

# Georgia Department of Natural Resources

## Environmental Protection Division – Land Protection Branch

2 Martin Luther King Jr., Dr., Suite 1054, Atlanta, Georgia 30334

(404) 657-8600; Fax: (404) 657-0807

Judson H. Turner, Director

March 4, 2016

City of Duluth  
c/o Mr. James Riker  
City Manager  
3167 Main Street  
Duluth, GA 30096

Re: Voluntary Investigation and Remediation Plan  
HSI Site Number: 10892  
Former Duluth Dry Cleaners  
3146 Main Street  
Duluth, Gwinnett County  
Tax Parcel ID # 6293.402

Dear Mr. Riker:

The Environmental Protection Division (EPD) has received the January 2016 Voluntary Remediation Program Application (the Application) for the Former Duluth Dry Cleaners facility, in Duluth, Gwinnett County, pursuant to the Georgia Voluntary Remediation Program Act (the Act) O.C.G.A. §12-8-100, *et seq.* EPD acknowledges this Application was submitted in lieu of a Corrective Action Plan (CAP) 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 Application, which proposes corrective action consisting of the following:

- Monitored natural attenuation (MNA) for two years, followed by fate and transport modeling to evaluate the effectiveness of MNA. Based upon observed trends, the City will continue MNA or implement active remediation in Year 3 of enrollment.
- Performing additional on-property and off-property groundwater investigations to fully delineate the groundwater plume vertically and horizontally.
- Semi-annual groundwater monitoring until the site is compliant with applicable groundwater cleanup standards.
- Implementation of an environmental covenant that conforms with the Georgia Uniform Environmental Covenants Act O.C.G.A. §44-16-1, *et seq.*, with a corresponding deed notice restricting future uses of the subject property for the purpose of certifying compliance with a site-specific Type 5 Risk Reduction Standard (RRS).

Therefore, EPD is accepting the City of Duluth (The City) as a participant as defined in the Act for the following qualifying properties provided The City implements the Voluntary Investigation and Remediation Plan (VIRP) contained in the Application in compliance with the Act, the schedule, and the EPD comment letter dated March 4, 2016.

Qualifying Property(s):

Site Property: Former Duluth Dry Cleaners  
Owner: City of Duluth  
3146 Main Street  
Duluth, Gwinnett County, GA 30096  
Tax Parcel ID # 6293.402

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Within six (6) 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 The City is performing corrective action at the qualifying property in accordance with an approved 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. The City must also place the notice, as required by Chapter 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 The City and the professional engineer/geologist specified in the Application 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 The City. However, failure of EPD to respond to a submittal within any timeframe does not relieve The City from complying with the specified schedule and the provisions, purposes, standards and policies of the Act. Should The City fail to comply with the above schedule, EPD may terminate enrollment of the participant and the qualifying property from the voluntary remediation program.

EPD anticipates receipt of the first semi-annual progress report by September 4, 2016 and a Compliance Status Report (CSR), including certification of compliance with applicable RRS, on or before March 4, 2021. Should you have any questions or concerns regarding this site, please contact Mr. Tom Brodell of the Response and Remediation Program at (404) 232-7891.

Sincerely,



Jason Metzger  
Program Manager  
Response and Remediation Program

cc: Katie Ross, WENCK Associates, Inc. (kross@wenck.com)

File: VRP – Former Duluth Dry Cleaners # 10892

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