

Georgia Department of Natural Resources
Environmental Protection Division-Land Protection Branch
2 Martin Luther King Jr., Dr., Suite 1054 East, Atlanta, Georgia 30334
(404) 657-8600; Fax (404) 657-0807
Richard E. Dunn, Director

June 27, 2016

VIA U.S. MAIL & EMAIL

Key Investments, Inc. and Bright Hour Trust
c/o James Sochovka
P.O. Box 1569
Brentwood, Tennessee 37024

Re: March 2016 Voluntary Remediation Plan and Application Comments
Bright Hour Trust
HSI Site Number: 10894
340 Armour Drive
Atlanta, Fulton County, Georgia
Tax Parcel ID#: 17 0058-LL-070-9

Dear Mr. Sochovka:

The Georgia Environmental Protection Division (EPD) has reviewed the March 15, 2016 Voluntary Investigation and Remediation Program (VIRP) application that has been submitted by Key Investments, Inc. (KI) and Bright Hour Trust (BHT) pursuant to the Georgia Voluntary Remediation Program Act (the Act) O.C.G.A. 12-8-100, *et. seq.* EPD has the following comments, which should be addressed in accordance with the Act:

1. Section 2.1 of the March 2016 VIRP application states that historic records indicate prior onsite activities may not have resulted in significant impacts to the Subject Property. However, the June 2008 Environmental Protection Division (EPD) Trip Report references a Phase I Environmental Site Assessment which noted several potential contributors to on-site contamination, including a chemical release from a railcar leak. In addition, site documentation indicates that the site was listed as a Leaking Underground Storage Tank (UST) facility in 1999 and operated as a fertilizer manufacturer (Armour Fertilizer Works) from the early 1900s through approximately 1960, all of which may be considered activities that could have contributed to a release of lead and/or arsenic to soil and groundwater. Therefore, EPD requests that additional information be provided to complete the conceptual site model and support the justification that onsite activities have or have not impacted the site, including the following:
 - a. Provide a detailed description of the above noted previous site activities that may have contributed to the release of any of the identified contaminants of concern (COCs), along with a figure illustrating the area(s) of concern associated with the past activity.
 - b. Provide any historic site information and associated documentation related to the placement of fill material(s) on-site, along with a figure illustrating the lateral extent of the proposed impacted fill material(s).

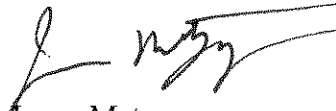
2. Section 2.3 of the March 2016 VRP Application states that the potential vapor exposure to site occupants was evaluated and concluded there was a “very low potential for exposure to vapors” due to the site usage and limited enclosed spaces. Please explain how the vapor exposure was evaluated and include the vapor intrusion pathway analysis in the first Semi-Annual Progress Report. If the vapor intrusion evaluation was qualitative and based on distances of existing structures from known groundwater impacts, a proposed Uniform Environmental Covenant (UEC) should include appropriate restrictions on future buildings.
3. Section 1.5 of the March 2016 VRP Application notes that the water recirculation pond located on the northwestern boundary and the area near the northeastern boundary of the Subject Property are the only two (2) locations that were not covered by an impermeable surface where metal exceedences were detected in soils. EPD concurs with Section 3.2, which recommends the use of engineering controls, such as installing a 6-inch impermeable layer (i.e. concrete), to these two (2) areas as illustrated in Figure 7. Also, EPD agrees with the proposed implementation of a UEC, which will prohibit the use or extraction of groundwater and soils at the Subject Property. EPD recommends a draft UEC be submitted for review prior to submittal of the CSR in order to address and revise any issues it may contain.
4. Please provide a table of delineation standards as required by Item #5 of the VIRP Application Form and Checklist. Even though delineation standards were not provided as part of the VIRP submittal, please note that based on the data provided concentrations of lead and/or arsenic above the default Type 1 soil criteria listed in Table 2 of Appendix III of the Rules for Hazardous Site Response (391-3-19) were detected within soil at all on-site sample locations, with the exception of B-20, B-18, B-17, MW-6, and MW2. Therefore, additional vertical and horizontal delineation will be required to fully define the extent of contamination. In addition, please ensure that the delineation activities include the investigation, on-site and potentially off-site, of the “black slag” noted on boring log B-21, located on the western boundary of the Subject Property, between 4-10 feet below-ground-surface (ft-bgs). As specified by the Application Checklist, horizontal delineation is required within 24 months and vertical delineation is required within 30 months of enrollment.
5. As mentioned in Comment #4, elevated levels of RCRA metals have been observed in on-site soils near the property boundary, which have or may have the potential to migrate off-site through preferential pathways. Please revise Section 2.2, Contaminant Transport, to include a description of the erosion potential of the on-site impacted soils, along with a figure illustrating the overland run-off route and potential migration pathways, both current and historic, that may exist. Please note that based upon the additional delineation and site characterization results, additional off-site data may be necessary to demonstrate compliance with the regulatory requirements, including but not limited to sediment and surface water samples from Peachtree Creek.
6. Section 1.8 of the March 2016 VRP Application states the Subject Property will use the non-residential Type 3 or site-specific Type 4 Risk Reduction Standards (RRS) or a Type 5 RRS; however, section 3.2 describes corrective action and the use of engineering controls to minimize the risk of exposure, which would designate the usage of the Type 5 RRS. Please clarify which

Risk Reduction Standards will be used for soil and groundwater, and if the Type 4 RRS are chosen, please submit the calculations in the first Semi-Annual Progress Report for EPD review.

KI and BHT must address these comments to EPD's satisfaction in order to demonstrate compliance with the provisions, purposes, standards, and policies of the Act. EPD may, at its sole discretion, review and comment on future documents submitted by KI and BHT. However, failure of EPD to respond to a submittal within any timeframe does not relieve KI and BHT from complying with the provisions, purposes, standards, and policies of the Act.

Should you have any question or concerns regarding this site, please contact Mr. Peter E. Johnson, P.G. of the Response and Remediation Program at (404) 657-0490.

Sincerely,

A handwritten signature in black ink, appearing to read "Jason Metzger", with a long horizontal flourish extending to the right.

Jason Metzger
Program Manager
Response and Remediation Program

cc: Michael J Haller, P.G., Sailors Engineering Associates, Inc. (via email)
File: Bright Hour Trust, HSI #10894; 261-0594, VRP