

Land Protection Branch

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

September 24, 2018

VIA U.S. MAIL AND EMAIL

NL Industries, Inc.
c/o Mr. Kevin Lombardozzi, Director Environmental Management
Three Lincoln Center
5430 LBJ Freeway, Suite 1700
Dallas, TX 75240-2697

Subject: EPD Comments
Voluntary Investigation and Remediation Plan dated August 1, 2018
National Smelting and Refining, HSI Site No. 10732
400 and 430 Bishop Street, Fulton County, GA

Dear Mr. Lombardozzi:

The Georgia Environmental Protection Division (EPD) has reviewed the Voluntary Investigation and Remediation Plan (VIRP) dated August 1, 2018 that was submitted by NL Industries, Inc. (NL Industries) as an application for enrollment in the Voluntary Remediation Program (VRP) for the referenced site. EPD has the following comments:

1. Although the Norfolk Southern property (Tax Parcel ID: 17 0148 LL0099) is listed in the application as a qualifying property, it is not clear if Norfolk Southern has granted permission to perform corrective action under the VRP in accordance with §12-8-106(1) of the VRP Act. EPD also understands that soil on the Norfolk Southern property is not currently being addressed under the approved Brownfield Prospective Purchaser Corrective Action Plan (PPCAP). Please indicate in the first progress report if the Norfolk Southern property will be addressed under the VRP or under the Hazardous Site Response Act (HSRA).
2. In addition to Tax Parcel ID: 17 0148 LL0099, there are other properties that are identified as part of Hazardous Site Inventory No. 10732 (the Site) that are not currently included as qualifying properties under the VRP and are not being addressed under a Brownfield PPCAP. Properties identified as part of the Site are listed in the HSI Site Summary Sheet (enclosed). Please indicate in the first progress report if these other properties will be addressed under the VRP or under HSRA.
3. The first progress report must include a Corrective Action Plan (CAP) to address soil or a Compliance Status Report demonstrating soil compliance with Risk Reduction Standards (RRS) for any properties enrolled in the VRP where soil is not being addressed under a Brownfield PPCAP. For any properties that are part of the Site and are not being addressed under the VRP, a CAP to address soil and groundwater or a CSR demonstrating soil and groundwater compliance with RRS under HSRA must be submitted with the first progress

report. Any CAP or CSR will need to address the applicable comments in the EPD letter dated January 19, 2018.

The above comments must be addressed to EPD's satisfaction in order to demonstrate compliance with the provisions, purposes, standards, and policies of the VRP Act. EPD may, at its sole discretion, review and comment on documents submitted by NL Industries. However, failure of EPD to respond to a submittal within any timeframe does not relieve NL Industries from complying with the provisions, purposes, standards, and policies of the VRP Act. If you have any questions, please contact Michael Smilley of the Response and Remediation Program at (404) 657-8600.

Sincerely,



Jason Metzger
Program Manager
Response and Remediation Program

Encl: HSI Site Summary Sheet

c: Shannon S. Walker, NL Industries (via email)
Giselle M. Beaulieu, WSP (via email)
Ed Schwartz, on behalf of Fabric Developers, LLC (via email)
Steven Aufdenkampe, Norfolk Southern Corporation (via email)

File: 261-0573 (VRP)

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GEORGIA ENVIRONMENTAL PROTECTION DIVISION
HAZARDOUS SITE INVENTORY

Site Number 10732

SITE NAME: National Smelting and Refining
LOCATION: 400 & 430 Bishop Street
Atlanta, Fulton County, GA 30318

Latitude 33° 47' 34" N Longitude 84° 24' 07" W

ACREAGE	PARCEL NUMBER	DATE LISTED
2.31	17-0148-LL-0065	10/8/2009
0.4729	17-0148-0003-022-8	3/5/2002
1	17-0148-LL-0099	3/5/2002
2.48	17-0148-LL-040-4	3/5/2002
1.1305	17-0148-LL-007-3	3/5/2002
2.0357	17-0148-LL-008-1	3/5/2002



LAST KNOWN PROPERTY OWNER:

The Four Fifty Project LLC
450 Bishop Street #A
Atlanta, GA 30318

FGR Bishop LLC
229 Peachtree St. Suite 600
Atlanta, GA 30303

Norfolk Southern Railway Co.
110 Franklin Road SE
Roanoke, VA 24042-0028

Atlanta Forge & Foundry Co. c/o Harry Jenkins
640 Angier Ave
Atlanta, GA 30308

STATUS OF CLEANUP ACTIVITIES:

Cleanup activities are being conducted for source materials and soil. Investigations are being conducted to determine how much cleanup is necessary for groundwater.

CLEANUP PRIORITY: The Director has designated this site as a Class II

GA EPD DIRECTOR'S DETERMINATION REGARDING CORRECTIVE ACTION:

Pending

REGULATED SUBSTANCES RELEASED, AND THREATS TO HUMAN HEALTH AND ENVIRONMENT POSED BY THE RELEASE:

This site has a known release of Lead in soil at levels exceeding the reportable quantity. This site has limited access. The nearest resident individual is less than 300 feet from the area affected by the release.

REGULATED SUBSTANCES:

Substance Name	GW	Soil	Substance Name	GW	Soil
Antimony	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Aroclor 1254	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Arsenic	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Barium	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Benzene	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Benzo(a)pyrene	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Cadmium	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Chromium	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Copper	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Ethylbenzene	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Lead	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Manganese, tricarbonyl methylcyclopentadienyl	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Mercury	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Naphthalene	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Nickel	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Selenium	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Silver	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Thallium	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Toluene	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Xylenes	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Zinc	<input type="checkbox"/>	<input checked="" type="checkbox"/>			