



NL INDUSTRIES, INC.
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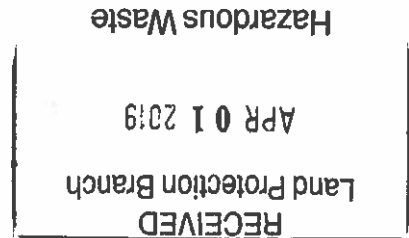
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VIA EMAIL and USPS Certified Mail 7007 2680 9549 4054

March 22, 2018



Mr. David Hayes
Unit Coordinator
Response and Remediation Program
Land Protection Branch
2 Martin Luther King, Jr. Drive
Suite 1054, East Tower
Atlanta, Georgia 30334

Re: Voluntary Remediation Program Semi-Annual Progress Report
National Smelting and Refining Site
Atlanta, Fulton County, Georgia
HSI Site No. 10732

Dear Mr. Hayes:

NL Industries, Inc. (NL) is pleased to provide this Voluntary Remediation Program (VRP) Semi-Annual Progress Report on behalf of both NL and Norfolk Southern Corporation (NS) regarding historical soil and groundwater impacts at the National Smelting and Refining Site, located at 400 and 430 Bishop Street NW in Atlanta, Fulton County, Georgia (the Site). This letter report primarily addresses questions posed in Georgia Environmental Protection Division (GA EPD), Response and Remediation Program correspondence, dated September 24, 2018.

GA EPD Comments

- C1. Although the Norfolk Southern property (Tax Parcel ID: 17 0148 LL0099) is listed in the application as a qualifying property, it is not clear if Norfolk Southern has granted permission to perform corrective action under the VRP in accordance with §12-8-106(1) of the VRP Act. EPD also understands that soil on the Norfolk Southern**

property is not currently being addressed under the approved Brownfield Prospective Purchaser Corrective Action Plan (PPCAP). Please indicate in the first progress report if the Norfolk Southern property will be addressed under the VRP or under the Hazardous Site Response Act (HSRA).

- R1. The EPD-approved VRP Application for the Site did not include confirmation of NS permission to perform corrective action under the VRP at the NS property (Tax Parcel ID: 17 0148 LL0099). To date, NS has not granted permission to perform corrective action under the VRP at the subject parcel; however, correspondence between NL and NS is ongoing regarding this matter.
- C2. In addition to Tax Parcel ID: 17 0148 LL0099, there are other properties that are identified as part of Hazardous Site Inventory No. 10732 (the Site) that are not currently included as qualifying properties under the VRP and are not being addressed under a Brownfield PPCAP. Properties identified as part of the Site are listed in the HSI Site Summary Sheet (enclosed). Please indicate in the first progress report if these other properties will be addressed under the VRP or HSRA.**
- R2. NL has not yet determined which additional parcels currently listed in the HSI, and not covered by the Brownfield PPCAP, may be added as qualifying properties under the VRP. Once a determination is made regarding the regulatory approach for the NS parcel (VRP versus HSRA), a similar evaluation will be completed for remaining listed parcels as part of the site wide plan to achieve delisting of all parcels from the HSI.
- C3. The first progress report must include a Corrective Action Plan (CAP) to address soil or a Compliance Status Report demonstrating soil compliance with Risk Reduction Standards (RRS) for any properties enrolled in the VRP where soil is not being addressed under a Brownfield PPCAP. For any properties that are part of the Site and are not being addressed under the VRP, a CAP to address soil and groundwater or a CSR demonstrating soil and groundwater compliance with RRS under HSRA must be submitted with the first progress report. Any CAP or CSR will need to address the applicable comments in the EPD letter dated January 19, 2018.**
- R3. NL has not yet determined which additional parcels currently listed in the HSI, and not covered by the Brownfield PPCAP, may be added as qualifying properties under the VRP. Once a determination is made regarding the regulatory approach for the NS and other parcels (VRP versus HSRA), a CAP or CSR will be developed and submitted to EPD for review/comment/approval.

Mr. David Hayes
GA EPD, Land Protection Branch
March 22, 2019
Page 3

Again, NL appreciates GA EPD's continued interest in moving this site toward closure and we thank you for your assistance in facilitating the process. Should you have any questions or require any additional information, please do not hesitate to contact me at 972.450.4282, or via electronic mail at swalker@valhi.net.

Sincerely,



Shannon S. Walker, PE
Environmental Manager

SSW/jl

c: Steven Aufdenkampe, Norfolk Southern Corporation (via email)
Giselle M. Beaulieu, WSP (via email)
Todd Silliman, on behalf of SAFStor Inc. (via email)