



ENVIRONMENTAL PROTECTION DIVISION

Richard E. Dunn, Director

Land Protection Branch

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Atlanta, Georgia 30334
404-657-8600

November 14, 2017

Berkeley Lake Village Owners Association
c/o Mr. Zhi (Jay) Feng
Community Management Associates
1465 Northside Drive, Suite 128
Atlanta, GA 30318

Re: 2017 VRP Progress Report No. 4
HSI # 10844
Berkeley Lake Village Owners Association
3351 North Berkeley Lake Road
Duluth, Gwinnett County

Dear Mr. Feng:

The Environmental Protection Division (EPD) has received the above referenced report submitted pursuant to the Georgia Voluntary Remediation Program (VRP) Act, O.C.G.A. 12-8-100, as regards Berkeley Lake Village Owners Association (BLVOA), in Duluth, Gwinnett County. In addition to these reports, the EPD and BLVOA met on October 3, 2017 to discuss recent developments and BLVOA's path forward in the VRP Program.

After completing a review of this report, and in accordance with the discussions held during our October 2017 meeting, EPD has prepared the following comments:

- BLVOA has expressed its intent to continue evaluation of future soil corrective actions at the site, including removal/capping, area averaging, and the use of a Uniform Environmental Covenant (UEC). As communicated in its March 10, 2016 comment letter on BLVOA's December 2015 Progress Report, and confirmed during the March 29th meeting, EPD has no objections to these cleanup strategies at this time. However, EPD's March 2016 comments and concerns still apply.
- Arsenic Bioavailability Update – This section discusses on Page 3, provisions for the use of site-specific *in vitro* bioaccessibility (IVBA) being put forth as part of the proposed rule revisions. Please note relative bioavailability (RBA) effects on cleanup goals can currently be made when developing a site-specific Type 2 or Type 4 Risk Reduction Standard (RRS) without the need for a Rule change.
- Sampling Plan – The following comments pertain to the proposed sampling activities for site characterization and potential site-specific bioavailability assessment.
 - Please note that if IVBA evaluation is conducted at the site, the arsenic distribution should be used to discuss any potential differences in RBA values across different exposure units or areas. The data distribution should also be examined in terms of

identifying arsenic source types (e.g., a highly bioavailable form such as pesticidal arsenic).

- On Page 5, it states, “Future progress reports will evaluate the removal and/or capping of soil with elevated arsenic concentrations to achieve a site-wide average concentration that will meet the appropriate RRS.” It should be noted that site-wide averaging should factor in soil properties (e.g., soil pH, soil type, organic content, etc.) and the arsenic source/form. These factors will impact the IVBA bioavailability evaluation.
- The last two semi-annual status reports have lacked documentation that BLVOA has caused one or more professionals to oversee the implementation of the plan since the previous submittal, as required under subparagraph 12-8-107(b) of the Georgia Voluntary Remediation Program Act (the Act) and as stipulated in BLVOA’s VRP Application.

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. Please provide a response to the above listed comments as part of the next scheduled Progress Report submittal on December 25, 2017. 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: Cristin Krachon, Geosyntec <CKrachon@Geosyntec.com>

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