



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 4

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ATLANTA, GEORGIA 30303

August 1, 2019

Jason Metzger
Program Manager
Land Protection Branch - Response and Remediation Program
Georgia Environmental Protection Division
Georgia Dept. of Natural Resources
2 MLK Jr. Drive SE
Suite 1054 – East Tower
Atlanta, GA 30334

Subject: Request for Identification of State ARARs
Westside Lead Site
EPA ID: GAN000407160

Dear Mr. Metzger:

As the State of Georgia is aware, the Superfund Removal Program of the United States Environmental Protection Agency (EPA) is considering a removal action at the Westside Lead Site (the Site) located in Atlanta, Fulton County, Georgia. To perform this action, EPA will attempt to comply, to the extent practicable, with all Applicable or Relevant and Appropriate Requirements (ARARs) of State environmental and facility siting laws. This letter is a request that the State notifies the EPA On-Scene Coordinator (OSC) of any State statutes or regulations which the State believes are potential ARARs to the removal site. This letter also contains information on site conditions and proposed actions to assist you in identifying ARARs.

The types of ARARs that will be considered in this removal action fall into the following three categories: chemical, location, and action-specific requirements. Chemical-specific requirements are health, technology, or risk-based numeric values that establish the acceptable amount or concentration of a chemical that may be found in, or discharged to, the ambient environment. Location-specific requirements are restrictions placed on the concentration of a hazardous substance or the conduct of activities solely because they occur in special locations. For example, the requirement that hazardous waste storage facilities located within a 100-year flood plain must be designed, constructed, operated, and maintained to avoid washout is considered a location-specific requirement. Action-specific requirements are technology- or activity-based requirements or limitations on actions taken with respect to hazardous waste.

The Westside Lead Site is in the English Avenue neighborhood of Atlanta, Georgia. Currently, the site boundaries are bounded by Joseph E. Boone Boulevard NW, James P. Brawley Drive NW, Cameron Madison Alexander Boulevard NW, and the former CSX rail lines running just west of Northside Drive. This area encompasses exactly 366 residential properties. The Site is currently allocated to 395 Elm Street, Atlanta, Fulton County, Georgia. The coordinates are latitude 33.7654320, longitude - 84.4087470.

In 2018, an Emory University student collected data on heavy metal concentrations in Atlanta-area garden soil for a doctoral dissertation. Samples were collected at locations throughout western Atlanta and the surrounding suburban areas, focusing on community gardens.

Elevated lead levels were found at several locations in west Atlanta. Discussions with one of the community garden groups uncovered the presence of slag on residential lots near one of the gardens in the English Avenue neighborhood. The surrounding soil was found to have lead levels greater than 4,000 milligrams per kilogram (mg/kg), 10 times the EPA Removal Management Level (RML) of 400 mg/kg. It was believed at the time that the slag was confined to a series of piles dumped on an empty lot at 395 Elm Street.

One of the student's instructors at Emory also works for the EPA Region 4 Superfund Division and facilitated reporting the findings to the EPA and the Georgia Department of Natural Resources' Environmental Protection Division (GA EPD). On November 15, 2018, GA EPD requested the EPA perform a Removal Site Evaluation (RSE) on the property.

A site reconnaissance was performed in December 2018. At that time, the On-Scene Coordinator (OSC) noted slag visible in lawns at several properties along Elm Street, along both sides of the street. Combined with the elevated lead data Emory collected from other properties along Elm Street, this indicated a potentially more widespread extent of contamination than just the soil piles at 395 Elm Street. The OSC initiated an RSE to determine if contamination on Elm Street was confined to the soil piles at 395 Elm Street or was more widespread. To define a manageable investigation area, the OSC selected the two city blocks surrounding 395 Elm Street, which encompassed 60 parcels. There were difficulties in obtaining access to the lots, as most of the property in English Avenue is not owner-occupied but owned by absentee landlords. The EPA was successful in obtaining access to only 23 properties in the study area during the first round of sampling.

Soil sampling began in March 2019 and continued for a couple of months as access was obtained. Each property was divided into Decision Units (DUs) and, upon collection, each sample was sieved down to a 150 μ mesh. The sieved fractions were then analyzed with an XRF prior to being packaged for laboratory analysis. The samples were sent to the Region 4 laboratory in Athens, Georgia for metals analysis. Sieving was performed to provide a more accurate assessment of the soil fractions most likely to be ingested by persons coming in physical contact with the soil.

Laboratory arsenic values ranged from 0.77 mg/kg to 18 mg/kg. No samples exceeded the arsenic RML of 68 mg/kg. Thus, arsenic is not a contaminant of concern for this RSE.

Lead values ranged from 57 mg/kg to 3,400 mg/kg. On a per-parcel basis, 15 of the 23 parcels sampled had at least 1 DU above the EPA RML for lead of 400 mg/kg, or 65% of all parcels sampled. Three parcels showed at least 1 DU equal to or above 1,200 mg/kg. The average over-RML concentration is 830 mg/kg.

EPA plans to conduct a fund-financed time-critical removal action. EPA's proposed actions include the following:

- Excavate contaminated surficial soils at the Site until:
 - the lead concentration in surface soil as determined by in-situ XRF sampling is less than the site-specific cleanup goal of 400 mg/kg, or

- twelve (12) inches of soil is excavated, unless
- visible slag source material is present, at which another twelve (12) inches of soil will be excavated, up to a total of twenty-four (24) inches of soil removal, or
- the lead concentration in the second twelve (12)-inch interval falls below the site-specific clean-up goal of 400 mg/kg as determined by in-situ XRF sampling;
- place a physical barrier material at the bottom of the excavation where lead levels greater than 400 mg/kg remain in subsurface soil below the extent of excavation;
- Evaluate treatment and disposal options for the contaminated soils;
- Transport and dispose of all contaminated soils;
- Restore areas which are disturbed by the removal action to their pre-removal state to the maximum extent practicable;
- Continue assessment of nearby properties within the Area of Investigation;
- Prepare and implement a community-involvement plan and hold routine public meetings to convey information to interested stakeholders.

In order to adequately consider and comply with any ARARs specified by the State of Georgia, EPA would appreciate a timely response (within 14 days if possible) to this request so that the requirements are considered for the removal action. Exact references or citations to the statutes or regulations, or copies of pertinent provisions of State requirements, will greatly facilitate our ability to evaluate these requirements as ARARs for the Site.

EPA will examine these requirements and determine whether they are applicable or relevant and appropriate to the Site. Pursuant to 40 CFR 300.415(j), fund-financed removal actions shall, to the extent practicable considering the exigencies of the situation, attain ARARs under federal environmental or state environmental or facility siting laws. It is important to clarify, however, that some requirements identified by the State may be determined not to be ARARs, may be determined to be impracticable to meet, or may qualify for a waiver. Please call me at (404) 562-8278, if you need additional information on the Site for completing the ARARs review.

Thank you for your assistance on this matter.

Sincerely,



Chuck Berry

On-Scene Coordinator

Emergency Response, Removal, Prevention, and
Preparedness Branch

cc: James Webster, Branch Chief, ERRPPB
Matt Taylor, Removal Section Chief, ERRPPB
Site File