

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
F. Allen Barnes, Director
Land Protection Branch
Mark Smith, 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

June 30, 2011

COPY

VIA E-MAIL AND REGULAR MAIL

Davidson-Kennedy Company
c/o Mr. Joseph R. Ruben
800 Industrial Park Drive
Marietta, Georgia 30062

Re: Voluntary Investigation and Remediation Plan and Applications, March 11 & May 13, 2011
Comment Letter
Davidson-Kennedy Company Property, HSI Site No. 10866
1195 Victory Drive, Atlanta, Fulton County, Georgia
Tax Parcel 14-0121-0007-002-4

Dear Mr. Ruben:

The Georgia Environmental Protection Division (EPD) has reviewed the March 2011 and May 2011 Amended Voluntary Remediation Program Applications (VIRP) submitted pursuant to the Georgia Voluntary Remediation Program Act (the Act), for the above referenced site. EPD has noted the following items, which should be addressed pursuant to the Act:

1. The proposed additional source area characterization should include investigation of areas where no data has been collected.
2. The March 11, 2011 response to comments notes your intent to include the impacted property at 1705 Lanier Drive SW (Parcel No. 14-0121-0007-001-6) as a qualifying property pursuant to the Act. Davidson-Kennedy Company must continue investigation and remediation of off-property contamination pursuant to the Hazardous Site Response Act (HSRA) and its associated Rules until those impacted properties are enrolled in the Voluntary Remediation Program. Furthermore, Davidson-Kennedy Company must remain in compliance with HSRA and its associated Rules; otherwise, Davidson-Kennedy Company may not be eligible as a participant in the Voluntary Remediation Program.
3. EPD has reviewed the background concentrations for metals in soil presented in Section 3.5 of the May 2011 VIRP. Please note that EPD has approved a background lead concentration of 99.9 mg/kg for the Fort McPherson site (HSI# 10150) and is currently working with Fort McPherson to investigate and address releases from the facility including the former incinerator. Data presented to EPD in this VIRP showing elevated concentrations of lead in soil has been forwarded to our Commercial Facilities Program for further evaluation. EPD has further noted a significant difference in lead concentrations based on the geographical location of the sample (specifically concentrations on the east side of Lee St. vs west side of Lee St.). Also, the data has not been evaluated using ProUCL (See Comment 5). Therefore, EPD can not concur with the proposed site-specific background concentrations for metals and recommends you re-evaluate site-specific background concentrations for the property.

4. EPD approves the Type 1 risk reduction standards (RRS) presented in the Soil Delineation Standards Table in Section 2.3.1 of the March 2011 application for delineation, with the understanding that you may continue to evaluate site-specific anthropogenic background concentrations representative of site conditions.
5. EPD recommends using ProUCL software for calculation of background concentrations. Data sets should be tested for distribution goodness of fit and for outliers. Methods used to calculate background values should be based on the selected distribution and outliers identified at a 95% level of certainty should be removed. Please note that the use of the reporting limit to calculate background concentrations, when concentrations are non-detect in the majority of the samples, is not appropriate. ProUCL 4.0 will allow for accurate calculations to be made given the circumstances described above.
6. Site delineation concentration criteria are not required for selenium and silver as neither element is listed as a contaminant of concern in Section 2.2 of the VIRP.
7. If site specific standards for soil are calculated, the concentrations protective of groundwater must be based on the established point of exposure in accordance with Section 12-8-107(g)(2) of the Act.
8. The VIRP Application did not include a monthly summary of hours invoiced by the professional engineer/geologist overseeing the plan, and a description of services provided to the participant, as required. The summary for all work completed to date should be included with the first semi-annual report.
9. The response to comment letter attached to the March 2011 application confirmed that the proposed groundwater Type 1 RRS for chrysene, phenanthrene, anthracene, and 4-methylphenol are the numerical detection limits for the referenced compounds but the footnote was left off of the table. Please include in future RRS tables.

EPD requires that Davidson-Kennedy Company and the professional engineer/geologist specified in the VIRP 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 Davidson-Kennedy Company. However, failure of EPD to respond to a submittal within any timeframe does not relieve Davidson-Kennedy Company from complying with the specified schedule and the provisions, purposes, standards and policies of the Act.

If you have any questions, please contact John Maddox at (404) 657-8600.

Sincerely,



Alexandra Y. Cleary
Program Manager
Response and Remediation Program

c: William H. Lucas, Peachtree Environmental, Inc.

File: HSI No. 10866

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