

Maintenance and Monitoring Plan

Former St. Regis Wood Treating Site (HSI #10626)
Fargo, Clinch County, Georgia

Submitted on behalf of:
International Paper Company
6400 Poplar Avenue
Memphis, Tennessee 38197

Submitted by:
AECOM
Sabre Building
Suite 300
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Newark, DE 19713

Project Number: 60415889
Date: November 2018

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Acronym List

Acronym	Explanation
CAP	Corrective Action Plan
CSR	Compliance Status Report
EPD	Georgia Department of Natural Resources Environmental Protection Division
FWP	Former Wood Preserving Area
HSI	Hazardous Site Inventory
HSRA	Hazardous Site Response Act
MMP	Maintenance and Monitoring Plan
PCP	Pentachlorophenol
RRS	Risk Reduction Standard
UEC	Uniform Environmental Covenant

1.0 Introduction

AECOM, on behalf of International Paper Company, has prepared this Monitoring and Maintenance Plan (MMP) for the Former St. Regis Wood Treating Facility located in Fargo, Clinch County, Georgia (the site). The site was listed on Georgia's Hazardous Site Inventory (HSI) because of an identified release of pentachlorophenol (PCP) to soil and groundwater. Corrective action activities completed at the site to address the identified release include: in-situ physical/chemical and biological treatment; institutional and engineering controls; and, long-term groundwater monitoring. These activities have achieved compliance with the Type 5 Risk Reduction Standard (RRS) outlined in Rule 391-3-19, the Hazardous Site Response Act (HSRA).

This MMP was prepared to address requirements of the Uniform Environmental Covenant (UEC), which will be recorded for the site. The UEC was requested by the Georgia Department of Natural Resources Environmental Protection Division (EPD) in an email to International Paper dated July 3, 2017. The purpose of this MMP is to document and outline the groundwater monitoring program and annual inspection requirements identified in the UEC. The UEC is provided in Appendix A.

2.0 Site Background

This section presents a brief discussion of the site history and operations, and the site environmental setting. More detailed information contained in this section is presented in the Compliance Status Report (CSR) (URS, 2002), Corrective Action Plan (CAP) (URS, 2004) and modified CAP (URS, 2006).

2.1 Site Location

The subject site is located south of Georgia Highway 94, approximately 0.2-mile west of the intersection of Georgia Highway 94 and US Highway 441 in Fargo, Clinch County, Georgia (Figure 1) and encompasses approximately 1 acre of the 3 acre Former Saw and Chip Mill Area (see Figure 2 in the CAP). The geographic coordinates of the subject site are 30°41'06" North latitude and 82°33'54" West longitude. As depicted on Tax Map 3A for Clinch County, Georgia, the subject site is located in that portion of parcel number 5 which lies north of Riverside Drive, south of Georgia Highway 94, and west of parcel number 5A.

Land use surrounding the subject site is primarily mixed use: commercial and residential. According to the 1990 Census, Fargo has a population of 590.

2.2 Operational History and Ownership

Since 1947, Superior Pine Products Company (Superior Pine), the previous site owner, leased the subject site together with surrounding lands (primarily timberlands) to St. Regis Paper Company (later merged with Champion International Company). Champion International Company merged with International Paper in 2000.

According to former St. Regis employees knowledgeable about the Former Saw (circa 1950 to 1957) and Chip Mill (circa 1957 to 1983), the wood treating operations took place in a portion of the Former Saw and Chip Mill Area [the Former Wood Preserving (FWP) Area] from about 1952 until approximately 1957. During wood treating operations, PCP was used to treat dimensional lumber, with diesel fuel as a carrier for the PCP. No other types of wood treating activities occurred at the subject site (URS, 2002).

International Paper purchased the subject site (the FWP Area) from Superior Pine on December 14, 2004. The lease between Superior Pine and International Paper for the surrounding lands, including the Former Saw and Chip Mill and surrounding timberlands, also terminated in December 2004. The Former Saw and Chip Mill is currently used by Superior Pine for equipment storage and occasional vehicle and equipment maintenance.

Currently, a security fence is present on all four sides of the subject site with a locked entry gate, thereby restricting site access. No structures are currently present on the site and the site is not used for any purpose. Landscaping activities are conducted on an as-needed basis to support groundwater monitoring activities.

2.3 Environmental Setting

Clinch County is located in the Coastal Plain Physiographic Province of Georgia. Soils in the Coastal Plain Province are comprised of Cretaceous and younger interlayered sediments and sedimentary rocks. Residual soils in the region range from fine grained unconsolidated quartzose sands to clayey sands. The residual soils are derived from

chemical and mechanical weathering of crystalline rocks of the Georgia Piedmont Region. Interlayered beds of clays, sands, and organic rich sands characterize the lithology of the subject site. An organic rich, clayey sand layer ranges in depth from 0 to 5 feet below land surface (bls). This clayey sand layer overlies a dense, green, montmorilinitic clay that ranges in depth from 5 feet to 16 feet bls. Below this clay layer, a series of interbedded sands, clays, and sandy clays extend in depth from 16 feet to at least the total depth of the investigation, 58 feet bls. The site lithology is depicted in Figure 3 of the CAP (URS, 2004).

According to the U. S. Geological Survey (USGS) 7-½ minute topographical map (Figure 1), the subject property is located at an elevation of approximately 112 to 115 feet above mean sea level (msl). With the installation and monitoring of 12 shallow monitoring well and two piezometer locations, the local shallow groundwater flow has been shown to be consistent with regional groundwater flow in the area (to the south/southeast); eventually draining into the Suwannee River, located approximately 0.5 miles southeast from the subject site (Figure 1).

There are no known or potential receptors of groundwater from the site. Groundwater is currently not used on the site for drinking water and restrictive covenants¹ were implemented in May 2007 prohibiting the use of groundwater as drinking water in the future. Likewise, there are no potable water users within a 0.5-mile radius of the subject site. The municipal water supply well located approximately 1,000 feet south-southeast of the subject site is no longer used by the city (URS, 2004).

¹ The restrictive covenant was executed and recorded with the Clerk of the Superior Court of Cinch County on May 10, 2007. A copy was provided to the Fargo City Clerk and also to EPD on May 25, 2007.

3.0 Groundwater Monitoring Plan

3.1 Background

In conjunction with the recommendations presented in the *Modified Corrective Action Plan* (modified CAP) (dated March 31, 2006), a groundwater performance monitoring program was implemented at the site to confirm that horizontal and vertical migration of PCP in shallow groundwater does not occur beyond the extent of the site boundary. EPD conditionally approved the modified CAP in a letter to International Paper dated February 23, 2007. Routine groundwater monitoring began in 2004 and is on-going with modifications approved by EPD in March 2012 and October 2017.

Quarterly groundwater monitoring began in December 2004 and was completed in September 2006 (eight quarterly events). Semi-annual groundwater monitoring was conducted between May 2007 and May 2017 (20 semi-annual events). Annual groundwater monitoring began in May 2018.

The objective for the groundwater monitoring program is to ensure that PCP in groundwater has not migrated beyond the limits of the institutional control (deed restriction) established for the site. In 14 years of groundwater monitoring, this objective has continued to be met. Shallow groundwater impact above the Type 4 RRS (3.3 µg/L)² is limited to the shallow, low yield zone adjacent to FWP-6. Other than FWP-6, PCP has been detected more than once in only one other location (FWP-5). During the same time frame, PCP concentrations in FWP-5 and other down gradient and cross/side gradient monitoring well points have either been non-detect or less than the Type 4 RRS and Type 1 RRS (1 µg/L) (AECOM, 2018).

3.2 Approach

The second annual groundwater monitoring event will be conducted in May 2019 then sampling will be conducted biennially for two additional sampling events (in 2021 and in 2023). Following the second biennial sampling event, if groundwater monitoring continues to demonstrate stable site groundwater conditions, then a request to discontinue sampling will be submitted to EPD for approval.

3.3 Methodology

During each monitoring event, static water levels will be measured from the eight remaining on-site monitoring well locations via a decontaminated electronic water level indicator. Well construction information for the wells are provided in Table 2.

Groundwater samples will be collected from seven monitoring well locations: FWP-1, FWP-3D, FWP-5, FWP-6, FWP-7, FWP-11 and FWP-12 (Figure 2). In addition, one field blank and one field duplicate will also be collected. Groundwater samples will be collected in general accordance with the low flow/low stress purging and sampling procedures outlined in USEPA Region IV's *Field Branches Quality System and Technical Procedures*. Consistent with those procedures, the following procedure will be used during the sampling event:

² A Type 4 RRS (24 µg/L) was calculated for PCP in the 2002 Compliance Status Report (CSR) based on guidance specified in HSRA Rule 391-3-19-.07(9). The HSRA Rule was revised in October 2018. Based on the revisions outlined in the updated rule, a new Type 4 RRS was calculated. Supporting calculations are provided in Table 1.

1. Dedicated down-hole chemically inert tubing (Teflon®), which was installed in May 2017, will be set at the target sampling depth. The tubing will be connected with flexible chemically inert tubing to the peristaltic pump head. As directed by comments received by EPD on October 24, 2016, the pump intake depth will be set either at the approximate mid-portion of the screened interval or at the approximate mid-depth of the water column, if the screened interval is not submerged. The pump intake depth will be indicated on the groundwater sampling field forms.
2. Water will then be removed from the well with the peristaltic pump into a flow-through cell that houses the field parameter probes for measuring turbidity, pH, oxidation/reduction potential, dissolved oxygen, temperature and conductivity.
3. In general, groundwater will be purged from the wells at a very slow rate while checking the water level such that the water sampled is coming from the formation. Groundwater level depths will also be indicated on the groundwater sampling field forms as directed by comments from EPD dated October 1, 2013.
4. Upon achieving chemical and physical equilibrium, sample containers will be filled directly from the dedicated transfer cap assembly as directed by comments from EPD dated March 25, 2011. Chemical equilibrium will be defined as the point when geochemical parameters have stopped trending (increasing or decreasing) and are within a maximum of 10% of the previous measurement over a 5-minute time interval or over the last well volume. Physical equilibrium will be achieved when drawdown has stopped and the volume being purged is equal to the volume entering the well casing.
5. The purge tubing will be disconnected from the peristaltic pump and inserted into one end of the Teflon® cap transfer assembly and then tightened. A suitable length of Teflon® tubing will then be inserted between the remaining transfer cap assembly ferrule nut fitting and the vacuum side of the flexible tubing in the peristaltic pump head. The transfer assembly will be tightly attached to the sample container.
6. Samples will be collected directly into the clean, laboratory-provided sample containers.
7. If during purging activities the well becomes dry; then it will be noted in the log. Samples will be collected at those locations as quickly as recharge will allow (within 24 hours).
8. The flexible pump tubing will be disposed of after sampling one well.

Samples will be submitted for laboratory analysis of PCP using USEPA Method 8270D Selective Ion Monitoring (SIM). Sample analysis will be conducted by ALS Environmental in Jacksonville, Florida. As per the Georgia EPD Rules and Regulations for Commercial Laboratories, ALS is accredited by the Florida Department of Health under the National Environmental Laboratory Approval Program (NELAP).

4.0 Annual Inspection

As outlined in the approved modified CAP, inspection reports to confirm compliance with non-residential standards will be submitted annually to EPD. Annual inspections will include verification that the property is non-residential and that groundwater is not used as drinking water; inspection of the vegetative cover and trees; and confirmation that the fence is locked and secure and that the permanent marker is present.

Annual inspections would also include inspection of the groundwater monitoring well network. Prior to sampling, the wells will be visually inspected for signs of grout or concrete stress or failure, and the watertight locking caps will be inspected for cracked or torn rubber seals. Any damage of the groundwater-monitoring network will be repaired. If locks have rusted and do not function properly, they will be replaced.

5.0 Reporting

Pursuant to the UEC, Section 5 (Periodic Reporting), an Annual Report will be submitted to EPD by August 31st of each year. The report will detail performance groundwater monitoring results from the Spring sampling event, maintenance and inspection activities, certification of non-residential use of the site, and documentation stating whether or not the activity and use limitations at the site comply with the UEC.

The Annual Report will include the following signed certifications:

I certify that I am a qualified groundwater scientist or engineer who has received a baccalaureate or post-graduate degree in 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 myself or by a subordinate working under my direction.

PE/PG Signature and Seal

6.0 References

AECOM, 2018. May 2018 Annual Groundwater Sampling Event Report. Prepared for the Former St. Regis Wood Treating Site. Fargo, Clinch County, Georgia. August 30.

URS Corporation (URS), 2002. *Compliance Status Report*. Prepared for the Former St. Regis Wood Treating Site. Fargo, Clinch County, Georgia. August 14.

URS, 2004. *Corrective Action Plan*. Prepared for the Former St. Regis Wood Treating Site. Fargo, Clinch County, Georgia. March.

URS, 2006. *Modified Corrective Action Plan*. Prepared for the Former St. Regis Wood Treating Site. Fargo, Clinch County, Georgia. July 24.

Tables

Table 1
 Type 4 Risk Reduction Standard for Pentachlorophenol
 Former St. Regis Wood Treating Site
 Fargo, GA

**Site-Specific
 Indoor Worker Equation Inputs for Tap Water**

Variable	Value
ED _{iw} (exposure duration - indoor worker) year	25
THQ (target hazard quotient) unitless	1
LT (lifetime - indoor worker) year	70
EF _{iw} (exposure frequency - indoor worker) day/year	250
ET _{iw} (exposure time - indoor worker) hour/day	8
ET _{iw-event} (exposure time - indoor worker showering) hour/event	0.54
EV _{iw} (events - indoor worker) event/day	1
BW _{iw} (body weight - indoor worker) kg	80
SA _{iw} (skin surface area - indoor worker) cm ²	3527
IRW _{iw} (water intake rate - indoor worker) L/day	1
K (volatilization factor of Andelman) L/m ³	0.5
AT _{iw} (averaging time - indoor worker) day/year	365
l _{sc} (apparent thickness of stratum corneum; used to calculate τ) cm	0.001
TR (target cancer risk) unitless	0.00001

**Site-Specific
 Indoor Worker PRG for Tap Water**

ca=Cancer, nc=Noncancer, ca* (Where nc SL < 100 x ca SL),
 ca** (Where nc SL < 10 x ca SL), max=SL exceeds ceiling limit (see User's Guide), sat=SL exceeds csat,
 Smax=Soil SL exceeds ceiling limit and has been substituted with the max value (see User's Guide),
 Ssat=Soil inhalation SL exceeds csat and has been substituted with the csat

Chemical	CAS Number	Mutagen?	VOC?	Chronic RfD (mg/kg-day)	RfD Ref	Chronic RfC (mg/m ³)	RfC Ref	Ingestion SF (mg/kg-day) ⁻¹	SFO Ref	Inhalation Unit Risk (ug/m ³) ⁻¹	IUR Ref	ABS _{gi}	K _p (cm/hr)	MW	Ratio across viable epidermis (unitless)	t*	τevent (hr/event)	FA	In EPD?
Pentachlorophenol	87-86-5	No	No	5.00E-03	I	-	-	4.00E-01	I	5.10E-06	C	1	0.127	266.34	0.7971656	12.546898	3.2610146	0.9	Yes

Chemical	Carcinogenic Absorbed dose per event (μg/cm ² -event)	Noncancer-adult Absorbed dose per event (μg/cm ² -event)	Ingestion PRG TR=1.0E-5 (ug/L)	Dermal PRG TR=1.0E-5 (ug/L)	Inhalation PRG TR=1.0E-5 (ug/L)	Carcinogenic PRG TR=1.0E-5 (ug/L)	Ingestion PRG HQ=1 (ug/L)	Dermal PRG HQ=1 (ug/L)	Inhalation PRG HQ=1 (ug/L)	Noncarcinogenic PRG HI=1 (ug/L)
Pentachlorophenol	2.32E-03	1.66E-01	8.18E+00	5.53E+00	-	3.30E+00	5.84E+02	3.95E+02	-	2.36E+02

Table 2
Monitoring Well Construction Details
Former St. Regis Wood Treating Site
Fargo, GA

Well ID	TOC Elevation (ft-msl)	Surface Elevation (ft msl)	Well Depth (ft msl)	Top of Screen (ft BTOC)	Bottom of Screen (ft BTOC)	Screen Length (ft)	Drilling Method	Well Casing
FWP-1	117.28	116.30	116.3	24.6	29.6	5	Direct Push	1" PVC
FWP-2	117.47	116.30	116.3	13.8	18.8	5	Direct Push	1" PVC
FWP-3D	119.28	116.49	116.49	51.76	61.76	10	HSA	2" PVC/4" PVC
FWP-5	118.83	116.14	116.14	13.7	23.7	10	HSA	2" PVC
FWP-6	118.55	116.57	116.57	11.14	21.14	10	HSA	2" PVC
FWP-7	117.89	116.17	116.17	12.05	22.05	10	HSA	2" PVC
FWP-11	119.13	116.17	116.17	17.88	27.88	10	HSA	2" PVC
FWP-12	118.71	115.78	115.78	17.8	27.8	10	HSA	2" PVC

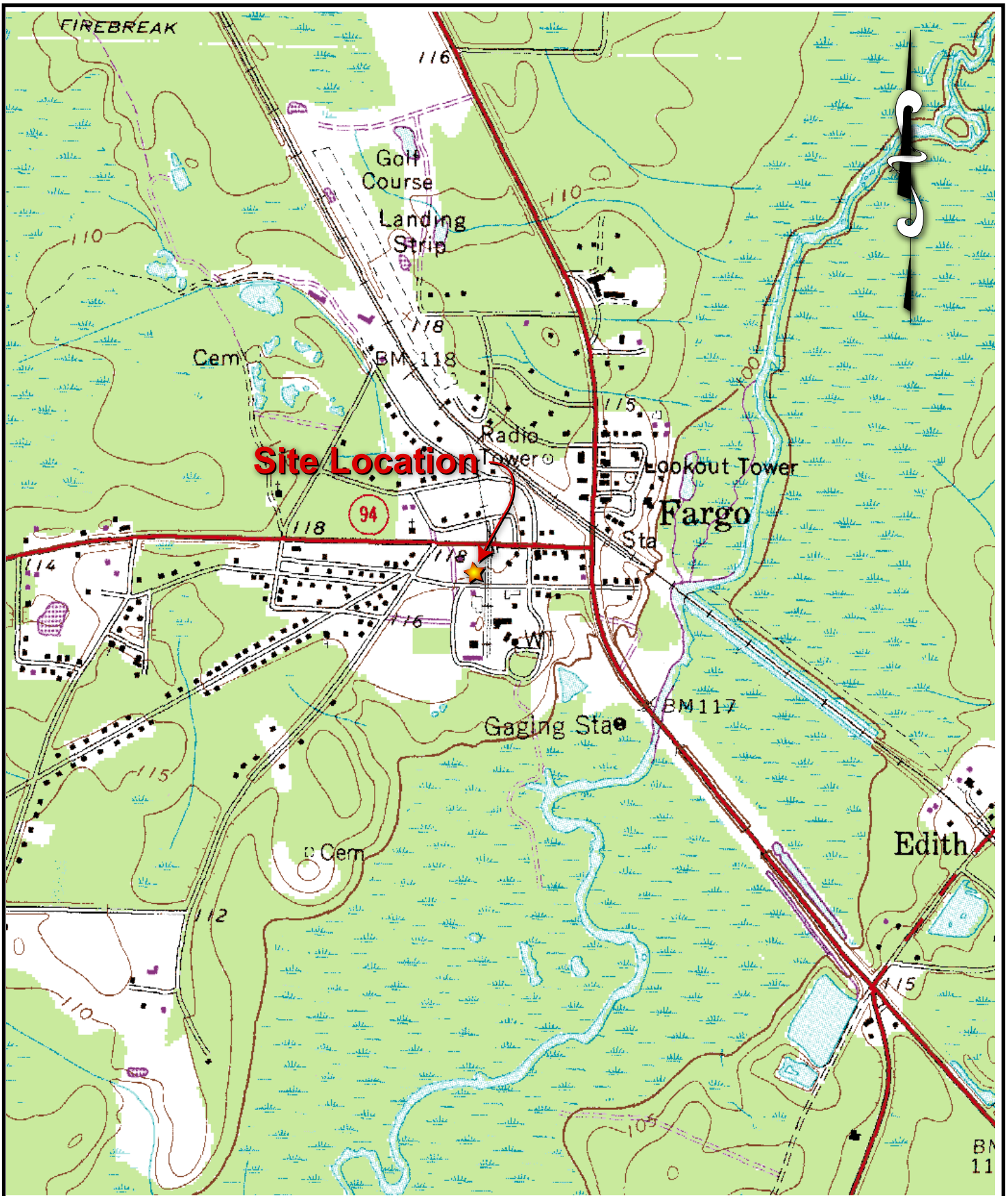
Notes:


ft BTOC = feet below top of casing

ft msl = feet mean sea level

ft = feet

Figures



CLIENT: International Paper		TITLE: Site Location Map		
PROJECT: Fargo, Georgia				
DATE: December 2017	DESIGNED BY: J. Anderson			PROJ. NO.: 60415889
SCALE: Approximate Scale 1" = .25 miles	DRAWN BY: J. Anderson			TASK NO.: 00004
FILE: E:\Projects\International Paper\figures\sitemap.ai	CHKD BY: D. McCue			FIGURE: 1

STATE HIGHWAY #94



UNNAMED DIRT STREET

Old Railroad Bed

UNNAMED DIRT STREET

FENCE LINE

GATE

FWP-1

FWP-2

FWP-6

FWP-11

FWP-7

FWP-3D

FWP-5

FWP-12



SCALE

LEGEND



- Monitoring Well



- Former Wood Preserving Area

CLIENT: International Paper		TITLE: Monitoring Well Location Map Former St. Regis Wood Treating Site	
PROJECT: International Paper, Fargo, Georgia			
DATE: December 2017	DESIGNED BY:	AECOM	PROJ NO.: 60415889
SCALE: As Shown	DRAWN BY: J. Gross		TASK: 20000544.00003
FILE: H:\Proj\International Paper\Fargo\Dec2015\Dec2015PotMap.ai	CHECKED BY: D. McCue		FIGURE: 2

Appendices

After Recording Return to:

International Paper Company
6400 Poplar Avenue
Memphis, Tennessee 38197
Attn: Brent Sasser

CROSS-REFERENCE: Deed Book:
Page:

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: International Paper Company
6400 Poplar Avenue
Memphis, Tennessee 38197

Grantee/Holder: International Paper Company
6400 Poplar Avenue
Memphis, Tennessee 38197

**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 1456 East Tower
Atlanta, GA 30334

Property:

The property subject to this Environmental Covenant is the Former St. Regis Wood Treating Facility, located south of Georgia Highway 94, approximately 0.2-miles west of the intersection of Georgia Highway 94 and US Highway 441 in Fargo, Clinch County, Georgia (hereinafter "Property"). This tract of land was conveyed on December 14, 2004 from Superior Pine Products to International Paper Company recorded in Deed Book 6D, Page 250, Clinch County Records. The Property is located in Land Lot 323 of the 13th District of Clinch County, Georgia. The Property consists of 1.107 acres where wood treating operations took place in a portion of the Former Saw and Chip Mill (the Former Wood Preserving (FWP) Area). A complete legal description of the Property is attached as Exhibit A and a map of the Property is attached as Exhibit B.

Tax Parcel Number(s):

Parcel number F03 005C of Clinch 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] (as same may be amended from time to time with written approval from EPD):

- Final Compliance Status Report dated November 14, 2002
- Revised Corrective Action Plan dated March 1, 2004
- Final Modified Corrective Action Plan dated July 24, 2006

These documents are available at the following locations in the files for HSI No. 10626:

Georgia Environmental Protection Division
Response and Remediation Program
2 MLK Jr. Drive, SE, Suite 1054 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 International Paper Company, a New York Corporation, its successors and assigns, and the State of Georgia, Department of Natural Resources, Environmental Protection Division (hereinafter “EPD”), its successors and assigns. This Environmental Covenant is required because a release of pentachlorophenol occurred on the Property. Pentachlorophenol is a “regulated substance” as defined under the Georgia Hazardous Site Response Act, O.C.G.A. § 12-8-90 *et seq.*, and the rules promulgated thereunder (hereinafter “HSRA” and “Rules”, respectively). The Corrective Action consists of the installation and maintenance of engineering controls (soil/vegetative cover and fencing) and institutional controls (limit use to non-residential activities and prohibition on the use or extraction of groundwater beneath the Property for drinking water or for any other non-remedial purposes) to protect human health and the environment.

Grantor, International Paper Company, a New York Corporation (hereinafter “International Paper”), 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 person’s right to take action to enforce any non-compliance. Nothing in this Environmental Covenant shall restrict EPD from exercising any authority under applicable law.

International Paper 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 10; 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, International Paper and their respective successors and assigns and shall be enforceable by the Director or his agents or assigns, International Paper 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 EPD's 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.** The groundwater detection-monitoring program detailed in the Revised Monitoring and Maintenance Plan dated November 2018 or the most recent revision approved by EPD must be implemented to ensure compliance with the applicable Risk Reduction Standards and to protect human health and the environment.
5. **Periodic Reporting.** Annually, by no later than August 31 following the effective date of this Environmental Covenant, the Owner shall submit to EPD an Annual Report as specified in the EPD approved Revised Maintenance and Monitoring Plan including, but not limited to: groundwater detection-monitoring report results, maintenance and inspection activities, certification of non-residential use of the Property, and documentation stating whether or not the activity and use limitations in this Environmental Covenant are being abided by.
6. **Activity and Use Limitation(s).** The Property shall be used only for non-residential uses, as defined in Section 391-3-19-.02 of the Rules as of the date of this Environmental Covenant. Any residential use on the Property shall be prohibited. Any activity on the Property that may result in the release or exposure to the regulated substances that were contained as part of the Corrective Action, or create a new exposure pathway, is prohibited. With the exception of work necessary for the maintenance, repair, replacement of engineering controls, or as otherwise approved by EPD, activities that are prohibited include drilling, digging or use of any equipment which pierces or disturbs the soil/vegetative cover.

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.
8. Permanent Markers. Permanent markers on each side of 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.
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 Director's signature, the Owner shall file this Environmental Covenant with the Records 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. § 44-16-1 *et seq.*, 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, 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 EPD Interest in Property Created. 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 Grantor's 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 1054 East Tower
Atlanta, GA 30334

International Paper Company
6400 Poplar Avenue
Memphis, TN 38197

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

Signed, sealed, and delivered in the presence of:

Unofficial Witness *(Signature)*

Unofficial Witness Name *(Print)*

Unofficial Witness Address *(Print)*

Notary Public *(Signature)*

My Commission Expires:_____

Signed, sealed, and delivered in the presence of:

Unofficial Witness *(Signature)*

Unofficial Witness Name *(Print)*

Unofficial Witness Address *(Print)*

Notary Public *(Signature)*

My Commission Expires:_____

For the Grantor/Grantee/Holder: ((Seal

Name of Grantor *(Print)*

Grantor's Authorized Representative *(Signature)* (Seal)

Authorized Representative Name *(Print)*

Title of Authorized Representative *(Print)*

Dated:_____
(NOTARY SEAL)

**For the State of Georgia
Environmental Protection Division:**

(Signature) (Seal)

Richard E. Dunn
Director

Dated:_____
(NOTARY SEAL)

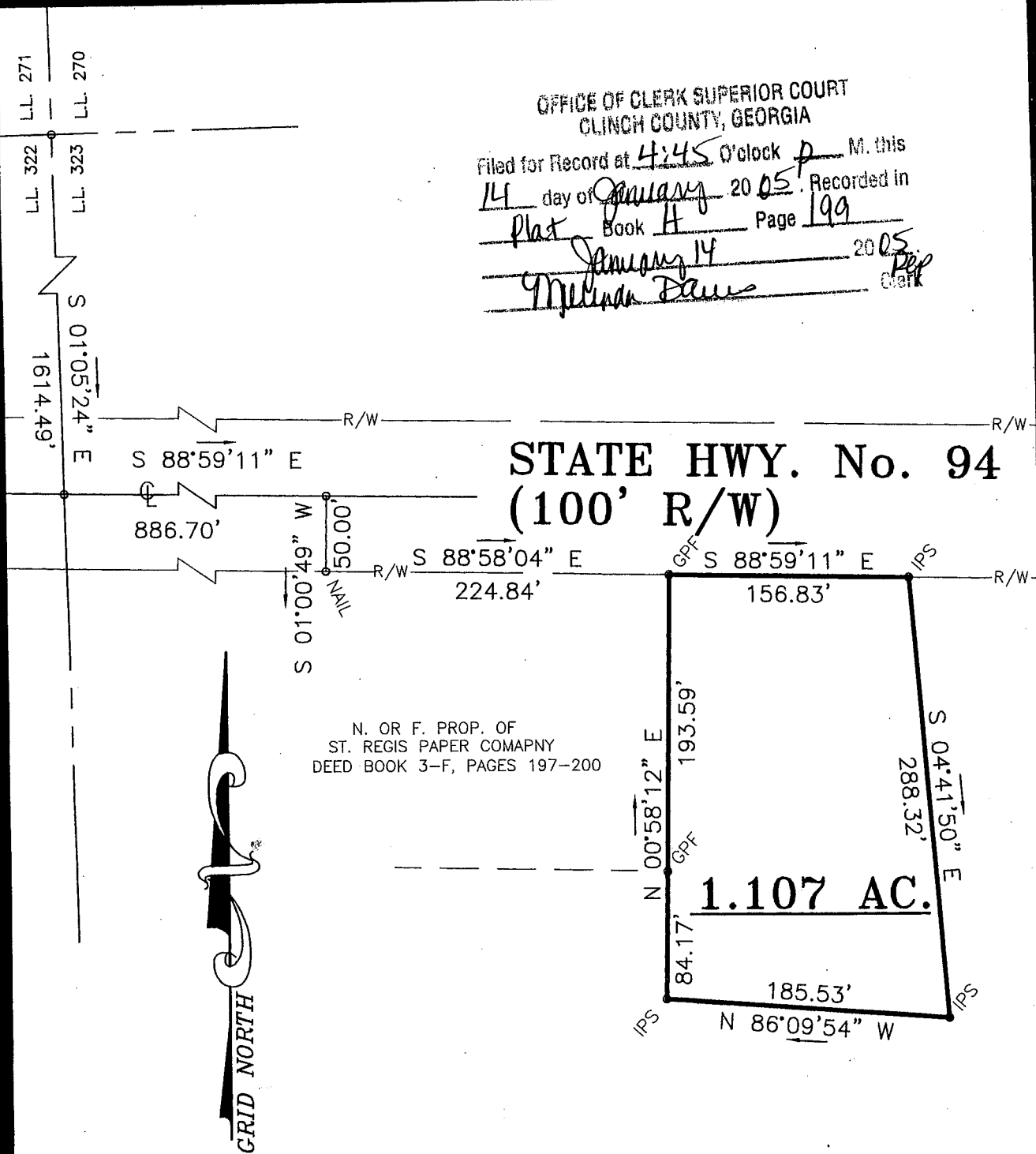
Exhibit A
Legal Description

All that tract or parcel of land situate, lying and being in Land Lot 323 of the 13th Land District of Clinch County, Georgia, containing 1.107 acres and being more particularly described according to a plat prepared by Barbara L. Herring, Registered Land Surveyor No. 2785, of Southeastern Surveying, Inc. dated November 15, 2004 and recorded in Plat Book H at page 199 in the Office of the Clerk of Superior Court of Clinch County, Georgia. Said plat being incorporated herein for all legal purposes.

Exhibit B
Property Map

OFFICE OF CLERK SUPERIOR COURT
CLINCH COUNTY, GEORGIA

Filed for Record at 4:45 O'clock P. M. this
14 day of January 20 05. Recorded in
Plat Book H Page 199
January 14 20 05
Melinda Davis Clerk



N. OR F. PROP. OF
ST. REGIS PAPER COMPANY
DEED BOOK 3-F, PAGES 197-200



PLAT OF SURVEY FOR:
INTERNATIONAL PAPER COMPANY
BEING IN LAND LOT 323 OF THE 13th
LAND DISTRICT, CLINCH COUNTY, GEORGIA
DATE: NOVEMBER 15, 2004



GRAPHIC SCALE : 1 INCH = 100 FT.



LEGEND	
I.P.S.	- IRON PIN SET - 5/8" REBAR
I.P.F.	- IRON PIN FOUND
G.P.F.	- GALVANIZED PIPE FOUND
R/W	- RIGHT OF WAY
C/L	- CENTERLINE
EQUIPMENT USED: TOPCON AP-L1A "TOTAL STATION"	
FIELD CLOSURE: 1"/15,000+	
ANGLE ERROR: 2"/PT	
METHOD OF ADJUSTMENT: NONE	
PLAT CLOSURE: 1"/189,145	
BEARINGS SHOWN WERE CALCULATED FROM FIELD ANGLES TURNED REFERENCED TO DEED BOOK 3-F, PAGES 197-200	

**Southeastern
Surveying, Inc.**

601 N. St. Augustine Rd. Telephone: 229-259-9455
Valdosta, GA 31601 Fax: 229-259-9926
E-mail: bherring@sesurveying.com