Georgia Department of Natural Resources

2 Martin Luther King, Jr. Dr., S.E., Suite 1462 East, Atlanta, Georgia 30334
Chris Clark, Commissioner
Environmental Protection Division
F. Allen Barnes, Director
Land Protection Branch
Mark Smith, Branch Chief

Reply To:
Response and Remediation Program
2 Martin Luther King, Jr. Drive, S.E.
Suite 1462, East Tower
Atlanta, Georgia 30334-9000
Office 404/657-8600 Fax 404-657-0807

May 10, 2010

VIA E-MAIL AND REGULAR MAIL

JNV Investments Group
c/o Mr. Lachman G. Vaswani
2910 Mountain Industrial Boulevard
Tucker, GA 30084

Re: Voluntary Remediation Plan and Application, March 12, 2010
Notice of Deficiencies
JNV Investments Group, Inc. Property, HSI Site No. 10884
4800 Redan Road, Stone Mountain, DeKalb County, Georgia
Tax Parcel 15 224 03 005

Dear Mr. Vaswani:

The Georgia Environmental Protection Division (EPD) has reviewed the March 12, 2010, Voluntary Remediation Plan (VRP) submitted pursuant to the Georgia Voluntary Remediation Program Act (the Act). EPD has noted the following deficiencies:

Regulated Substances Released:

1) Narrative within the VRP indicated chemicals of interest consisted of only tetrachloroethene (PCE) in soil and only PCE and trichloroethene (TCE) in groundwater. All regulated substances currently detected in soil and/or groundwater at the qualifying property as well as associated breakdown products are subject to the requirements of the Act including TCE; *cis*-1,2-dichloroethene (DCE); *trans*-1,2-DCE; 1,1-DCE and vinyl chloride.

Site Delineation Concentrations:

2) While the VRP references attached Tables 1 and 2, none of the column headings specify the "delineation concentration criteria" used pursuant to §12-8-108(1)(A) through (E). Sections 3.1 and 3.2 of the VRP discuss completeness of soil and groundwater delineation with reference to Type 4 RRS, which are not one of the acceptable delineation criteria listed in §12-8-108(1) of the Act.

Cleanup Standards:

3) Please note that revisions to any of the tables listed below may require revisions to other tables (and associated narrative) that refer to them, which may not be specifically addressed by the referenced comments.

Table 1: Note that the 2006 version of the Rules, as referenced in the footnotes of this table, have been superceded by changes to the Rules adopted in December 2009.

Table 2-A: The Type 1/3 groundwater RRS shown for *cis*-1,2-DCE is incorrect. Following the changes to the Rules for Hazardous Site Response (Rules) adopted in December 2009, the current Appendix III, Table 1 value for *cis*-1,2-DCE is 0.07 mg/L. Revision of the above value will also affect the "GW x 100" value for this substance. The RAGS equation 6 values for TCE and vinyl chloride are incorrect, please refer to the Comment related to Table 2-B below.

Table 2-B: The oral slope factors (SF_o) for TCE and vinyl chloride are incorrect. The correct values [based on the EPA Regional Screening Level (RSL) Table[1]] are 5.9E-03 $(mg/kg\text{-}day)^{-1}$ and 7.2E-01 $(mg/kg\text{-}day)^{-1}$, respectively.

Table 2-C: The volatilization factor (VF) calculations are incorrect primarily due to the use of unacceptable chemical-specific parameter values. EPD's preference for obtaining chemical-specific parameters is the EPA's Chemical Specific Parameters Table[2]. This table, which references all of the regulated substances detected onsite, should be consulted for the most currently acceptable chemical-specific parameter values [*i.e.*, Organic Carbon Partitioning Constant (K_{oc}), Molecular Diffusivity in Air (D_{ia}), and Henry's Law Constant (H)].

Table 3-A: The RAGS equation 6 values for TCE and vinyl chloride are incorrect (see Comment relating to Table 2-B above).

Table 3-B: The column labeled Constituent should include "Vinyl Chloride", not "Xylenes (Total)." In addition, the column referencing "CW Criterion (9)(d)1" should reference Table 4-1, not Table 3-A. Equation 14 (Mass Limit Soil Screening Level (MLSSL) of EPAs Soil Screening Guidance is not applicable where contamination has already passed through the soil column and into the groundwater. A default f_{oc} value of 0.002 (0.2%) should be used to determine the soil leachability values ("Calculated SSL" column) as specified in Equation 10 (default parameter definition) of the *US EPA Soil Screening Guidance: User's Guide (July 1996)*. [Note that the correct default f_{oc} value of 0.02 was used in the soil to air volatilization factor (VF) calculations presented on Tables 2-C and 3-D in Appendix V]. K_{oc} and H values used in the soil leachability calculations on Table 3-B are not consistent with those listed on EPA's Chemical Specific Parameters Table (see Comment relating to Table 2-C above).

Table 4-A: The cancer-based RAGS equation 1 value for vinyl chloride is incorrect due to the use of an incorrect toxicity value.

Exposure Domain: Site-specific cleanup criteria proposed in the VRP are subject to exposure domains as specified in the Act. No justification was provided for the exposure domains included in the VRP.

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[1] U.S. EPA (December 2009) Regional Screening Levels for Chemical Contaminants at Superfund Sites. Accessible online at: http://www.epa.gov/reg3hwmd/risk/human/rb-concentration_table/index.htm. Website last updated January 4, 2010. Please note that this table is updated periodically and it is the responsibility of JNV to ensure that the most current version of the table is used in the risk assessment evaluation.

[2] U.S. EPA (December 2009) Chemical Specific Parameters Table. Website last updated January 4, 2010. Accessible online at: http://www.epa.gove/reg3hwmd/risk/human/rb-concentration_Table/GenericTables/pdf/params_sl_table_run_DECEMBER2009.pdf. Please note that this table is updated periodically and it is the responsibility of JNV to ensure that the most current version of the table is used in the risk assessment evaluation.

Human and Environmental Receptors:

4) EPD does not concur that there are no human or environmental receptors for the release at the qualifying and non-qualifying properties. An exposure assessment that is consistent with US EPA's *Guidance for Exposure Assessment* (57FR104: 20888-22938; May 29, 1992) will be required. Several exposure pathways on the qualifying and non-qualifying properties cannot currently be eliminated from consideration until: 1) contaminant delineation, 2) vapor intrusion modeling, 3) groundwater usage and surface water survey, and 4) groundwater fate and transport modeling have been completed.

Soil Confirmation Sampling:

5) The proposed confirmation soil sampling every 25 feet only at a depth of eight feet (8') is not sufficient to demonstrate compliance with the default or site-specific cleanup standards.

Model:

6) Participant must either provide a copy of the model or license for use, or purchasing information (purchase of model will be billed to the participant by EPD) along with a table of all input and output parameters, supporting documentation, and a sensitivity analysis. Regulatory citations must be provided for representative values for model parameters. The model must be: 1) calibrated based on estimated time of release and observed (or worst case) source concentrations and 2) validated with an appropriate number of groundwater sampling results over time.

Miscellaneous:

7) Soil sampling locations SB-19 and SB-28 listed on Table 1 do not appear to be shown on Figures 4 through 6. In addition, it appears that soil sample location SB-8 on Table 1 is labeled as soil sample location SS-8 on the referenced figures.

JNV Investments Group must address these comments 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 JNV Investments Group. However, failure of EPD to respond to a submittal within any timeframe does not relieve JNV Investments Group from complying with the provisions, purposes, standards and policies of the Act.

If you have any questions, please contact Carolyn L. Daniels, P.G. at (404) 657-8600.

Sincerely,

Mark Smith, Chief
Land Protection Branch

c: Matthew Trammell, Environmental Consulting & Technology, Inc.