



EarthCon Consultants, Inc.
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Marietta, Georgia 30062

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www.earthcon.com

October 8, 2018

VIA OVERNIGHT MAIL and E-MAIL

Mr. David Hayes
Unit Coordinator
Response and Remediation Program
Georgia Department of Natural Resources
Environmental Protection Division
2 Martin Luther King, Jr. Drive, SE, Suite 1054 East
Atlanta, Georgia 30334

Subject: **Response to EPD's August 8, 2018 Comment Letter on First VIRP Progress Report and Response to (EPD) Comment Letter dated October 5, 2017**
SECHEM, Inc. – HSI Site # 10515
4580 South Berkeley Lake Road
Norcross, Gwinnett County, Georgia

Dear Mr. Metzger:

On behalf of our client SECHEM, INC. (SECHEM), EarthCon Consultants, Inc. (EarthCon), is pleased to provide a response to the Georgia Environmental Protection Division (EPD) August 8, 2018 comments on the First VIRP Progress Report dated April 5, 2018 and Response to (EPD) Comment Letter dated October 5, 2017. EPD's comments and our responses are as follows:

Progress Report #1

EPD Comment 1:

EPD notes that a potentiometric surface map was only generated for the September 2017 event. For future progress reports potentiometric surface maps should be generated for each semi-annual groundwater monitoring event.

SECHEM Response:

Future progress reports will include a potentiometric surface map for each sampling event.

EPD Comment 2:

As listed in Table 5, various concentrations of constituents of concern are present in surface water samples that exceed the Georgia In-Stream Water Quality Standards (GA IWQS). Please describe how concentrations in surface water will be reduced to below the GA IWQS.

SECHEM Response:

A plan to reduce the concentrations of constituents of concern above the GA IWQS in surface water will be addressed in the remediation plan due to EPD, in accordance with the Projected Milestone Schedule, by April 25, 2020.

Response to Comment Letter dated October 5, 2017

The EPD has reviewed SECHEM's responses to the EPD comment letter and has no additional comments. However, the EPD is awaiting updates on the following:

EPD Comment i:

Updates regarding contact to US FWS to verify fauna or flora in the area, intermittent stream aquatic life, and reexamining the intermittent stream to determine if conditions have changed since the assessment that was presented in the 2000 CSR.

SECHEM Response i:

A letter from the US Fish and Wildlife Service, dated March 28, 2018, that updates the flora and fauna and aquatic life in the area is included as Attachment #1.

EPD Comment ii and iii:

Evaluation of the soil, groundwater and vapor intrusion exposure pathways, and an ecological risk assessment for surface water and sediments; and a description of soil will be brought into compliance with applicable risk reduction standards.

SECHEM Response ii and iii:

These items will be addressed in the remediation plan due to EPD, in accordance with the Projected Milestone Schedule, by April 25, 2020.

In addition to these responses, EPD had the following comment in their October 5, 2017 letter:

EPD Additional Comment:

In the interim since the VIRP application was submitted, there appear to have been changes to tax parcel 6269 011 and tax parcel 6269 004. Please verify the changes and update Appendix A of the VIRP application, accordingly. Warranty deeds and tax parcel maps are needed for all qualifying properties.

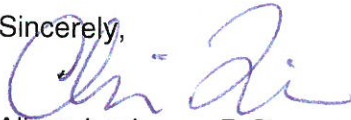
SECHEM Response to Additional Comment:

An updated tax parcel map and warranty deed for tax parcel 6269 004 is provided in Attachment #2. An extensive review was made, including a visit to the Gwinnett County Courthouse, to locate updated information for tax parcel 6269 011, but the warranty deed for that parcel (6269 011) has not been updated in the courthouse files.

It has come to our attention that tax parcel 6269 011 was sold in August or September 2018. We will provide EPD with an updated warranty deed once those documents become available. At that time, we will also provide EPD with an updated Appendix A to the VIRP application.

If you have any questions or comments regarding these responses, please feel free to contact the undersigned at (770) 973-2100.

Sincerely,



Alison Levinson, P.G.
Senior Geologist



Carol D. Northern, P.G.
Principal Geologist

Attachments:

Attachment #1- U.S. Fish and Wildlife Letter

Attachment #2- Revised Tax Parcel Map and Warranty Deed for Tax Parcel 6269 004

cc: Ms. Susan Kibler, GA EPD
Ms. Rachel L. Odzer, SECHEM
Mr. Stephen P. Holt, P.E., SECHEM

ATTACHMENT #1

U.S. Fish and Wildlife Service Letter



United States Department of the Interior



FISH AND WILDLIFE SERVICE
Georgia Ecological Services Field Office
105 Westpark Drive
Westpark Center Suite D
Athens, GA 30606-3175
Phone: (706) 613-9493 Fax: (706) 613-6059

In Reply Refer To:

March 28, 2018

Consultation Code: 04EG1000-2018-SLI-1444

Event Code: 04EG1000-2018-E-02187

Project Name: SECHEM

Subject: List of threatened and endangered species that may occur in your proposed project location, and/or may be affected by your proposed project

To Whom It May Concern:

This list identifies threatened, endangered, proposed and candidate species, as well as critical habitat, that may be affected by your proposed project. This list may change before your project is completed. Under 50 CFR 402.12(e) of the regulations implementing section 7 of the Act, the accuracy of this list should be verified after 90 days. The Service recommends that verification be completed by visiting the ECOS-IPaC website at regular intervals during project planning and implementation.

Bald and golden eagles are protected under the Bald and Golden Eagle Protection Act (16 U.S.C. 668 *et seq.*). Projects affecting these species may require development of an eagle conservation plan (http://www.fws.gov/windenergy/eagle_guidance.html).

Wind energy projects should follow the wind energy guidelines <http://www.fws.gov/windenergy/> for minimizing impacts to migratory birds and bats.

Guidance for minimizing impacts of communication towers on migratory birds can be found under the "Bird Hazards" tab at: www.fws.gov/migratorybirds.

Attachment(s):

- Official Species List

Official Species List

This list is provided pursuant to Section 7 of the Endangered Species Act, and fulfills the requirement for Federal agencies to "request of the Secretary of the Interior information whether any species which is listed or proposed to be listed may be present in the area of a proposed action".

This species list is provided by:

Georgia Ecological Services Field Office

105 Westpark Drive

Westpark Center Suite D

Athens, GA 30606-3175

(706) 613-9493

Project Summary

Consultation Code: 04EG1000-2018-SLI-1444

Event Code: 04EG1000-2018-E-02187

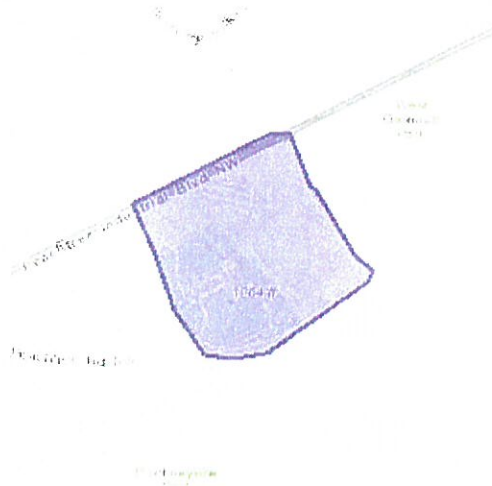
Project Name: SECHEM

Project Type: SPILL / RELEASE

Project Description: Georgia EPD has requested, as part of the Voluntary Remediation Program requirements, that we update an ecological receptor study performed in 2000. The only body of water located in the area of interest is an intermittent stream.

Project Location:

Approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/place/33.96983486498628N84.18537756133446W>



Counties: Gwinnett, GA

Endangered Species Act Species

There is a total of 0 threatened, endangered, or candidate species on this species list.

Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species.

IPaC does not display listed species or critical habitats under the sole jurisdiction of NOAA Fisheries¹, as USFWS does not have the authority to speak on behalf of NOAA and the Department of Commerce.

See the "Critical habitats" section below for those critical habitats that lie wholly or partially within your project area under this office's jurisdiction. Please contact the designated FWS office if you have questions.

-
1. NOAA Fisheries, also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

Critical habitats

THERE ARE NO CRITICAL HABITATS WITHIN YOUR PROJECT AREA UNDER THIS OFFICE'S JURISDICTION.

ATTACHMENT #2

Revised Tax Parcel Map

Revised Warranty Deed for Tax Parcel 6269 004

GWINNETT COUNTY AERIAL PHOTOGRAPH



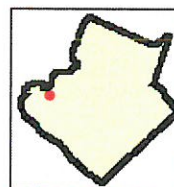
Legend

- Land Parcels
- Landlots



0 55 110 220 Feet

This map is a graphical representation of data collected from aerial photography, recorded deeds, platting and engineering drawings and other public records based data. Gwinnett County does not warrant the accuracy or currency of the data. It is provided as is, with all faults, without warranty of any kind, either expressed or implied, including but not limited to the implied warranties of merchantability or fitness for a particular purpose. The map is the property of Gwinnett County and its use is limited to Gwinnett County's use for planning and development purposes. Gwinnett County is not liable for damages, including any loss of profits, loss of data or other damages, arising out of the use of or reliance on this map.



LOCATION MAP



Gwinnett

Map Produced by Gwinnett County GIS
Data of Photography January 2015
Georgia State Plane Coordinate System
GA West Zone
North American Datum 1983

Type: DEED Book: 54913 Page: 00477

MARCUS A. ROSIN, P.C.
327 DAHLONEGA ST. #102A
CUMMING, GA 30040

RETURN TO:
ANGIE M. & PAUL S. BAGLEY
5055 SHADBURN RD.
CUMMING, GA 30041

State of Georgia
County of FORSYTH

BK54913 PG0477

PT-61 # 107-2017-002511
GWINNETT CO. GEORGIA
REAL ESTATE TRANSFER TAX
\$ NONE
RICHARD T. ALEXANDER, JR. CLERK OF
SUPERIOR COURT

FILED AND RECORDED
CLERK SUPERIOR COURT
GWINNETT COUNTY GA

17 FEB -6 AM 8:00

RICHARD ALEXANDER, CLERK

WARRANTY DEED

DEED PREPARATION ONLY / NO TITLE EXAMINATION PERFORMED

This Indenture made this 1st day of February, 2017, between **CHRISTA & JERAMEY'S WORLD II, LLC**, as party or parties of the first part, hereinafter called Grantor, and **COVEY RISE FARM, LLC**, as party or parties of the second part, hereinafter called Grantee (the words "Grantor" and "Grantee" to include their respective heirs, successors and assigns where the context requires or permits).

WITNESSETH: That the said GRANTOR, for and in consideration of the sum of Ten and No/100 DOLLARS, in hand paid at and before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged has granted, bargained, sold and conveyed and by these presents do grant, bargain, sell and convey unto the said GRANTEE the following described property:

SEE EXHIBIT "A" ATTACHED HERETO AND INCORPORATED HEREIN.

SUBJECT TO ALL MATTERS OF RECORD.

TO HAVE AND TO HOLD the said tract or parcel of land, with all and singular the rights, members and appurtenances thereof, to the same being, belonging, or in any wise appertaining to, the only proper use, benefit and behoof of the said GRANTEE forever **IN FEE SIMPLE**.

AND THE SAID Grantor will warrant and forever defend the right and title to the above described property unto the said Grantee against the claims of all persons whomsoever.

IN WITNESS WHEREOF, the Grantor has signed and sealed this deed, the day and year above written.

Signed, sealed and delivered in the presence of:

Unofficial Witness

Notary Public

Unofficial Witness

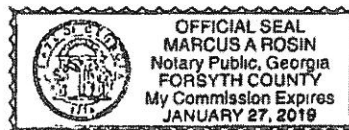
Notary Public



OFFICIAL SEAL
MARCUS A. ROSIN
Notary Public, Georgia
FORSYTH COUNTY
My Commission Expires
JANUARY 27, 2019

PAUL S. BAGLEY, MEMBER

0011621



12

Type: DEED Book: 54913 Page: 00478

BK54913 PG0478

EXHIBIT "A"

Legal Description

TRACT 1

All of that tract or parcel of land lying and being in land lot 269 of the 6th district of Gwinnett County, Georgia being more particularly described as follows.

Commencing at the centerline intersection of Old Peachtree Road and South Berkeley Lake Road, thence southwesterly along the centerline of Old Peachtree Road a distance of 558.77 feet to a point, thence North 29 degrees 24 minutes 43 seconds West a distance of 30.08 feet to a crimp top pin set on the northwest right of way of Old Peachtree Road (60' R/W), said crimp top pin being the True Point of Beginning

THENCE South 56 degrees 23 minutes 09 seconds West for a distance of 339.20 feet to a point on the northwest right of way of Old Peachtree Road (60' R/W),

THENCE North 33 degrees 42 minutes 33 seconds West for a distance of 519.30 feet to a re-bar found in the centerline of a creek,

THENCE northwesterly along the centerline of said creek for a distance of 70.72 feet, more or less, being subtended by a chord of North 55 degrees 06 minutes 02 seconds West for a distance of 67.95 feet to a re-bar found in the centerline of said creek,

THENCE South 84 degrees 41 minutes 32 seconds East for a distance of 167.80 feet to a nail found in a concrete pad;

THENCE North 43 degrees 13 minutes 41 seconds East for a distance of 281.56 feet to a re-bar found,

THENCE South 29 degrees 24 minutes 43 seconds East for a distance of 542.65 feet to a crimp top pin set on the northwest right of way of Old Peachtree Road (60' R/W), said crimp top pin being the True Point of Beginning

Together with and subject to covenants, easements, and restrictions of record

Said property contains 4.226 acres more or less.

And

TRACT 2

All of that tract or parcel of land lying and being in land lot 269 of the 6th district of Gwinnett County, Georgia being more particularly described as follows

Commencing at the centerline intersection of Old Peachtree Road and South Berkeley Lake Road, thence southwesterly along the centerline of Old Peachtree Road a distance of 558.77 feet to a point; thence North 29 degrees 24 minutes 43 seconds West a distance of 30.08 feet to a crimp top pin set on the northwest right of way of Old Peachtree Road (60' R/W), thence North 29 degrees 24 minutes 43 seconds West for a distance of 542.65 feet to a re-bar found being the True Point of Beginning:

THENCE North 43 degrees 13 minutes 41 seconds East for a distance of 0.79 feet to a point;

THENCE South 28 degrees 45 minutes 43 seconds East for a distance of 47.57 feet to a pipe found,

THENCE South 58 degrees 30 minutes 04 seconds West for a distance of 0.21 feet to a point;

THENCE North 29 degrees 24 minutes 43 seconds West for a distance of 47.34 feet to a re-bar found being the True Point of Beginning:

Together with and subject to covenants, easements, and restrictions of record

Said property contains 23 square feet more or less

<http://search.gsocca.org/imaging/rimlviewer.aspx?id=2409900&key1=139&key2=127&county=07&countyname=UnionCounty&userid=390367&appi...> 1/1