



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

November 30, 2016

VIA U.S. MAIL & EMAIL

Long Island Associates, Ltd.
c/o Mr. Fletcher Bright
537 Market Street, Suite 400
Chattanooga, TN 37402

Re: December 11, 2015 Compliance Status Report & Voluntary Remediation Program Application
& May 15, 2015 Groundwater Monitoring Report (GMR)
Fountain Oaks Shopping Center and Two (2) Associated Parcels
HSI Site Number: 10807
4920 Roswell Rd, NE
Sandy Springs, Fulton County, Georgia
Tax Parcel ID#: 17 009300061319, 17 009300021073, and 17 009300060881

Dear Mr. Bright:

The Georgia Environmental Protection Division (EPD) has reviewed the December 11, 2015 Compliance Status Report (CSR) & Voluntary Remediation Program (VRP) Application, and the May 15, 2015 GMR, that were submitted by Marion Environmental Inc. on behalf of Long Island Associates, Ltd (LIA) 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 6.0 of the December 2015 VRP Application and CSR states that since the soil contamination that caused the site to be listed on the HSI has been remediated to levels below the approved RRS, the site is eligible for de-listing. Please note that before being considered for de-listing, the proposed Uniform Environmental Covenant (UEC) must be executed and filed, and the additional comments listed below must be addressed.
2. EPD concurs with the proposed implementation of a UEC, and recommends that a draft UEC be submitted for review. Please specify the environmental restrictions that will be included in the UEC, including the implementation of any monitoring and maintenance requirements associated with the proposed engineering controls for the potential Kroger expansion area, and groundwater use restrictions.
3. Please clarify if the Kroger expansion will be completed as indicated in the VRP Application and CSR. If not, please update Section 3.6.1 and Section 6.0 of the CSR to reflect the current and potential future property use.
4. Section 2.1 of the December 2015 VRP application and CSR, and Section 4.3 of the May 2015 GMR, stated that concentrations of volatile organic compounds (VOCs) in onsite groundwater exceeded the US EPA Vapor Intrusion Screening Level (VISL) Calculator indoor air screening

values for commercial workers based on a cancer risk of 10^{-5} and toxicity effects hazard quotient of 1.0. EPD understands that the December 2015 VRP and CSR stated that the Johnson Ettinger (J&E) modeling was utilized to demonstrate that the concentrations of PCE and TCE at the site do not pose a VI risk. However, because EPA no longer recommends the use of the J&E model for VI evaluations, the VISL and empirical data should be used to evaluate the current VI risk at the site. Despite this change in the recommended VI approach, the recommendations included in the VRP Application and CSR still accounted for the potential VI risk associated with the exceedances observed in the groundwater at MW-2 and MW-4. Therefore, EPD concurs with the proposed use of engineering controls (i.e. a passive vapor barrier) to mitigate the VI risks associated with the remaining onsite groundwater impacts. Please include plan details and a monitoring and maintenance plan for the future passive vapor barrier, along with a figure that illustrates the designated Kroger expansion areas and the potential area(s) at which the vapor barrier will be utilized and installed.

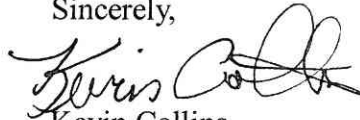
5. Section 2.1 of the December 2015 VRP Application and CSR stated that groundwater contamination exceeding the VISL groundwater target concentrations were observed not only at monitoring wells MW-2 and MW-4, but also at MW-16, MW-22, and MW-28, which were likely resulting from an off-site source(s). Although the exceedances at MW-16, MW-22, and MW-28 may be due to an off-site source, the CSR must take these exceedances into account when assessing and discussing the overall vapor intrusion exposure pathway and risk at the site.
6. EPD does not agree with Section 3.4.2.2 of the December 2015 VRP and CSR, which stated that because the downgradient extent of the groundwater plume has been defined, the downgradient surface water stream would not be impacted by the constituents of concern (COC) from the subject property in the future. The nearest surface water body originates on-site along the western boundary of the subject property, as observed during EPD's October 5, 2016 site visit, not 1,200 feet southwest of the plume as stated in Section 3.4.2.2. Please collect a minimum of one (1) sample from the surface water and include a figure illustrating the creek as the nearest Point of Exposure (POE).
7. Please provide a table that includes the established delineation criteria for each exposure pathway of concern, along with the established RRS and instream water quality standards (ISWQS).
8. Please include a Figure that illustrates the nearest potential human health and ecological receptors (i.e. POE/POD) as required by Item #5 of the VRP Application Form and Checklist.
9. Section 6.0 of the December 2015 VRP Application and CSR requested abandonment of 13 wells; six (6) wells within the proposed Kroger footprint, and seven (7) wells downgradient and cross-gradient. EPD is deferring the concurrence with the requested abandonment of these wells until the above listed comments have been addressed and the revised CSR is completed.

LIA 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 LIA. However, failure of EPD to respond to a submittal within any timeframe does not relieve LIA from complying with the provisions, purposes, standards, and policies of the Act.

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If the above listed comments cannot be addressed through the submittal of a Revised CSR within six months, a semi-annual progress report should be submitted to EPD by no later than May 31, 2017. 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 "Kevin Collins", with a stylized flourish at the end.

Kevin Collins

Response Development Unit Manager
Response and Remediation Program

cc: Steve Wild and Jeb Barrett - Marion Environmental, Inc. (via email)
Chuck Ferry - Amec Foster Wheeler (via email)
File: 261-0584 (HSI#10807 – VRP)