



ENVIRONMENTAL PROTECTION DIVISION

Richard E. Dunn, Director

Land Protection Branch
2 Martin Luther King, Jr. Drive
Suite 1054, East Tower
Atlanta, Georgia 30334
404-657-8600

November 30, 2016

VIA U.S. MAIL and EMAIL

Long Island Associates, Ltd.
c/o Mr. Fletcher Bright
537 Market Street, Suite 400
Chattanooga, TN 37402

Re: 2015 Compliance Status Report and Voluntary Remediation Program Application
Fountain Oaks Shopping Center and Two (2) Associated Parcels
HSI Site Number: 10807
4920 Roswell Road NE
Sandy Springs, Fulton County, Georgia
Tax Parcel ID#s: 17 009300061319, 17 009300021073, and 17 009300060881

Dear Mr. Bright:

The Georgia Environmental Protection Division (EPD) has reviewed the Compliance Status Report (CSR) and Voluntary Remediation Program (VRP) Application dated December 11, 2015, submitted by Marion Environmental Inc. on behalf of Long Island Associates, Ltd (LIA) for the above referenced parcel(s) pursuant to the Georgia Voluntary Remediation Program Act (the Act). The CSR and VRP Application were submitted in lieu of an Annual Monitoring Report and Final Compliance Status Report required pursuant to the Georgia Rules for Hazardous Site Response (the Rules). EPD is approving your VRP Application, which specifies corrective action consisting of the following:

1. Previous removal of contaminated soil source material;
2. Installation of a vapor barrier during proposed expansion;
3. Execution of a Uniform Environmental Covenant (UEC) to ensure future control of the site-related exposure pathway(s).

Therefore, EPD is accepting LIA as a participant as defined in the Act for the following qualifying properties, provided LIA implements the corrective action contained in the VRP application in compliance with the Act, the schedule, and the comments included in the November 30, 2016 EPD comments letter.

Qualifying properties:

Fountain Oaks Shopping Center 4920 Roswell Road NE Sandy Springs, Fulton County, GA Tax Parcel ID#: 17 009300061319	Adjacent Property 115 West Belle Isle Road Sandy Springs, Fulton County, GA Tax Parcel ID#: 17 009300021073	Undeveloped property Long Island Terrace Sandy Springs, Fulton County, GA Tax Parcel ID#: 17 009300060881
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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 LIA is performing corrective action at the qualifying properties in accordance with an approved VIRP Application, the qualifying properties 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 properties have been listed on the state's hazardous site inventory and have 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 Fulton County and recorded in the clerk's deed records pursuant to O.C.G.A. § 44-2-20. LIA 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 LIA 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 LIA. However, failure of EPD to respond to a submittal within any timeframe does not relieve LIA from complying with the specified schedule and the provisions, purposes, standards and policies of the Act. Should LIA fail to comply with the above schedule, EPD may terminate enrollment of the participant and the qualifying property from the voluntary remediation program.

As noted above, EPD will issue a separate comment letter for the December 11, 2015, CSR and VRP Application. EPD's comments must be addressed and the UEC must be filed prior to the subject property being released from the VRP and formally delisted from the Hazardous Site Inventory.

If the requirements of the comment letter cannot be fulfilled within six months of receipt of the VRP approval date, a semi-annual progress report should be submitted to EPD by May 31, 2017. 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: Steve Wild and Jeb Barret - Marion Environmental, Inc. (via email)
Chuck Ferry - Amec Foster Wheeler (via email)
File: 261-0584 (HSI#10807 – VRP)