

Georgia Department of Natural Resources

Environmental Protection Division

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Judson H. Turner, Director

Land Protection Branch

Keith M Bentley, Branch Chief

Phone: 404-657-8600 / Fax: 404-657-0807

March 22, 2013

COPY

VIA E-MAIL AND REGULAR MAIL

Davidson-Kennedy Company
c/o Mr. Joseph R. Ruben
5273 Redfield Road
Dunwoody, Georgia 30338

Re: 1st Semi-Annual VIRP Progress Report, December 2011
2nd Semi-Annual VIRP Progress Report, June 2012
3rd Semi-Annual VIRP Progress Report, December, 2012
Davidson-Kennedy Company Property, HSI Site No. 10866
1195 Victory Drive, Atlanta, Fulton County, Georgia
Tax Parcel 14-0121-0007-002-4

Dear Mr. Ruben:

The Georgia Environmental Protection Division (EPD) has reviewed the December 2011, June 2012, and December 2012 Progress Reports submitted for the above referenced Site pursuant to the Georgia Voluntary Remediation Program Act (the Act). EPD's comments are provided below:

1. EPD is currently reviewing the geostatistical soil evaluation submitted for the Davidson-Kennedy Company Site and has requested additional information to determine the validity of the evaluation. EPD's comments on the evaluation will be sent separately.
2. EPD concurs with soil and groundwater delineation of constituents of concern on the Davidson-Kennedy Company property (14-0121-0007-002-4) in accordance with Item # 5.b. on the VIRP Application checklist. In accordance with the approved VIRP checklist, full horizontal delineation of the release, to Type 1 RRS or background as indicated in the October 14, 2011 letter, should be completed by the next semi-annual report due June 30, 2013 and vertical delineation should be completed by December 30, 2013.
3. The 3rd Semi annual progress report requests EPD concurrence that soil delineation is complete. There are multiple sample locations along the western and northeastern property boundaries that exceed the industrial delineation concentration of 224 mg/kg including recent sampling points DK-16, DK-23, DK-24 (28,600 mg/kg), DK-25, DK-27, and DK-28. There are also multiple samples along the eastern boundary that exceed the residential delineation criteria. Please collect a sufficient number of additional surface and subsurface soil samples to delineate the horizontal extent of regulated substances in soil to the appropriate value. EPD cannot concur that off-property soil delineation is complete at this time.
4. EPD cannot determine if SVOC delineation is complete. The figures provided in the progress reports did not show historical data and a delineation line. In the next progress report, please include separate delineation figures for SVOCs and lead and include all data used to demonstrate delineation on the figure with an isoconcentration line.

5. As recognized in Section 2.1 of the first progress report, EPD did not approve the lead background concentration of 224 mg/kg for the eastern side of the property, which adjoins residential properties. Rather, EPD suggested that Davidson-Kennedy calculate an alternative concentration or use the Type 1 RRS of 75 mg/kg. Since you have not proposed an alternative value, the lead in soil must be delineated to the background concentration calculated for Fort McPherson of 99 mg/kg. Please note that the residential properties to the east of the site have not been enrolled in the VIRP program and therefore, Davidson-Kennedy Company must demonstrate compliance with residential risk reduction standards for soil under the Rules for Hazardous Site Response.
6. Please include the correct compliance certification shown in the VIRP checklist with all subsequent progress reports.
7. Please submit the results of the preliminary risk evaluation (PRE) described in Section 3.4.7.2 of the May 2011 Amended VIRP Application and results of surface water sampling to EPD with the next semi-annual progress report due in June 2013. If necessary, ecological remedial goals must be submitted in the final remediation plan due no later than December 2013. The PRE should also address the potential for future migration of soil and groundwater contamination into sediment and surface water.
8. Please be aware that the final remedial plan must include a Uniform Environmental Covenant (UEC) to maintain non-residential status. This UEC must address potential construction worker and utility worker soil exposure when working at depths greater than two feet below ground surface. In addition, this UEC must identify how Davidson-Kennedy Company will preserve the exposure domains used for the geostatistical soil evaluation.

Davidson-Kennedy Company must address these comments to EPD's satisfaction in order to demonstrate compliance with the provisions, purposes, standards and policies of the Act. EPD may, at its sole discretion, review and comment on documents submitted by Davidson-Kennedy Company. However, failure of EPD to respond to a submittal within any timeframe does not relieve Davidson-Kennedy Company from complying with the provisions, purposes, standards and policies of the Act.

Please address the above comments in subsequent semi-annual progress reports. EPD anticipates receipt of the next progress report by June 30, 2013 and the Remedial Plan by December 30, 2013. If you have any questions, please contact John Maddox at (404) 657-8600.

Sincerely,



Charles D. Williams
Program Manager
Response and Remediation Program

✓c: Jason P. Chappell, Peachtree Environmental

File: HSI 10866

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