

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

June 25, 2015

VIA EMAIL & REGULAR MAIL

Berkeley Lake Village Owners Association, LLC
c/o Mr. Robbie Stephens
P.O. Box 283
7741 Adairsville Highway
Adairsville, Georgia 30103

Re: HSI Site Number: 10844
North Berkeley Lake Road Site
Tax Parcel ID #6290-232
Berkeley Lake Village Owners Association
North Berkeley Lake Road
Duluth, Gwinnett County, Georgia

Dear Mr. Stephens:

The Georgia Environmental Protection Division (EPD) has received the April 2015 Voluntary Remediation Program (VRP) Application that has been submitted pursuant to the Georgia Voluntary Remediation Program Act (the Act) O.C.G.A. 12-8-100, and pursuant to the December 17, 2014, EPD Administrative Order (AO) EPD-HSR-574. EPD acknowledges that this VRP Application 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 VRP Application, which specifies corrective action consisting of the following:

- Evaluate the potential use of area averaging, removal actions, and environmental covenants to address the identified impacts to the site. BLVOA has also proposed to utilize the results from the neighboring properties' environmental evaluations and remedial plans to assist in the design of a remedial strategy for the site property.

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

Qualifying properties:

Site Property: Berkeley Lake Village Owners Association
Owner: Berkeley Lake Village Owners Association
Tracts B, C, & D North Berkeley Lake Road NW
Duluth, Gwinnett County, Georgia 30096
Qualifying Property Tax Parcel ID #: 6290 232

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 June 25th and December 25th annually, beginning in December 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 December 25th, 2020.

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

BLVOA 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.

Please note that EPD may terminate enrollment of the participant and the qualifying property from the voluntary remediation program in accordance with the Georgia Voluntary Remediation Act Section 12-8-107(d).

April 2015 Voluntary Remediation Program Application
North Berkeley Lake Road Site #10844
June 25, 2015
Page 3 of 3

Should you have any question or concerns regarding this site, please contact Mr. Kevin Collins of the Response and Remediation Program at (404) 657-8660.

Sincerely,



Charles D. Williams
Program Manager
Response and Remediation Program

cc: Peter J. de Haven, Geosyntec (email only)
Clinton Cole, Cole LLC (email only)

File: VRP – North Berkeley Lake Road Site #10844, BLVOA

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