

Georgia Department of Natural Resources

2 Martin Luther King, Jr. Dr., S.E., Suite 1066 East, Atlanta, Georgia 30334

Reply To:
Response and Remediation Program
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Mark Williams, Commissioner
Environmental Protection Division
Judson H. Turner, Director
Land Protection Branch
Keith M. Bentley, Chief

June 5, 2012

VIA EMAIL & REGULAR MAIL

Avery Dennison
c/o Mr. Bruce Martin
7 Bishop Street
Framingham, MA 01702
508-303-3010

Re: December 23, 2011 Voluntary Remediation Plan Application
Avery Dennison, HSI #10578
Flowery Branch, Hall County, GA
Tax Parcel ID 08073 000003D

Dear Mr. Martin:

The Georgia Environmental Protection Division (EPD) has received the December 2011 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. EPD acknowledges that this VRP application was submitted in lieu of a Corrective Action Plan (CAP) Addendum and Revised 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:

- Execute institutional controls in the form of environmental covenants on the qualifying property(ies) in conformance with O.C.G.A. 44-16-1, et seq., the 'Georgia Uniform Environmental Covenants Act'.
- Vapor Intrusion mitigation by Engineering Controls commenced through the design and installation of a Multi-Phase Extraction (MPE) System.
- Conduct additional groundwater and surface water monitoring activities, the results of which are to be compiled and evaluated in order to develop a Point of Demonstration Monitoring Plan.

Therefore, EPD is accepting Avery Dennison Corporation (Avery) as a participant as defined in the Act for the following qualifying property provided Avery implements the VRP application in compliance with the following schedule and conditions:

Qualifying property:

Avery Dennison Corporation Site
4350 Avery Drive
Flowery Branch, Hall County, Georgia 30542
Tax Parcel ID 08073 000003D

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. Consequently, please note that the currently available site information indicates that site related contaminants have been detected on the adjacent Wrigley property on the southwestern border of the Avery Dennison property. Therefore, please ensure that the first semiannual progress report includes a description of this Wrigley property as an additional qualifying property, along with a supporting site figure that illustrates the extent of this property or notify EPD that the Wrigley property will not be 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 VRP application along with a monthly summary of hours invoiced and description of services provided since the last submittal.
 - December 5th and June 5th through December 5, 2016

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

- June 5, 2013 semiannual progress report must include the Point of Demonstration Monitoring Plan, and the design plans for the MPE System;
 - June 5, 2014 semiannual progress report must demonstrate complete horizontal delineation on all impacted properties; and,
 - December 5, 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 participant finalize approval of cleanup standards for all regulated substances prior to this submittal.
- Compliance status report including certifications by no later than:
 - June 5, 2017

Conditions:

- 1) EPD requests the submittal of a cost estimate to complete the work proposed in the VRP application through the CSR submittal and a financial assurance instrument in that amount by no later than September 5, 2012. Model financial assurance instruments can be located at http://www.gaepd.org/Files_PDF/forms/hwb/HSIModel.pdf.

- 2) Avery must address EPD's comments dated June 5, 2012 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 Avery's notice to withdraw from the Voluntary Remediation Program or termination by the Director pursuant to §12-8-107(d) of the Act, Avery must submit the required Corrective Action Plan Addendum or a compliance status report that complies with the requirements of the Hazardous Site Response Act and associated Rules for Hazardous Site Response.
- 4) Avery 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 Avery, and the professional engineer/geologist specified in the VRP application, oversee the implementation of the VRP investigation and corrective action activities 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 Avery. However, failure of EPD to respond to a submittal within any timeframe does not relieve Avery from complying with the specified schedule and the provisions, purposes, standards and policies of the Act. Should Avery 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 VRP application 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.

Should you have any question or concerns regarding this site, please contact Mr. Kevin Collins of the Response and Remediation Program at (404) 657-0488.

Sincerely,



David Brownlee
Acting Program Manager
Response and Remediation Program

c: Glen Kirkpatrick, The Johnson Company

File: VRP Application 937335292 – Avery Dennison Site #10578

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