

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
Judson H. Turner, Director
Land Protection Branch
Keith M. Bentley, Chief

July 30, 2012

COPY

VIA E-MAIL AND REGULAR MAIL

✓ Brunswick Corporation
c/o Mr. David Selig
1 North Field Court
Lake Forrest, Illinois 60045

✓ Albany Sports
c/o Amer Sports Americas
Ray Berens, Esq.
8750 W. Bryn Mawr Avenue
Chicago, Illinois 60631

✓ Albany Partners, LLC
c/o Slavik Enterprises
Eric Gold
32500 Telegraph Road, #222
Bingham Farms, Michigan 48025

Re: Revised Voluntary Remediation Program Application – February 2012
MacGregor Golf Company, HSI Site No. 10398
1601 South Slappey Boulevard, Albany, Dougherty County, Georgia
Tax Parcel 0021-00001-019

Dear Messrs. Selig, Gold, and Berens:

The Georgia Environmental Protection Division (EPD) has reviewed the February 14, 2012, Revised Voluntary Investigation and Remediation Plan (VIRP) submitted pursuant to the Georgia Voluntary Investigation and Remediation Program Act (the Act). The VIRP was submitted in lieu of implementation of an approved corrective action plan pursuant to the Georgia Rules for Hazardous Site Response for the above referenced property. EPD is approving your voluntary remediation plan, which specifies corrective action consisting of the following:

- Additional soil sampling in the area of B-4 combined with modeling, area averaging or excavation to demonstrate compliance with risk reduction standards (RRS);
- Additional sampling and delineation of chromium in groundwater in the area of MW-11, to include active remediation if necessary;
- Fate and transport modeling and implementation of a Uniform Environmental Covenant to prevent exposure from the groundwater pathway; and,
- Vapor intrusion analysis.

Therefore, EPD is accepting Brunswick Corporation, Albany Sports and Albany Partners, LLC. (Group) as participants as defined in the Voluntary Remediation Program Act for the following qualifying property, provided the Group implements the VIRP in compliance with the following schedule and conditions:

Qualifying property:

1601 South Slappey Boulevard
Albany, Dougherty County, Georgia
Tax Parcel 0021-00001-019

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:

The schedule proposed in the VIRP is significantly shorter than allowed by the checklist. EPD encourages the Group to adhere to its schedule as proposed in the VIRP, but has included minimum requirements as follows:

- 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.
 - January 30 and July 30 through January 30, 2017.

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

- July 30, 2013 semiannual progress report must demonstrate complete horizontal delineation on the qualifying property:
 - July 30, 2014 semiannual progress report must demonstrate complete horizontal delineation on all impacted properties; and,
 - January 30, 2015 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:
 - July 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 September 28, 2012. Model financial assurance instruments can be found at http://www.gaepd.org/Files_PDF/forms/hwb/HSIModel.pdf.

2. The Group must address 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 the Groups notice to withdraw from the Voluntary Remediation Program or termination by the Director pursuant to §12-8-107(d) of the Act, the Group must submit a corrective action plan that complies with the requirements of the Hazardous Site Response Act and associated Rules for Hazardous Site Response.
4. The Group 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.
5. Because the Group is performing corrective action at the qualifying property in accordance with an approved voluntary remediation plan, EPD is hereby reclassifying it from Class II to Class V and designating it as needing corrective action as provided for in §12-8-107(b) of the Act.

Within 45 days of this letter, you are required to file an affidavit stating that your property has been listed on the state's hazardous site inventory and has been designated as needing corrective action due to the presence of hazardous wastes, hazardous constituents, or hazardous substances regulated under state law. This affidavit is to be filed with the clerk of the Superior Court of Dougherty County and recorded in the clerk's deed records pursuant to O.C.G.A. § 44-2-20.

The Group must also place the following notice in any deed, mortgage, deed to secure debt, lease, rental agreement or other instrument given or caused to be given by the property owner which creates an interest in or grants a use of the property:

"This property has been listed on the state's hazardous site inventory and has been designated as needing corrective action due to the presence of hazardous wastes, hazardous constituents, or hazardous substances regulated under state law. Contact the property owner or the Georgia Environmental Protection Division for further information concerning this property. This notice is provided in compliance with the Georgia Hazardous Site Response Act and the Voluntary Remediation Program Act."

Within 30 days of recording the affidavit, please send a copy of the receipt of the recorded affidavit to the Response and Remediation Program, Georgia Environmental Protection Division, 2 Martin Luther King Jr. Drive, SE, Suite 1462, Atlanta, GA 30334.

6. EPD disagrees that there are no potential exposure pathways for chromium in groundwater. Potential future land use of adjacent property to the north of the site where chromium has not been delineated must be addressed. Please also note that a separate POD well for chromium in groundwater must be designated if chromium continues to be detected above RRS.
7. EPD agrees that a water leak may be causing the potentiometric mounding described in Section 2.1.2. Please include any detections of chloroform and related disinfectants in the first semi-annual report.

EPD requires that the Group 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 the Group. However, failure of EPD to respond to a submittal within any timeframe does not relieve the Group from complying with the specified schedule and the provisions, purposes, standards and policies of the Act. Should the Group 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 John Maddox at (404) 657-8600.

Sincerely,



David Brownlee
Acting Program Manager
Response and Remediation Program

✓c: Sarah E. Jones, Brown and Caldwell

File: HSI No. 10398

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