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NSB KINGS BAY
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LETTER NOTIFYING THAT CORRECTIVE ACTION NEED TO BE TAKEN DUE TO THE
PRESENCE OF HAZARDOUS WASTE NSB KINGS BAY GA
8/2/1994
GEORGIA DEPARTMENT OF NATURAL RESOURCES

Georgia Department of

205 Butler Street, S.E., Suite 1100, Atlanta, Georgia

Joe D. Tanner, Commissioner
Environmental Protection Division
Harold F. Reheis, Director
404/657-8600

August 2, 1994

Captain Len Scullion
U.S. Naval Submarine Base
1063 USS Tennessee Avenue
St. Mary's, GA 31547CERTIFIED MAIL
RETURN RECEIPT REQUESTEDRe: U.S. Naval Submarine Base, King's Bay
Site Number 10093

Dear Captain Scullion:

As required by the Hazardous Site Response Act (the Act) at O.C.G.A. §12-8-97(f), this is to provide you with written notice that the above site, for which we have reason to believe you are a property owner, has been designated on the Hazardous Site Inventory (HSI) as needing corrective action pursuant to Rule 391-3-19-.06(6) of the Georgia Rules for Hazardous Site Response. Rule 391-3-19-.06 was adopted by the Board of Natural Resources on June 29, 1994 and became effective on July 21, 1994. I informed you in a previous letter that, pursuant to Rule 391-3-19-.05(1), the site was to be placed on the HSI on July 1, 1994 because the release at the site exceeds a reportable quantity.

In accordance with O.C.G.A. 12-8-97(f), this letter further serves as written notice that O.C.G.A. § 12-8-97(b) requires that a property owner at any site listed on the HSI which is designated as having a known release and which is designated as needing corrective action shall include the following notice in any deed, mortgage, deed to secure debt, lease, rental agreement or other instrument given or caused to be given by the property owner which creates an interest in or grants a use of the property:

"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 letter also serves as written notice that O.C.G.A. § 12-8-97(c) requires that a property owner at any site listed on the inventory which is designated as having a known release and which is designated as needing corrective action shall cause to be prepared an affidavit of such fact in recordable form as set forth in O.C.G.A. § 44-2-20(c) and shall file such affidavit with the clerk of the superior court of each county in which the real property or any part thereof lies. Such affidavit shall be recorded in the clerk's deed records pursuant to O.C.G.A. § 44-2-20 [full copy attached]. Such affidavit shall include a statement that the 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. Such affidavit shall

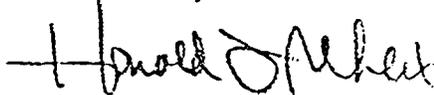
be filed with the clerk within 45 days after receipt of notice by the property owner that the director has designated the property as needing corrective action. Rule 391-3-19-.08(2) specifies that the affidavit shall include the notice quoted in the previous paragraph. Rule 391-3-19-.08(4) requires that within 30 days of the property owner's receipt of the recorded affidavit from the county clerk, the property owner shall submit a copy of the recorded affidavit to Georgia's Environmental Protection Division (EPD). The submission should be mailed to EPD at 205 Butler Street, Suite 1154, Atlanta, GA 30334, ATTN: Hazardous Site Response Program.

O.C.G.A. 12-8-97(f) provides that the requirements for property record notices at O.C.G.A. §12-8-97(b) & (c) shall be stayed by the filing of a petition for a hearing within 30 days of my issuing this letter.

Rule 391-3-19-.06(5)(f) requires EPD to notify the public that this site has been designated as needing corrective action. The public notice must appear in both a major local newspaper of general circulation and the legal organ of any local government in whose jurisdiction the site is located. These notices are scheduled to be published in the Atlanta Journal-Constitution on August 11, 1994 and the Southeast Georgian on August 17, 1994. Copies of the notices that EPD intends to publish are enclosed.

If you have any questions, please contact EPD's Hazardous Sites Response Program at (404) 657-8600.

Sincerely,



Harold Reheis
Director

Attachments: Public notices
O.C.G.A. §44-2-20

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