treatment works on site, the proposed treatment option(s), and proposed dates for completion of each task.

Additionally, during the meeting on February 19, 2010, the Division indicated that it would be requesting additional information pertaining to the existing system failures. Please consider this a formal request for submittal of the following information to our office on or before March 31, 2010, for the formerly deemed permitted animal waste treatment facility:

Aquifer Protection Section
1628 Mail Service Center, Raleigh, North Carolina 27699-1628
Location: 3800 Barrett Dr., Raleigh, North Carolina 27609
Phone: 919-791-4200 • FAX: 919-571-4718 • Customer Service: 1-877-623-6748
Internet: www.ncwaterquality.org

An Equal Opportunity / Affirmative Action Employer

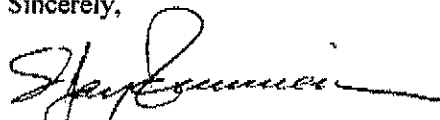
One
North Carolina
Naturally

University of North Carolina at Chapel Hill
February 23, 2010
Page 2 of 2

1. Copies of any and all engineering plans and specifications for the originally proposed treatment and disposal system;
2. Copies of any and all "as-built" plans and specifications for the treatment and disposal system constructed;
3. Copies of any and all change orders with any description or justification for such, applicable to the treatment and disposal system, to include any engineer certifications approving or recommending against such changes;
4. Justification for any portion of the original design that was omitted in the final construction of the treatment and disposal system; and,
5. Results of any and all investigative studies on the integrity of the treatment system units and/or pond liners.

We look forward to receipt of the above requested information. If you have any questions concerning this matter, please contact Matthew Fleahman or myself at (919) 791-4200.

Sincerely,



S. Jay Zimmerman, L.G.
Environmental Regional Supervisor

cc: RRO-APS Files
Aquifer Protection Section Central Files