

Georgia Department of Natural Resources

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

Chris Clark, Commissioner
Environmental Protection Division
F. Allen Barnes, Director
Land Protection Branch
Mark Smith, Branch 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

November 15, 2010

FILE COPY

VIA E-MAIL AND REGULAR MAIL

Dickies Industrial Services, Inc.
c/o Joan B. Sasine
Bryan Cave Powell Goldstein
One Atlantic Center, Fourteenth Floor
1201 W. Peachtree St., NW
Atlanta, Georgia 30309

Re: Voluntary Remediation Plan and Application, May 21, 2010
Former Dickies Industrial Services, Inc. Property, HSI Site No. 10127
1411 Sullivan Road, College Park, Fulton County, Georgia 30337
Tax Parcels 13-0036-LL-134 and 13-0036-LL-135

Dear Ms. Sasine:

The Georgia Environmental Protection Division (EPD) has reviewed the Voluntary Remediation Plan (VRP) dated May 21, 2010 submitted pursuant to the Georgia Voluntary Remediation Program Act (the Act), which has been submitted in lieu of a corrective action plan (CAP) 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:

- Excavation and off-site disposal of soil that exceeds Type 3/4 risk reduction standards

Therefore, EPD is accepting Dickies Industrial Services, Inc. as a participant as defined in the Voluntary Remediation Program Act for the following qualifying property provided Dickies Industrial Services, Inc. implements the VRP in compliance with the following schedule and conditions:

Qualifying property:

1411 Sullivan Road
College Park, Fulton County, Georgia 30337
Tax Parcels 13-0036-LL-134 and 13-0036-LL-135

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 VRP along with a monthly summary of hours invoiced and description of services provided since the last submittal.

- Every April 21 and October 21 through April 21, 2015.

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

- April 21, 2011 semiannual progress report must demonstrate complete horizontal delineation on the qualifying property:
 - April 21, 2011 semiannual progress report must demonstrate complete horizontal delineation on all impacted properties; and,
 - October 21, 2011 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 substance prior to this submittal.
- Compliance status report including certifications:
 - October 21, 2015

Conditions:

1. EPD requests the submittal of a financial assurance instrument for the amount of \$388,000.00 by no later than December 21, 2010. Model financial assurance instruments can be located at http://www.qaepd.org/Files_PDF/forms/hwb/HSIModel.pdf.
2. Dickies Industrial Services, Inc. must address EPD's comments dated November 15, 2010 and any other notice of deficiencies 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 Dickies Industrial Services, Inc.'s notice to withdraw from the Voluntary Remediation Program or termination by the Director pursuant to §12-8-107(d) of the Act, Dickies Industrial Services, Inc. must submit a compliance status report that complies with the requirements of the Hazardous Site Response Act and associated Rules for Hazardous Site Response.
4. Dickies Industrial Services, Inc. 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 Dickies Industrial Services, Inc. and the professional engineer/geologist specified in the VRP oversee the implementation of the VRP 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 Dickies Industrial Services, Inc. However, failure of EPD to respond to a submittal within any timeframe does not relieve Dickies Industrial Services, Inc. from complying with the specified schedule and the provisions, purposes, standards and policies of the Act. Should Dickies Industrial Services, Inc. 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 VRP 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. Jacki Scarbary at (404) 657-8600.

Sincerely,

A handwritten signature in black ink that reads "Alexandra Cleary for". The signature is written in a cursive style.

Mark Smith, Chief
Land Protection Branch

File: HSI # 10127

c: Shanna Thompson, Environmental Resources Management

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