

Georgia Department of Natural Resources

Environmental Protection Division-Land Protection Branch

2 Martin Luther King Jr., Dr., Suite 1054 East, Atlanta, Georgia 30334

(404) 657-8600; Fax (404) 657-0807

Richard E. Dunn, Director

June 27, 2016

VIA U.S. MAIL and EMAIL

Key Investments, Inc. and Bright Hour Trust
c/o James Sochovka
P.O. Box 1569
Brentwood, Tennessee 37024

Re: Voluntary Remediation Plan and Application
Bright Hour Trust
HSI Site Number: 10894
340 Armour Drive
Atlanta, Fulton County, Georgia
Tax Parcel ID#: 17 0058-LL-070-9

Dear Mr. Sochovka:

The Georgia Environmental Protection Division (EPD) has reviewed the March 15, 2016 Voluntary Investigation and Remediation Program (VIRP) application that has been submitted by Key Investments, Inc. (KI) and Bright Hour Trust (BHT) pursuant to the Georgia Voluntary Remediation Program Act (the Act) O.C.G.A. 12-8-100, *et. seq.* EPD acknowledges this application was submitted in lieu of a Compliance Status Report (CSR) required pursuant to the Georgia Rules for Hazardous Site Response (the Rules) for the above reference property. EPD is approving your VIRP application, which specifies corrective action consisting of the following:

1. Execution of a Uniform Environmental Covenant (UEC) and the expansion of impervious cover, to ensure future control of the site related exposure pathway(s).

Therefore, EPD is accepting KI and BHT as participants as defined in the Act for the following qualifying property provided KI and BHT implements the VIRP contained in the application in compliance with the Act, the schedule, and the EPD comment letter dated June 23, 2016.

Qualifying property: Bright Hour Trust
340 Armour Drive
Atlanta, Fulton County, Georgia
Tax Parcel ID#: 17 0058-LL-070-9

Within six (6) months of detecting regulated substances 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 that the non-qualifying property is not included under the Act.

Since KI and BHT is performing corrective action at the qualifying property in accordance with an approved VIRP Application, the qualifying property will be classified as a Class V site and designated 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, if not previously filed, 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 Hall County and recorded in the clerk's deed records pursuant to O.C.G.A. § 44-2-20. KI and BHT must also place the notice, as required by subparagraph 391.3-19-.08(1)(a) of the Rules, in any warranty deed, mortgage, security deed, lease, rental agreement, or other instrument that is thereafter given or caused to be given by the property owner which creates an interest in or grants a use of the property.

Within 30 days of recording the affidavit or revised 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 1054 East, Atlanta, GA 30334.

EPD requires that KI and BHT 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 KI and BHT. However, failure of EPD to respond to a submittal within any timeframe does not relieve KI and BHT from complying with the specified schedule and the provisions, purposes, standards and policies of the Act. Should KI and BHT fail to comply with the above schedule, EPD may terminate enrollment of the participant and the qualifying property from the voluntary remediation program.

EPD anticipates receipt of the first semi-annual progress report by December 30, 2016 and a Compliance Status Report (CSR), including certification of compliance with applicable Risk Reduction Standards, on or before June 26, 2021. Should you have any questions or concerns regarding this site, please contact Mr. Peter E. Johnson, P.G. of the Response and Remediation Program at (404) 657-0490.

Sincerely,



Jason Metzger
Program Manager
Response and Remediation Program

cc: Michael J Haller, P.G., Sailors Engineering Associates, Inc. (via email)

File: Bright Hour Trust, HSI #10894; 261-0594, VRP