



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 4
SAM NUNN ATLANTA FEDERAL CENTER
61 FORSYTH STREET
ATLANTA, GEORGIA 30303-8960

ACTION MEMORANDUM AMENDMENT

SUBJECT: Action Memorandum Amendment - Ceiling Increase Request for Continuation of the Time-Critical Removal Action at the Westside Lead Site, Atlanta, Fulton County, Georgia

FROM: Carol J. Monell, Director
Superfund & Emergency Management Division

THRU: Reggie Cheatham, Director
Office of Emergency Management

TO: Peter C. Wright, Assistant Administrator
Office of Land and Emergency Management

I. PURPOSE

The purpose of this Action Memorandum Amendment is to request and document the approval of additional funding for the time-critical removal action at the Westside Lead Site (the Site) in Atlanta, Fulton County, Georgia. The original Action Memorandum, dated November 4, 2019, identified the need for a time-critical removal action and set a project budget of \$1,814,869. A subsequent Action Memorandum Amendment dated May 5, 2020, increased funding to \$5,940,000. That amendment expanded the scope of work to include an additional number of properties with lead concentrations over the site-specific removal goal (SSRG) of 400 parts per million (mg/kg) and approved an exemption to the 12-month and \$2,000,000 statutory limitations. This current Action Memorandum Amendment increases funding to cover removal activities at additional properties with lead concentrations over the SSRG. The total project ceiling for this time-critical removal action, if approved, will be \$17,995,000.

II. SITE CONDITIONS AND BACKGROUND

SEMS ID: GAN000407160
Site ID Number: C482
Removal Category: Time-Critical Removal

A. Site Description

The Westside Lead Site is an area of residential soil contamination in Atlanta's English Avenue¹ and Vine City neighborhoods. Slag, an industrial waste from various metal-smelting processes, appears to have been used as fill material during property development across portions of the neighborhoods.

¹ While there is an "English Avenue" in the English Avenue neighborhood, the phrase, as used here, refers to the entire neighborhood.

Atlanta's westside neighborhoods were developed during the late 1800s and early 1900s. During this period there were few limitations on the use of industrial waste material. The slag used in Atlanta's western neighborhoods contains lead.

1. Site Investigations

In 2018, an Emory University student collected data on heavy metal concentrations in Atlanta-area, garden soil as part of dissertation research. Samples were collected at locations throughout western Atlanta and surrounding suburban areas.

The researcher identified elevated lead concentrations at several locations in west Atlanta. Subsequent investigation by the student resulted in identification of industrial slag on residential lots near a garden plot in the English Avenue neighborhood. Soil testing showed lead concentrations greater than 4,000 milligrams per kilogram (mg/kg), 10 times the U.S. Environmental Protection Agency's Removal Management Level (RML) of 400 mg/kg². It was believed at the time that the slag was confined to a single vacant lot. The findings were reported to the EPA and the Georgia Department of Natural Resources' Environmental Protection Division (GA EPD).

The source of the slag is unknown. However, there were foundries located in Atlanta going back to the late 1800s, several near the English Avenue area (one of the streets currently bounding the site is named "Foundry Street"). Two of the foundries are known to have produced lead-contaminated slag and required post-closure remedial actions after the facilities shut down.³

On November 15, 2018, GA EPD requested that the EPA perform a Removal Site Evaluation (RSE) on the subject property. A Removal Site Inspection was performed in December 2018 (see Section 2.1). The On-Scene Coordinator (OSC) noted slag visible at several properties along Elm Street. Consequently, the OSC initiated a Removal Site Evaluation (RSE) to determine whether contamination on Elm Street was confined to the soil piles at the single vacant lot or was more widespread. To define a manageable investigation as a starting point, a two-block area (60 properties) surrounding 395 Elm Street was selected as the initial study area.

2. Removal Site Evaluation

The goals of the RSE, as outlined in the RSE Memorandum approved by EPA Region 4 Emergency Response, Removal, Prevention, and Preparedness Branch (ERRPPB) Management, were to determine:

- If there are concentrations of lead above the EPA Region 4 RML for residential soils of 400 mg/kg in particles less than 150 micrometers (µm) in diameter in the uppermost six inches of soil at the Site.

² This value is the default concentration derived using standard exposure and bioavailability values. Actual cleanup concentrations can be higher or lower depending on site-specific bioavailability data.

³ Specifically, the Seitzinger Lead Smelter (EPD Hazardous Site Inventory No. 10138, 1994), and the Atlantic Steel facility, which was remediated under a GA EPD RCRA closure permit beginning in the late 1990s.

- If there are concentrations of arsenic above the EPA Region 4 RML for residential soils of 68 mg/kg in particles less than 150 micrometers (μm) in diameter in the uppermost six inches of soil at the Site.
- If there are sensitive populations residing at or frequenting locations meeting either of the criteria in #1 and/or #2 above.
- If Site conditions meet any of the removal criteria provided at 40 CFR 300.415(b).

2.1 Sampling Methods

At the direction of the OSC, the Superfund Technical Assessment and Response Team (START) developed a Quality Assurance Project Plan that incorporated the Region 4 X-Ray Fluorescence (XRF) Field Operation Guide (FOG) and employed the Incremental Sampling Methodology. For lots without improved structures, the entire lot was considered a single Decision Unit (DU). For properties with houses, independent front and backyard samples were collected. Additional samples for gardens, side-yards and play areas were taken as necessary.

Upon collection, each sample was dried, disaggregated and then analyzed with an XRF to determine the bulk-lead value. The sample was then passed through a 850 μ mesh sieve to remove most organics. The remaining fraction was then disaggregated again and passed progressively 250 μ and 150 μ mesh sieves⁴. The 150 μ fraction was retained for analysis. The sieved fractions were then analyzed with an XRF prior to being packaged for laboratory analysis. The samples were sent to the EPA Region 4 laboratory in Athens, Georgia, for metals analysis.

2.2 Sampling Results

Subsequent to the submission of the RSE, the Site boundary (also referred to as the “study area”) was expanded twice more, first in June 2019 to 368 properties and again in February 2020 to 1087 properties. The data discussed here are relevant to the 60-parcel area only and formed the basis for development and submission of the original Action Memorandum.

There were difficulties in obtaining access to most of the properties in English Avenue because they are not owner-occupied, and over half of the properties are unimproved or abandoned. The EPA was successful in obtaining access to only 23 of 60 (38%) properties in the study area during the first round of sampling.

The data were derived using the laboratory analyses as definitive data. XRF data, while collected, was not used for the RSE. However, there was excellent correlation between XRF and laboratory lead results ($r^2 = 0.9975$) and extremely good correlation between sieved laboratory data and unsieved XRF results ($r^2 = 0.9$). Thus, XRF was considered a good candidate for making field decisions as to the depth of excavation.

⁴ 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 and is recommended by OLEM Directive 9200.1-128 (July 2016).

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

Laboratory arsenic values ranged from 0.77 mg/kg to 18 mg/kg. No samples exceeded the arsenic RML of 68 mg/kg. Sampling subsequent to the RSE has found arsenic concentrations above the RML at exactly one property, but this was co-located with lead at high concentrations (690 mg/kg). No other property has shown an exceedance for arsenic only. There was no discernable correlation between XRF results and laboratory data for arsenic, so XRF was determined to not be an appropriate indicator for arsenic contamination at this site.

The Superfund Scientific Support Section (SSS) reviewed bioavailability data for the Site. Twenty samples spanning the range of observed lead levels were submitted for bioavailability assay at the EPA Regional laboratory. Bioavailability testing attempts to gauge the portion of the lead in the soil that is absorbed by the human body after ingestion. Standard RMLs assume a bioavailability of 33% for lead. The results of the bioavailability sampling for the Site indicate the lead in the Westside soil is 30% bioavailable, less available for absorption than the reference standard. Using this factor, SSS recommended that 400 mg/kg, would be expected to result in a blood lead value of no greater than 7 micrograms per deciliter ($\mu\text{g}/\text{dl}$) using the Integrated Exposure Uptake Biokinetic (IEUBK) exposure model. The value of 400 mg/kg was established as the SSRG.

2.3 Study Area Expansion

In June 2019, based on discussions with EPA Region 4 Management, the OSC expanded the area of investigation to include approximately 370 residential properties within a 50-acre portion of English Avenue. An outreach program was initiated to obtain access to these additional properties. Most of these properties are also rental properties with corporate or absentee owners. The EPA received access to about 1/3 of the properties, and by the end of calendar year 2019, EPA had sampled 124 properties with 66 of those yielding lead concentrations greater than 400 mg/kg. Spatial distribution of the dataset suggested that the contamination existed beyond the study area boundary; thus, in February 2020, the project was again expanded. The current boundary encompasses 1,087 residential properties over an area of 286 acres and extends into the Vine City neighborhood. Sampling is currently being managed and funded by the Region 4 Restoration and Site Evaluation Branch.

Currently, the EPA has sampled 364 properties. Of those, 162 have at least one DU with lead concentrations greater than the SSRG of 400 mg/kg. Access efforts are ongoing, and sampling continues to run concurrently with the removal action.

2.4 Pre-Remedial Investigation

In July 2020, the Region 4 Restoration and Site Evaluation Branch took over management of sampling efforts as part of a Pre-Remedial Investigation.

The Site is expected to be scored for potential listing on the National Priorities List. Until that process is complete, ERRPPB's time-critical action remains the only removal mechanism available to address the threat due to soil-lead contamination at the Site.

3. Physical Location

While the Site currently covers 286 acres and encompasses 1,087 properties, for the purposes of this Action Memorandum Amendment, the Site location will be designated as 395 Elm Street, Atlanta, Fulton County, Georgia. The coordinates are latitude 33.7654320, longitude -84.4087470. The current Site boundary is a line beginning at the intersection of Joseph E. Boone Boulevard and Northside Drive, running west to the old CSX rail line (now part of the Atlanta Beltline PATH) crossing, following the rail line north to the intersection of North Avenue, running west along North Avenue until the intersection of Oliver Street, turning south to Joseph E. Boone, east to Sciple Terrace, south to Spencer Ave, east to James P. Brawley Drive, south to Foundry Street, east to Northside Drive, and back to the starting point with Joseph E. Boone Blvd. The Site includes only the residential properties within the boundary; industrial, commercial, and municipal property (parks and schools) are excluded from the current removal action.

4. Site Characteristics

The English Avenue and Vine City neighborhoods are located on the west side of Atlanta and have existed since the mid- to late-1800s. The neighborhoods were historically residential but are immediately adjacent to a major rail corridor through the central city. Large numbers of industrial properties were located along the corridor, including a coal-fired power plant, an iron foundry, a municipal incinerator, a recycling center and a manufactured gas plant. By the mid-1900s most of these facilities were shutting down, and by the mid-1970s nearly all the industrial property was converted to municipal use or abandoned.

The neighborhoods went through an economic downturn in the second half of the 20th Century. English Avenue and Vine City today are low-income and majority-minority neighborhoods. The area is considered an environmental justice community as detailed in the EJSCREEN included as Attachment 1. Community organizing and revitalization efforts have taken hold in the community. Notably, in 2013 the Urban Waters Federal Partnership Designated Proctor Creek, which drains most of west Atlanta, as a priority location. The EPA developed an extensive network of relationships with community leaders, and the resultant workgroup, the Proctor Creek Stewardship Counsel, earned a Samuel J. Heyman Service to America Award in 2018.

Large areas of Atlanta, including English Avenue and Vine City, are served by a combined sewer system, which channelized Proctor Creek's tributaries in the first half of the 20th Century. There are no streams in the neighborhood. Stream beds were filled and developed; houses now set directly where streams once flowed. The trunk lines that now carry surface runoff and municipal flow often run through yards and under buildings. Runoff now flows into drains located in or near the old creek beds, which oftentimes are directly in the middle of a contaminated property.

Consequently, runoff management is a constant pressure on removal activities, frequently requiring multiple lots be addressed as a single unit in order to maintain proper grading and eliminate flooding issues. During heavy rain events, the sewer systems are often overwhelmed. Removal actions have been forced to take this into account when designing remediation plans. The removal of vegetative cover on one lot increases overland flow onto another, requiring removal crews to engineer diversion, channeling, and retention devices, thus increasing removal costs.

5. Release or threatened release into the environment of a hazardous substance, or pollutant or contaminant

The presence of lead in the soil at the Site constitutes a release of hazardous substances as defined by CERCLA 101 (14) and 101(22). Lead is a hazardous substance listed in CFR Title 40 Section 302.4. A description of past, present and future releases or potential releases of lead-contaminated soils from the Site are detailed in Section III. A below.

6. National Priorities List (NPL) Status

The Site is not on the NPL but is currently undergoing a Preliminary Assessment to determine if an expanded investigation to list the Site under the NPL is warranted. ERRPPB has been in consultation with RSEB, and the current response action is expected to be consistent with any remedial action should the Site be placed on the NPL.

7. Maps, pictures, and other graphic representations

Maps and figures are attached to this Action Memorandum as Attachment 2.

B. Other Actions to Date

1. Previous Actions

Prior to the EPA's current action, there were no actions taken at the Site.

2. Current Actions

Current sampling activities are described in section II(A)(2). On November 4, 2019, an Action Memorandum was approved, authorizing \$1,814,869 in funding to address an initial set of properties. Removal activities were initiated in late January 2020 and continue to the present. Properties are prioritized for action based on risk tiers that consider lead levels and the age of the residents living at the properties (i.e., the action addresses the highest risks first).

By April 2020, sampling activities had identified a total of 124 properties with lead levels greater than the SSRG. In response to the increased number of affected properties, an Action Memorandum Amendment was approved in May 2020 to fund removal activities at additional properties. The Site ceiling was increased to \$5,940,000.

As of August 21, 2020, Region 4 has remediated 34 properties under the Westside Lead Site project. Sampling continues under RSEB's Remedial Investigation, and properties with contamination greater than 400 mg/kg continue to be identified within the current site footprint. As of August 21, 2020, 162 properties are identified with lead concentrations greater than 400 mg/kg.

C. State and Local Authorities' Role

1. State and Local Actions to Date

GA EPD has been involved with all activities at the Site. ERRPPB has coordinated all investigatory and response activities with GA EPD and the City of Atlanta. In particular, the City is assisting with Community Involvement activities.

2. Potential for Continued State and Local Response

GA EPD will continue to be involved with the response but is unable to commit funding to perform the necessary cleanup. The City of Atlanta has committed to continue assisting with Community Involvement activities.

III. THREATS TO PUBLIC HEALTH OR WELFARE OR THE ENVIRONMENT, AND STATUTORY AND REGULATORY AUTHORITIES

Lead is a hazardous substance as defined by Section 101(14) of the CERCLA. CERCLA contaminants, if released from the Site, may present a hazard to the public. The threats stem primarily from human exposure (i.e., residents) to these hazardous substances in the soil. Direct contact, ingestion and inhalation of lead-contaminated soil are the primary exposure pathways. The lead in surface soils on-site pose the following threats to public health or welfare as listed in Section 300.415 (b)(2) of the National Oil and Hazardous Substance Pollution Contingency Plan (National Contingency Plan or NCP):

Section 300.415 (b)(2)(i) *Actual or potential exposure to nearby human populations, or the food chain from hazardous substances or pollutants or contaminants*; As of August 21, 162 of the 364 (45%) sampled properties contain lead levels in surface soil exceeding the SSRG of 400 mg/kg. There are more than 1,000 properties within the footprint of the current Site boundaries. Residents, especially small children, have potential direct contact exposure to the lead, through deliberate or incidental ingestion or via inhalation of airborne dust.

Section 300.415 (b)(2)(iv) *High levels of hazardous substances or pollutants or contaminants in the soils largely at or near the surface, that may migrate*; Elevated lead in surface soils may migrate through land erosion or physical movement by owners and tenants. Lead levels in the soil have been observed as high as 3,400 mg/kg. These concentrations exist within the first six inches of Site soil. The slag in many areas was covered by only a thin layer of topsoil which, over the years, has eroded, exposing the slag. Weathering of this material will release additional lead to neighboring soil. Routine gardening and/or lawn maintenance may disturb exposed or buried slag, thus increasing the likelihood of direct exposure conditions addressed under Section 300.415 (b)(2)(i). For at least one property with lead levels at 3,400 mg/kg, the OSC observed that physical disturbance caused by planting trees brought slag to the surface of the ground, further increasing the potential for human exposure.

Section 300.415 (b)(2)(v) *Weather conditions that may cause hazardous substances or pollutants or contaminants to migrate or be released*; Lead dust mobilized by aeolian processes may be inhaled by residents, including children. Airborne dust is also carried across property lines, so that children living on a property with low levels of lead may be exposed to lead dust emanating from another location. While the inhalation pathway was not quantified during the RSE, the *Superfund Lead-Contaminated Residential Sites Handbook*, August 2003, notes that it can be a significant source of lead exposure and that remediation of external sources is required to permanently remove this threat.

Section 300.415 (b)(2)(vii) *The availability of other appropriate federal or state response mechanisms to respond to the release*; There are no other federal other agencies available to respond. The GA EPD has requested the EPA's assistance with the removal action at the Site and has indicated that the State lacks the resources necessary to deal with the threats outlined in this Action Memorandum Amendment.

IV. ENDANGERMENT DETERMINATION

Actual or threatened release of hazardous substances from this Site, if not addressed by implementing the response actions selected in this Action Memorandum Amendment, may present an imminent and substantial endangerment to public health, welfare or the environment.

V. EXEMPTION FROM STATUTORY LIMITATIONS

The 12-month and \$2,000,000 statutory limitations were approved in the May 5, 2020 Action Memorandum that raised the Site ceiling to \$5,940,000. Those conditions, outlined below, remain applicable to the Site.

A. Emergency Exemption

1. There is an immediate risk to public health or welfare from approximately 162 contaminated properties. Soil currently found in the yards is contaminated in excess of the SSRG of 400 parts per million. The families of these contaminated properties and community members who enjoy these properties are subject to actual or potential exposure to lead daily. Exposures can occur when residents conduct routine activities such as mowing grass, gardening, or playing in the yard.
2. Response actions are immediately required to prevent, limit or mitigate an emergency. The analytical results of soil samples collected by the EPA show high levels of lead contamination in the top few inches of soil. The properties proposed for this removal action are contaminated with high levels of lead. Concentrations have been screened or analyzed as high as 3,400 mg/kg in the surface soil of these properties. Gardening, construction activity such as repairing water pipes, and installing recreational use improvements, such as horseshoe or barbeque pits, alter the surface soil and foster migration of loosened soil during rain events. The contaminated soil must be addressed to mitigate exposure risks to neighborhood children and other residents.
3. Unless the EPA conducts a removal action, assistance will not otherwise be provided on a timely basis. Neither the State nor local governments have the funding to accomplish this proposed removal action. Investigations into viable PRPs are ongoing but will take additional time and may require lengthy negotiations if such parties are identified.

4. The Site is being evaluated by the Site Assessment Program, but scoring and potential listing of the Site on the NPL will likely take at least a year or more to accomplish.

VI. PROPOSED ACTIONS AND ESTIMATED COSTS

A. Proposed Actions

1. Proposed action description

Lead levels in surficial soil have been documented to be as high as 3,400 mg/kg. Based on bioavailability sampling data, the Region 4 SSS Section has provided a SSRG for lead of 400 mg/kg.

The EPA's proposed actions include the following:

- a. Survey properties to verify current property boundaries, if not apparent;
- b. Implement the Community Involvement Plan to ensure continued participation of affected residents and community leaders in the removal action;
- c. Construct satellite staging areas for Site activities such as soil stockpiling, equipment storage and office trailer locating;
- d. Inventory existing plants, grasses, utilities and outbuildings on each property;
- e. Remove impediments, as allowed, to provide for an appropriate excavation effort;
- f. Excavate contaminated surficial soils at the Site until:
 - i. the lead concentration in exposed soil as determined by ex-situ XRF screening is less than the SSRG of 400 mg/kg, or
 - ii. 24 inches of soil is excavated
 - iii. If contamination at 24 inches remains, a geotextile fabric will be placed over the contaminated soil to warn against further intrusion past the barrier.
- g. Backfill with clean soil, shape to original contours and lightly compact;
- h. Replace or repair any EPA-damaged concrete, piping, fencing, outbuildings, etc;
- i. Conduct ex-situ screening and/or collect samples for laboratory analysis as necessary;
- j. Restore areas which are disturbed by the removal action to their pre-removal state to the maximum extent practicable;
- k. Monitor ambient dust levels generated by the response actions to ensure no off-site impacts to nearby populations or property;
- l. Arrange for off-site transportation and disposal/treatment of contaminated soil according to applicable regulations, including the CERCLA off-site rule;
- m. Perform on-site treatment of characteristically hazardous waste, if appropriate;
- n. Maintain Site security and limit access during implementation of the removal action;

- o. Conduct all removal actions pursuant to an EPA-approved Health and Safety Plan;
- p. Temporarily relocate residents, if necessary, during excavation activity; and,
- q. Re-establish vegetation.

2. Contribution to remedial performance

The proposed removal action is warranted to address the threats discussed in Section III, which meet the NCP Section 300.415 (b) (2) removal criteria. The Site is currently undergoing a Preliminary Assessment under the Remedial Process. The removal action contemplated in this Action Memorandum will be consistent with any remedial action.

3. Engineering Evaluation/Cost Analysis (EE/CA)

This proposed action is time-critical and does not require an EE/CA.

4. Applicable or Relevant and Appropriate Requirements (ARARs)

In accordance with the NCP at 40 C.F.R. § 300.415(j), on-site removal actions conducted under CERCLA are required to attain ARARs to the extent practicable, considering the exigencies of the situation, or provide grounds for invoking a CERCLA waiver under Section 121(d)(4).

A letter to the State of Georgia requesting identification of State ARARs was sent on August 1, 2019. On September 6, 2019, GA EPD provided a list of proposed ARARs for the Site. The EPA accepted some of the ARARs; others were out of the scope of this removal action. Both responses are available in the Administrative Record.

Identified Federal ARARs are included in Attachment 3.

Under CERCLA Section 121(e)(1), federal, state or local permits are not required for the portion of any removal or remedial action conducted entirely on-site as defined in 40 C.F.R. § 300.5. See also 40 C.F.R. §§ 300.400(e)(1) & (2). On-site means the areal extent of contamination and all suitable areas in very close proximity to the contamination necessary for implementation of the response action. On-site response actions must comply, to the extent practicable, with substantive, but not administrative, requirements of ARARs. Off-site activities such as transportation and disposal of wastes are required to comply with all applicable requirements, including the administrative portions.

While not ARARs specifically, CERCLA Section 121(d)(3) and the Off-site Rule at 40 C.F.R. 300.440, require the off-site transfer of any hazardous substance, pollutant or contaminant generated during the response action be sent to a treatment, storage or disposal facility that is in compliance with applicable federal and state laws and is approved by the EPA for acceptance of CERCLA waste.

5. Project schedule

Removal activities are ongoing and have been since January 2020. Based on the current progress and the number of identified properties to-date, it is expected to take at least an additional 24 months to complete. However, sampling by RSEB continues, and additional properties are expected to be added. As the full extent of contamination is as-yet unknown, a final completion schedule cannot be estimated.

B. Estimated Costs

The funding request below is expected to fund the project for another 24 months. This coincides with RSEB's timeline for submission and mobilization under a remedial action. If the Remedial Action is denied or delayed, ERRPPB will revisit continued funding of this project under the removal action. This cost includes overhead (e.g., maintenance of staging areas, outreach) over the same time period. Sampling activities continue at the Site, and properties exceeding the SSRG are added routinely. Since the final scope of the project remains undetermined, this request is not designed to provide comprehensive funding.

<i>Extramural Costs:</i>	<i>Current Ceiling</i>	<i>Proposed Ceiling</i>
<u>Regional Allowance Costs:</u>		
<u>ERRS</u>	\$ <u>4,640,000</u>	\$ <u>15,350,000</u>
<u>START</u>	\$ <u>1,300,000</u>	\$ <u>1,550,000</u>
<u>Subtotal, Extramural Costs:</u>	\$ <u>5,940,000</u>	\$ <u>16,900,000</u>
<u>10% Contingency</u>	\$ <u>0</u>	\$ <u>1,095,000</u>
<u>TOTAL EXTRAMURAL COSTS:</u>	\$ <u>5,940,000</u>	\$ <u>17,995,000</u>

VII. EXPECTED CHANGE IN THE SITUATION SHOULD ACTION BE DELAYED OR NOT TAKEN

If this response action is significantly delayed or not taken, ongoing actual or potential exposure of the public will continue.

VIII. OUTSTANDING POLICY ISSUES

No outstanding policy issues have been determined at this time.

IX. ENFORCEMENT

Enforcement activities have been initiated and are ongoing. See Attachment, "Enforcement Addendum," for more detailed information.

The total EPA costs for this removal action based on full-cost accounting practices that will be eligible for cost recovery are estimated to be **\$31,661,591** using the following formula⁵:

⁵ Direct costs include direct extramural costs and direct intramural costs. Indirect costs are calculated based on an estimated indirect cost rate expressed as a percentage of site-specific direct costs, consistent with the full cost accounting methodology effective October 2, 2000. These estimates do not include pre-judgment interest, do not take into account other enforcement costs, including Department of Justice costs, and may be adjusted during the course of a removal action. The estimates are for

Direct Costs	Total Extramural Costs	\$	17,995,000
	+ Total Intramural Costs	\$	500,000
	Total Direct Costs	\$	18,495,000
+ Indirect Costs	+ 71.19%	\$	13,166,591
	Total EPA Costs	\$	31,661,591

X. RECOMMENDATION

This decision document represents the selected removal action for the Westside Lead Site in Atlanta, Fulton County, Georgia, developed in accordance with CERCLA as amended, and not inconsistent with the NCP. The document is based on the Administrative Record for the Site.

Conditions at the Site meet NCP Section 300.415 (b)(2) criteria for a time-critical removal action. This time-critical removal action is anticipated to fund-lead with a total project ceiling of **\$17,995,000** funded through the Regional Removal Allowance.

APPROVED: _____ DATE: _____
Peter C. Wright, Assistant Administrator
Office of Land and Emergency Management

DISAPPROVED: _____ DATE: _____
Peter C. Wright, Assistant Administrator
Office of Land and Emergency Management

Attachments:

- 1 – EJ SCREEN Report (Version 2019)
- 2 – Site Location Maps
- 3 – List of Federal ARARs
- 4 – Enforcement Addendum (Confidential)

illustrative purposes only and their use is not intended to create any rights for responsible parties. Neither the lack of a total cost estimate nor deviation of actual total costs from this estimate will affect the United States' right to cost recovery.

ATTACHMENT 1
EJ SCREEN Report (Version 2019)

ATTACHMENT 2
Site Location Maps

ATTACHMENT 3
List of Federal ARARs

ATTACHMENT 4
Enforcement Addendum (Confidential)