



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

April 21, 2017

Berkeley Lake Village Owners Association
c/o Ms. Lindsay Richardson-Weston
Community Management Associates
1465 Northside Drive, Suite 128
Atlanta, GA 30318

Re: 2016 VRP Progress Report Nos. 2 and 3
HSI # 10844
Berkeley Lake Village Owners Association
3351 North Berkeley Lake Road
Duluth, Gwinnett County

Dear Ms. Richardson-Weston:

The Environmental Protection Division (EPD) has received the following reports and correspondence (hereinafter referred to as Reports) that have been 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:

- by Geosyntech Consultants on behalf of BLVOA:
 - July 2016 Semi-Annual Progress Report No. 2
 - December 2016 Semi-Annual Progress Report No. 3

In addition to these reports, the EPD and BLVOA met on March 29, 2017 to discuss recent developments and BLVOA's path forward in the VRP Program. EPD has attached meeting minutes from that meeting outlining the agreed upon path for BLVOA towards meeting its commitments on the delineation and remediation of contaminated soil, sediments and groundwater at the site.

After completing a review of these reports, and in accordance with the discussions held during our March 29, 2017 meeting, EPD has prepared the following comments on the reports:

- 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.
- Concerning the eight (8) additional subdivided parcels referred to in the December 2016 Progress Report, BLVOA's statement that the parcels are not effectively involved with the VRP since they are all capped with concrete foundations, EPD can only partially agree. While these parcels may not require additional delineation or corrective action efforts, they

will need to be included in any and all aspects of any UEC, including a Maintenance and Monitoring Plan (MMP) to ensure the caps are not compromised at a future date.

- The July 2016 Progress Report is inconsistent in its presentation of the groundwater monitoring results and why the data for MW-01 was rejected.
 - Table 1, Arsenic Results in Groundwater, do not contain any results for MW-01; however, Figure 3 does.
 - Results for MW-02 in Table 1 show the limit of detection ($< 2.9 \mu\text{g/L}$); however, Figure 3 shows simply ND.
 - The chain of custody forms show samples were provided to the lab for MW-01, but no analytical sheets are provided.
 - No logs are provided to document proper purging and sampling procedures were followed.
 - No logs were provided for any soil boring or well installation events conducted at the site to-date.

Please provide logs for all sampling events, along with soil boring and well installation logs for past and future events.

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 June 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>
Scott Hitch, Nelson Mullins <scott.hitch@nelsonmullins.com>

File: VRP – Berkeley Lake Village Owners Association, HSI # 10844



March 29, 2017

Record of Communication
March 28, 2017 Meeting Minutes

Subject: Status Update

Site Name and Location: Berkeley Lake Village Owners Association, HSI # 10844
Duluth, Gwinnett County

EPD Attendees: David Brownlee, Unit Coordinator
Barrett Fischer, Geologist
Thomas J Brodell, Environmental Engineer. *TD*
404-657-8600

Facility Attendees: Scott Hitch, Nelson Mullins
Lindsay Richardson-Weston, Community Management Associates (BLV property manager)
Chris Carter, Preferred Insurance (BLVOA Board Member);
Ian Kijanski, Excel Federal Credit Union (BLVOA Board Member)
Valerie Williams, GA United Credit Union
Cristin Krachon, Geosyntec
Chris Saranko, Geosyntec

Comments:

On March 28, 2017, EPD personnel met with the above referenced site representatives to discuss the status of the Berkeley Lake Village Owners Association (BLVOA) site and its path forward in the VRP Program completing the delineation and remediation of contaminated soil, sediments and groundwater at the site. Based on the discussions held during the March 28, 2017, meeting, EPD noted the following:

- The BLVOA has reorganized so that it will be able to move forward with work required under its VRP commitment.
- The BLVOA has been pursuing legal action against the Greater Atlanta Montessori School (GAMS) to remove this tenant from the site, and is hopeful that the tenant will vacate the site this May around the end of the school year. The BLVOA will provide updates on the status of GAMS in future VRP Progress Reports.
- According to the BLVOA, in part due to the reorganization of its officers, the extended legal action against GAMS, and the addition of new properties to the BLVOA VRP site, horizontal delineation of contamination will not be completed in time for the next progress report. However, the progress report will contain a sampling plan, and the BLVOA intends to complete and submit the delineation results in the December report.

- BLVOA will contact the Gwinnett Regional Distribution Center and Gwinnett County for permission to include wells on the distribution center and the Fire Station # 19 properties, in its efforts to address groundwater concerns. If BLVOA is able to get permission to include additional wells on the other properties for an accurate groundwater elevation map, it will install a second well near the location with the highest arsenic (As) concentration on its property. Otherwise, BLVOA may need to install two additional wells for a complete understanding of groundwater at the BLVOA site.
- Based upon the work of Gwinnett County on the adjacent fire station property, the BLVOA would like to examine in-vitro bioaccessibility (IVBA) testing of As in on-site soils. Gwinnett County has been tracking the progress of the US Environmental Protection Agency (EPA) towards approval of the alternative arsenic bioavailability method, and BLVOA is hopeful this approval will occur on or before a date which would allow the BLVOA to also use it without impacting the compliance status report deadline.
- BLVOA would like to actively partner with EPD in addressing concerns about As in the surface soils while ensuring it maintains compliance with county zoning requirements about landscaping. EPD agreed to support BLVOA with seeking alternative solutions to ensuring exposure pathways are controlled.

Reviewed by:



Date:

4/21/17

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