

Date: 5/13/26

To: Bo Ferguson, City Manager
CC: Jina Propst, Deputy City Manager, Keith Chadwell, Deputy City Manager

From: Wade Walcutt, Director
Subject: Update and Recommendation - Pre-Regulatory Landfill Program

Background & Summary

In 2023, the City enrolled five parks: East End, East Durham, Lyon, Walltown, and Northgate into the State's Pre-Regulatory Landfill Program (PRLP), administered by NCDEQ. Participation was necessary to ensure public safety and responsible stewardship of City resources. NCDEQ has funded and led all environmental investigations and analyses. While NCDEQ has been a valuable partner, the PRLP process has presented ongoing challenges related to communication, flexibility, and timeliness. The program does not differentiate between inactive landfill sites and active public parks, contributing to delays that directly impact the City's ability to restore safe, full public access to areas critical to the community's health and wellness.

In April, I provided the CMO the following update and recommended next steps.

DEQ Process Update

- NCDEQ missed its previously communicated deadlines for reports (December 2025, February, March, April, and May 2026)
- NCDEQ has provided updated cost estimates for their (State Funded) Risk-based Remedy (Cap and Cover – Page 2)
- As of May 2026: 3 of 4 sampling reports have been received, analyzing above and below-ground water and vapor samples, and the fourth report is now anticipated to be delayed until June 2026
 - Remedial Investigation Summary Reports will be delayed until July 2026

Recommendation

To expedite decision-making, explore solutions beyond the State-funded cap and-cover, and provide clarity to the community, staff recommends engaging an independent firm to complete the remaining analysis and develop actionable options for each park.

Proposed results:

The City could demonstrate the short- and long-term pros and cons of multiple strategies to address the site issues safely for each park, such as:

1. Excavation and Source Removal
2. Cap and Cover (Geotextile fabric barrier, and additional 12" clean fill, and Stream bank stabilization)
3. If applicable, a reasonable, creative, and alternative solution(s) at each site
4. Position the City to educate and engage with residents, receive their feedback, and then make the most informed, safest, and reasonable recommendations/decisions. This work will complement NCDEQ's funded cap-and-cover remedy and allow for side-by-side comparison of options, including NCDEQ's updated cost estimates.

Action taken to date:

- I requested assistance from Jina Propst, Deputy City Manager & General Services Director, to use the City's Geotechnical & Environmental Tracking & Contacts On-Call List to secure a firm to implement my recommendation and to assign a Project Manager to lead the project, with support from DPR.
- A Request for Letters of Interest has been drafted and is scheduled to go out to the On-Call list on Friday, May 15.

Next Steps & Projected Milestones

- Letters of Interest Due 5/29/26
- Anticipated Selection of Qualified On-Call Consultant 6/5/26
- Pricing Proposal 6/12/26
- Anticipated Notice to Proceed July 2026
- Staff will provide this update and process with the community

Revised Cover System (Cap and Cover) Cost Estimates Summary

Summary of Estimated Remediation Costs per Site				
Facility	Delineated Cover Remediation Area	Remediation Contractor Implementation	Engineering, Quality Control, Project Management	Remediation Total Estimate
East Durham Park	3.0 Acres	\$ 2,782,000	\$ 461,000	\$ 3,243,000
East End Park	5.5 Acre	\$ 3,739,000	\$ 447,000	\$ 4,186,000
Lyon Park	4.0 Acres	\$ 9,463,000	\$ 510,000	\$ 9,973,000
Northgate Park	2.0 Acres	\$ 857,000	\$ 304,000	\$ 1,161,000
Walltown Park	5.0 Acres	\$ 5,378,000	\$ 491,000	\$ 5,869,000
Summary of Budget Categories		\$ 22,219,000	\$ 2,213,000	\$ 24,432,000