

June 1, 2018

VIA U.S. MAIL & EMAIL

THCG Wrens, LLC
c/o Mr. Curtis L. Michael
400 Plaza Drive, P.O. Box 1515
Secaucus, New Jersey 07094-3688

Re: Sixth Semi-Annual VRP Progress Report (December 27, 2016)
Analytical Results - November 2017 Groundwater Sampling Event (March 26, 2018)
Uniform Environmental Covenant (January 24, 2018)
Former Oil Processing Corporation Property, HSI #10245
Industrial Street, Wrens, Jefferson County, Georgia

Dear Mr. Michael:

The Georgia Environmental Protection Division (EPD) has reviewed the referenced progress report and supplemental documents that were submitted by Peachtree Environmental, Inc. on behalf of THCG Wrens, LLC (THCG) for the Former Oil Processing Corporation Property, Wrens, Georgia (Property) pursuant to the Georgia Voluntary Remediation Program Act (the Act) O.C.G.A. 12-8-100, *et. seq.* Based on the review of the above-referenced documents and the discussions during the February 23, 2018 meeting between EPD and Mr. Denny Dobbs of Peachtree Environmental, EPD understands that THCG intends to submit a CSR for the site shortly. Note that the CSR must be prepared in accordance with Rule 391-3-19-.06(3) and should address the following:

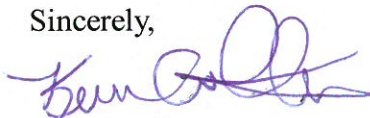
1. According to the most recent data for the site, residential and non-residential exceedances of groundwater Risk Reduction Standards (RRS) continue to persist in onsite and downgradient off-property wells. Please ensure that the CSR demonstrates that delineation to default residential RRS is complete to the extent technically practicable. Should contaminant concentrations in groundwater exceed the established RRS beyond the lateral extent of the property's proposed institutional control measures, please implement the necessary measures to address the applicable offsite exposure concerns. Please note that based on current site data, several constituents exceed their Type 3 and 4 RRS beyond the property boundary, which would necessitate the execution of institutional controls for the abutting downgradient properties to prohibit the use of groundwater as a source of drinking water. An example of a streamlined groundwater covenant template is attached and can also be accessed via <https://epd.georgia.gov/uniform-environmental-covenants>.
2. Please include applicable soil data, tables, and figures to clearly support certification of compliance with established RRS for soil. Note that additional data may be required to support an area averaging approach to soil cleanup. Please reference or provide documentation supporting the applicable RRS.

3. The CSR must identify an established point of exposure and associated point of demonstration, as defined in accordance with Section 12-8-102 & -108(3/4) of the Act, to meet the remedial action objectives and the VRP requirements for groundwater.
4. EPD recommends that the CSR include the results of groundwater modeling to demonstrate anticipated further migration and attenuation of the VOC plume.
5. Please include the figures and tables that summarize the results of the November 2017 groundwater monitoring event, submitted to EPD via email in March 2018, in the CSR.
6. The temporary wells referenced in Section 3.0 of the progress report should be abandoned by over-drilling and backfilling with grout in accordance with EPA SESD Region 4 Guidance SESDGUID-101-R1, Design and Installation of Monitoring Wells, January 29, 2013.
7. EPD received the revised draft Uniform Environmental Covenant (UEC) submitted April 30, 2018 via email and will provide comments on the UEC under separate cover.

The above comments must be addressed 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 documents submitted by THCG. However, failure of EPD to respond to a submittal within any timeframe does not relieve THCG of complying with the provisions, purposes, standards, and policies of the Act.

EPD understands that the next THCG submittal will be the CSR, which EPD anticipates will be submitted no later than December 11, 2018. If you have any questions or concerns regarding this submittal you may contact Robert Marbury at 404-463-7507, or David Hayes of the Response and Remediation Program at (404) 657-8672, as we are currently working on transitioning this site to a new Voluntary Remediation Program Unit.

Sincerely,



Kevin Collins

Response Development Unit Manager
Response and Remediation Program

cc: Denny Dobbs – Peachtree Environmental (via email)

File: Oil Processing Corp. (Former), 199-0013

After Recording Return to:

CROSS-REFERENCE: Deed Book:

Page:

<Grantor or Holder Point Of Contact>

Environmental Covenant

This instrument is an Environmental Covenant executed for the property identified below (hereinafter "the Property") as part of an environmental response project to address regulated substances released into the environment that have migrated onto the Property in the groundwater. This Environmental Covenant restricts the use of groundwater on the Property to prevent humans from coming into contact with regulated substances.

Fee Owner of Property/Grantor: <Company Name or individual(s)> (hereinafter "Grantor")
<Mailing address>

Grantee/Holder: <Company Name or individual(s) representing source property> (hereinafter "Grantee/Holder")
<Mailing address>

Grantee/Entity with express power to enforce: State of Georgia
Department of Natural Resources
Environmental Protection Division (hereinafter "EPD")
2 Martin Luther King Jr. Drive, SE
Suite 1456 East Tower
Atlanta, GA 30334

Property Information:

The property subject to this Environmental Covenant is located at <street address> in <city>, <county name> County, Georgia (hereinafter "Property"). This tract of land was conveyed on ____ from ____ to ____ recorded in Deed Book __, Page __, <county name> County Records. The Property is located in Land Lot ____ of the ____th District of <county name> County, Georgia. A complete legal description of the Property is attached as Exhibit A.

Tax Parcel Number(s) <Tax ID parcel number> of <insert name> County, Georgia

Name and Location of Administrative Record:

The administrative record for the environmental response project is identified as file <insert file identification number and file name>. This record is available for review at the following location:

Georgia Environmental Protection Division
Response and Remediation Program
2 MLK Jr. Drive, SE, Suite 1054 East Tower
Atlanta, GA 30334
M-F 8:00 AM to 4:30 PM excluding state holidays

Declaration of Covenant:

This Declaration of Covenant is made pursuant to the Georgia Uniform Environmental Covenants Act, O.C.G.A. § 44-16-1 *et seq.* by Grantor, Grantee/Holder, EPD, and their respective successors and assigns.

Grantor makes the following declaration as to restrictions to which the Property may be put and specifies that such declarations shall constitute covenants to run with the land, pursuant to O.C.G.A. § 44-16-5(a); is perpetual, unless modified or terminated pursuant to the terms of this Covenant pursuant to O.C.G.A. § 44-16-9; and shall be binding on all parties and all persons claiming under them, including all current and future owners of any portion of or interest in the Property. Should a transfer or sale of the Property occur before such time as this Environmental Covenant has been amended or revoked then said Environmental Covenant shall be binding on the transferee(s) or purchaser(s).

Grantor hereby binds Grantor, its successors and assigns to the following activity and use limitation for the Property identified herein and grants such other rights under this Environmental Covenant in favor of the Grantee/Holder and EPD.

Activity and/or Use Limitation

Groundwater Use Limitation. The use or extraction of groundwater beneath the Property for drinking water or other potable uses shall be prohibited. The use or extraction of groundwater for any other purpose besides site characterization is prohibited unless conducted under a plan approved in writing by EPD.

General Provisions

Notice of Limitation in Future Conveyances. Each instrument hereafter conveying an interest in the Property subject to this Environmental Covenant shall contain a notice of the activity and use limitation set forth in this Environmental Covenant and shall provide the recorded location of the Environmental Covenant.

Access. Grantor shall provide reasonable access to Grantee/Holder or its assigns to verify compliance for annual reporting to EPD.

Effective Date. The effective date of this Environmental Covenant shall be the date upon which the fully executed Environmental Covenant has been recorded in accordance with OCGA § 44-16-8(a).

Benefit. This Environmental Covenant shall inure to the benefit of Grantee/Holder, EPD, and their respective successors and assigns and shall be enforceable by the Director or his agents or assigns, Grantee/Holder or its successors and assigns, and other party(ies) as provided for in O.C.G.A. § 44-16-11 in a court of competent jurisdiction.

Termination or Modification. This Environmental Covenant shall remain in full force and effect in accordance with O.C.G.A. § 44-16-5, unless and until the Director determines that the Property is in compliance with the Type 1 or 2 Risk Reduction Standards, as defined in Section 391-3-19-.07 of the Georgia Rules of Hazardous Site Response, whereupon the Environmental Covenant may be amended or terminated, as appropriate, in accordance with O.C.G.A. § 44-16-1 *et seq.*

Severability. If any provision of this Environmental Covenant is found to be unenforceable in any respect, the validity, legality, and enforceability of the remaining provisions shall not in any way be affected or impaired.

Warranty. Grantor hereby represents and warrants to the other signatories hereto that the Grantor has the power and authority to enter into this Environmental Covenant, to grant the rights and interests herein provided, and to carry out all obligations hereunder and in accordance with O.C.G.A. § 44-16-1 *et seq.*

Grantor has caused this Environmental Covenant to be executed pursuant to The Georgia Uniform Environmental Covenants Act, on the _____ day of _____, 20__.

Signed, sealed, and delivered in the presence of:

For Grantor:

Unofficial Witness *(Signature)*

Name of Grantor *(Print)*

Unofficial Witness Name *(Print)*

Authorized Representative *(Signature)*

(Seal)

Authorized Representative Name *(Print)*

Unofficial Witness Address *(Print)*

Title of Authorized Representative *(Print)*

Notary Public *(Signature)*

Dated: _____
(NOTARY SEAL)

My Commission Expires: _____

Signed, sealed, and delivered in the presence of:

For Grantee/Holder:

Unofficial Witness *(Signature)*

Name of Grantee/Holder *(Print)*

Unofficial Witness Name *(Print)*

Authorized Representative *(Signature)*

(Seal)

Authorized Representative Name *(Print)*

Unofficial Witness Address *(Print)*

Title of Authorized Representative *(Print)*

Notary Public *(Signature)*

Dated: _____

(NOTARY SEAL)

My Commission Expires:_____

Signed, sealed, and delivered in the presence of:

For the State of Georgia
Environmental Protection Division:

Unofficial Witness (*Signature*)

Unofficial Witness Name (*Print*)

(*Signature*)

(Seal)

Unofficial Witness Address (*Print*)

Judson H. Turner
Director

Notary Public (*Signature*)

Dated:_____
(NOTARY SEAL)

My Commission Expires:_____

Exhibit A
Legal Description

