SIXTH SEMIANNUAL VRP PROGRESS REPORT
FOR THE
DAVIDSON-KENNEDY COMPANY FACILITY
1195 VICTORY DRIVE
ATLANTA, FULTON COUNTY, GEORGIA

HSI # 10866

DOCUMENT PREPARED FOR:

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JUNE 2014

THE INFORMATION CONTAINED IN THIS REPORT TITLED
"SIXTH SEMIANNUAL VRP PROGRESS REPORT
FOR THE
DAVIDSON-KENNEDY COMPANY FACILITY
ATLANTA, FULTON COUNTY, GEORGIA"

HSI#10866

IS INTENDED FOR THE
USE OF DAVIDSON-KENNEDY COMPANY, THEIR OFFICERS
AND DESIGNEES
AND THE
GEORGIA DEPARTMENT OF NATURAL RESOURCES

Project No. 3185

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John P. Martiniere, Jr., P.E., *PROJECT DIRECTOR*

JUNE 2014

CERTIFICATION

ñI certify that I am a qualified groundwater scientist who has received a baccalaureate or post graduate degree in the natural sciences or engineering, and have sufficient training and experience in groundwater hydrology and related fields, as demonstrated by state registration and completion of accredited university courses, that enable me to make sound professional judgments regarding groundwater monitoring and contaminant fate and transport. I further certify that this report was prepared by me or by a subordinate working under my direction.ò

John P. Martiniere, Jr., P.E.
Georgia Registration No. 11858

A monthly summary of Professional Engineer/Geologist hours expended as part of the initial application and this Semiannual VRP Progress Report is included as **Appendix A**.

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ACRONYMS

AES	Analytical Environmental Services, Inc.
APLS	Aqueous Phase Liquids
Applicant	Davidson-Kennedy Company
BAP	Benzo(a)pyrene
bgs	Below Ground Surface
bls	Below Land Surface
CAP	Corrective Action Plan
CSR	Compliance Status Report
COCs	Constituents of Concern
COPC	Constituent of Potential Concern
CSM	Conceptual Site Model
Davidson-Kennedy	Davison-Kennedy Company
Georgia EPD	Georgia Environmental Protection Division
GHWMA	Georgia Hazardous Waste Management Act
HSI	Hazardous Site Inventory
HSRA	Hazardous Site Response Act
HSRP	Hazardous Site Response Program
HWMA	Hazardous Waste Management Act
IRIS	Integrated Risk Information System
MCL	Maximum Contaminant Levels
ε g/L	Micrograms per Liter (same as ppb)
mg/Kg	Milligrams per Kilogram (same as ppm)
mg/L	Milligrams per Liter (same as ppm)
NC	Notification Concentration
PAHs	Polyaromatic Hydrocarbons
Peachtree	Peachtree Environmental
POD	Point of Demonstration
ppb	Parts per Billion
ppm	Parts per Million
PRE	Preliminary Risk Evaluation
RAGS	Risk Assessment Guidance for Superfund
RBCA	Risk Based Corrective Action
REC	Recognized Environmental Conditions
RN	Release Notification
RRS	Risk Reduction Standard
Site	Davidson-Kennedy Company Facility
SVOCs	Semi-Volatile Organic Compounds
TCLP	Toxicity Characteristic Leaching Procedure
UCL	Upper Confidence Level
USEPA	United States Environmental Protection Agency
USGS	United States Geological Survey
VIRP	Voluntary Investigation and Remediation Program
VRP	Voluntary Remediation Program
VOCs	Volatile Organic Compounds

1.0 INTRODUCTION AND BACKGROUND

1.1 INTRODUCTION

PEACHTREE ENVIRONMENTAL (Peachtree) is submitting this Sixth Semiannual Voluntary Remediation Program (VRP) Progress Report on behalf of **DAVIDSON-KENNEDY COMPANY** (Davidson-Kennedy) for the Davidson-Kennedy Facility, 1195 Victory Drive; HSI # 10866 (the ñPropertyò or ñVRP Propertyò).

1.2 PROPERTY DESCRIPTION

The Property consists of 9.17 acres of land located at 1195 Victory Drive in Atlanta, Fulton County, Georgia. The Property has a latitude coordinate of 33°42'27.41" North and a longitude coordinate of 84°25'35.39" West. A Property Location Map is included as **Figure 1**.

The Property is bordered to the south by Victory Drive with industrial facilities beyond; Lanier Drive SW and residential developments to the east; industrial facilities to the north; and a Norfolk Southern railway with Georgia Highway 29 beyond to the west. A stream enters the Property on the northeastern property boundary and flows approximately 200 feet south into a subgrade pipe which outfalls to the southeast off the Property. An ephemeral ditch enters the property on its northeastern corner and traverses in a southerly direction.

There are currently no operations at the Property. All structures, except for an unoccupied office building, have been demolished and removed from the Property with the exception of some former building foundations/slabs. Access to the Property is available via gated access along Victory Drive and Lanier Drive SW, as well as other non-fenced portions of the Property. The gates are currently in bad repair. A Site Layout is provided as **Figure 2**.

Topography of the surrounding area has been modified by urban development. The western portion of the Davidson-Kennedy facility is situated on relatively flat land with topographic relief to the east-southeast. Eastern portions of the Property are also situated on relatively flat land after an elevation transition, in some instances, approximately 18 feet from western portions of the Property. Steep embankments are present at the transition from western to eastern portions of the Property. Surface drainage and groundwater flow on the Property mirrors the topographic relief with gradients to the southeast. A USGS Topographic is included as **Figure 3**.

1.3 PREVIOUS ACTIVITIES

The extent of impact to soils and groundwater at the Property has been evaluated based on the collection of representative environmental media samples and the subsequent analytical testing of those samples for known constituents of concern.

1.3.1 Initial Property Assessment

Previously conducted investigations on the Property identified the presence of regulated substances in soil and/or groundwater samples. These findings were part of prior investigative activities conducted by Kemron Environmental Services (Kemron) on the Property from August 2005 to August 2007. These activities included the collection of soil samples from 114 soil borings and 10 temporary groundwater monitoring wells. A map showing the sample locations is provided as **Figure 4**.

Analytical data gathered from investigations indicated that lead was the only inorganic constituent detected above its respective Hazardous Site Response Act (HSRA) Notification Concentration (NC). Numerous semi-volatile organic compounds (SVOC) and polynuclear aromatic hydrocarbon (PAH) compounds were detected in soil samples collected at varying locations around the Property. Concentrations of chrysene, benzo(a)pyrene, indeno(1,2,3-cd)pyrene, benzo(k)fluoranthene, naphthalene, and benzo(a)anthracene were detected at concentrations exceeding their respective HSRA NCs. Concentrations of various volatile organic compounds (VOCs) were also detected in soil above the laboratory detection limits. Of the VOCs detected, only benzene exceeded its HSRA NC.

1.3.2 Soil Remediation Activities

Based upon the results of analytical testing, soils exceeding regulatory cleanup criteria were removed via excavation in 2006. A total of 13 areas (designated Excavation Areas A to M) were identified as requiring corrective action to meet HSRA NCs. Remedial activities were delayed for approximately nine months while a Land Disturbance Permit was sought for approval from the City of Atlanta.

Excavation Areas A, B, C, D, E, F, G, H, and I exhibited concentrations of lead in soil above the NC. Soil in Excavation Areas J, K, L, and M contained various SVOCs over their respective NCs. Additionally, soil at Excavation Area K contained concentrations of benzene and xylenes above the applicable NCs, and isophorone was detected in soil at Excavation Area L.

A total of 28,106.62 tons of soil impacted with lead, benzene, xylenes, and SVOCs was removed from the Property and disposed of as non-hazardous waste at the Eagle Point Landfill in Ball Ground, Georgia. Soil from several areas within Excavation Area A required stabilization to render the soils non-hazardous for lead. Where required, stabilization was achieved in-situ by mixing soil with granulated triple superphosphate to meet non-hazardous waste criteria. A summary report indicated that, based on the results of the confirmatory sampling, soil impacted with lead, benzene, xylenes, and SVOCs at the Property had been successfully removed, with remaining concentrations below their respective NCs.

1.3.3 HSRA Release Notification and Sampling

A HSRA Release Notification for groundwater was submitted on behalf of Davidson-Kennedy by Kemron on February 13, 2007. The Notification included soil and groundwater data from the prior Kemron assessment activities, as well as a Site Summary and a copy of the February 6, 2007 Soil Excavation and Disposal Summary Report.

The Georgia EPD and Davidson-Kennedy representatives held a meeting on May 14, 2007 to discuss Georgia EPDøs technical comments regarding the data submitted as part of the Release Notification. Georgia EPDøs primary focus was the adequacy of post-excavation confirmatory samples to verify the removal of constituents of concern to below NCs.

Kemron, on behalf of Davidson-Kennedy, prepared a letter response to the technical issues raised by the Georgia EPD during the May 14, 2007 meeting. Kemron addressed five Georgia EPD comments with supporting documentation to address specific concerns regarding confirmatory soil testing, delineation to background in soils, and stained soils observed on the Property.

The Georgia EPD mobilized to the Property on August 27, 2007 to collect soil, sediment, and surface water samples. The locations sampled were provided by Georgia EPD to Davidson-Kennedy on a Property map prior to the sampling activities. A total of eleven soil samples (DK-1, DK-2, and DK-6 through DK-14) were collected from surface soils at a depth of 0 to 6 inches by the Georgia EPD. As further discussed in Section 2.2, sample DK-3 was a water sample collected from an outfall on the south side of Victory Drive, and samples DK-4 and DK-5 were collected from surface water traversing the northeastern boundary of the facility. Soil samples DK-6 and DK-7 were off-site soil samples obtained on adjacent residential property.

The Georgia EPD sample results were provided to Davidson-Kennedy in a letter dated October 18, 2007. The results included detections of metals (lead and arsenic) and various SVOCs in 9 of the 13 soil samples collected as part of assessment activities.

The Georgia EPD listed the Davidson-Kennedy Facility on the Georgia Hazardous Site Inventory in a letter dated October 26, 2007 as a Class II Site. The Property was listed for the On-site Exposure pathway. The Property did not list based upon groundwater scoring. The HSI number for the Davidson-Kennedy Property is 10866.

1.3.4 Submittal of Voluntary Remediation Plan

Peachtree submitted a VRP Application to the Georgia EPD on behalf of Davidson-Kennedy on May 24, 2010. The VRP Application included a discussion of past assessment and corrective action activities, applicable clean-up and delineation standards, and a Conceptual Site Model (CSM) describing Property conditions and potential exposure pathways.

Georgia EPD initially determined that Davidson-Kennedy was ineligible for participation in the VRP due to criteria under Section 12-8-106 of the Act, and forwarded a proposed Consent Order to address the issues that precluded Davidson-Kennedyøs participation in the VRP.

Georgia EPD subsequently provided comments on the VRP Application in a letter dated October 12, 2010. The technical comments requested additional details relating to the CSM, the Site Delineation Criteria, and the Preliminary Voluntary Investigation and Remediation Plan.

A VRP Consent Order between the Georgia EPD and Davidson-Kennedy was executed on January 26, 2011. EPD specified a 45 day deadline to submit a revised VRP Application addressing the October 12, 2010 comments.

Peachtree submitted supporting documentation on March 11, 2011 followed by an amended VRP Application in May 2011. The amended application included the results of an anthropogenic background study for lead and proposed Property delineation standards.

The Georgia EPD provided comments relative to its review of the March and May 2011 versions of the VRP Application in a letter dated June 30, 2011 and simultaneously approved the VRP Application in a separate letter. The comments and conditions for enrolment in the VRP were addressed in the First Semiannual VRP Progress Report dated December 2011.

1.3.5 VRP Sampling Activities

In 2011, Peachtree collected 35 soil samples in order to laterally delineate concentrations of select metals and PAHs in surface soils. Vertical delineation samples were also collected during the November 2011 sampling activities. The November 2011 sample locations were selected based upon analytical data gaps from soil borings advanced by Kemron in 2005 and data collected by the Georgia EPD in 2007. In addition, one groundwater monitoring well was installed on the southeastern property boundary to demonstrate groundwater delineation at the Property boundary. The sampling activities were documented in the First Semiannual VRP Progress Report for the VRP Property in December 2011. The

Report concluded that on-property soil and groundwater delineation had been completed.

In 2012, Peachtree advanced four off-site soil borings (OS-1 to OS-4) to delineate the previous detections at DK-6 and DK-7 collected by the Georgia EPD in 2007. Shallow (0 to 0.5 foot) and deeper (3 feet) soil samples were obtained at each boring and submitted for analytical testing for lead via EPA Method 6010. Lead was detected in the samples at concentrations below the calculated anthropogenic background concentration of 224 mg/kg. The sampling activities were documented in the Second Semiannual VRP Progress Report for the VRP Property in June 2012, which concluded that the off-property horizontal delineation was complete.

Also included in the Second Semiannual VRP Progress Report was a geospatial statistical analysis of the VRP Property data. Kriging was used to develop an Exposure Point Concentration (EPC) for lead, as lead is the most widespread regulated constituent in soil. Based upon the Kriging analysis, approximately 1,100 cubic yards of impacted soils will require removal to bring the domain area average into compliance with the HSRA Type 3 RRS for Lead of 400 mg/kg.

Peachtree mobilized to the Property on May 23, 2013 and June 18, 2013 to collect soil samples in locations where on-property delineation of lead above the 224 mg/kg anthropogenic background concentration was not complete. A total of 14 soil samples were collected from twelve soil borings (SB-1 through SB-12) and analyzed for lead and/or select PAHs. The results of the May and June 2013 sampling were documented in the Fourth Semiannual VRP Progress Report for the Property in June 2013.

During a June 12, 2013 meeting and via email, Georgia EPD provided comments regarding the average backfill concentration utilized in the Kriging model. In response, Peachtree collected soil samples at backfill locations across the Property on October 30, 2013. A total of 10 soil samples were collected from 10 locations and field screened for lead using an XRF handheld unit. The results of the backfill sampling were provided in the Fifth Semiannual VRP Progress Report in December 2013.

On November 8, 2013, Peachtree collected three on-site soil samples (DK-19A, DK-21A, and DK-43A) at locations where vertical delineation was not complete. The soil samples were analyzed for arsenic, lead, and chromium, respectively. The results of the vertical delineation sampling were also provided in the Fifth Semiannual VRP Progress Report in December 2013.

2.0 ACTIVITIES COMPLETED SINCE LAST SEMIANNUAL REPORT

2.1 DOMAIN AREA AVERAGING AND GEOSPATIAL ANALYSIS OF SOIL DATA

Areas of urban fill are present throughout the VRP Property. Urban fill presents a unique situation where there is not a reasonably defined source area, but rather a widespread matrix of heterogeneous material exhibiting varying degrees of impact by regulated substances. As such, a cleanup based upon individual soil sample results may incorrectly mischaracterize risk. As such, the VRP Property was evaluated based upon statistical ñaveragesò of pre-defined exposure domains in order to more realistically characterize the risk for the Property.

Kriging was used to develop an EPC for lead, as lead is the most widespread regulated constituent in soil. In November 2013, a re-analysis of the Kriging model was performed using soil data collected in October 2013 from the backfill in the former (2007) excavations. Based on the re-analysis, a total to approximately 1,180 cubic yards of lead-impacted soils will require removal to bring the domain area average into compliance with the HSRA Type 3 RRS for lead of 400 mg/kg. These results were submitted to EPD for their evaluation of the Kriging approach.

Georgia EPD provided comments regarding the Kriging model during a June 12, 2013 meeting and via email, and Peachtree responded to the comments in a letter dated December 27, 2013. In a letter dated April 3, 2014, Georgia EPD stated that Peachtree had satisfactorily addressed EPDôs questions regarding the geostatistical soil evaluation, and concurred with the area-averaging approach and the goal of an average lead concentration of less than 400 mg/kg in each exposure domain.

A VRP Corrective Action Plan to remove soil in the most heavily impacted areas, including a description of post-excavation confirmation soil samples, in included in this Sixth Semiannual VRP Progress Report (Section 4.0).

2.2 ECOLOGICAL PRELIMINARY RISK EVALUATION

Peachtree submitted an ecological Preliminary Risk Evaluation (PRE) / Screening Level Ecological Risk Assessment (SLERA) for the VRP Property on March14, 2014.

Peachtree has not received formal comments from Georgia EPD on the PRE/SLERA. However, Davison-Kennedy, its counsel, and Peachtree met with Georgia EPD on May 5, 2014 to discuss the PRE/SLERA and other issues. During the meeting, it was decided that since surface water and sediment samples have not been obtained since the Georgia EPDôs August 27, 2007 sampling, samples should be obtained at former location DK-3 (outfall on the south side of Victory Drive) and DK-4 and DK-5 (surface water on the northeastern boundary of the facility). The samples will be obtained in the late autumn of 2014 due to access issues (overgrowth) along the stream. Therefore,

the analytical results will be included in the Seventh Semiannual VRP Progress Report due December 30, 2014.

During the meeting, Georgia EPD noted that the 2007 EPD sample locations depicted in a September 28, 2007 internal EPD memorandum were inconsistent with the sample locations depicted in Peachtreeôs figures. The 2007 memorandum includes a figure that depicts ñEPD Sampling Locations, August 27, 2007ò with hand drawn symbols and labels on a December 2006 Kemron base map. Significantly, the map shows sample DK-5 as the outfall sample south of Victory Drive and samples DK-3 and DK-4 along the stream, while Peachtreeôs figures show sample DK-3 as the outfall sample south of Victory Drive and samples DK-4 and DK-5 as the samples along the stream.

A Summary Report prepared by Kemron also documents the August 27, 2007 sampling. According to the Summary Report, three surface water and three sediment samples ñwere collected form the surface drainage traversing the northeastern boundary (DK-4 and DK-5) of the facility with one sample collected at the outfall (DK-3) of the drainage on the south side of Victory Drive. The DK-3 sampling location was not indicated on the original map provided by the Georgia EPD.ò The Summary Report includes a map showing the sample locations and labels depicted in the apparent same handwriting as the map attached to the Georgia EPD internal memorandum, but with three samples (DK-3 through DK-5) along the stream, no sample at the outfall, and no sample DK-14. The map also includes sample locations drawn in an apparent different handwriting (presumed to be by a Kemron employee) that shows the sample location consistent with Kemronôs descriptions (i.e, sample DK-3 at the outfall south of Victory Drive).

As there appears to be two different versions of Georgia EPDôs sample location map, there might have been some initial confusion regarding sample locations. According to the Kemron Summary Report, EPD ñused GPS to approximate sample locations, and then incorporated field observations into determining the actual sample location,ò implying that the sample locations were not initially plotted on a map in the field. Since Kemron was also on site during the 2007 sampling, and as it appears that they were reconciling the discrepancies in the different EPD maps, the sample locations depicted by Kemron, and later by Peachtree, are considered more reliable than those in the Georgia EPD internal memorandum. In any event, numerous additional soil samples have been obtained since the 2007 sampling event, and new surface water and sediment samples will be obtained in 2014.

2.3 HORIZONTAL AND VERTICAL SOIL DELINEATION ACTIVITIES

In the April 3, 2014 letter, Georgia EPD concurred that soil and groundwater delineation on the VRP Property is completed in accordance with Item 5.b and 5.c of the VRP Application checklist, and based on the groundwater exemption of Section 12-8-107(g)(2) of the VRP Act.

3.0 CONCEPTUAL SITE MODEL

Groundwater and soil delineation data collected as part of assessment activities were utilized to update the Conceptual Site Model (CSM) of the VRP Property. These data identified areas of fill of varying depths which are likely attributable to grading and leveling of the Property for the construction of buildings and operational areas dating back to pre-1920s. These urban fill areas contain varying concentrations of regulated substances, namely metals and PAHs. Urban fill presents a unique situation where there is not a reasonably defined source area, but rather a widespread matrix of heterogeneous material exhibiting varying degrees of impact by regulated substances.

Elements of the CSM have not changed based on the activities documented in this Sixth Semiannual VRP Progress Report. The CSM will continue to be updated in accordance with the schedule provided in the VRP Application. The next (Seventh) Semiannual VRP Progress Report is due by December 30, 2014.

3.1 SOIL DELINEATION STANDARDS

The following soil delineation criteria apply to the Property:

REGULATED CONSTITUENT	DELINEATION STANDARD (MG/KG)
METALS	
Lead	224*
Arsenic	20
Barium	1,000
Cadmium	2
Chromium	100
Mercury	0.5
VOLATILE ORGANIC COMPOUNDS	
Benzene	0.5
Xylene	1,000

REGULATED CONSTITUENT	DELINEATION STANDARD (MG/KG)
SEMI-VOLATILE ORGANIC COMPOUNDS	
Fluoranthene	500
Phenanthrene	110
Pyrene	500
Acenaphthene	300
Benzo(a)anthracene	5
Benzo(a)pyrene	1.64
Benzo(b)fluoranthene	5
Benzo(k)flouranthene	5
Benzo(g,h,i)perylene	500
Chrysene	5
Indeno(1,2,3-cd)pyrene	5

NOTES:
* Property specific anthropogenic background concentration approved by the Georgia EPD on October 14, 2011. Delineation criteria, unless otherwise noted, is the Type 1 Risk Reduction Standard.

3.2 EXPOSURE PATHWAY EVALUATION

Characteristics of exposure pathways remained relatively consistent with what was described in the May 2011 VRP Application and subsequent Semiannual VRP Progress Reports.

3.3 PRELIMINARY RISK EVALUATION

Peachtree submitted an ecological PRE/SLERA for the VRP Property on March14, 2014. Peachtree has not received formal comments from Georgia EPD on the PRE/SLERA.

As discussed in Section 2.2, since surface water and sediment samples have not been obtained since the Georgia EPDôs August 27, 2007 sampling, samples will be obtained at former location DK-3 (outfall on the south side of Victory Drive) and DK-4 and DK-5 (surface water on the northeastern boundary of the facility). The samples will be obtained in the late autumn of 2014 due to access issues (overgrowth) along the stream. Therefore, the analytical results will be included in the Seventh Semiannual VRP Progress Report due December 30, 2014.

4.0 REMEDIATION PLAN

Between August 2005 and August 2007, Davidson-Kennedy voluntarily implemented assessment and corrective measures at the Property, and removed over 28,000 tons of accessible soil impacted with lead, VOCs, and SVOCs from 13 Excavation Areas, designated A through M. The excavated soil was disposed of at a permitted, off-property Subtitle D landfill. Post-excavation confirmatory sampling consisted of the collection and analysis of over 1,000 soil samples to verify that HSRA NCs were met in the areas where excavation activities had been conducted.

Based upon a Kriging geospatial statistical analysis, approximately 1,200 cubic yards of impacted soils still require removal to bring the VRP Property into compliance with the HSRA Type 3 RRS for lead of 400 mg/kg. In an April 3, 2014 letter, Georgia EPD approved the Kriging analysis.

Peachtree proposes to excavate impacted surficial (0 to 2 feet) soil in the areas identified by the Kriging analysis. Excavated material will be placed directly into transportation vehicles (i.e., dump trucks or trailers) or a roll-off box for off-site disposal. As stated above, the current estimated volume of soil to be excavated is approximately 1,200 cubic yards. However, the extent of excavation of impacted soil will be confirmed through post-excavation verification sampling. The results of the post-excavation verification sampling will be entered into the Kriging model with the excavated soil results removed, and the excavation will continue if warranted based on the model output. The estimated area requiring excavation is illustrated on **Figure 5**.

Confirmation soil samples will be collected along the sidewalls at an approximate rate of one sample for every 20 linear feet of sidewall and at the bottom of the excavation, at an approximate rate of one sample for every 500 square feet.

Lead has been detected at an off-site, residential property in shallow (0 to 2 feet) samples DK-6 andDK-7 at concentrations exceeding residential RRSs. In 2012, Peachtree advanced soil borings OS-1 though OS-4 on the off-site property to delineate the extent of lead previous detected at DK-6 and DK-7. Peachtree will continue to pursue access to the off-site property so that affected soil can be excavated at the same time as the soil excavation on the Property.

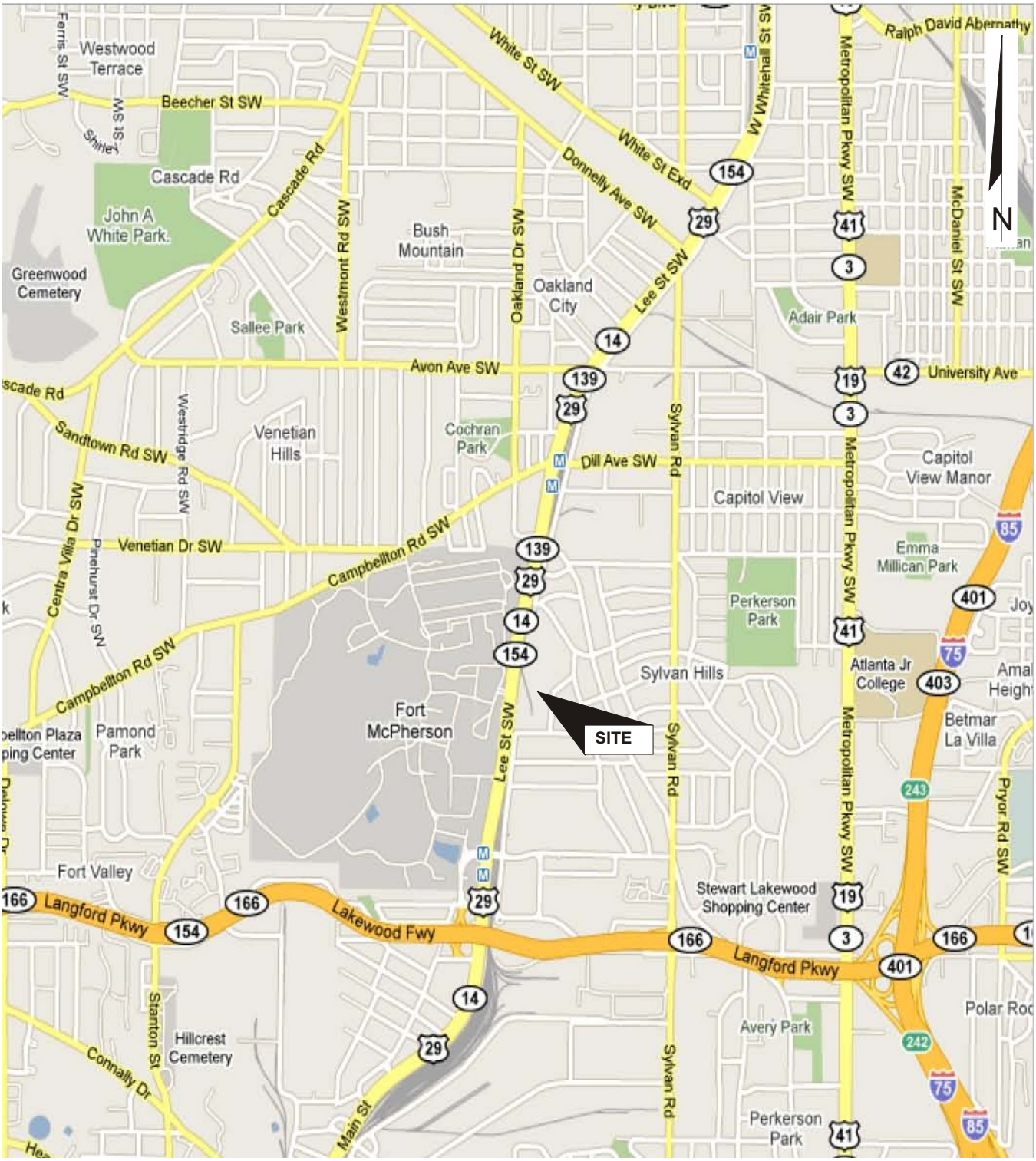
Soil impacted with PAHs above the Type 4 RRS will also be excavated. The default Type 4 RRS for benzo(a)pyrene (BAP) is 7.8 mg/kg, and BAP was detected at a concentration of 44 mg/kg in shallow (0 to 2 feet) soil sample SB-5, obtained by Peachtree in June 2013. Therefore, the soil will be excavated at the SB-5 location to a depth of 2 feet, and sidewall and excavation floor samples will be obtained. Based on the confirmation soil sample results, soil excavation will continue until soil exhibiting concentrations in excess of the Type 4 RRS has been removed.

In August 2007, Georgia EPD detected BAP at a concentration of 13 mg/kg in shallow (0 to 2 feet) sample DK-10, obtained near Excavation Area M, where various SVOCs had previously been detected in soil at concentrations over their respective NCs. BAP had not been detected in 2006 in post-excavation soil sample CM-W33J, obtained from the sidewall of Excavation Area M near the DK-10 location. In June 2013, Peachtree collected shallow (0 to 2 feet) soil sample SB-9 at or near the DK-10 location; neither benzo(a)pyrene nor other PAHs were detected above the laboratory reporting limit in the SB-9 soil sample. As the results of soil samples CM-W33J and SB-9 both indicate that the BAP previously reported at DK-10 is either not present or of extremely limited extent, no soil excavation will be performed at the former DK-10 location.

A cost estimate for implementation of this Remediation Plan and associated activities is provided as **Appendix B**.

A draft Uniform Environmental Covenant (UEC) has been prepared to address a number of items. A copy of the draft UEC is provided as **Appendix C**.

FIGURES



SCALE: 1" = 2,000 FT

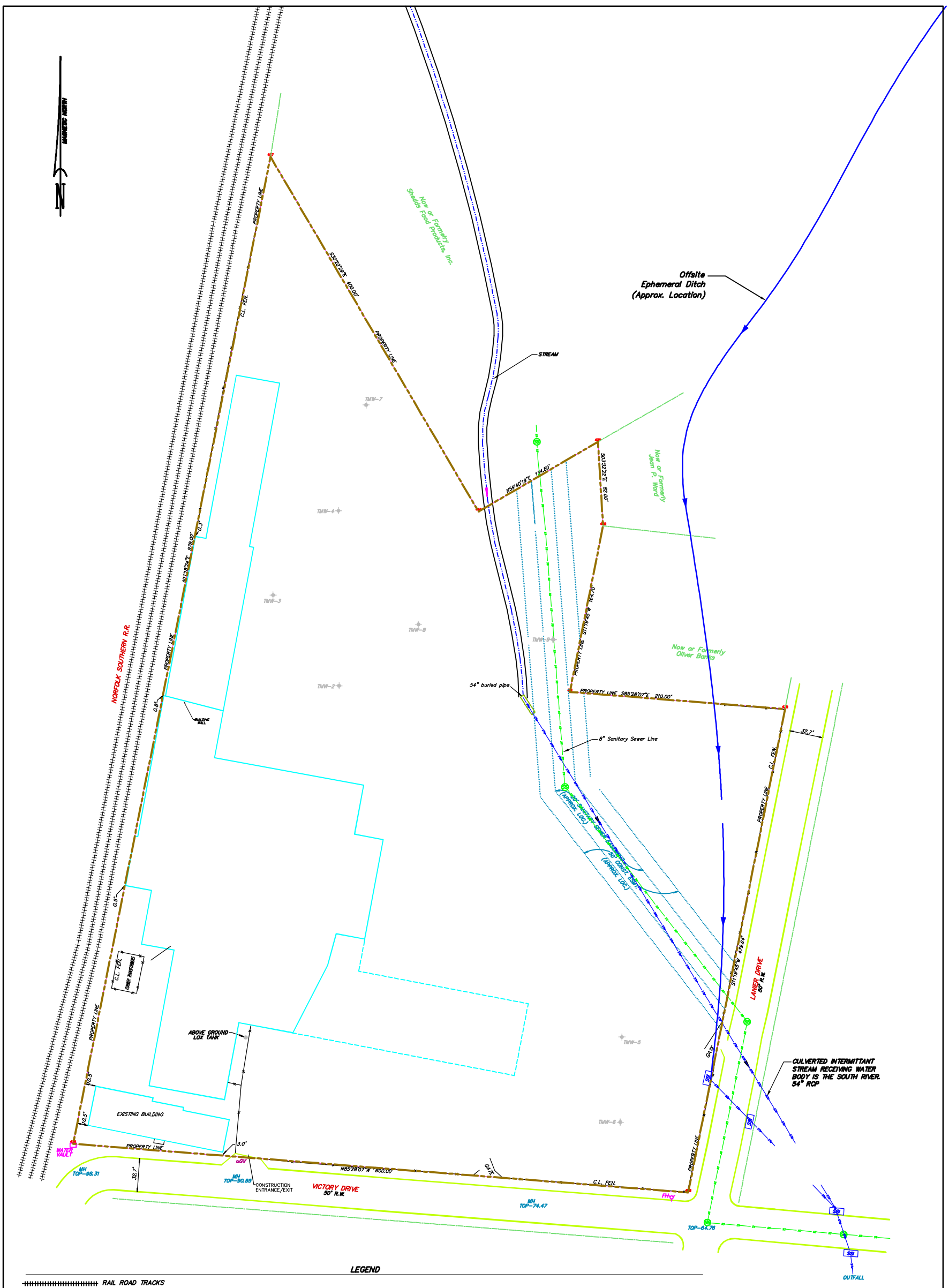
Peachtree Environmental

DAVIDSON-KENNEDY COMPANY
ATLANTA, FULTON COUNTY, GEORGIA
HSI#10866

FIGURE 1
PROPERTY LOCATION MAP

PRELIMINARY ECOLOGICAL RISK ASSESSMENT

QUADRANGLE LOCATION



NOTES

INDENO(1,2,3-cd)PYRENE WAS NOT DETECTED ABOVE THE TYPE 1/3 RRS OF 5.00 MG/KG IN ANY OF THE SAMPLES COLLECTED OUTSIDE OF THE EXCAVATION AREAS. SAMPLES INSIDE THE EXCAVATION ABOVE TYPE 1/3 WERE REMOVED FROM THE SITE.

FIGURE NO. **2**

DAVIDSON-KENNEDY 3185

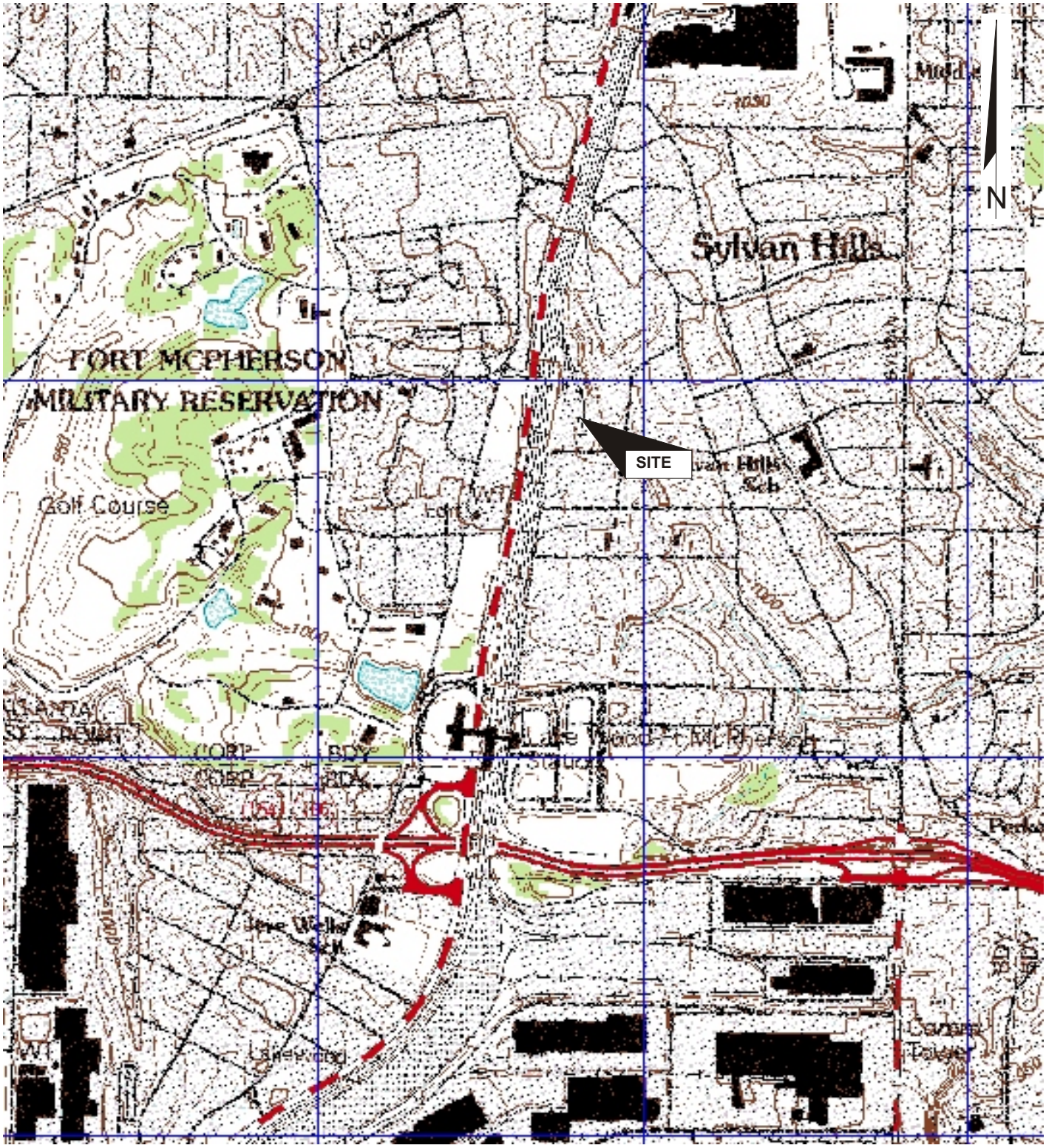
DAVIDSON-KENNEDY COMPANY
1195 VICTORY DRIVE
ATLANTA, GEORGIA

SITE LAYOUT MAP

Peachtree Environmental

REV	DATE	DESCRIPTION	DWN BY	DES BY	CHK BY	APP BY

DATE OF ISSUE 6/6/14 DWN BY KEMRON DES BY MRH CHK BY TAL APP BY CHM



SCALE: 1" = 2,000 FT

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HSI#10866

FIGURE 3
USGS TOPOGRAPHIC MAP

PRELIMINARY ECOLOGICAL RISK ASSESSMENT

QUADRANGLE LOCATION

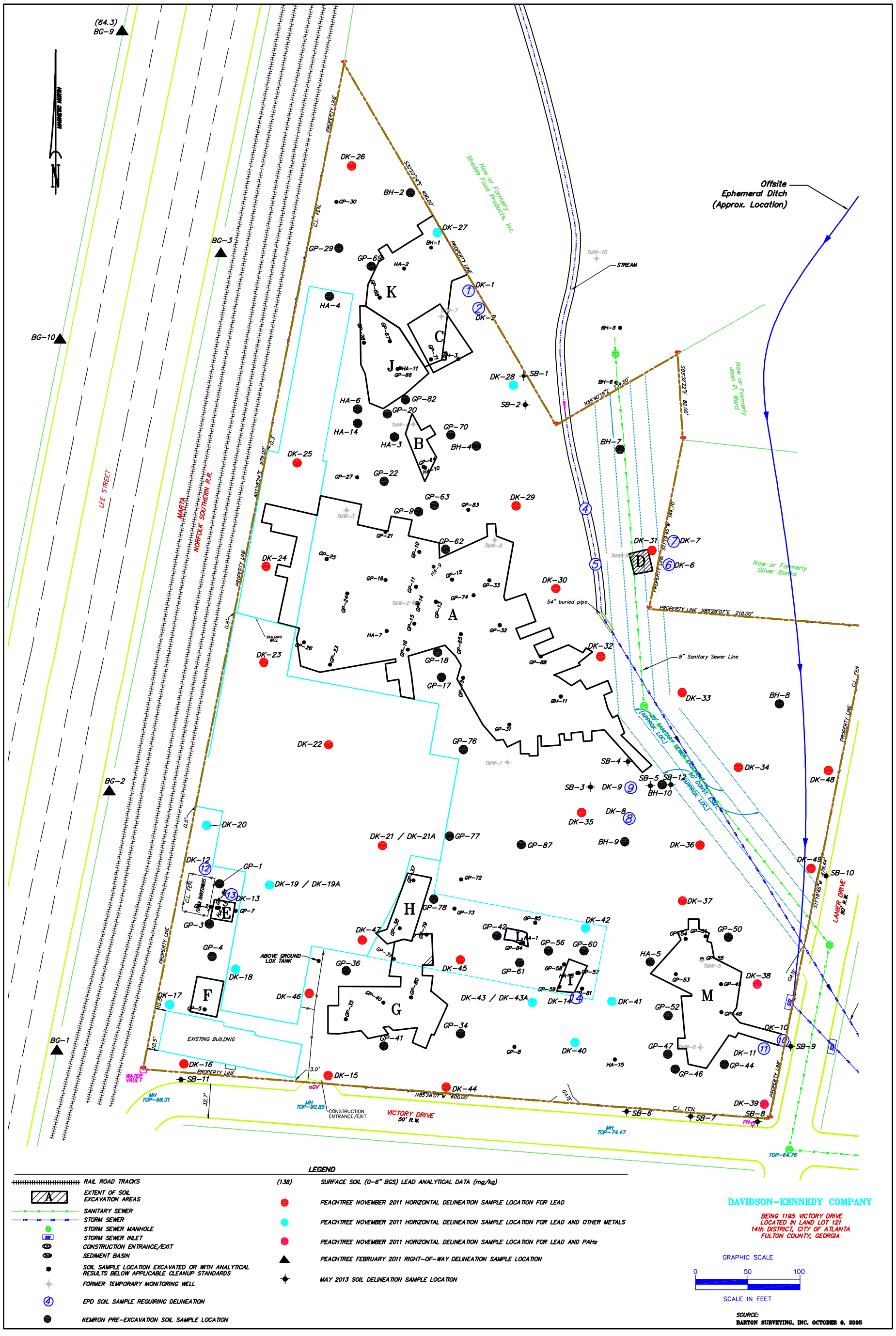

FIGURE NO. **4**

DAVIDSON-KENNEDY 3185

DAVIDSON-KENNEDY COMPANY SITE
1195 VICTORY DRIVE
ATLANTA, GEORGIA

CURRENT AND HISTORIC SOIL SAMPLE LOCATION MAP

Peachtree Environmental

REV	DATE	DESCRIPTION	DWN BY	DES BY	CHK BY	APP BY

DATE OF ISSUE 1/23/14 DWN BY KEMRON DES BY JPC CHK BY TAL APP BY JPM

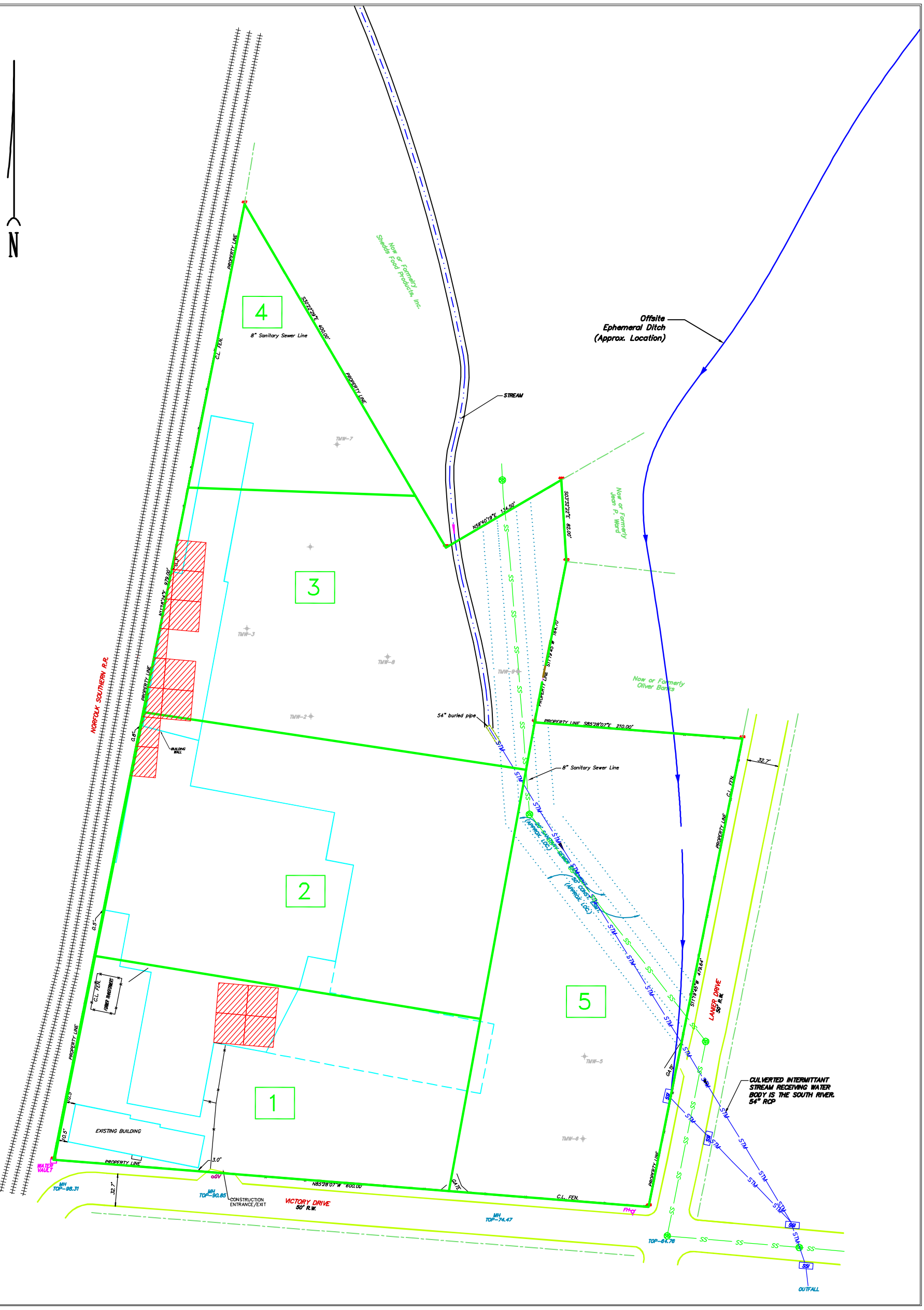

FIGURE NO.	DAVIDSON-KENNEDY COMPANY 1195 VICTORY DRIVE ATLANTA, GEORGIA	Peachtree Environmental
5	SOIL EXCAVATION AREA	
DAVIDSON-KENNEDY 3185		

REV	DATE	DESCRIPTION	DWN BY	DES BY	CHK BY	APP BY

DATE OF ISSUE 6/6/14 DWN BY KEMRON DES BY MRH CHK BY TAL APP BY SAH

APPENDIX A

MONTHLY SUMMARY OF PROFESSIONAL ENGINEER HOURS

THE DAVIDSON-KENNEDY COMPANY PROPERTY
ATLANTA, FULTON COUNTY, GEORGIA
HSI #10866

APPENDIX A

MONTHLY SUMMARY AND DESCRIPTION OF PROFESSIONAL ENGINEER HOURS

Quantity	Units	Time Period + Description of Activities	Hours		
					Subtotal
		January 27 to February 28, 2014			
		Project Management			
4.50	Hours	Project Director (John P. Martiniere, P.E.)			4.50
		March 3 to May 22, 2014			
		Project Management			
9.50	Hours	Project Director (John P. Martiniere, P.E.)			9.50
		May 23 to June 18, 2014			
		Project Management			
12.50	Hours	Project Director (John P. Martiniere, P.E.)			12.50

PE MONTHLY HOURS TOTAL => 26.50

APPENDIX B

REMEDIATION PLAN COST ESTIMATE

TABLE 1
ESTIMATED PROJECT COSTS

Project Name: **Davidson-Kennedy**
Engineers Estimate of Remediation Cost
File No: 3185-503
Date: 06/18/14

Prepared By: JPB
Checked By: SWH/JPM

Quantity	Units	Description	Cost		Subtotal
Task 1		**Oversight of Field Activities, Field XRF Screening, & Confirmation Sampling Analytical Costs - 2 weeks**			
		LABOR		$	16,300.00
		EQUIPMENT/EXPENSES/MATERIALS		$	8,200.00
		SUBCONTRACTORS			
		Analytical Environmental Services, Inc. (AES) - Lab Testing		$	5,268.00
			Subtotal Task 1 =>	**$**	**29,768.00**
Task 2		**Mobilization & Concrete Demolition, Loadout, Hauling and Recycling - 1 Week**			
		LABOR		$	9,625.00
		EQUIPMENT/EXPENSES/MATERIALS		$	6,333.33
		SUBCONTRACTORS		$	10,935.00
			Subtotal Task 2 =>	**$**	**26,893.33**
Task 3		**Mobilization & Site Preparation including ESC, Pb Area Soil Excavation, Hauling and Disposal, Site Restoration - .8 Week**			
		LABOR		$	7,700.00
		EQUIPMENT/EXPENSES/MATERIALS		$	6,862.66
		SUBCONTRACTORS		$	95,287.50
			Subtotal Task 3 =>	**$**	**109,850.16**
Task 4		**Mobilization & Site Preparation including ESC, PAH Area Soil Excavation, Hauling and Disposal, Site Restoration - .2 Week**			
		LABOR		$	1,925.00
		EQUIPMENT/EXPENSES/MATERIALS		$	1,715.67
		SUBCONTRACTORS		$	12,568.90
			Subtotal Task 4 =>	**$**	**16,209.57**
			SUBTOTAL ESTIMATED PROJECT COST =>	**$**	**182,721.06**
			Contingency on Tasks 2 , 3, & 4 10%	**$**	**15,295.31**
			TOTAL ESTIMATED PROJECT COST INCLUDING CONTINGENCY=>	**$**	**198,016.37**

APPENDIX C

UNIFORM ENVIRONMENTAL COVENANT

After Recording Return to:

Georgia Environmental Protection Division
Response and Remediation Program
2 Martin Luther King, Jr. Drive, SE
Suite 1462 East
Atlanta, Georgia 30334

Environmental Covenant

This instrument is an Environmental Covenant executed pursuant to the Georgia Uniform Environmental Covenants Act, OCGA § 44-16-1, *et seq.* This Environmental Covenant subjects the Property identified below to the activity and/or use limitations specified in this document. 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).

Fee Owner of Property/Grantor: Davidson-Kennedy Company
5723 Redfield Road
Dunwoody, Georgia 30338

Grantee/Holder: Davidson-Kennedy Company

Grantee/Entity with express power to enforce: State of Georgia
Department of Natural Resources
Environmental Protection Division
2 Martin Luther King Jr. Drive, SE
Suite 1152 East Tower
Atlanta, GA 30334

Property:

The property subject to this Environmental Covenant is the Davidson Kennedy Company property (hereinafter ñPropertyò), located on 1195 Victory Drive in Atlanta, Fulton County, Georgia. This tract of land was conveyed on July 6, 1979 from Florida Steel Corporation to Davidson-Kennedy Company recorded in Deed Book 7292, Page 138 of the Fulton County Records. The area is located in Land Lot 121 of the 14th District of Fulton County, Georgia. The property is approximately 9.17 acres. A complete legal description of the area is attached as Exhibit A and a map of the area is attached as Exhibit B.

Tax Parcel Number(s):

14-0121-0007-002-4 Fulton County, Georgia

Name and Location of Administrative Records:

The corrective action at the Property that is the subject of this Environmental Covenant is described in the following document[s]:

- VRP Application, dated May 24, 2010

- Letter dated June 30, 2011 from Georgia Environmental Protection Division to Davidson-Kennedy Company, accepting site into Voluntary Remediation Program
- Letter dated June 30, 2011 from Georgia Environmental Protection Division to Davidson-Kennedy Company, commenting on Voluntary Remediation Program Application
- December 2013 Fifth Semi-Annual Progress Report for the Davidson-Kennedy Company Facility
- Letter dated April 3, 2014, 2011 from Georgia Environmental Protection Division to Davidson-Kennedy Company, commenting on Fourth and Fifth Semi-Annual Reports
- Sixth Semiannual VRP Progress Report for the Davidson-Kennedy Company Facility, dated June 2014, including Corrective Action Plan

These and other pertinent documents are available at the following locations:

Georgia Environmental Protection Division
Response and Remediation Program
2 MLK Jr. Drive, SE, Suite 1462 East Tower
Atlanta, GA 30334
M-F 8:00 AM to 4:30 PM excluding state holidays

Description of Contamination and Corrective Action:

This Property has been listed on the state's hazardous site inventory and has been designated as needing corrective action due to the presence of hazardous wastes, hazardous constituents, or hazardous substances regulated under state law. Contact the property owner or the Georgia Environmental Protection Division for further information concerning this Property. This notice is provided in compliance with the Georgia Hazardous Site Response Act.

This Declaration of Covenant is made pursuant to the Georgia Uniform Environmental Covenants Act, O.C.G.A. § 44-16-1 *et seq*. by Davidson-Kennedy Company, its successors and assigns, and the State of Georgia, Department of Natural Resources, Environmental Protection Division (hereinafter ñEPDò), its successors and assigns. This Environmental Covenant is required because lead, arsenic, barium, cadmium, chromium, mercury, benzene, xylene, flouranthene, pyrene, acenaphthene, anthracene, benzo(a)anthracene, benzo(a)pyrene, naphthalene, 4-methylphenol, phenanthrene, benzo(b)flouranthene, benzo(k)flouranthene, benzo(g,h,i)perlyene, chrysene, indeno(1,2,3-de)pyrene, toluene, ethylbenzene, 1,2-dicloroethane, and tetrachloroethene, was released, was deposited on, or migrated to the Property. These substances are ñregulated substancesò as defined under the Georgia Hazardous Site Response Act, O.C.G.A. § 12-8-90 *et seq*., and the rules promulgated thereunder (hereinafter ñHSRAò and ñRulesò, respectively). The Corrective Action consists of the excavation of contaminated soils and activity and use limitations designed to protect human health and the environment.

Grantor hereby binds Grantor, its successors and assigns to the activity and use restriction(s) for the Property identified herein and grants such other rights under this Environmental Covenant in favor of EPD. EPD shall have full right of enforcement of the rights conveyed under this Environmental Covenant pursuant to HSRA, O.C.G.A. § 12-8-90 *et seq*., and the rules promulgated thereunder. Failure to timely enforce compliance with this Environmental Covenant or the use or activity limitations contained herein by any person shall not bar subsequent enforcement by such person and shall not be deemed a waiver of the personôs right to take action to enforce any non-compliance. Nothing in this Environmental Covenant shall restrict EPD from excising any authority under applicable law.

Grantor makes the following declaration as to limitations, restrictions, and uses 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 (hereinafter "Owner"). 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).

The Environmental Covenant shall inure to the benefit of EPD, Davidson-Kennedy Company and their respective successors and assigns and shall be enforceable by the Director or his agents or assigns, Davidson-Kennedy Company 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.

Activity and/or Use Limitation(s)

1. Registry. Pursuant to O.C.G.A. § 44-16-12, this Environmental Covenant and any amendment or termination thereof, may be contained in EPDôs registry for environmental covenants.

2. Notice. The Owner of the Property must give thirty (30) day advance written notice to EPD of the Owner's intent to convey any interest in the Property. No conveyance of title, easement, lease, or other interest in the Property shall be consummated by the Owner without adequate and complete provision for continued monitoring, operation, and maintenance of the Corrective Action. The Owner of the Property must also give thirty (30) day advance written notice to EPD of the Owner's intent to change the use of the Property, apply for building permit(s), or propose any site work that would affect the Property.

3. 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 limitations set forth in this Environmental Covenant and shall provide the recorded location of the Environmental Covenant.

4. Monitoring and Maintenance. Annually, by not later than June 1, 2015 following the effective date of this Environmental Covenant, the then current Owner shall inspect the banks of the intermittent stream that runs through the Property, as well as the banks of the same stream that runs through property adjacent and to the north, assuming Owner has access to that property.

5. Activity and Use Limitation(s).

   (a) The Property shall be used only for non-residential uses, as defined in Section 391-3-19-.02 of the Rules and defined in and allowed under the Fulton County's zoning regulations as of the date of this Environmental Covenant. Any residential use on the Property shall be prohibited.

   (b) In establishing compliance with non-residential cleanup standards on the Property, representative exposure concentrations of constituents of concern in soil were calculated across soil exposure domains, as set forth in O.C.G.A. § 12-8-108(3). A figure showing the soil exposure domains is attached as Exhibit C. Although the Property is, on average, in compliance with non-residential risk reduction standards as defined in Section 391-3-19-.07 of the Rules, there may be individual points on the Property where hazardous substances are present at levels above non-residential risk reduction standards. Accordingly, any work on the property where sub-surface soils are to be disturbed, including excavation, construction, utility installation or maintenance, shall be performed by informed and properly trained personnel using appropriate personal protection equipment in accordance with rules established by the federal Occupational Safety and Health Administration. Further, soil generated at the Property shall be managed in accordance with all

applicable local, state and federal rules and regulations governing the management of such material. If future use of the Property changes such that it is inconsistent with the exposure domains set forth on Exhibit C, EPD may require that the Owner re-calculate the representative exposure domains to determine whether each domain remains in compliance with applicable risk reduction standards.

6. Periodic Reporting. Annually, by no later than June 1, 2015 following the effective date of this Environmental Covenant, the then current Owner shall submit to EPD an Annual Report stating whether or not the activity and use limitations in this Environmental Covenant are being abided by, and reporting the results of the annual inspection required in paragraph 4.

7. Groundwater Limitation. The use or extraction of groundwater beneath the Property for drinking water or for any other non-remedial purposes shall be prohibited, unless specifically approved by EPD.

8. Permanent Markers. A permanent markers the Property shall be installed and maintained that delineate the restricted area as specified in Section 391-3-19-.07(10) of the Rules. Disturbance or removal of such markers is prohibited, unless and until the Property is removed from the Hazardous Site Inventory.

9. Right of Access. In addition to any rights already possessed by EPD, the Owner shall allow authorized representatives of EPD the right to enter the Property at reasonable times for the purpose of evaluating the Corrective Action; to take samples, to inspect the Corrective Action conducted at the Property, to determine compliance with this Environmental Covenant, and to inspect records that are related to the Corrective Action.

10. Recording of Environmental Covenant and Proof of Notification. Within thirty (30) days after the date of the Directorôs signature, the Owner shall file this Environmental Covenant with the Recorders of Deeds for each County in which the Property is located, and send a file stamped copy of this Environmental Covenant to EPD within thirty (30) days of recording. Within that time period, the Owner shall also send a file-stamped copy to each of the following: (1) each person holding a recorded interest in the Property subject to the covenant; (2) each person in possession of the real property subject to the covenant; (3) each municipality, county, consolidated government, or other unit of local government in which real property subject to the covenant is located; and (4) each owner in fee simple whose property abuts the property subject to the Environmental Covenant.

11. Termination or Modification. The Environmental Covenant shall remain in full force and effect in accordance with O.C.G.A. § 44-5-60, unless and until the Director determines that the Property is in compliance with the Type 1, 2, 3, or 4 Risk Reduction Standards, as defined in Georgia Rules of Hazardous Site Response (Rules) Section 391-3-19-.07 and removes the Property from the Hazardous Site Inventory, whereupon the Environmental Covenant may be amended or revoked in accordance with Section 391-3-19-08(7) of the Rules and O.C.G.A. § 44-16-1 *et seq*.

12. 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.

13. No Property Interest Created in EPD. This Environmental Covenant does not in any way create any interest by EPD in the Property that is subject to the Environmental Covenant. Furthermore, the act of approving this Environmental Covenant does not in any way create any interest by EPD in the Property in accordance with O.C.G.A. § 44-16-3(b).

Representations and Warranties.

Grantor hereby represents and warrants to the other signatories hereto:

a) 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;
b) That the Grantor is the sole owner of the Property and holds fee simple title which is free, clear and unencumbered;
c) That the Grantor has identified all other parties that hold any interest (e.g., encumbrance) in the Property and notified such parties of the Grantorôs intention to enter into this Environmental Covenant;
d) That this Environmental Covenant will not materially violate, contravene, or constitute a material default under any other agreement, document or instrument to which Grantor is a party, by which Grantor may be bound or affected;
e) That the Grantor has served each of the people or entities referenced in Activity 10 above with an identical copy of this Environmental Covenant in accordance with O.C.G.A. § 44-16-4(d).
f) That this Environmental Covenant will not materially violate or contravene any zoning law or other law regulating use of the Property; and
g) That this Environmental Covenant does not authorize a use of the Property that is otherwise prohibited by a recorded instrument that has priority over the Environmental Covenant.

Notices.

Any document or communication required to be sent pursuant to the terms of this Environmental Covenant shall be sent to the following persons:

Georgia Environmental Protection Division
Branch Chief
Land Protection Branch
2 Martin Luther King Jr. Drive SE
Suite 1154 East Tower
Atlanta, GA 30334

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

DAVIDSON-KENNEDY COMPANY

_____
[Name of Signatory]
[Title]

Dated: _____

STATE OF GEORGIA
ENVIRONMENTAL PROTECTION DIVISION

_____

[Name of Person Acknowledging Receipt]
[Title]

Dated: _____

[INDIVIDUAL ACKNOWLEDGMENT]

STATE OF _____
COUNTY OF _____

On this _____ day of _____, 20__, I certify that _____ personally appeared before me, and acknowledged that **he/she** is the individual described herein and who executed the within and foregoing instrument and signed the same at **his/her** free and voluntary act and deed for the uses and purposes therein mentioned.

_____
Notary Public in and for the State of
Georgia, residing at _____.
My appointment expires_____.

[CORPORATE ACKNOWLEDGMENT]

STATE OF _____
COUNTY OF _____

On this _____ day of _____, 20__, I certify that _____ personally appeared before me, acknowledged that **he/she** is the _____ of the corporation that executed the within and foregoing instrument, and signed said instrument by free and voluntary act and deed of said corporation, for the uses and purposes therein mentioned, and on oath stated that **he/she** was authorized to execute said instrument for said corporation.

_____
Notary Public in and for the State of
Georgia, residing at _____.
My appointment expires_____.

[REPRESENTATIVE ACKNOWLEDGEMENT]

STATE OF _____
COUNTY OF _____

On this _____ day of _____, 20__, I certify that _____ personally appeared before me, acknowledged that **he/she** signed this instrument, on oath stated that **he/she** was authorized to execute this instrument, and acknowledged it as the _____ [type of authority] of _____ [name of party being represented] to be the free and voluntary act and deed of such party for the uses and purposes mentioned in the instrument.

_____
Notary Public in and for the State of
Georgia, residing at _____.
My appointment expires _____.

Exhibit A
Legal Description

Exhibit B
Area Map

Exhibit C
Exposure Domain Figure