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## ENVIRONMENTAL PROTECTION DIVISION

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**Richard E. Dunn, Director**

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**Land Protection Branch**

2 Martin Luther King, Jr. Drive  
Suite 1054, East Tower  
Atlanta, Georgia 30334  
404-657-8600

October 27, 2022

Mr. Daniel F. Dooley  
c/o Liberty Harbor Georgia, LLC  
Morris Anderson  
55 West Monroe Street, Suite 2500  
Chicago, IL 60603

RE: Brownfield Environmental Covenant – Monitoring and Maintenance Plan  
Liberty Harbor Property – Middle Tract Central Parcel  
101 Conservation Way, Brunswick, Glynn County, Georgia

Dear Mr. Dooley:

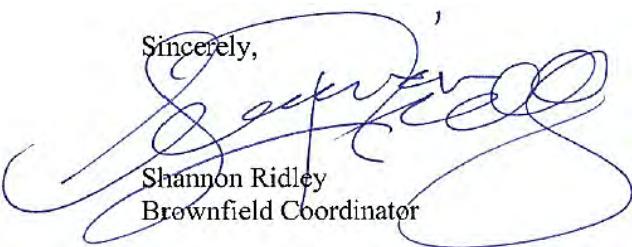
The Georgia Environmental Protection Division (EPD) received the draft Monitoring and Maintenance Plan (Plan) prepared by Montrose Environmental. The Plan is a required element of the Environmental Covenant and compliance with the Type 5 risk reduction standard across the Middle Tract Central Parcel (4.60 acres) of the larger Liberty Harbor Property (110 acres).

We have completed our review of the Plan and hereby approve it for implementation. The approved version shall be specified by the date of the Plan, which is October 2022. A copy of the approved Plan is attached for reference.

According to the Plan, the first annual inspection is to be conducted prior to June 30, 2023 and the report submitted to EPD within 60 days of the inspection. We look forward to receiving your report.

If you have questions, or need further assistance, please contact Kent Pierce at 470-524-0356.

Sincerely,



Shannon Ridley  
Brownfield Coordinator

Attachment: Approved Monitoring and Maintenance Plan, October 2022 (21 pages)  
cc: Ed Schwartz, Sweetnam, Schuster & Schwartz

Aaron Williams, Montrose Environmental  
File: Liberty Harbor Property

October 2022

*Prepared for:*  
Liberty Harbor Georgia, LLC  
MorrisAnderson  
55 West Monroe Street, Suite 2500  
Chicago, IL 60603

MONITORING AND MAINTENANCE PLAN  
Middle Tract Central Parcel  
Liberty Harbor  
Brunswick, Georgia



400 Northridge Road, Suite 400, Sandy Springs, GA 30350 | T: 404.315.9113

MONITORING AND MAINTENANCE PLAN  
Middle Tract Central Parcel  
Liberty Harbor  
Brunswick, Georgia

*Prepared For:*  
Liberty Harbor Georgia, LLC  
MorrisAnderson  
55 West Monroe Street, Suite 2500  
Chicago, IL 60603

*Prepared By:*  
 **MONROSE**  
ENVIRONMENTAL  
400 Northridge Road, Suite 400  
Sandy Springs, GA 30350  
Tel: 404-315-9113

## TABLE OF CONTENTS

<b>1</b>	<b>INTRODUCTION .....</b>	<b>1</b>
1.1	Overview.....	1
1.2	Background.....	1
<b>2</b>	<b>ENGINEERING CONTROLS.....</b>	<b>3</b>
2.1	Electrical Transformer Substations .....	3
2.1.1	Overview .....	3
2.1.2	Engineering Controls.....	3
2.1.3	Signage .....	3
2.2	Manufacturing Area Soil.....	3
2.2.1	Overview .....	3
2.2.2	Engineering Controls.....	3
2.2.3	Signage .....	4
<b>3</b>	<b>ANNUAL INSPECTION AND MAINTENANCE .....</b>	<b>5</b>
<b>4</b>	<b>REPORTING .....</b>	<b>6</b>
<b>5</b>	<b>REFERENCES.....</b>	<b>7</b>

## FIGURES

- Figure 1.1 Site and Middle Tract Location
- Figure 1.2 Middle Tract Central Parcel
- Figure 2.1 Middle Tract Central Parcel Type 5 RRS Areas

## APPENDICES

- Appendix A Middle Tract Survey and Legal Descriptions
- Appendix B Signage for Restriction Areas
- Appendix C Type 5 RRS Inspection Log and Maintenance Record Log

# 1 INTRODUCTION

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## 1.1 Overview

The Property owner is responsible for compliance with all aspects of this Monitoring and Maintenance Plan (“MMP”), and they shall ensure that it is implemented in a timely manner. The MMP may be revised or amended with EPD’s written approval.

This document establishes an MMP for the Middle Tract Central parcel of the 110.5-acre Liberty Harbor Site (“Site”) located in Brunswick, Glynn County, Georgia. The MMP applies to three isolated soil conditions under a non-residential Type 5 Risk Reduction Standard (“RRS”) identified as the Restricted Use Zone (“RUZ”). The Middle Tract Central parcel, as defined in the *Compliance Status Report Addendum No. 4 Middle Tract* (Montrose, 2022), is a 6.4-acre sub-parcel of the Site’s Middle Tract, a larger 16.09-acre parcel centrally located on the 110.5-acre Site (Figure 1.1). The Middle Tract Central parcel comprises the footprint of the existing manufacturing buildings identified as Building 1 and Building 4 and areas adjoining these buildings including two attached outbuildings and infrastructure (Figure 1.2) A survey and legal description of the Middle Tract Central parcel are provided in Appendix A.

This MMP is designed to provide long-term protection of human health and the environment through the application of institutional and engineering controls for contaminated soil isolated beneath the concrete foundations of Building 1 and Building 4 and within two fenced electrical transformer substations adjacent to the south side of Building 1. For the purpose of this MMP, the engineering controls for the RUZ include the concrete foundations of two small outbuildings attached to the north side of Building 1 and within a fenced material laydown yard at the east end of Building 1 and Building 4. The institutional control is in the form of a Uniform Environmental Covenant (“UEC”) recorded with the deed of the property to convey the requirements of the RUZ. The UEC restricts the use of the Middle Tract Central parcel by owners and tenants to non-residential purposes. Furthermore, the UEC prohibits actions that are inconsistent with the described engineering controls of the RUZ (all controls currently exist), and the engineering controls will be maintained by periodic inspection. Lastly, signage installed at each engineering control area is maintained as described in this MMP.

## 1.2 Background

The Middle Track is currently under lease and used as a manufacturing facility. The Middle Tract has been subject to several investigation phases and remedial actions from 1992 to 2022 to mitigate localized soil above the Site’s RRS in accordance with the Site’s approved corrective action plan (Premier, 2005) and corrective action plan addendum (Montrose 2022). In 2014, a Middle Tract soil assessment was performed to address potential data gaps identified during a comprehensive review

of Site reports and data records (EPS, 2013). In 2015, further assessment was completed beneath the Middle Tract buildings (*i.e.*, beneath the concrete foundations) to investigate the underlying soil condition. The 2014 and 2015 soil assessments identified metals and polychlorinated biphenyls (“PCBs”) above Site RRS and four areas were determined to require corrective action (EPS, 2014). Corrective action to address accessible soil above the Site RRS in four Middle Tract areas was completed in 2015 with excavation and off-Site disposal. Soil determined to be inaccessible and therefore not removed in 2015 included soil beneath the facility’s concrete foundation and soil near high-voltage utility structures (two fenced transformer substations, soil adjacent to an active utility pole, and soil adjacent to underground power lines).

In June 2022, an additional assessment of the Middle Track soil was performed following a decision to sub-parcel the area to maximize land reuse potential. The Middle Tract was separated into three smaller parcels termed the Middle Tract North, Middle Tract Central, and Middle Tract South parcels (Figure 1.2). The Middle Tract sub-parcel design was purposefully organized to achieve compliance with residential Type 1 and Type 2 RRS on the Middle Tract North and Middle Tract South parcels while pursuing a non-residential Type 5 RRS on the Middle Tract Central parcel for soil isolated beneath the active manufacturing facility and within two fenced electrical transformer substations.

In late July and early August 2022, corrective action for the Middle Tract North parcel and the Middle Tract South parcel was completed as outlined in the *Corrective Action Plan Addendum for the Middle Tract* (Montrose, 2022). All soil identified above Site RRS on the Middle Tract North parcel was excavated and disposed of off-Site. On the Middle Tract South parcel, previously inaccessible soil adjacent to an active utility pole and soil adjacent to an underground power line was excavated and disposed of off-Site during a temporary de-energizing of the utilities. Following the 2022 corrective action, the Middle Tract North parcel and the Middle Tract South parcel soil are in compliance with the Site’s residential Type 1 and Type 2 RRS. The Middle Tract Central parcel is in compliance with the Type 5 RRS for non-residential use. The soil within the Middle Tract Central parcel’s two fenced transformer substations and the Building 1 and Building 4 manufacturing area (concrete cover and security fencing) and two small attached outbuildings is physically isolated and will remain protected in accordance with this MMP.

## 2 ENGINEERING CONTROLS

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### 2.1 Electrical Transformer Substations

#### 2.1.1 Overview

Two active electrical transformer substations exist along the southern exterior wall of Building 1 (Figure 2.1). Each transformer substation comprises three ground-level mounted transformers placed on a small concrete pad with the remaining interior surface comprised of gravel and earth. Security fencing with high-voltage warning signage surrounds each transformer substation.

#### 2.1.2 Engineering Controls

Each transformer is enclosed on three sides with chain-link security fencing with the fourth side abutting Building 1. A single locked gate controls access to each substation. The security fencing is to be maintained as the engineering control.

#### 2.1.3 Signage

Signage affixed to the entrance of each transformer substation informs potential entrants to contact the Property Manager or the Georgia Environmental Protection Division before completing any activity that may disturb soil in the substation. The location of each sign is shown in Figure 2.1. The content of the signage is provided in Appendix B.

## 2.2 Manufacturing Area Soil

#### 2.2.1 Overview

The RRS for lead and chromium is exceeded in one continuous region beneath the eastern half of Building 1 and all of Building 4 (Figure 2.1). Also included in the RUZ, because of the soil condition, are two adjoining areas along the northside of Building 1, *i.e.*, the soil beneath the foundations of two small attached outbuildings, and the soil beneath a fenced laydown yard east of Building 1 and Building 4. Since the buildings are actively used for heavy equipment manufacturing by a tenant and no direct contact with the soil condition beneath the concrete is currently feasible, the soil impacts are to be managed in place.

#### 2.2.2 Engineering Controls

Building 1 and Building 4 are slab-on-grade structures. The foundation of each building is 6 to 8 inches thick based on the coring performed during the August 2015 sub-slab soil assessment. The concrete slab foundation is to be maintained as the engineering control. The management of the

concrete slab for the purpose of the RUZ includes the concrete foundations of the two small attached outbuildings north of Building 1. Additional controls, in the form of security fencing that isolates the laydown yard east of Building 1 and Building 4 is also preserved to manage potential exposure.

### **2.2.3 Signage**

Signage affixed to the perimeter of the sub-slab RUZ and fenced areas informs Site occupants to contact the Property manager or Georgia Environmental Protection Division before completing any activity that may remove, modify, penetrate the concrete foundation, or access impacted subsurface soil. The location of each sign is shown in Figure 2.1. The content of the signage is provided in Appendix B.

## 3 ANNUAL INSPECTION AND MAINTENANCE

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Annual inspections are to be performed each calendar year, documented, and reported to the Property owner and EPD Brownfield Program. The annual inspection must document the condition of the engineering controls and the proper use of the Middle Tract Central parcel. During the inspection, an *Annual Engineering Controls Inspection Log* shall be completed to document that the integrity of the engineering controls is continually maintained and that the Middle Tract Central parcel continues to be used for non-residential purposes. Any observation of required maintenance or repairs of the engineering controls or signage shall be documented on the *Annual Engineering Controls Maintenance and Repair Log*. Blank log forms are included in Appendix C.

The first annual inspection is to be conducted by June 30, 2023, and no two annual inspections may be conducted closer than 10 months apart.

## 4 REPORTING

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The Annual Inspection and Maintenance Report must be submitted to the Property owner within 30 days of completing the inspection and submitted to EPD digitally via the GEOS web portal within 60 days of completing the inspection. The report shall consist of a cover letter, the *Annual Engineering Controls Inspection Log*, and the *Annual Engineering Controls Maintenance and Repair Log (if needed maintenance or repairs were observed)*, which are included in Appendix C. The cover letter to EPD will summarize the inspection activities, and any maintenance or repair work recommended, and will contain the name, mailing address, telephone number, and email address of the Property owner's point of contact for which the report was submitted.

The cover letter is to be addressed to EPD as follows (but submitted digitally via GEOS).

Georgia Environmental Protection Division  
Land Protection Branch, Brownfield Program  
2 Martin Luther King Jr. Drive, Suite 1054-East  
Atlanta, GA 30334

Upon review of the report, EPD may request an update or notification regarding the completion of any reported need for maintenance or repairs that were observed during the inspection.

## 5 REFERENCES

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EPS, 2013. Compliance Status Report Addendum No. 3. Liberty Harbor Site, Brunswick, Georgia. (October 2013).

EPS, 2014. Data Report for Middle Tract Soil Assessment, Liberty Harbor, Brunswick, Georgia. (May 2014)

Montrose, 2022 Corrective Action Plan Addendum for the Middle Tract. Liberty Harbor, Brunswick, Georgia. (July 29, 2022)

Premier, 2005. Application for Limitation of Liability and Corrective Action Plan, Liberty Harbor Site, Brunswick, Georgia. (October 6, 2005)

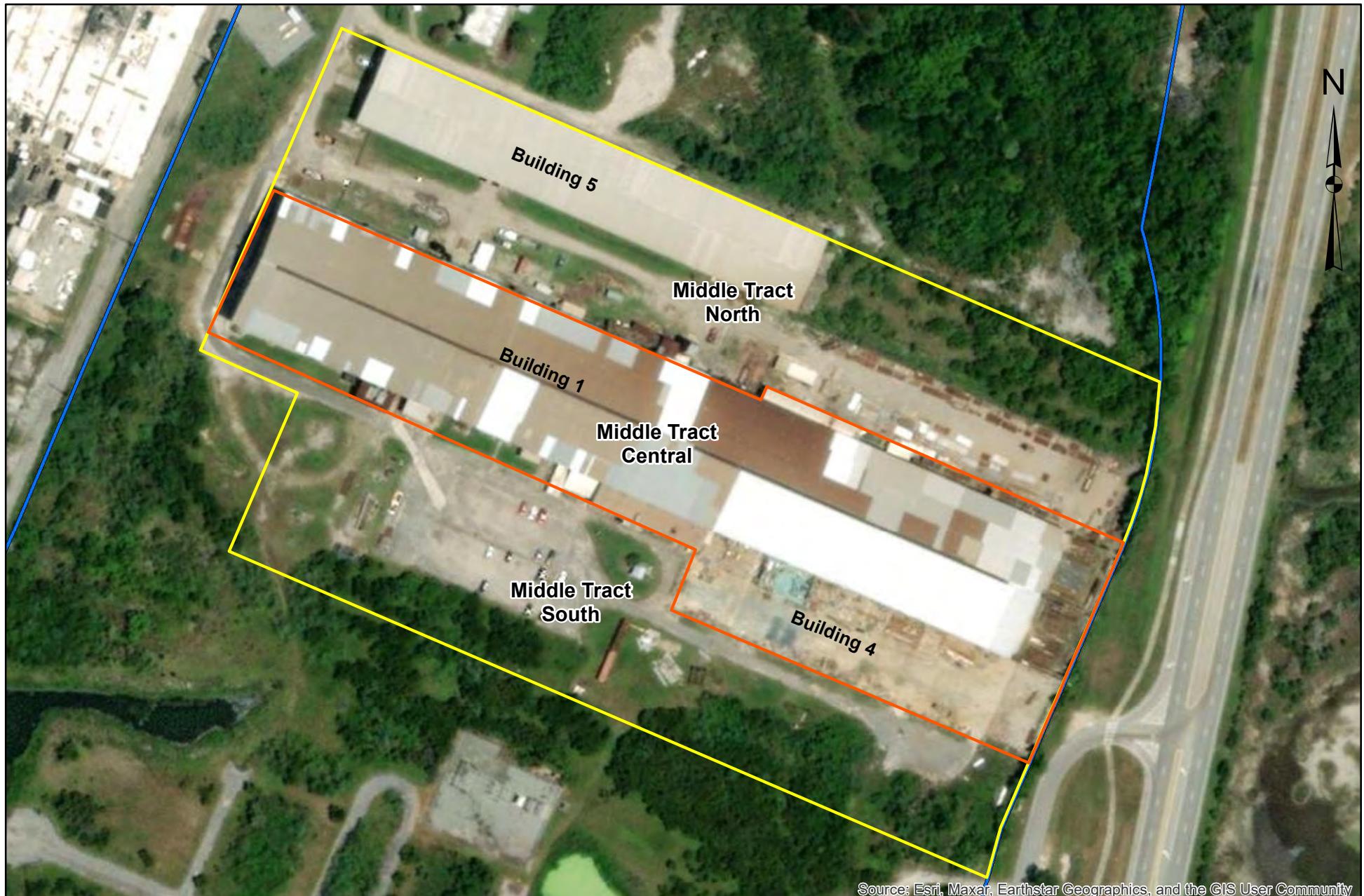
## Figures



0 250 500 1,000  
Feet

- Liberty Harbor Site (110.5-acres)
- Middle Tract (16.09-acres)
- Middle Tract Central Parcel (6.4-acres)

**Site and Middle Tract Location  
Liberty Harbor  
Brunswick, Georgia**



0 60 120 240  
Feet

■ Liberty Harbor Site  
■ Middle Tract  
■ Middle Tract Central Parcel

**Middle Tract Central Parcel**  
**Liberty Harbor**  
**Brunswick, Georgia**



0 60 120 240  
Feet

■ Liberty Harbor Site  
- - - Middle Tract Central Parcel  
■ Concrete/Building

#### Type 5 RRS Areas

- Manufacturing Area Soil
- Transformer Station (Fenced)
- Restriction Signage

**Middle Tract Central Parcel**  
**Type 5 RRS Areas**  
**Liberty Harbor**  
**Brunswick, Georgia**

## Appendix A

LEGAL DESCRIPTION: MIDDLE TRACT

All that certain tract, lot or parcel of land situate, lying and being in the 26th. G.M. District, City of Brunswick, Glynn County, Georgia, and being more particularly described as follows:

Commencing at a  $\frac{1}{2}$ " iron pin marking the intersection of the southern right-of-way of Fourth Avenue (having a right-of-way of 300') and the western right-of-way of U.S. Hwy. 17 (having a varying right-of-way); thence proceed southerly along the western right-of-way of U.S. Hwy. 17, S 01°57'55" W, for a distance of 290.82'; thence with a curve turning to the right with an arc length of 1451.23', with a radius of 11308.71', with a chord bearing of S 07°35'38" W, with a chord length of 1450.24', to a point; thence with a curve turning to the right with an arc length of 190.74', with a radius of 576.14', with a chord bearing of S 07°04'02" E, with a chord length of 189.87', to the Point of Beginning; thence with a curve turning to the right with an arc length of 211.33', with a radius of 576.28', with a chord bearing of S 12°55'25" W, with a chord length of 210.15', to a point; thence proceed S 23°25'10" W a distance of 8.03' to a point; thence proceed S 23°25'10" W a distance of 174.37' to a point; thence proceed S 23°24'36" W a distance of 100.80' to a point; thence proceed S 23°26'08" W a distance of 36.84' to a point; thence proceed S 23°19'18" W a distance of 55.88' to a point; thence proceed S 15°16'01" W a distance of 61.89' to a point; thence proceed S 66°54'44" W a distance of 235.94' to a point; thence with a curve turning to the left with an arc length of 13.93', with a radius of 122.41', with a chord bearing of N 37°24'06" W, with a chord length of 13.92', to a point; thence with a compound curve turning to the left with an arc length of 9.96', with a radius of 241.61', with a chord bearing of N 42°08'18" W, with a chord length of 9.96', to a point; thence with a compound curve turning to the left with an arc length of 103.22', with a radius of 296.21', with a chord bearing of N 72°55'22" W, with a chord length of 103.22', to a point; thence proceed N 66°48'46" W a distance of 657.22' to a point; thence proceed N 23°19'17" E a distance of 219.18' to a point; thence proceed N 66°38'36" W a distance of 125.58' to a point; thence proceed N 23°21'25" E a distance of 426.53' to a point; thence proceed S 66°42'23" E a distance of 1096.32' back to the Point of Beginning;

Containing an area of 16.09 acres +/-.

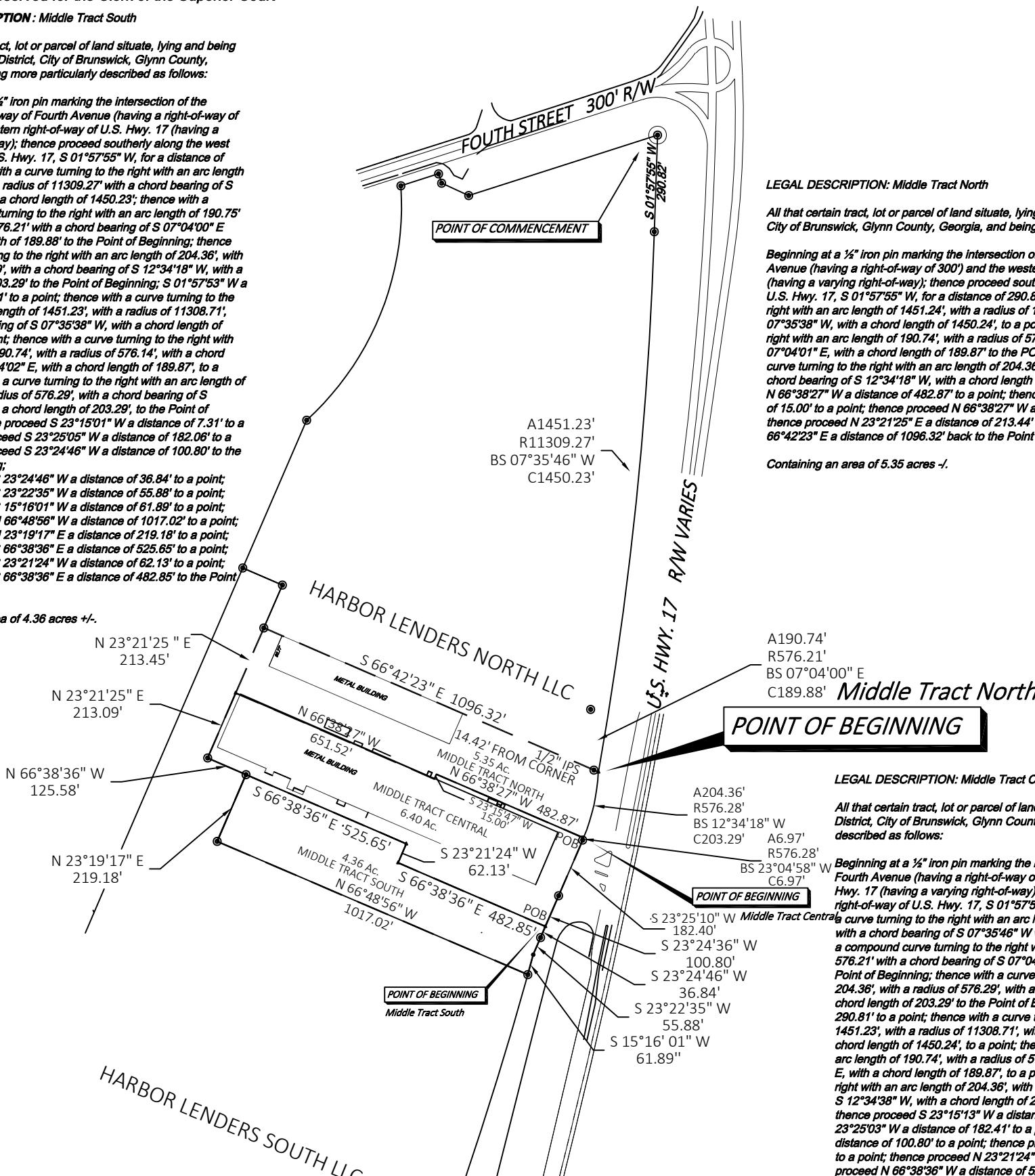
This Block Reserved for the Clerk of the Superior Court

LEGAL DESCRIPTION: Middle Tract South

All that certain tract, lot or parcel of land situate, lying and being in the 26th. G.M. District, City of Brunswick, Glynn County, Georgia, and being more particularly described as follows:

Beginning at a  $\frac{1}{2}$ " iron pin marking the intersection of the southern right-of-way of Fourth Avenue (having a right-of-way of 300') and the western right-of-way of U.S. Hwy. 17 (having a varying right-of-way); thence proceed southerly along the west right-of-way of U.S. Hwy. 17, S 01°57'55" W, for a distance of 290.82'; thence with a curve turning to the right with an arc length of 1451.23' with a radius of 11309.27' with a chord bearing of S 07°35'46" W with a chord length of 1450.23'; thence with a compound curve turning to the right with an arc length of 190.75' with a radius of 576.21' with a chord bearing of S 07°04'00" E with a chord length of 189.88' to the Point of Beginning; thence with a curve turning to the right with an arc length of 204.36' with a radius of 576.29' with a chord bearing of S 07°35'38" W with a chord length of 203.29' to the Point of Beginning; thence with a curve turning to the right with an arc length of 204.36' with a radius of 576.29' with a chord bearing of S 12°34'18" W with a chord length of 203.29' to the Point of Beginning; thence proceed S 23°15'01" W a distance of 7.31' to a point; thence proceed S 23°25'05" W a distance of 182.06' to a point; thence proceed S 23°24'46" W a distance of 100.80' to the Point of Beginning; thence proceed S 23°24'46" W a distance of 36.84' to a point; thence proceed S 23°22'35" W a distance of 55.88' to a point; thence proceed S 15°16'01" W a distance of 61.89' to a point; thence proceed N 66°48'56" W a distance of 1017.02' to a point; thence proceed N 23°19'17" E a distance of 219.18' to a point; thence proceed S 66°38'36" E a distance of 525.65' to a point; thence proceed S 23°21'24" W a distance of 62.13' to a point; thence proceed S 66°38'36" E a distance of 482.85' to the Point of Beginning;

Containing an area of 4.36 acres +/-.



REVISED: OCT. 10, 2022

## SURVEY FOR: MONTROSE ENVIRONMENTAL

SURVEY OF: THREE PARCELS OF LAND LOCATED IN THE 29th. G.M. DISTRICT, CITY OF BRUNSWICK, GLYNN COUNTY, GEORGIA.

FIELD SURVEY: 8-29-22  
PLAT DATE: 10-10-22  
FIELD SURVEY: S. MARTIN

JOB. No.: 22-0196 MONTROSE		In my opinion this is a correct representation of the land platted. This survey was prepared in conformity with the Technical Standards for property surveys in Georgia as set forth in Chapter 180-7 of the rules of the Georgia Board of Registration for Professional Engineers and Land surveyors and as set forth in The Georgia Plat Act O.G.C.A. 15-06-67.	
REFERENCE JOBS: LIBERTY HARBOR			
ERROR OF CLOSURE PLAT: 1' IN 562,884'	AREA: SEE PLAT		
ERROR OF CLOSURE FIELD: GPS			

400	0	400	800
SCALE: 1" = 400'			

GRID NORTH  
Martin Surveying and Mapping  
112 West Ninth Street, Alma, Georgia 31510  
Phone: 912-632-2458 Fax: 912-632-1356 Email: gmartin@accessatc.net

In my opinion this is a correct representation of the land platted. This survey was prepared in conformity with the Technical Standards for property surveys in Georgia as set forth in Chapter 180-7 of the rules of the Georgia Board of Registration for Professional Engineers and Land surveyors and as set forth in The Georgia Plat Act O.G.C.A. 15-06-67.

Glenn E. Martin  
Georgia Registered Professional Land Surveyor  
Date: OCT. 10, 2022

REVISED: SEPT. 6, 2022 TO CORRECT LEGAL DESCRIPTION



LEGEND  
 ○ 1/2" Re-bar set (capped RLS 2912)  
 ● Iron pin or pipe found (DESC.)  
 □ Concrete monument set  
 ◆ Concrete monument found  
 △ Computed point  
 Fence — X —  
 ○ Power pole  
 ♦ Fire Hydrant  
 ▲ Official Tie Point  
 R/W Right-of-way  
 Topcon GTS 235, 5" Total Station  
 Champion M6 GPS-Network Corrected,  
 dual frequency, real time kinematic Global Positioning System. The relative accuracy of

## Appendix B

**RESTRICTED AREA**  
**SUB-SURFACE SOIL IS SUBJECT TO  
AN ENVIRONMENTAL COVENANT**  
**CONTACT THE PROPERTY MANAGER  
PRIOR TO ANY ACTIVITY THAT WILL  
EXPOSE OR DISTURB SUB-SURFACE  
SOIL IN THIS AREA**

*Additional information may be obtained by  
contacting the Georgia Environmental Protection  
Division's Brownfield Program*

## Appendix C

**Annual Engineering Controls Inspection Log**  
**Middle Tract Central Parcel**  
**Liberty Harbor Site**  
**101 Conservation Way, Brunswick, Georgia**

Date: \_\_\_\_\_  
Inspector(s): \_\_\_\_\_  
Signature: \_\_\_\_\_

**Inspector(s) Contact Information**  
Phone: \_\_\_\_\_  
email: \_\_\_\_\_

**Pre-Inspection Tasks:**

Was maintenance or repair recommended at the last inspection? Yes / No	Comment:
If Yes, was the recommended action completed? Yes / No	Comment:

**Inspection Tasks:**

Inspection Task	Condition <sup>1</sup>			Action <sup>2</sup> Maintenance/Repair Required
	Present	Not Present	None	
<b>Transformer Substation -West</b>				
Fence Maintained				
Fence Locked				
Signage Maintained				
Signage properly located				
<b>Transformer Substation - East</b>				
Fence Maintained				
Fence Locked				
Signage Maintained				
Signage properly located				
<b>Manufacturing Area</b>				
Floor Pavement				
Fence Maintained				
Signage Maintained				
Signage properly located				

1. Collect photographic documentation of any condition requiring repair or maintenance and submit with the Annual Inspection and Maintenance Report.

2. If maintenance or repair is required complete a *Maintenance Record Log*.

## Annual Engineering Controls Maintenance and Repair Log

## Middle Tract Central Parcel

## Liberty Harbor Site

101 Conservation Way, Brunswick, Georgia

Date: \_\_\_\_\_  
Inspector(s): \_\_\_\_\_  
Signature: \_\_\_\_\_

**Inspector(s) Contact Information**