

# Georgia Department of Natural Resources

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

Mark Williams, Commissioner  
Environmental Protection Division  
Judson H. Turner, Director  
Land Protection Branch  
Keith M. Bentley, Chief

**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

May 3, 2012

**COPY**

**VIA E-MAIL AND REGULAR MAIL**

Hull Real Estate, LLC  
c/o Charles H. MacPherson, Jr.  
Peachtree Environmental, Inc.  
5384 Chaversham Lane  
1201 West Peachtree Street  
Norcross, Georgia 30092

Re: Voluntary Investigation and Remediation Plan and Application, November 7, 2011  
The Loef Company Property, HSI Site No. 10376  
590 Old Hull Road, Athens, Clark County, Georgia  
Tax Parcels 221 00C, 221 001, and 162 037

Dear Mr. MacPherson:

The Georgia Environmental Protection Division (EPD) has reviewed the Voluntary Investigation and Remediation Plan (VIRP) dated November 7, 2011 submitted pursuant to the Georgia Voluntary Remediation Program Act (the Act). The VIRP was submitted in lieu of an Annual Groundwater Monitoring Report required pursuant to the Georgia Rules for Hazardous Site Response (the Rules) for the above referenced property. EPD is approving your voluntary remediation plan, which specifies corrective action consisting of the following:

- A previous excavation of impacted soils on the qualifying property
- Groundwater Predictive Fate and Transport Modeling
- Monitored Natural Attenuation with consideration of other corrective action alternatives if warranted

Therefore, EPD is accepting Hull Real Estate, LLC as a participant as defined in the Voluntary Remediation Program Act for the following qualifying properties, provided Hull Real Estate, LLC implements the VIRP in compliance with the following schedule and conditions:

Qualifying properties:

590 Old Hull Road  
Athens, Clarke County, Georgia  
Tax Parcel 221 001

0 Old Hull Road  
Athens, Clarke County, Georgia  
Tax Parcel 221 002C

305 Athena Drive  
Athens, Clarke County, Georgia  
162 037

Within six months of detecting 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.
  - October 30 and April 30 through October 30, 2016.

In addition to the information required above, the following must be included in the specific progress reports discussed below.

- April 30, 2013 semiannual progress report must demonstrate complete horizontal delineation on the qualifying property:
  - April 30, 2014 semiannual progress report must demonstrate complete horizontal delineation on all impacted properties; and,
  - October 30, 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.
- Compliance status report including certifications:
    - April 30, 2017

Conditions:

1. EPD requires the submittal of a cost estimate for full implementation of the VIRP through CSR submittal and a financial assurance instrument in that amount by no later than July 6, 2012. Model financial assurance instruments are available on EPD's webpage at [http://www.gaepd.org/Files\\_PDF/forms/hwb/HSIModel.pdf](http://www.gaepd.org/Files_PDF/forms/hwb/HSIModel.pdf).
2. Hull Real Estate, LLC must address EPD's comment letter dated April 30, 2012 and any other comment letters 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.
3. Within ninety (90) days of Hull Real Estate, LLC's notice to withdraw from the Voluntary Remediation Program or termination by the Director pursuant to §12-8-107(d) of the Act, Hull Real Estate, LLC must submit a corrective action plan that complies with the requirements of the Hazardous Site Response Act and associated Rules for Hazardous Site Response.

May 3, 2012

Page 3

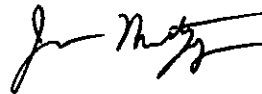
4. Hull Real Estate, LLC must pay all outstanding fees within sixty (60) days of receipt of an invoice for any costs to the division in reviewing the application or subsequent document that exceeds the initial application fee.

EPD requires that Hull Real Estate, 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 Real Estate, LLC. However, failure of EPD to respond to a submittal within any timeframe does not relieve Real Estate, LLC from complying with the specified schedule and the provisions, purposes, standards and policies of the Act. Should Real Estate, 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 Ms. Antonia Beavers at of the Response and Remediation program at (404) 657-0487.

Sincerely,

 on behalf of

David Brownlee  
Acting Program Manager  
Response and Remediation Program

- c: ✓ Omnisource Athens Division, LLC, David Campbell
- ✓ Peachtree Environmental, Inc., William H. Lucas, III, P.G.

File: HSI Site 10376

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