



Memo

Date: February 5, 2026

To: Keith Chadwell, Deputy City Manager

From: Wade Walcutt, Director *WAW*

Subject: Durham Parks in the Pre-Regulatory Landfill Program Update and Budget Considerations

Executive Summary:

The North Carolina Department of Environmental Quality (NCDEQ) is concluding comprehensive site assessments at five City parks impacted by the State's Pre-Regulatory Landfill Program (East End, East Durham, Lyon, Northgate, and Walltown). These assessments evaluated the extent of contamination across multiple environmental media, potential migration pathways, and risks to human health, ecosystems, and future park use. Final park-specific reports are expected by February/March 2026 and will inform cleanup options, future land use, and any necessary restrictions.

Throughout the course of analysis by NCDEQ, DPR staff requested opportunities to restore partial park access or redesign amenities in unaffected areas; however, NCDEQ consistently declined these requests due to public health concerns and the need to complete its full risk assessment before supporting any changes.

Early in the process, staff joined an open community stakeholder group and launched a dedicated webpage to support transparent, two-way communication. Over multiple years, staff facilitated direct engagement between residents, NCDEQ, and its contractors through ongoing meetings and coordinated outreach. Partnerships with environmental nonprofits and the County Health Department expanded community education and access to health information, including Soil Shops and free blood lead testing.

To prepare for anticipated remediation needs, the City has incrementally built CIP funding based on the information available at each stage of the State's analysis. This includes a \$5 million allocation approved in FY 2024–25 and an additional \$7 million approved in FY 2025–26, for a total of approximately \$12 million currently available. A preliminary NCDEQ cost estimate provided in June 2024 projected minimum remediation costs of approximately \$10.5 million, with the understanding that estimates would increase as additional data was collected.

Once final reports are received and outstanding questions are resolved, staff will share findings with the community and City leadership and develop park-specific recommendations, guided by human health and safety. The existing \$12 million in CIP funding will allow the City to respond promptly to emerging data. Given the current remaining uncertainties, the anticipated scale of work, and the likelihood that projects will span multiple fiscal years, DPR is not requesting additional funding at this time and remains open to adjusting course during the FY 2026–27 budget cycle.

Background:

This month DEQ will conclude its comprehensive site assessments at all 5 parks and then follow up with a report for each one. Here is a 4-point summary of what assessments over the years provided.

1. A full study at each site to understand where contamination exists, what kinds of contaminants are present, how much there is, and how it may be moving through the environment. This includes looking at soil, groundwater, surface water, sediment, and soil gas where appropriate. The goal is to clearly define how far contamination extends and whether it meets safety standards for unrestricted public use, such as residential and environmental health standards.
2. Evaluated whether contamination could move from one area to another, for example, from soil/waste into groundwater, from groundwater into nearby streams, or from soil or groundwater into indoor air in existing or future buildings. Testing and sampling were completed to confirm whether contamination levels exceeded safety thresholds or could pose a risk over time.
3. Assessed the potential risks to people and sensitive natural areas. This included determining whether contamination could affect human health and whether special protections or restrictions may be needed.
4. (Current & Next) --- NCDEQ has committed to providing Remedial Investigation Summary Reports for each park by the end of March 2026. These reports will be clear and comprehensive, explaining what contamination was found, where it is located, how it might move, and what risks it poses. This information will be used to design the appropriate risk-based remedial action plan (RAP), determine how the site can be safely used in the future, and whether any land-use restrictions are necessary.

DPR Staff Requests and Pleas to DEQ (Multi-year- Ongoing)

Each time DEQ completed a phase of analysis and shared results, staff explored whether there were opportunities to work around restricted areas to either (a) expand public access or (b) rebuild or redesign park amenities in areas that could be safely used by the public. In each instance, DEQ did not support these approaches, citing public health concerns and the need to complete its comprehensive assessment of all potential risks associated with the Pre-Regulatory Landfills before endorsing any modifications or access changes.

Transparency & Public Engagement

Early in the process, staff joined a community stakeholder group open to all interested residents to create a two-way listening and learning forum and support a coordinated information campaign. A dedicated webpage was also launched to provide residents with access to comprehensive data and project updates.

Through this engagement work, staff facilitated a multi-year, direct connection between residents, NCDEQ, and its contractors. Efforts included frequent small-group meetings, ongoing communications, and the co-creation of community-wide, in-person and hybrid meetings designed to share information and hear resident concerns. In addition, staff formed new partnerships with environmental nonprofit organizations, supported the delivery of Soil Shops at multiple locations to further community education, allowed space for residents to test soil, and engaged the County Health Department to provide health information and free blood testing to children.



Budget Analysis:

CIP Submittal for FY 24-25 - \$5,000,000

Developed: Fall of 2023 and submitted in January of 2024

Based on the information available and provided by DEQ at that time, as well as on what was anticipated to occur in the future.

Budget Request Summary:

This funding request supports timely park improvement projects at five parks (East End, East Durham, Lyon, Northgate, and Walltown) identified in the State's Pre-Regulatory Landfill Program. While the North Carolina Department of Environmental Quality is finalizing comprehensive soil analyses and may provide future funding, that process is lengthy and has no defined timeline. Securing City funding now allows needed improvements, such as amenity replacement, demolition or construction of new amenities, and soil modification, to move forward without relying solely on State timelines and priorities.

June 2024

Preliminary Cost Estimate Provided by DEQ - \$10,470,000

This DEQ estimate summary was intended for general planning purposes only. This was based on the limited data collected at the early environmental investigation stage in the evaluation process and was for the minimum funding needed to conduct interim remedial measures of the currently known impacted soil cover areas only.

At the time, there were pending remedial investigation phases to be conducted, which included assessment of: a) waste below the soil cover; b) determining waste boundaries; and c) landfill gas, soil, and groundwater. The latter is what has been underway in 2025 and is forecasted to be completed in 2026 (Originally, DEQ indicated this would have been completed by December 2025). It was understood that the cost estimates would change as additional information was collected and remediation options were developed.

CIP Submittal FY25-26

Developed: Fall of 2024 and submitted in January of 2025 - \$7,000,000

Based on the information available and provided by DEQ at that time, the June 2024 Cost Estimate, as well as on what was anticipated to occur in the future.

Budget Request Summary:

This funding request was to position the City to respond to findings from the State's Pre-Regulatory Landfill Program by supporting park remediation and improvement projects at five affected parks (East End, East Durham, Lyon, Northgate, and Walltown). The funding would enable infrastructure improvements, potential environmental remediation, and monitoring needed to reduce health and environmental risks and reopen park areas currently closed to the public. While NCDEQ is finalizing soil analyses and may provide future funding, timelines and final cost estimates remain uncertain, with total remediation projected at \$10.5 million or more. Establishing and building this fund in FY26 builds on the existing \$5 million CIP allocation, allows coordination with existing capital projects to minimize disruptions, and ensures the City can act immediately once final data is received, rather than delaying park access, environmental solutions, and planned improvements.

Current Status and Next Steps

- **February 2026** - NCDEQ anticipates submitting monitoring reports from its final analysis
- **March 2026 Remedial Investigation Summary Reports Due** - DEQ has committed to completing its analysis by February 2026 and subsequently will provide Remedial Investigation Summary Reports for each park by the end of March 2026. DEQ has indicated these reports will be clear and comprehensive, explaining what contamination was found, where it is located, how it might move, and what risks it poses. This information will be used to design the appropriate risk-based remedial action plan, determine how the site can be safely used in the future, and whether any land-use restrictions are necessary.
- **Remedial Action Plan (RAP) development for each park: 4-12 additional months to create**
 - A RAP is a formal and site-specific document detailing the strategy and goals to manage contamination according to NCDEQ standards.
 - The RAP will inform when funding may become available.
 - Timing of each RAP depends on site complexity and consultant availability, followed by permitting timelines driven by site conditions.
- **Opportunities for enhancements before RAP** - There *may* be limited opportunities at some parks to advance improvements without a full RAP.
 - These opportunities will vary by site and cannot be confirmed until final site boundaries are established (*Remedial Investigation Summary Reports due in March*).
 - For example, some parks may have areas within the park boundary where no waste contamination is identified.

Budget Considerations and Recommendation:

The City has approximately \$12 million in CIP funding available. Since receiving an additional \$7 million last fiscal year, the City has not received substantive new data that provides clearer directions on remediation approaches for each park.

Once the final NCDEQ reports are received, staff will share the findings with the community and City leadership to receive feedback, evaluate options, and, where possible, develop specific recommendations prior to NCDEQ completing a RAP for each site, with health and safety as the priority. At that time, the City will have \$12 million available to act immediately based on direction and the data received.

Given the anticipated scope, this work will likely require a substantial planning phase(s) followed by construction and may exceed the current budget. At the same time, due to project complexity, it is unlikely that the full \$12 million could be expended within a single fiscal year. Given these uncertainties, DPR has not submitted a request for additional funding at this time and does not see this decision as detrimental to the speed of creating solutions. Staff anticipate seeking additional funding and/or alternative funding sources in future years, while also pursuing external resources, including State and Federal funds, grants, and other public or private sources.

Staff remain open and flexible to additional assistance and adjusting the course based on feedback, guidance, and recommendations during the FY 2026–27 budget cycle.