GEORGIA
DEPARTMENT OF NATURAL RESOURCES
ENVIRONMENTAL PROTECTION DIVISION

Richard E. Dunn, Director

Land Protection Branch
2 Martin Luther King, Jr. Drive
Suite 1054, East Tower
Atlanta, Georgia 30334
404-657-8600

May 22, 2017

Toyoko Inn Atlanta, LLC
c/o Mr. Bruce White
One North Wacker Drive
Suite 4400
Chicago, IL 60606-2833

Re: VRP Correspondence & Reports, HSI #: 10899
90-94 Forsyth St. and 85 Luckie St.
a.k.a., Toyoko Inn Atlanta, LLC
Tax Parcel ID # 14 007800120574
Atlanta, Fulton County

Dear Mr. White:

The Environmental Protection Division (EPD) has received the following reports and correspondence (hereinafter referred to as the Reports) submitted by NewFields Atlanta, LLC (NewFields) on behalf of Toyoko Inn Atlanta, LLC (Toyoko) pursuant to the Georgia Voluntary Remediation Program (VRP) Act, O.C.G.A. 12-8-100, as regards the 90-94 Forsyth St. and 85 Luckie St. facility, in Atlanta, Fulton County:

- January 16, 2016 Revised VRP Application for HSI # 10899
- December 16, 2016 VRP Progress Report No. 2
- March 16, 2017 Letter of Transmittal of Environmental Covenant and Affadavit

After completing its review of the Reports, EPD has prepared the following comments:

- The December 16, 2016 VRP Progress Report satisfies Comment No. 1 contained in EPD's July 28, 2016 comment letter to Toyoko.
- The December 16, 2016 VRP Progress Report combined with the March 16, 2017 Letter of Transmittal of Environmental Covenant and Affidavit satisfies Comment No. 2 contained in EPD's July 28, 2016 comment letter to Toyoko.
- The March 16, 2017 Letter of Transmittal of Environmental Covenant and Affidavit satisfies Comment No. 3 contained in EPD's July 28, 2016 comment letter to Toyoko.
- Although the VLEACH soil leaching model submitted with Toyoko's January 16, 2016 Revised VRP Application may be acceptable for use, the information provided is insufficient to enable EPD to evaluate the model for the subject Property. Please provide:
    - A table summarizing all input values (i.e., the PRM file) and their specific bibliographic references, used in the model.

- Properly labeled paper copies of the model worksheet(s) (showing input parameter values and assumptions) and resulting site-specific output maps/results.
  - According to the VLEACH User's Guide, using commercial graphics packages two graphs can be plotted using the output from the model simulation. VLEACH automatically writes output data to two files named GWIMP.DAT and SOILIMP.DAT for plotting purposes. The file GWIMP.DAT contains the mass rate of contaminant loading to the groundwater versus time array. When plotted the mass loading is defined on the Y axis while time is defined on the X-axis. The file SOILIMP.DAT contains the values for contaminant concentration sorbed to the soil versus depth array for the specified time period.

- There are a number of technical issues that need to be resolved in the Risk Assessment contained in the Revised VRP Application
  - In Table 5, the Type 3 soil RRS for all substances are correct; however, there is a discrepancy with the final Type 4 soil RRS for 2,6-dinitrotoluene in the table. It states, the Type 4 RRS is 4.68 ppm while Table 2 in the report states the Type 4 RRS for an outdoor worker and utility/construction worker is 23.80 mg/kg and 125 mg/kg, respectively. Please explain.
  - In Table 6, the only correct chemical properties are the H' (unitless) for 2,6-dinitrotoluene and the Dia (cm^2/sec) for carbon disulfide. The errors in Table 6 impact the SSL STG results in Table 8. Please revise and ensure the most current Regional Screening Level table is being utilized in deriving the SSL STG and VLEACH results and the final soil RRS.
  - In Table 7, the EPA Tapwater Standard for benzo(a)pyrene is missing from the table. Please insert 3.4 mg/L in the table and reevaluate. (EPD does not expect this to impact the groundwater standard for use in the STG analysis.)
  - In Appendix E, EPD was able to replicate majority of the screening levels presented in the table except for the inhalation pathway for non-volatile carcinogenic and non-carcinogenic substances. It is unclear where the errors occurred. Please provide an example of the calculated inhalation pathway for one non-volatile carcinogenic and non-carcinogenic substance. If Toyoko uncovers the error source, please revise.
  - In Appendix E, the correct volatilization factor (VF) for benzo(a)anthracene and carbon disulfide should be 6.32E+6 and 8.87E+2, respectively. For future reports, please note a VF does not have to be calculated for non-volatile substances when deriving soil RRS.
  - For chrysene, the groundwater criterion listed in Appendix III, Table 1 of the Rules is indicated by the "(a)" descriptor, which represents the following condition: "The health-based drinking water criterion for this substance/analyte is lower than the lowest currently achievable and available detection limit. According to Rule 391-3-19-.07(4)(e), the detection limit or background will be the Type 1 groundwater concentration criterion for this substance/analyte." Please verify the current detection limit is lower than the value shown in Appendix III, Table 1 for chrysene (i.e., 2E-04 mg/L). If not, please discuss.
  - Due to the fact that USEPA's updated toxicity factors are not represented in the current groundwater criteria provided in Appendix III, Table 1 of the Georgia Rules for Hazardous Site Response (Rules), the Director in accordance with Section 391-3-19-.07(3) has determined that the site-specific Type 2 and Type 4 groundwater RRS established using the

most current toxicity values be adopted as the overall residential or non-residential groundwater standard for those substances impacted by USEPA's publishing of more stringent toxicity values. This also applies to the target groundwater leachate concentration used in leachability evaluations when calculating soil standards. EPD will formally address the discrepancy between the Table 1 values and the updated methodology in its upcoming rulemaking process, but in the interim will rely on calculations based on RAGS, Part B equations and exposure assumptions referenced in Appendix III, Table 3 of the Rules. Therefore, the site-specific Type 4 groundwater RRS provided in the VRP Application should be applied as the site's overall non-residential RRS, respectively for carbon disulfide. The Type 4 soil and groundwater standards calculated by EPD for carbon disulfide are provided below. You may utilize these values or provide alternate site-specific calculations for EPD's review:

Regulated Substance	**Type 4 Groundwater RRS (mg/L)**	**Type 4 Soil RRS (mg/kg)**
Carbon disulfide	1.7	9.03E+2

The above listed comments must be addressed to EPD's satisfaction in order to demonstrate compliance with the provisions, purposes, standards and policies of the Act. EPD believes that acceptable responses to the above listed comments will represent completion of the corrective action under O.C.G.A. §12-8-107. Therefore, Toyoko is requested to submit its responses with a Compliance Status Report (CSR) as required under O.C.G.A. §12-8-107(e). If you should have any questions regarding this matter, please call Tom Brodell of the Response and Remediation Program at (404) 657-8600.

Sincerely,

David Brownlee
Unit Coordinator
Response and Remediation Program

c: Lindsay Wallace, NewFields <lwallace@newfields.com>

File: HSI # 10899

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