

Georgia Department of Natural Resources

2 Martin Luther King, Jr. Dr., S.E., Suite 1462 East, Atlanta, Georgia 30334
Mark Williams, Commissioner
Environmental Protection Division
Judson H. Turner, Director
Land Protection Branch
Keith M. Bentley, Branch Chief

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

MAILED
6-22-2012

June 22, 2012

VIA EMAIL AND REGULAR MAIL

Mr. Steven Hart
L.B. Foster Company
415 Holiday Drive
Pittsburg, PA 15220

Re: Voluntary Remediation Program Application dated June 6, 2012
Southern Pipe Coating Operation Site (Former), HSI #10757
Norcross, GA 30071

Dear Mr. Hart:

The Georgia Environmental Protection Division (EPD) has received and reviewed L.B. Foster Company's Voluntary Remediation Program Application (VRP Application) dated June 6, 2012 for the above referenced site. The VRP application is incomplete in many regards that would ordinarily necessitate a revised application. However, EPD is approving your VRP Application based on L.B. Foster's completion of Tasks 5a, b and c in previous reports to EPD and on the condition that a VRP Compliance Status Report (CSR) will be submitted within 120 days of approval of the application that will summarize the following:

- Horizontal Delineation
- Vertical Delineation
- Compliance with Applicable Risk Reduction Standards

Therefore, EPD is accepting L.B. Foster Company as a participant as defined in the Voluntary Remediation Program Act for the following qualifying properties.

Qualifying properties:

6420 Corley Road, Norcross, GA 30071, Tax Parcel ID: 6-252-029.
6455 Old Peachtree Road, Norcross, GA 30071, Tax Parcel ID: 6-252-075.

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.

In the event that L.B. Foster does not submit a VRP CSR acceptable to EPD, L.B. Foster will comply with the following schedule outlined in the application checklist.

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 VRP along with a monthly summary of hours invoiced and description of services provided since the last submittal.
 - o Every December 22 and June 22 through December 22, 2016.

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

- o June 22, 2013 semiannual progress report must demonstrate complete horizontal delineation on the qualifying property.
 - o June 22, 2014 semiannual progress report must demonstrate complete horizontal delineation on all impacted properties.
 - o December 22, 2015 semiannual progress report must demonstrate complete horizontal and vertical delineation, finalize the remediation plan (including proposed site-specific cleanup standards) and provide a preliminary cost estimate for implementation of remediation and associated continuing actions.
- Compliance Status Report including certifications:
 - o June 22, 2017

Conditions:

1. The VRP CSR should include a conceptual site model that addresses all pathways including ones that may not have been considered under the previous CSR (e.g., surface water, vapor intrusion, etc.). The VRP CSR should also be comprehensive enough to demonstrate compliance with the milestones in the checklist. In the event that EPD cannot approve the CSR, EPD will request a cost estimate and financial assurance mechanism to complete the VRP process.
2. Within ninety (90) days of L.B. Foster Company's notice to withdraw from the Voluntary Remediation Program or termination by the Director pursuant to §12-8-107(d) of the Act, L.B. Foster Company must submit a compliance status report that complies with the requirements of the Hazardous Site Response Act and associated Rules for Hazardous Site Response.
3. L.B. Foster Company 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 the exceeds the initial application fee.

EPD requires that L.B. Foster Company and the professional engineer/geologist specified in the VRP oversee the implementation of the VRP dated June 6, 2012 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 L.B. Foster Company. However, failure of EPD to respond to a submittal within any timeframe does not relieve L.B. Foster Company from complying with the specified schedule and the provisions, purposes, standards and policies of the Act. Should L.B. Foster Company 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 referenced VRP 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 regarding this matter, please contact Ms. Jacki Scarbary at 404-657-8678.

Sincerely,



David Brownlee
Acting Program Manager
Response and Remediation Program

c: Robert Finkelstein, T-2 Environmental

File: HSI# 10757