

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
F. Allen Barnes, Director
Land Protection Branch
Mark Smith, Branch Chief

August 31, 2011

VIA E-MAIL AND REGULAR MAIL

FILE COPY

VOPAK Terminal Savannah, Inc.
c/o Mr. Branden L. Jones
P.O. Box 7390
Savannah, Georgia 31418

Re: Revised Voluntary Investigation and Remediation Plan and Application, April 2, 2011
VOPAK Terminal Savannah, HSI Site No. 10464
Turner and Hart Street, Savannah, Chatham County
Tax Parcel: 1-0618-01-003L

Dear Mr. Jones:

The Georgia Environmental Protection Division (EPD) has reviewed the Revised Voluntary Investigation and Remediation Plan (VIRP) dated April 2, 2011 submitted pursuant to the Georgia Voluntary Remediation Program Act (the Act). The VIRP was submitted in lieu of annual corrective action progress reports 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:

- Monitored Natural Attenuation (MNA) of groundwater impacts to meet non-residential risk reduction standards
- Evaluation of potential for vapor intrusion
- Fate and Transport modeling of contaminants in groundwater
- Quarterly groundwater monitoring to evaluate MNA and implementation of contingency measures as necessary

Therefore, EPD is accepting VOPAK Terminal Savannah, Inc. (VOPAK) as a participant as defined in the Voluntary Remediation Program Act for the following qualifying properties, provided VOPAK implements the VIRP in compliance with the following schedule and conditions:

Qualifying properties:

GPA Gate No. 2, Turner and Hart Street
Savannah, Chatham County, Georgia
Tax Parcel 1-0618-01-003L

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.
 - February 28 and August 31 through February 28, 2016.

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

- August 31, 2012 semiannual progress report must demonstrate complete horizontal delineation on the qualifying property:
 - August 31, 2013 semiannual progress report must demonstrate complete horizontal delineation on all impacted properties; and,
 - February 28, 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:
 - August 31, 2016

Conditions:

1. VOPAK must maintain financial assurance in the amount of the estimated cost of implementing the VIRP. On April 14, 2005, EPD received financial assurance submitted under terms of the previous corrective action plan approval letter. That letter of credit should remain in effect until alternate financial assurance has been approved.
2. VOPAK must address EPD's Comment Letter dated August 31, 2011 and any other comments 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 VOPAK's notice to withdraw from the Voluntary Remediation Program or termination by the Director pursuant to §12-8-107(d) of the Act, VOPAK 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. VOPAK 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 VOPAK 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 VOPAK. However, failure of EPD to respond to a submittal within any timeframe does not relieve VOPAK from complying with the specified schedule and the provisions, purposes, standards and policies of the Act. Should VOPAK 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 Greg Gilmore at (404) 463-0071.

Sincerely,

A handwritten signature in black ink that reads "Mark Smith". The signature is written in a cursive, flowing style.

Mark Smith, Chief
Land Protection Branch

c: Raj Mahadevaiah, P.E., EIC
H. Wilson Tillotson, P.E., Georgia Ports Authority

File: HSI 10464

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