

Georgia Department of Natural Resources
Environmental Protection Division

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Judson H. Turner, Director
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June 26, 2015

VIA EMAIL & REGULAR MAIL

Berkeley Lake Village Owners Association, LLC
c/o Mr. Robbie Stephens
P.O. Box 283
7741 Adairsville Highway
Adairsville, Georgia 30103

Re: HSI Site Number: 10844
North Berkeley Lake Road Site
Tax Parcel ID #6290-232
Berkeley Lake Village Owners Association
North Berkeley Lake Road
Duluth, Gwinnett County, Georgia

Dear Mr. Stephens:

The Georgia Environmental Protection Division (EPD) has received the April 2015 Voluntary Remediation Program (VRP) Application, that has been submitted pursuant to the Georgia Voluntary Remediation Program Act (the Act) O.C.G.A. 12-8-100, by Geosyntec Consultants on behalf of the Berkeley Lake Village Owners Association (BLVOA). After completing its review of the application, EPD has prepared the following comments:

- 1) According to Section 1 of the VRP Application, it is stated that the eight additional subdivided parcels within the boundary of the site are not included as qualifying VRP properties. Please ensure that the first semi-annual progress report clarifies BLVOA's intent on incorporating these parcels into the site, along with the property owner and property use description of these eight parcels and all abutting property owners. Should BLVOA choose not to identify these eight parcels as qualifying properties within the established six month timeframe of detecting a regulated substance(s), EPD will contact each property owner directly regarding their regulatory requirements associated with the potential release of arsenic to soil on their properties.
- 2) It was noted in the VRP Application that BLVOA would evaluate the results of the pending investigations at the adjacent Gwinnett County Fire Station (Fire Station) in determining potential future actions at their site property, particularly regarding the results associated with any applicable background demonstrations. Please note that the Fire Station's 1st Semi-Annual Progress Report concluded that the source of the arsenic on their property appears to be agricultural rather than naturally occurring and Gwinnett County did not propose an alternate background concentration.
- 3) According to EPD's October 10, 2013, HSRA Release Notification Letter, soil samples were to be collected not only from the 6-290-232 parcel but also from the 6-267-030 parcel containing the surface water retention pond. Please ensure that sampling and assessment

activities are conducted for parcel the BLVOA parcel #6-267-030 to address the delineation requirements in accordance with Section 12-8-108 of the Act. Please note that this additional parcel appears to contain a stormwater drainage feature, which may require the collection of the sediment and surface water samples in addition to the required soil samples. Should the surface water and/or sediments be impacted, the site will need to complete an evaluation of the overland run-off route from the site and determine the potential for any offsite impacts to surface water/sediment.

- 4) Section 4 of the VRP Application indicated that asphalt cover and vegetative cover provide engineering controls to eliminate potential direct exposure to impacted soils over much of the site. While EPD concurs that an asphalt cover can be utilized as an engineering control when maintained through an environmental covenant, vegetative cover as it is currently being employed at the site cannot be considered an engineering control to eliminate exposure.
- 5) According to Section 6 of the VRP Application, no further soil sampling is planned. Based on the data provided within the Application, vertical and horizontal delineation to default residential cleanup standards has not been defined in accordance with Section 12-8-108 of the Act. Please ensure that satisfactory evidence of the vertical and horizontal delineation of contamination is completed by June 25, 2017, including soil analytical data for the soils greater than 2-ft below ground surface and to west of SS-A1/SS-E1. In support of addressing the delineation requirements, please include a table that indicates the site specific delineation criteria and cleanup standards that will be used at the site as they are applied to each applicable exposure pathway (soils, sediment, groundwater, surface water, etc.). In addition, should an area averaging approach be used to demonstrate compliance for soils onsite, please note that additional laboratory analytical data for soil will be required.
- 6) Please provide details associated with the standard operating procedures that were employed for the soil sample collection and analysis activities noted within the VRP Application.
- 7) EPD requests that BLVOA contact the Gwinnett County Department of Water Resources regarding any remedial or institutional control requirements that the County may require in association with any applicable utility corridors/right-of-ways that may exist within area of impacts at the site property.
- 8) Once the proposed groundwater monitoring activities are completed at the site, please provide a map having a scale of 1 inch = 200 feet or less depicting the potentiometric surface of groundwater, including illustrations of any engineered structures such as storm and sanitary sewer lines. EPD recommends that BLVOA utilize the neighboring properties' groundwater monitoring well locations and associated groundwater level data when constructing the groundwater potentiometric map for the site.

Risk Reduction Standards (RRS) Comments

- 9) EPD concurs with the derived Type 5 RRS based on the construction worker using a relative bioavailability of arsenic (RBA) of 60%, pending any changes that may be necessary as a result of addressing the above listed Comment 7.

- 10) Exposure Parameters (Table 1) – The body weight (BW) of an adult as stipulated in the Rules for Hazardous Site Response¹ (Appendix III Table 3) is 70 kg. The site-specific value of 80 kg is only appropriate for site-specific RRS, i.e. Types 2, 4, and 5. For consistency, the Risk Assessment Guidance for Superfund (RAGS)² Equations 6 and 7 will need to be revised based on the correct BW for the Type 3 RRS.
- 11) Groundwater Type 1 RRS (Table 4) – The groundwater Type 1 RRS for arsenic is incorrect; the correct value is 0.01 mg/L and therefore the correct ‘groundwater x 100’ term is 1.0. Although this does not affect the overall soil Type 1 RRS for arsenic, Table 4 must be updated with this correction for accuracy.
- 12) Type 3 RRS (Table 6) – Please revise the cancer and noncancer endpoints based on Comment 10 above and revise the surface soil (< 2 feet) Type 3 RRS.

While the submittal of the April 2015 VRP Application meets the requirements of Condition 3 of EPD Administrative Order (AO) EPD-HSR-574, the AO will remain in place until such time that the above listed comments are addressed and BLVOA demonstrates compliance with the provisions, purposes, standards, and policies of both the Act and the conditions of the AO. Should you have any additional questions or concerns please contact Mr. Kevin Collins of the Response and Remediation Program at (404) 657-8660.

Sincerely,



David Brownlee
Unit Coordinator
Response and Remediation Program

cc: Peter J. de Haven, Geosyntec (email only)
Clinton Cole, Cole LLC (email only)
File: VRP – North Berkeley Lake Road Site #10844, BLVOA

¹ Rules of Georgia Department of Natural Resources, Environmental Protection Division, Chapter 391-3-19, Hazardous Site Response, 2009.

² Risk Assessment Guidance for Superfund: Volume I – Human Health Evaluation Manual (Part B, Development of Risk-based Preliminary Remediation Goals)