

Georgia Department of Natural Resources

2 Martin Luther King, Jr. Dr., S.E., Suite 1462 East, Atlanta, Georgia 30334

Reply To:

Response and Remediation Program
2 Martin Luther King, Jr. Drive, S.E.
Suite 1462, East Tower
Atlanta, Georgia 30334-9000
Office 404-657-8600 Fax 404-657-0807

Mark Williams, Commissioner
Environmental Protection Division
F. Allen Barnes, Director
Land Protection Branch
Mark Smith, Branch Chief

COPY

October 3, 2011

CEA, LLC
c/o W. Craig Baker
633 Chestnut Street, Suite 1640
Chattanooga, Tennessee 37450

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Re: Approval of Entry Into Voluntary Remediation Program
Revised Voluntary Remediation Program Application dated May 27, 2011
Capitol USA – Dalton Adhesives, HSI Site No. 10795
300 Cross Plains Boulevard, Dalton, Georgia; Whitfield County
Tax Parcel ID Nos. 13-099-08-000 and 13-099-09-000

Dear Mr. Baker:

The Georgia Environmental Protection Division (EPD) has reviewed the May 27, 2011, revised Voluntary Investigation and Remediation Plan (VIRP) submitted pursuant to the Georgia Voluntary Remediation Program Act (the Act). The VIRP was submitted in lieu of a revised Corrective Action Plan Addendum, required pursuant to the Georgia Rules for Hazardous Site Response (the Rules) for the above-referenced property. EPD hereby approves your VIRP, which specifies corrective action consisting of the following:

- Monitored natural attenuation (MNA) of contaminated groundwater on site, with MW-16 serving as the point-of-demonstration well.
- Source material at the site will be remediated using chemical oxidation and/or excavation.
- Corrective action, if necessary, will be proposed and implemented following evaluation of additional potential exposure pathways (see Condition 1 later in this letter).

Acceptance into VRP

EPD is accepting CEA, LLC as a participant as defined in the Voluntary Remediation Program (VRP) for the following qualifying property provided CEA, LLC implements the VIRP in compliance with the schedule and conditions specified later in this letter:

Qualifying property:

Capitol USA – Dalton Adhesives
Dalton, Georgia; Whitfield County
Tax Parcel ID Nos. 13-099-08-000 and 13-099-09-000

Within six months of detecting a regulated substance(s) on a non-qualifying property, the participant must apply to EPD to include the affected property as a qualifying property under the Act or notify EPD the non-qualifying property is not included under the Act.

Schedule

- Semiannual progress reports are to be submitted to EPD. Each progress report must describe all actions taken since the last submittal, and include certification by the professional engineer/geologist specified in the VIRP along with a monthly summary of hours invoiced and description of services provided since the last submittal.
- The reporting schedule will be April 3 and October 3 annually beginning in 2012 and ending in 2016, unless a compliance status report (CSR) is submitted and approved prior to 2016.
- A CSR including certifications should be submitted by October 3, 2016.

In addition to the reporting schedule specified above, the following must be included in the April 3, 2014, progress report:

- The April 3, 2014, semiannual progress report must demonstrate complete horizontal and vertical delineation, finalize the remediation plan and provide a cost estimate for implementation of remediation and associated continuing actions. EPD recommends that the participant finalize approval of cleanup standards for all regulated substances prior to this submittal.

Conditions of VIRP Approval

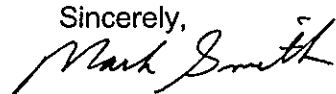
1. Additional potential exposure pathways will be evaluated and remedial measures proposed and implemented where necessary. The additional potential exposure pathways to be evaluated include direct contact with surficial soil (soil within 2 feet of the ground surface), construction worker exposure to subsurface soil (to a specified depth), direct contact with groundwater, and vapor intrusion into the on-site building.
2. EPD requests the submittal of a cost estimate to complete the work proposed in the VIRP through the CSR submittal and a financial assurance instrument in that amount by no later than November 1, 2011. Model financial assurance instruments can be located at http://www.gaepd.org/Files_PDF/forms/hwb/HSIModel.pdf.
3. CEA, LLC must address EPD's comment letter dated October 3, 2011, comments 12 through 16 in EPD's comment letter dated March 31, 2011, and any other comments addressing the investigation and remediation pursuant to the Act to the satisfaction of the Director that it is consistent with the provisions, purposes, standards and policies of the Act.
4. Within ninety (90) days after CEA, LLC's notice to withdraw from the VRP or termination by the Director pursuant to §12-8-107(d) of the Act, CEA, LLC must submit a CSR that complies with the requirements of the Hazardous Site Response Act and associated Rules for Hazardous Site Response.
5. CEA, LLC must pay all outstanding fees within sixty (60) days of receipt of an invoice for any costs to the division in reviewing the application or subsequent document the exceeds the initial application fee.

EPD requires that CEA, LLC and the professional engineer/geologist specified in the VIRP oversee the implementation of the VIRP in accordance with the provisions, purposes, standards and policies of the Act. EPD may, at its sole discretion, review and comment on documents submitted by CEA, LLC. However, failure of EPD to respond to a submittal within any

timeframe does not relieve CEA, LLC from complying with the specified schedule and the provisions, purposes, standards and policies of the Act. Should CEA, LLC fail to comply with the above schedule, EPD may terminate enrollment of the participant and the qualifying property from the voluntary remediation program.

EPD's approval of the VIRP extends only to those technical aspects of the document that expressly require EPD approval under applicable rules and statutes. This approval is not an endorsement by EPD that it accepts as conclusive any representations made in the document. Nor does EPD guarantee or warrant that the document is free of errors or omissions. EPD may later withdraw approval of this document, in whole or in part, if EPD determines that withdrawal is necessary to ensure compliance with the applicable rules and statutes.

If you have any questions, please contact Allan Nix at (404) 657-3935.

Sincerely,

Mark Smith, Chief
Land Protection Branch

File: HSI No. 10795

c: Roy Barrett, Barrett Properties LLC
Kirk Kessler, EPS