

FORSTMANN®

April 29, 1994

Mr. Ray Osborne
Douglas & Lomason
P. O. Box 20783
Atlanta, GA 30320

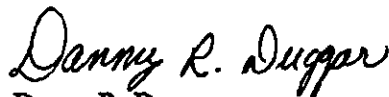
Re: GIEC TWG/HSRA

Dear Ray:

Enclosed is Georgia Textile Manufacturer's Association, Inc. (GTMA) comments to Harold Reheis for HSRA Clean-Up Standards. I was quite pleased to see GTMA endorsing GIEC comments.

Thanks for the commitment and dedication of yourself and the technical work group. Your leadership has been focused and appreciated.

Sincerely,
Forstmann & Company, Inc.



Danny R. Duggar
Dir. Corporate Engineering

DRD/lsg
Encl.

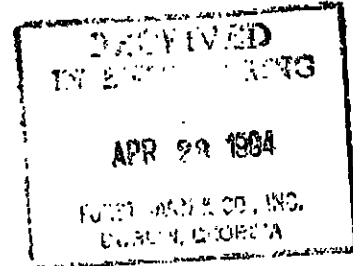
c: Mr. Larry Neal - (404) 421-3580
Mr. Larry Bradbury - (404) 584-3735



Georgia Textile Manufacturers Association, Inc.

THE HURT BUILDING • 50 HURT PLAZA • SUITE 985 • ATLANTA, GEORGIA 30303 • (404) 688-0555 • TELEFAX (404) 584-0720

April 27, 1994



Mr. Harold F. Reheis
 Director
 Environmental Protection Division
 Georgia Department of Natural Resources
 205 Butler Street, SE
 Suite 1252
 Atlanta, GA 30334

Dear Mr. Reheis:

This is to respond to the request for public comments concerning revisions to the Georgia Rules for Hazardous Waste Response ("Rules"), Chapter 391-3-6-.19.

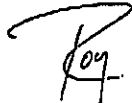
Based upon a thorough review of the proposed Rules and our assessment of their implications for the textile industry, the Georgia Textile Manufacturers Association (GTMA) endorses the comments offered by the Georgia Industry Environmental Coalition (GIEC) regarding those Rules. In particular, GTMA strongly believes that clean-up standards required by the Rules be consistent with federal clean-up standards so that a second tier or conflicting clean-up criteria is not created in Georgia by promulgation of the Rules.

Further, we join the GIEC in its position that risk-based analysis of clean-up standards should be incorporated into all ground-water criteria. For example, under Type 5 risk reduction standards, a responsible party is compelled to meet fixed criteria regardless of the responsible party's ability to demonstrate that the subject release poses no plausible danger to human health or the environment. Rather than impose such rigid, inflexible standards, it is our understanding that the Environmental Protection Division ("EPD") would not abdicate its discretionary and professional role in decision-making, in favor of rigid, inflexible criteria. If EPD does not have adequate staff to perform risk-based analysis sufficient to protect public health and the environment, and also protect business from unreasonable and infeasible clean-ups, then GTMA will gladly work with EPD to obtain funding for personnel necessary to adequately evaluate these highly technical and complex issues.

As you know, GTMA has worked effectively on appropriations matters with the General Assembly in the past and, in order to provide EPD with adequate resources, would be willing to work with your agency and the General Assembly during the 1995 Session to assure adequate funding for the benefit of your agency and Georgia's industry.

We trust these comments are helpful in finalizing the Rules.

Sincerely,



G. L. Bowen, III
President

GLB,III:w
cc: Environmental Quality Committee
Mr. Greg Blount

DSM Chemicals North America, Inc.



1 Columbia Nitrogen Road
P.O. Box 2451, Augusta, Georgia 30903
Telephone (706) 849-6600, Telefax (706) 849-6999

April 29, 1994

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Environmental Protection Div.
Hazardous Waste Mgmt. Branch

Mr. Harold Reheis
Georgia Environmental Protection Division
Georgia Department of Natural Resources
205 Butler Street SE
Floyd Towers East, Suite 1152
Atlanta, GA 30334

Re: Comments to the Proposed Corrective Action Rules
First Public Comment Period
Georgia Hazardous Site Response Act ("HSRA")

Dear Mr. Reheis:

On behalf of DSM Chemicals North America ("DCNA"), I wish to submit comments to the Georgia Environmental Protection Division (the "Division") regarding the Proposed Corrective Action Rules issued for public comment on April 1, 1994. DSM Chemicals North America is a manufacturer of caprolactam and ammonium sulfate, with plant facilities located in Richmond County, Georgia.

Although DCNA is not a member of the Georgia Industry Environmental Coalition ("GIEC"), I nevertheless wish to adopt by reference the comments set forth in the GIEC comment letter which, we understand, has been forwarded to the Division. In particular, we agree with the GIEC that the proposed HSRA regulations will have a "far reaching impact" on all business entities within Georgia. By posing extensive new requirements upon Georgia business and industry, the regulations will affect the competitive position of all companies involved in complying with HSRA.

To the extent that the HSRA regulations go beyond the stated policy of the Georgia Hazardous Site Response Act as codified at O.C. Ga. A. §12-8-90 et seq., such regulations should be adjusted to be less stringent. It is clear that the Georgia HSRA is intended to deal with releases into the environment *which may pose a threat to human health or the environment*. DCNA therefore urges the Division to ensure that all of the proposed regulations limit corrective actions to only those specific releases which the Director specifically determines to pose a danger to human health or the environment, and that remediation of such releases be limited to remediation which removes such danger to human health or the environment. The determination by the Director regarding danger to human health and the environment should be made prior to the requirement to commence remedial action; and such determination should be based upon clearly delineated standards in keeping with the current use of the affected land.

DSM Chemicals North America, Inc.



Mr. Harold Rehels
April 29, 1994
Page Two

Thank you for the opportunity of presenting these comments.

Sincerely,

A handwritten signature in cursive script that reads "B. Max Beal".

B. Max Beal
Manager, Safety and Environmental

BMB/twr

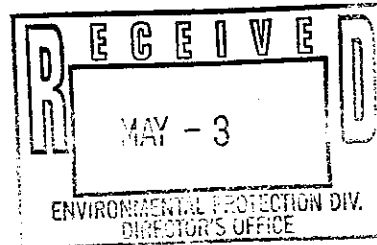
Southwire Company
P.O. Box 1000
Carrollton, Georgia 30119-0001
Telephone 404-832-4242
Telex 542799 Fax 404-832-4929

Tim Cash

SOUTHWIRE

April 29, 1994

Harold Reheis
Director
Environmental Protection Division
205 Butler Street, SE
Suite 1152
Atlanta, Georgia 30334



Re: Comments on the Proposed Corrective Action Rules (dated 4/1/94)

Dear Mr. Reheis:

Presented herein are Southwire's comments on the proposed Corrective Action Rules (dated 9/30/93) for the Hazardous Site Response Act (HSRA).

Applicability

Since the beginning of HSRA, the Environmental Protection Division (EPD) has stated that it intended to apply HSRA corrective action requirements (i.e., the proposed risk reduction standards at 391-3-19-.07) to corrective action under RCRA. Southwire requests that this be so stated within the proposed rule to the extent such is not prohibited by Federal law and regulation.

Soil Criteria

Given that the notification concentrations (NCs) are very conservative, Southwire suggests that the most stringent soil cleanup criteria for any regulated substance must always be greater than the NC for the same regulated substance.

Groundwater Criteria

Southwire questions EPD's position that all groundwater is a potential drinking water source. There are numerous examples where it is inappropriate to presume groundwater is a direct source of drinking water. These examples include: (1) insufficient aquifer yield, (2) poor natural quality, (3) physically inaccessible, and (4) areas where use of available public water supply is mandatory. Southwire recommends that an option be added to Type 2, 3, 4, and 5 groundwater criteria that allows the responsible party to rebut the presumption that all groundwater is a potential drinking water source.

Once the distance from the site to the nearest potential drinking water well location is demonstrated to the satisfaction of the Director, the Type 2, 3, 4, and 5 groundwater criteria for the site could be keyed to the flow path distance from the site by using multipliers as follows: <1/2 mile, 1X; 1/2 - 1 mile, 10X; 1 - 2 miles, 100X; > 2 miles, 1000X.

Certification

The certification statement at 391-3-19-.06(4) should be modified such that the second paragraph of the certification statement is clearly limited such that it refers only to the specific release site and the specific release constituents.

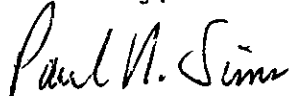
Criteria for Type 5 Standards

The Criteria for Type 5 Standards at 391-3-19-.07(10)(a) should be revised in order to clearly and realistically provide for a site-specific risk-based standard. The usefulness of Type 5 must not be encumbered with the requirement that this standard is only available if Types 1, 2, 3, and 4 are not appropriate.

Active remedial measures should include engineering and natural controls. Treatment should be considered along with removal and decontamination to abate the principal threats at a site. The responsible party must be able to demonstrate, to the Director's satisfaction, that the chosen measures appropriately eliminate or abate present and future threats from the site.

Southwire appreciates the opportunity to provide input during the rulemaking process and we trust that our comments will be useful to EPD.

Sincerely,



Paul N. Sims, P.E.
Senior Environmental Engineer

Georgia Industry Association

125 River Hollow
Duluth, Georgia 30136

April 29, 1994

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MAY 2 1994

Environmental
Hazardous Waste

Georgia Environmental Protection Division
Georgia Department of Natural Resources
205 Butler Street, S.E.
Floyd Towers East, Suite 1152
Atlanta, Georgia 30334

Attn: Harold Reheis, Director

Dear Mr. Reheis:

The Georgia Industry Association (GIA) is pleased to make comments on the Draft Corrective Action Rules released for public comment on April 1, 1994. The GIA is an organization of over 110 manufacturing and mining companies throughout the State. These rules could have a profound impact on many of our members.

The requirement of HSRA is to clean up only releases that pose a danger to human health or the environment. If there is no danger, there should be no required cleanup. This intent has been made clear in both the Release Reporting Rules and now the Corrective Action Rules. The structure of the five types is reflective of this. We support this structure.

It is important that these rules be based on the best science and technology we can develop. We have carefully reviewed the comments of the Georgia Industry Environmental Coalition. This is the most technically oriented work done in this area, and we support their comments in full detail.

GIA feels the following issues deserve the most attention:

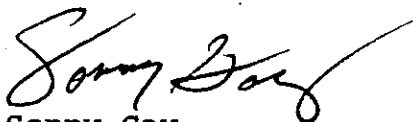
1. Type 1 soil criteria are overly stringent. There should be no requirement to clean up below the standards for notification. The HSRA process should act as a winnowing method where fewer sites exist at each step of the process. The most stringent soil criteria should always be greater than the notification concentrations.
2. Type 2 and 4 groundwater criteria are overly stringent. All groundwater is not a potential drinking water source. Groundwater availability may be restricted because of physical access, hydrogeologic availability, or the presence of a regulated public water supply (often accompanied by ordinances prohibiting drinking water wells). Multiples of the groundwater criteria in

Appendix III, Table 1 as outlined in the GIEC document should be allowed where there is significant distance to a plausible drinking water source. In the Type 4 standards, Type 1 or Type 2 should be allowed for offsite groundwater.

3. Type 2 soil criteria are overly stringent. Risk reduction concentrations should be no more stringent than the soil screening levels developed by U. S. EPA or calculated using current U. S. EPA methodologies. These levels are the levels below which U. S. EPA would not typically require further investigation, much less corrective action.
4. Under Type 5, removal or decontamination should not be a preconceived requirement. The only generic requirement for Type 5 should be that the responsible party be able to demonstrate that a combination of selected measures will result in a site that no longer poses a danger to human health or the environment. The opportunity for cost effective solutions would be greatly constrained with the current EPD language.

Thank you for the opportunity to make these comments. The Georgia Industry Association is hopeful that these changes can be incorporated into the rules.

Yours truly,



Sonny Gay
Chairman



Gene Dyson
President



James McClatchey
Environmental Chair



CHEMICAL MANUFACTURERS ASSOCIATION

April 29, 1994

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MAY 02 1994

Environmental Protection Agency
Hazardous Waste Mgmt. Branch

Harold Reheis
Director, Environmental Protection Division (EPD)
Georgia Department of Natural Resources
205 Butler Street, Suite 1152
Atlanta, Georgia 30334

RE: Hazardous Site Response Rules on Corrective Action, Chapter 391-3-19

Dear Mr. Reheis:

The Chemical Manufacturers Association (CMA) is pleased to provide you with its comments on the Draft Hazardous Site Response Rules on Corrective Action. CMA is a nonprofit trade association with over 80 member company facilities located in Georgia. Georgia is the seventeenth largest chemical producing state in the United States. The chemical industry directly employs over 20,000 people in Georgia, which represents approximately four percent of the state's manufacturing jobs.

CMA strongly supports efforts in Georgia to remediate sites that represent a danger to human health or the environment. CMA applauds efforts by EPD to move forward quickly with the development of corrective action standards. This is an issue which is of great interest to our members in Georgia. CMA supports the approach taken in the draft rule which includes tiered risk reduction standards that incorporate risk-based, site-specific factors. We also support provisions contained in the draft which consider land use in applying appropriate risk reduction standards and which allow for the use of on-site containment, engineering controls, and institutional controls.

Although we support the general approach taken in the draft rules, we have concerns with how this approach would be implemented. Attached for your consideration are our specific comments on the draft rule. CMA would welcome the opportunity to discuss this issue further with you or your staff. If you have any questions concerning the attached comments, please call me at (202) 887-1276, or contact our representative in Georgia, Jet Toney, at (404) 978-6541.

Sincerely,

Steven M. Manzo
Associate Director, State Issues

Attachment

**Chemical Manufacturers Association
Comments on the Draft Hazardous Site Response Rules on Corrective Action
Chapter 391-3-19**

Applicability, 391-3-19-.06 (1)

The following clarifying language should be added to this section to specify that the rules apply only to those sites listed on the Hazardous Site Inventory:

(1) **Applicability.** The requirements of Rule 391-3-19-.06, ~~-.07, -.08~~ apply to any person who is responsible at a site listed on the Hazardous Site Inventory. These requirements do not apply to owners and operators of facilities required to perform corrective action pursuant to Rule 391-3-11-.10 of the Rules for Hazardous Waste Management. These rules only apply to those sites listed on the Hazardous Site Inventory pursuant to 391-3-19-.05

Applicability, 391-3-19-.06 (1)

Either within this section or in another section within the rules, language should be incorporated to address sites that have previously completed satisfactory remediation under a Georgia Environmental Protection Division consent order, or other programs, and have been signed off on by the state. These sites should not be subject to the provisions of this rule and should only be required to initiate additional corrective action if new conditions are discovered which the Director determines pose a danger to human health or the environment.

Removal of Sites from the Hazardous Site Inventory, 391-3-19-.05 (4) (b)

CMA believes that all five types of risk reduction standards are protective of human health and the environment and should therefore be treated equally. Remediation to Type 5 risk reduction standards should also qualify a site removal from the Hazardous Site Inventory (HSI). We recognize the need for long-term monitoring and maintenance to ensure that the engineering controls used to achieve a Type 5 risk reduction standard remain effective. However, it is inappropriate to continue to list the site on the HSI when no further remedial action is needed at the site. Thus, 391-3-19-.05 (4) (b) should be amended as follows:

(b) The Director determines, in accordance with Items 1 or 2 of Rule 391-3-19.06 (6) (b), that the site meets either the Type 1, Type 2, Type 3, er, Type 4, or Type 5 risk reduction standards of Rule 391-3-19-.07.

Corrective Action, 391-3-19-.06 (2) (a) (4)

CMA does not believe that a site should be identified for remedial action merely because it is abandoned. Abandoned sites where there has been a release or there is a continuing release would already be covered under (2) (a) (1) and (2). -In addition, the language included in (2) (a) (5) gives the Director broad authority to address any site that poses a danger to human health or the environment. Therefore, CMA recommends that 391-3-19-.06 (2) (a) (4) be deleted.

Corrective Action, 391-3-19-.06 (2) (a) (5)

In the broadest interpretation, any site could pose some danger to human health or the environment at some point in the future. Clearly, the intent here is to focus on those sites that truly represent a danger. Thus, 391-3-19-.06 (2) (a) (5) should be amended as follows:

5. The site does not meet any other criteria of Rule 391-3-19-.06 (2) (a) but the Director has determined that the site nevertheless poses a present or immediate future danger to human health or the environment.

Compliance status report for Class II sites, 391-3-19-.06 (3)

Information required in the compliance status report should be limited to that necessary to certify compliance with the risk reduction standards. This information requested is quite extensive and will result in the generation of large volumes of paperwork which increase costs for both the Department and the regulated community. The extensive documentation required would especially impact the farmer or private land owner who may not have the resources necessary to compile the required documentation. Some of the requested information assumes that that corrective action will be required. Information relating to corrective action should be required only after the Director has formally notified the responsible party that corrective action is required.

Compliance status report for Class II sites, 391-3-19-.06 (3) (a)

There is no opportunity for a responsible party to provide input to the Director prior to the setting of the deadline for submittal of the Class II compliance status report. There should be some mechanism in place to allow responsible parties to discuss the schedule for report submittal with the Director prior to the issuance of the submittal deadline to ensure that whatever deadline is set is reasonable. There may be situations or site conditions beyond the control of the responsible party which may have an impact on how quickly the required data can be collected. Therefore, 391-3-19-.06 (3) (a) should be amended as follows:

- (a) Any person who is a responsible party for a site designated on the Hazardous Site Inventory as a Class II site shall submit to the Director a compliance status report that documents the current status of the site with regard to the risk reduction standards of Rule 391-3-19-.07. The Director shall in writing request the submittal of said report and specify a time frame for submittal, based on a priority for submittal to be determined by the Director. Prior to the issuance of the submittal deadline, the responsible party will have the opportunity to meet with the Director and discuss the schedule for report submittal.

Compliance status report for Class II sites, 391-3-19-.06 (3) (b) (6)

In many cases, the responsible party may not have knowledge of other responsible parties or the type or amount of regulated substances such parties may have released at a site. The rule should be amended as follows:

6. The name, address and telephone number of any other known responsible party for the site and a description of the type and amount of regulated substances such party may have released, if known.

Compliance status report for Class II sites. 391-3-19-.06 (3) (b) (10)

CMA does not believe that ongoing monitoring should be required once a site has been remediated to Type 3 or 4 (non-residential) risk reduction standards. Similar state risk reduction regulations, such as the Texas risk reduction standards, do not require ongoing monitoring for remediation to non-residential standards. CMA suggests that 391-3-19-.06 (3) (b) (10) be deleted.

Determination of the need for corrective action. 391-3-19-.06 (6) (b) (2)

Remediation to a Type 5 risk reduction standard is fully protective of human health and the environment and should qualify a site for removal from the HSI. CMA suggests that this section should be amended as follows:

2. If the responsible party certifies that the site is in compliance with Type 3, or Type 4, or Type 5 risk reduction standards of Rule 391-3-19-.07, and the Director concurs with that certification, the Director shall designate the site on the Hazardous Site Inventory as having a known release needing corrective action and shall require the property notices of Rule 391-3-19-.08 (1) and (2). Upon compliance with rule 391-3-19-.08 (4), the site shall be removed from the Hazardous Site Inventory in accordance with Rule 391-3-19-.05 (4).

Determination of the need for corrective action. 391-3-19-.06 (6) (b) (3)

This section should be deleted (see comments on sections 391-3-19-.05 (4) (b) and 391-3-19-.06 (6) (b) (2))

Determination of the need for corrective action. 391-3-19-.06 (6) (c)

The provisions of this section are overly punitive and do not encourage coordination and cooperation between the responsible party and the Department of Natural Resources. As currently drafted, a site could be reclassified from Class II to Class I and be required to undergo remediation if a single item was inadvertently omitted from the compliance status report. The Department would not be obligated to notify the responsible party and give them the opportunity to correct the deficiency.

Also, there are no provisions for extension of the submittal deadline. In some cases, there may be situations and site conditions beyond the control of the responsible party which may preclude the submittal of the compliance status report by the specified deadline. In addition, the Director can reclassify a site if he/she does not concur with the responsible party's certification without notifying the responsible party of the reasons for disagreement and without giving the responsible party the opportunity to rebut the Department's findings. Thus, 391-3-19-.06 (6) (c) should be amended as follows:

(c) The Director may reclassify a site on the Hazardous Site Inventory from Class II to Class I, and designate the site as having a known release needing corrective action, if:

1. The responsible party fails to submit the compliance status report within the time specified in Rule 391-3-19-.06 (3) (a), and has not been granted an extension as specified in 391-3-19-.06 (6) (f);

2. The compliance status report is deficient with respect to the requirements of Rule 391-3-19-.06 (3) (b), and the responsible party has been notified by the Director of such deficiencies and has failed to correct the deficiencies within a reasonable time period to be specified by the Director; or

3. The responsible party certifies pursuant to Rule 391-3-19-.06 (4) that the site is not in compliance with any of the applicable risk reduction standards of Rule 391-3-19-.07 and the responsible party has failed to make the projected progress in the submitted corrective action plan.

4. The Director does not concur with the responsible party's certification made pursuant to Rule 391-3-19-.06 (4) that the site is in compliance with the applicable risk reduction standards of Rule 391-3-19-.07, and the Director has provided the responsible party with a detailed description of areas of disagreement and has given the responsible party the opportunity to rebut the Department's ruling and provide additional information supporting their certification.

(d) Upon making a determination pursuant to Rule 391-3-19-.06 (a) - (c) that the site has a known release needing corrective action, the Director shall provide the responsible party with written notice of such determination, including a statement concerning the requirements of Rule 391-3-19-.08.

(e) If the Director determines that a site listed as Class I on the Hazardous Site Inventory subsequently comes into compliance with the risk reduction standards of Rule 391-3-19-.07, the Director shall reclassify such site in accordance with the provisions of Rule 391-3-19-.08 (1) and (2) and need not be repeated.

(f) The Director may grant an extension to the compliance report deadline as appropriate. In order to be considered for an extension, the responsible party must submit an extension request to the Director including a detailed discussion of why the extension is warranted.

Risk Reduction Standards, 391-3-19-.07

CMA supports the approach taken in the draft rules which includes tiered remediation standards that incorporate risk-based, site-specific factors and considers land use in applying appropriate risk reduction standards. However, we are concerned about how this approach is proposed to be implemented. The proposed rule erroneously assumes that all ground water is a potential drinking water source. CMA believes that ground water should be managed based on its current or potential future use, not on the philosophy that all ground water should be protected and managed as drinking water.

In order for the tiered remediation standards approach to be effective and for the residential vs. non-residential classification to be meaningful, the rule must contain provisions that differentiate between ground water use. If ground water is not currently used as a source of drinking water in an area and is not expected to be used as drinking water source in the future, it is unreasonable to apply risk reduction standards developed using drinking water standards.

Risk Reduction Standards, 391-3-19-.07

Removal or decontamination of non-aqueous phase liquids from ground water is a very difficult if not impossible task. In practicality, containment is the approach often used. The rules should ensure that protective yet practical and cost-effective solutions are promoted. Mandating requirements that are virtually unattainable with today's technology will only increase cleanup costs and do little to improve environmental quality.

Risk Reduction Standards, 391-3-19-.07 (4) (d)

It should be clarified that the term "detection limit" used in this section and throughout the rule is defined as specified in 391-3-19-.02 (2).

Risk Reduction Standards, 391-3-19-.07 (6) (b)

The language in this section implies that no statistical analysis is allowed. This section should be amended to allow statistical characterization of release/source parameters. Also, it is unclear as to the source or significance of the numbers "10 mg/L" or "5 mg/L."

Risk Reduction Standards, 391-3-19-.07 (6) (c)

CMA believes that the Toxicity Characteristic Leaching Procedure (TCLP) is not the most appropriate method for this application. Very few, if any, sites are under the extreme acidic conditions simulated by the TCLP extraction method. A more appropriate method would be the Synthetic Leaching Test (SW-846, Method 1312) which uses rainwater acidity.

Risk Reduction Standards, 391-3-19-.07 (7) (b) and (9) (c)

The site-specific provisions are too limited in scope. The site-specific provisions in the draft rule are limited to the criteria for soil. The site-specific risk reduction standards for groundwater are identical to the fixed-assumption standards in the current draft. CMA believes that the site-specific provisions should be expanded to apply to all media and routes of exposure.

Risk Reduction Standards, 391-3-19-.07 (8) (c)

Type 3 risk reduction standards are to be applied to non-residential sites, yet the proposed rule requires compliance with ground water concentrations based on residential exposure. These ground water concentrations were developed based on drinking water standards and should not be applied to non-residential sites where ground water will not be used for drinking water.

Risk Reduction Standards, 391-3-19-.07 (8) (c) and (9) (c)

The requirement that ground water at and beyond the property boundary meet Type 1 criteria will negate the benefits of having tiered risk reduction standards. This would in essence eliminate the non-residential category and will force all sites to meet residential ground water criteria and is clearly inappropriate. For example, an industrial site surrounded by other industrial sites, where ground water is not, and will never be used for drinking water, should not be required to meet residential ground water criteria beyond the property line. Beyond the property line, land uses and ground water uses should be taken into account in determining what criteria should apply.

Risk Reduction Standards, 391-3-19-07 (10) (d) (4)

As currently drafted, this section goes beyond what is required to ensure a site meets Type 5 standards and is protective of human health and the environment. CMA recommends that this section be amended as follows:

4. Ground Water. The measures shall be expected to permanently assure that ground water concentrations shall not exceed Type 1-4 criteria, as applicable. The applicable ground water criterion shall be achieved throughout the entire plume of contaminated ground water, except where the remedial measure provides for soil being left in place with concentrations in excess of applicable soil criteria under Types 1-4, in which case the Director may exclude from this requirement that portion of the plume that lies directly under the contaminated soil, as long as continuing releases to ground water from the soil and continued vertical migration of the release within ground water are) exposure to the ground water pathway is eliminated by approved control measures. At a minimum, for all Type 5 cases, non-aqueous phase liquids in ground water shall be removed or decontaminated to the extent practicable.

Appendix III

Health advisories and health-based limits from delisting were apparently used in developing the values for Table 1 when maximum contaminant levels (MCLs) were not available. Health-based limits are based on target risks of 10^{-6} (or 10^{-5} for Class C carcinogen) and are not therefore directly transferable to health advisory values or MCLs. CMA suggests for compounds with no MCLs, equations 1 and 2 in RAGS PART B without water-to-volatilization be used when toxicity information on the specific chemical is available.

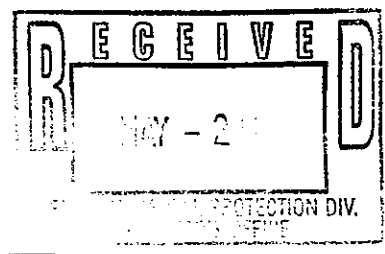
Tim Lash



Hercules Incorporated
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April 29, 1994

Mr. Harold Reheis
Director, Georgia EPD
Georgia Department of Natural Resources
205 Butler Street, SE
Floyd Towers East - Suite 1152
Atlanta, GA 30334



Dear Mr. Reheis:

HAZARDOUS SITE RESPONSE ACT
Comments on the Proposed
Remediation and Delisting Standards

We have reviewed EPD's proposed rules for remediation standards and delisting procedures for hazardous sites. We are in agreement with and support the comments made by CMA in their letter to you of March 24 and the Georgia Chamber of Commerce in their letter to you of March 25. Some points we would also add are as follows.

- There should be an option for clean-up standards of all media to be based on site specific risk assessments when circumstances indicate they will be protective of human health and the environment.
- Table 2 of the proposed rules shows Type 1 soil criteria for a residential scenario which are background levels of metals in Georgia. The risk based standards developed by EPA (40 CFR 264.521) are protective of human health and the environment and should be used instead.
- Once a site is cleaned up and meets the standards appropriate for land use, it should be removed from the list. Clean-up of industrial sites to residential standards is overly burdensome.

refers to proposed Subpart S action levels

Thank you for the opportunity to comment on these proposed rules. Your consideration of these comments is appreciated.

Very truly yours,
David T. Smith, Jr.
David T. Smith, Jr.
Plant Manager

CHEMICAL PRODUCTS CORPORATION
CARTERSVILLE, GEORGIA 30120

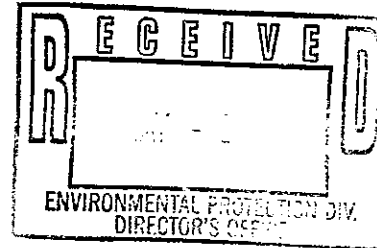
*Tim
Cash*

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April 29, 1994

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Mr. Harold Reheis, Director
Environmental Protection Division
Georgia Department of Natural Resources
205 Butler Street, S.E.
Floyd Towers East, Suite 1152
Atlanta, Georgia 30334



Subject: Draft Corrective Action Rules of the Georgia Hazardous Site Response Act

Dear Mr. Reheis:

Chemical Products Corporation (CPC) wishes to express its support for the comments made by the Georgia Industry Association (GIA) on the Draft Corrective Action Rules of April 1, 1994. These comments were contained in a recent letter signed by James McClatchey, Chairman of GIA's Environmental Committee.

CPC believes that the changes suggested in GIA's comments will protect the most basic requirement of HSRA, to clean up all releases that pose any danger to human health or the environment, and will do so in the most cost-effective manner. We urge EPD to give careful consideration to these comments.

Sincerely,

L. Ballard Mauldin

L. Ballard Mauldin
Executive Vice President

LBM/mlc