

**Georgia Department of Natural Resources**  
**Environmental Protection Division**

2 Martin Luther King Jr. Drive, Suite 1456, Atlanta, Georgia 30334  
Judson H. Turner, Director  
(404) 656-4713; Fax. (404) 651-9425

January 15, 2015

**VIA EMAIL & REGULAR MAIL**

Rich Schoeck, PE, PMP  
Division Director of Engineering & Construction  
Gwinnett County Department of Water Resources  
684 Winder Highway  
Lawrenceville, GA 30045

Re: HSI Site Number: 10844  
North Berkeley Lake Road Site  
Tax Parcel ID #6-267-028  
Gwinnett County Fire Station No. 19  
3275 North Berkeley Lake Road  
Duluth, Gwinnett County, GA

Dear Mr. Schoeck:

The Georgia Environmental Protection Division (EPD) has received the October 3, 2014 Voluntary Investigation and Remediation Plan (VIRP) that has been submitted pursuant to the Georgia Voluntary Remediation Program Act (the Act) O.C.G.A. 12-8-100. EPD acknowledges that this VIRP was submitted in lieu of a Corrective Action Plan (CAP) Addendum and Compliance Status Report required pursuant to the Georgia Rules for Hazardous Site Response (the Rules) for the above referenced property. EPD is approving your VIRP, which specifies corrective action consisting of the following:

- Complete an electron microprobe (EMP) analysis to determine the form and species of the arsenic in the soil, the results of which will be used in support of demonstrating that the detections of arsenic in the soil are from a naturally occurring source.
- Complete in-vitro bioaccessibility testing will be used to determine potential human uptake of arsenic from the soil, and develop a Type 5 risk reduction standard (RRS) for arsenic based on bioaccessibility and/or background.
- Development of institutional and engineering controls for the site that may include one or all of the following: enacting an Environmental Covenant (EC), controlling site access through fencing, and surface soil capping and/or excavation for exposed surface soils that exceed the established RRS.

Therefore, EPD is accepting Gwinnett County as a participant as defined in the Act for the following qualifying properties provided Gwinnett County implements the VIRP in compliance with the following schedule and conditions:

Qualifying properties:

Site Property: Gwinnett County Fire Station No. 19  
Owner: Gwinnett County  
3275 North Berkeley Lake Road NE  
Duluth, Gwinnett County, Georgia 30096

Qualifying Property Tax Parcel ID #: 6267 028

### 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.
- The reporting schedule will be January 15<sup>th</sup> and July 15<sup>th</sup> annually, beginning in July 2015 and ending in 2020, unless a compliance status report (CSR) is submitted and approved prior to 2020.
- A CSR including certifications should be submitted by July 15, 2020.

In addition to the reporting schedule specified above, the following must be included in the January 15, 2017, progress report:

- Demonstration of 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, if applicable, for all regulated substances prior to this submittal.

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 that the non-qualifying property is not included under the Act.

Since Gwinnett County is performing corrective action at the qualifying property in accordance with an approved VIRP, 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 Gwinnett County and recorded in the clerk's deed records pursuant to O.C.G.A. § 44-2-20.


Gwinnett County must also place the following notice, or revise previous notices recorded pursuant to the Georgia Hazardous Site Response Rules, Chapter 391-3-19, 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 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 Gwinnett County and the professional engineer/geologist specified in the VRP application oversee the implementation of the VRP application 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 Gwinnett County. Failure of EPD to respond to a submittal within any timeframe does not relieve Gwinnett County from complying with the specified schedule and the provisions, purposes, standards and policies of the Act. Should Gwinnett County fail to comply with the above schedule, EPD may terminate enrollment of the participant and the qualifying property from the voluntary remediation program. Should you have any question or concerns regarding this site, please contact Mr. Kevin Collins of the Response and Remediation Program at (404) 463-0530.

Sincerely,



Charles D. Williams  
Program Manager  
Response and Remediation Program

cc: Tom Duffey, CDM Smith  
Dan Hansen, Division Director of Fire Services  
File: VRP – North Berkeley Lake Road Site #10844, Gwinnett Fire Station

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