

**1227 1st Avenue South
Superior Commercial Properties, LLC
Birmingham, Alabama
ADEM VCP Site #: 461-073-227
Fact Sheet**

A Voluntary Cleanup Program (VCP) Cleanup Work Plan has been found to be technically adequate by the Alabama Department of Environmental Management for the 1227 1st Avenue South site. 1227 First Avenue South Holdings, LLC currently owns the site located in Birmingham, Alabama. This fact sheet has been prepared to briefly advise the public of the principal legal and policy issues of the VCP.

I. VCP PROCESS

The VCP provides a mechanism for the implementation of a cleanup program that encourages applicants to voluntarily assess, remediate, and reuse rural and urban areas of actual or perceived contamination. The program does not relieve any “responsible person” of the liability for administrative, civil, or criminal fines or penalties which are otherwise authorized by law and imposed as a result of the illegal or unpermitted disposal of solid waste, hazardous waste, hazardous constituents, hazardous substances, petroleum products, and/or pollutants to the land, air, or waters of the State on an identified property. The program is designed to expedite the voluntary cleanup process and has been designed for entry at any stage of the cleanup process as long as all applicable criteria have been met up to the point of entry.

II. PROCEDURES FOR REACHING A FINAL DECISION

The Alabama Department of Environmental Management (ADEM) is proposing to issue 1227 First Avenue South Holdings, LLC, a final decision for the site remediation.

ADEM Admin Code R. 335-15-6-.02 requires that the public be given a 30-day comment period from the date of the notice. The comment period will begin on October 11, 2019, which is the date of publication of the public notice in major local newspaper(s) of general circulation, and will end on November 9, 2019.

All persons wishing to comment on any of the conditions of the VCP Remediation should submit their comments in writing to the Alabama Department of Environmental Management, Permits and Services Division, 1400 Coliseum Blvd. (Zip 36110). P.O. Box 301463 (Zip 36130-1463) Montgomery, Alabama, ATTENTION: Mr. Russell Kelly. Written comments on the VCP activities should be submitted to the Alabama Department of Environmental Management and be received by 5:00 p.m. on November 9, 2019.

ADEM will consider all written comments received during the comment period while making a final decision on this issue. When the Department makes its final decision, notice will be given to the applicant and each person who has submitted written comments or requested notice of the final decision.

III. FACILITY DESIGN

Environmental, Inc. has completed Site Investigation activities under the VCP at the 1227 First Avenue South Holdings, LLC site located at 1227 1st Avenue South, in Birmingham, Jefferson County, Alabama. The property consists of an approximate 14,000 Square foot rectangular facility constructed prior to the 1950s. The structure consists of a concrete foundation/floor slab with glass and brick veneer, steel roof joists and wood roof deck. In the early 1900's the site was a part of the Birmingham Rolling Mill. Currently a landscaping company, who uses the facility for maintenance and repair of lawn equipment, was leasing the property. Engineering controls will be used to eliminate or minimize potential exposure associated with the future use and/or development.

IV. TECHNICAL CONTACT

Tynechia Marshall, Project Manager
Redevelopment Section
Industrial Hazardous Waste Branch
Land Division
Alabama Department of Environmental Management
1400 Coliseum Boulevard (Zip 36110)
P.O. Box 301463 (Zip 36130-1463)
Montgomery, Alabama
(334) 271-7919



July 18, 2019

Mr. Matthew Hogan
Superior Commercial Properties, LLC
P.O. Box 207
Harpersville, AL 35078

**Re: VCP Cleanup Plan - Superior Commercial Properties, LLC
ALERA Site No. 461-073-227
1227 1st Avenue South
Birmingham, Jefferson County, Alabama 35233**

Dear Mr. Hogan:

Please find attached three original copies of the VCP Cleanup Plan requested by the ADEM in their correspondence of April 19, 2019. The ADEM's fee for review of this document is \$13,270 per Fee Schedule H, ADEM Admin. Code r. 335-1-.03(h). Please submit your check with this document via certified mail to Ms. Tynechia Marshall at the ADEM, 1400 Coliseum Blvd. Montgomery, AL 36130-2400. Can you please copy Tim Walker on the transmittal to the ADEM.

If you have questions and/or comments please advise.

Sincerely,
Poly, Inc.

A handwritten signature in blue ink that reads "Darral W. Kirby".

Darral W. Kirby, P.G.
Senior Geologist

Cc: Tim Walker – Environmental Inc.





ENVIRONMENTAL, INC.

1345 Blair Farms Road, Odenville, Alabama 35120

Environmental, Remediation, and Ecological Consultants

July 18, 2019

Ms. Tynechia Marshall
Alabama Department of Environmental Management
1400 Coliseum Boulevard
Montgomery, Alabama 36110-2400

**Re: Voluntary Cleanup Plan – Superior Commercial Properties, LLC
ALERA Site No. 461-073-227
1227 1st Avenue South
Birmingham, Jefferson County, Alabama**

Dear Ms. Marshall:

The following document has been prepared pursuant to the Department's correspondence dated April 19, 2019 requesting the preparation of a site cleanup plan to address identified site contamination at the above referenced site. This plan has been prepared based on the results of a Limited Phase II Environmental Site Assessment performed during July 2018 as well as discussions with the Department (Redevelopment Section, Industrial Hazardous Waste Branch, Land Division).

If you have questions and/or comments regarding this response I may be contacted me at (205) 710-2328 or dkirby@poly-inc.com.

Sincerely,

Environmental Inc.

Timothy W. Walker, P.G. President

Darral W. Kirby, P.G./Poly, Inc.

Cc: Matthew Hogan, Superior Commercial Properties Inc.

Phone: (205) 629-3868 • Fax: (877) 847-3060

CERTIFICATION PAGE

I certify under penalty of the law that I am an Alabama Registered Professional Geologist experienced in geologic and hydrogeologic investigations. The investigation described in this report for Superior Commercial Properties Inc., VCP Cleanup Plan (1227 1st Avenue South Property), located in Birmingham, Jefferson County, Alabama, was performed by a Geologist experienced in geologic and hydrogeologic investigations. The information submitted herein, to the best of my knowledge and belief, is true, accurate, and complete. I am aware that there are significant penalties for submitting false information.

Darral W. Kirby



Darral W. Kirby
Professional Geologist
Alabama License No. 129

July 18, 2019

Date



ENVIRONMENTAL, INC.

1345 Blair Farms Road, Odenville, Alabama 35120

Environmental, Remediation, and Ecological Consultants

VCP Cleanup Plan

Superior Commercial Properties, LLC

1227 1st Avenue South

Birmingham, Jefferson County, Alabama 35233

Background: The facility is located near the northeast corner of the intersection of 1st Avenue and 13th Street South in Birmingham, Jefferson County, Alabama (refer to Figure 1). The facility made application to the Alabama Land Recycling and Economic Redevelopment Act (ALERA), Alabama Code §§ 22-30E-1 et seq., for entry into ALERA. The Department, in their letter of January 29, 2019, accepted the application for the Voluntary Cleanup Program submitted by Environmental Inc. (EI) for Superior Commercial Properties, Inc.

The subject site (Figure 2) consists of approximately 0.35 acres of unoccupied commercial property located just west of the intersection of 1st Avenue South and 13th Street South in Birmingham, Alabama. The property consists of an approximate 14,250 square foot facility constructed in the early to mid-1950's. The structure consists of a concrete, concrete block, and glass structure with a brick veneer on a concrete slab floor, steel roof joists and wood roof deck. The building is conjoined on the east by Industrial Fire and Safety and on the west by Duffy's Garage. In the early 1900's the site was part of the Birmingham Rolling Mill but was a vacant lot in the 1940's. The current owner of the property is listed as HGM Enterprises, LLC and until recently the facility has been used as a Landscaping and Lawn Care business. Glenn and Associates were the most recent owners just prior to HGM Enterprises. The site and site area is primarily a mixture of commercial and industrial properties. A recent Phase I Environmental Site Assessment (ESA) noted evidence of one on-site *recognized environmental condition (REC)* and one off-site *REC*. The on-site *REC* consists of the historic use of the site as part of the former Birmingham Rolling Mill and the off-site *REC* consists of the historic use of the immediately surrounding properties for heavy industrial purposes.

Based on the identified *RECs* associated with the property a Limited Phase II Environmental Site Assessment was conducted to evaluate site soils and ground water. A summary of the Limited Phase II Assessment is presented below.

The property is completely developed. It is flat and covered predominantly by the site building which occupies approximately 95% of the parcel. A concrete sidewalk and parking area is present in front of the building and comprises about 1500 square feet of space. A narrow expanse of trees and overgrown vegetation is present behind (south side) the facility. This narrow area consists of an estimated 750 – 850 additional square feet of space.

Limited Phase II Summary: Based on the results of the Phase I ESA, EI advanced three soil borings at the site in July 23, 2018 to evaluate potential impact to site soils and ground water. The locations of those borings are presented in Figure 2. Soil Borings SB-2 and SB-3 were subsequently converted to temporary monitoring wells.

VCP Cleanup Plan

101 12th Street South Property

Birmingham, Jefferson County, Alabama

ALERA Site No. 461-073-179



No temporary well was installed in SB-1 due to the lack of ground water or moisture in the boring. Soil samples were obtained in the shallow subsurface to a total depth of 20 feet below land surface (bls) in SB-1, 25 feet bls in SB-2 and 20 feet bls in SB-3. Samples were submitted to Waypoint Analytical in Memphis, Tennessee via LRS in Ashville, Alabama for analysis of RCRA Metals (Method 6010C), Polynuclear Aromatic Hydrocarbons (PAH-Method 8270SIM/3550B) and Volatile Organic Compounds (VOC-8260B/5030A). Soil sample analytical results are presented in the attached Tables 1A and 1B.

Several PAH constituents (refer to Table 1A) were measured above detection limits and these occurred sporadically in Soil Boring SB-1 with most being detected in the 18 to 20 foot bls range. The largest number and highest concentrations of PAH were measured in Soil Boring SB-3 in the 0 – 2 foot bls depth interval. Few PAH Chemicals of Concern (COC) were detected in all depth intervals with the exception of benzo(a) anthracene, benzo(a)pyrene, benzo(b)fluoranthene and dibenz(a,h)anthracene in the 0 – 2 foot interval in SB-3. These COC's were above the EPA's Regional Screening Levels (RSLs) for residential soil (April 2019).

VOC COC concentrations in the soil samples were low to below detection levels generally. RCRA Metals were generally present throughout the soil boring depth intervals with concentrations of COC's being very sporadic. Arsenic was above RSL's (industrial/commercial) in all samples analyzed averaging almost 20 milligrams/kilogram (mg/kg or parts per million, ppm). Chromium (hexavalent) was present above the RSL residential screening concentration but below RSL industrial/commercial screening concentrations in the deeper intervals (18-25 feet bls) in all three borings. Total chromium concentrations were above residential RSL's for the very shallow soil samples (0 – 2 feet bls) in all three borings.

Ground water was sampled only from temporary well MW-2. The other temporary well MW-3 contained no water after five days of stabilization. Soil Boring SB-1 was dry at the time of boring installation therefore, no ground-water monitoring well was built. Bedrock refusal was encountered in each of the borings between 23 feet bls to 30 feet bls. The ground-water sample from MW-2 was analyzed for VOC's and PAH's. Several VOC and PAH COC's were encountered above detection limits but below their respective RSL's and at relatively low concentrations. Arsenic was encountered at a concentration of 0.01 milligrams/liter (mg/L, ppm approximately) which is equal to its RSL. This concentration of arsenic in this particular sample is thought to be the result of high concentrations of sediment in the sample as dissolved arsenic was not detected.

Cleanup Recommendations: Based on the results of the Limited Phase II Environmental Site Assessment prepared by EI, the Department, in their letter dated April 19, 2019, found the Limited Phase II evaluation to be "technically adequate". Therefore, a cleanup plan to address the identified site contamination was mandated by the Department.

Ground water at the site is generally between 22 – 30 feet deep and below bedrock refusal for the most part. Very low to low concentrations of dissolved COC's (VOC and PAH) were identified. Consistent with adjacent and nearby sites, residual arsenic, chromium and hexavalent chromium above RSL's (residential) were identified at various intervals in all three borings. The entire area along 1st Avenue South consists of similar types and concentrations of these RCRA metals (refer to ALERA Site No. 461-073-179, 101 12th Street South). Additionally,

*VCP Cleanup Plan
1227 1st Avenue South Property
Birmingham, Jefferson County, Alabama
ALERA Site No. 461-073-227*



the adjacent Hesco site (ALERA Site No. 461-073-212) which is just to the south of the subject site has several monitoring wells (MW-6, 11 and 12) ranging from approximately 35 feet to 65 feet up gradient of the 1227 1st Avenue South property. No residual VOC's above the RSL's were encountered and arsenic was detected in Hesco boring MW-6 at a concentration of 47.4 mg/kg (ppm). Arsenic was detected in soil samples collected from the Hesco borings advanced on the south side of the facility and averaged approximately 33 ppm in the 5 – 25 foot bls range. As mentioned previously, a review of adjacent locations in this area near downtown Birmingham had identified soils with very similar concentrations, presumably due to this area characterized by industrial activity for many years.

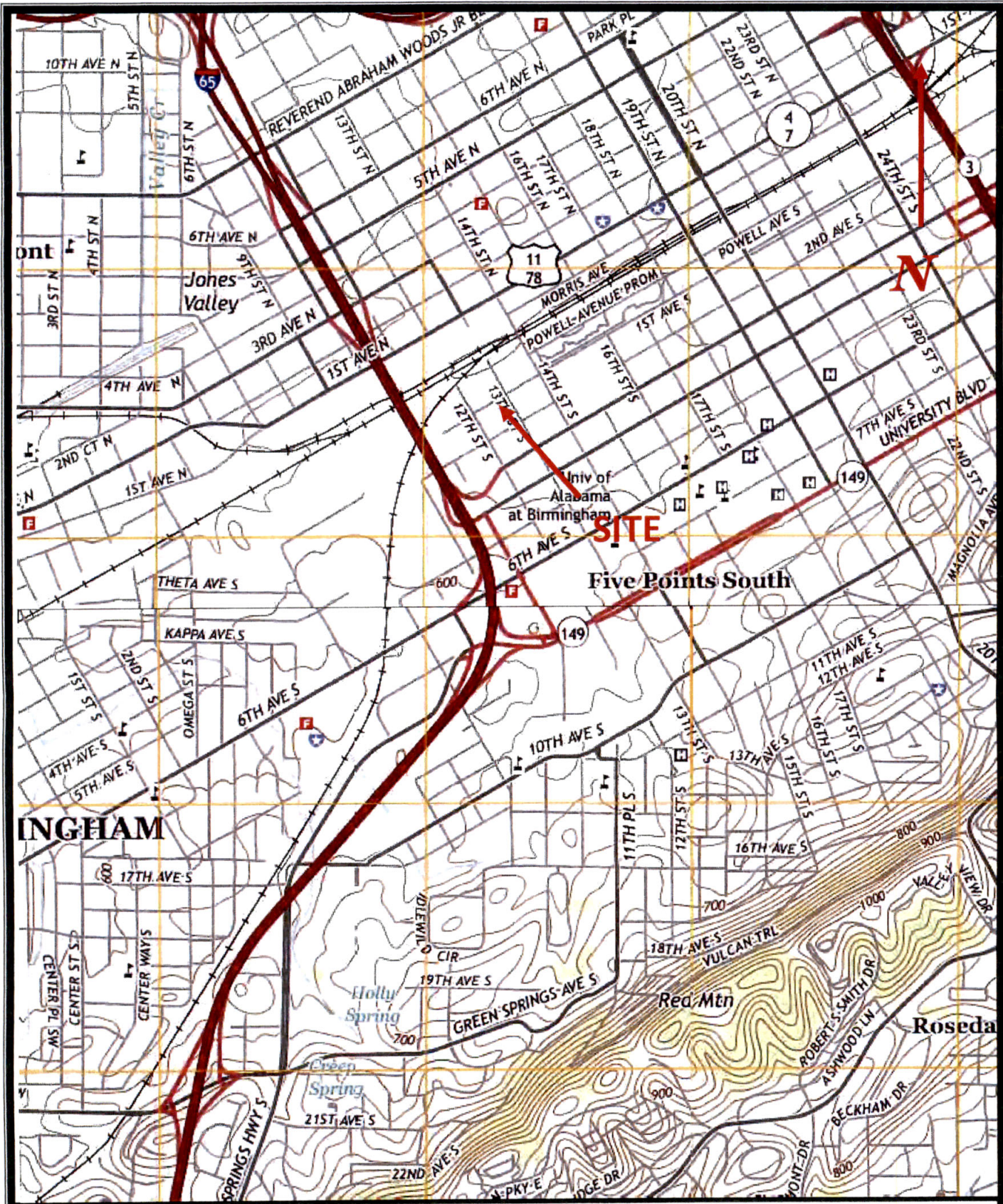
With the exception of detections of methyl tertiary butyl ether (MTBE) slightly above the RSL of 0.014 mg/L, no impacted ground-water was encountered in the Hesco wells (MW-6, MW-11 and MW-12). These measured concentrations of MTBE were likely the result of Hesco operations. Based on a review of ground-water data and a potentiometric surface map, ground water generally flows from this area toward the northeast.

As discussed previously the majority of the site is covered by the facility and concrete drive areas. Smaller natural surroundings are present but there is very little room on-site for construction activities. The facility itself is generally concrete and brick and the foundation is a concrete slab. Coupled with the concrete sidewalk and parking area in the front, these features essentially act as a CAP over the parcel. Based on the relatively low concentrations of PAH's and RCRA Metals (arsenic and chromium) and the likelihood that the facility would have to be altered or demolished to provide for soil removal or other engineering controls (EC), a suitable alternative would be an environmental covenant which will impose restrictions on the use of the property. The environmental covenant would restrict the use of ground water for consumption or irrigation purposes. The environmental covenant would also include land use restrictions such as use of the property for commercial purposes. The use of the property for residential purposes, schools and daycares would be prohibited on the ground floor. A soil management plan will be implemented should construction and repaving operations be required. Impacted soils which could be encountered during these operations will be managed in accordance with ADEM requirements.

Upon approval of the covenant restrictions by use of a "Draft Covenant" and the subsequent execution of the environmental covenant, Superior Commercial Properties, LLC requests a Letter of Concurrence from the Department releasing the site from further assessment or corrective action under the ALERA/Voluntary Cleanup Program. A *Certificate of Compliance* will be prepared in accordance with the ADEM Admin. Code 335-15-4-.06 upon the recording of a duly executed environmental covenant.



FIGURES



Environmental, Inc.

Subject:
 1227 1st Avenue South Property
 Birmingham, Jefferson County, Alabama
 Environmental, Inc. Project No.: SUP01P1801

Figure 1
 Site Location Map



NORTH
1" = 150'

RAILROAD

SOLID WASTE DUMPSTERS

WAREHOUSE
WHITEHEAD
TIRE

WAREHOUSE

COMMERCIAL

WAREHOUSE

WAREHOUSE
GRANITE / MARBLE
WORKS

MERITA EMPTY

D. VK. D
(INDUSTRIAL)

1st AVENUE SOUTH SB-1 SB-2 / MW-2

INTERSTATE 65

SHERMAN CONCRETE PLANT

SHERMAN
CONCRETE

12th STREET SOUTH

12TH
STREET
SOUTH
PROPERTY

DUFFY'S
GARAGE

INDUSTRIAL
FIRE & SAFETY

SB-3 / MW-3

COMMERCIAL
WAREHOUSE

HESCO

AUTO CARE
CENTER

NORTHSTAR

13th STREET SOUTH

2nd AVENUE SOUTH

MASCO

COMMERCIAL
OFFICES

RESIDENTIAL
UAB

3rd AVENUE SOUTH

LEGEND

--- APPROXIMATE LOCATION OF
BIRMINGHAM ROLLING MILL COMPANY
(EARLY 1900's)

● SOIL BORING / TEMPORARY WELL
LOCATION

ENVIRONMENTAL, INC.

1345 Blair Farms Road, Odenville, Alabama 35120
Environmental, Remediation, and Ecological Consultants



SITE MAP
1227 1ST AVE SOUTH
BIRMINGHAM, ALABAMA
PROJECT NO. SUP01P1801

**FIGURE
2**

**SUMMARY TABLES
SOIL ANALYTICAL DATA**

TABLE 1A
Soil Sample Analytical Results (mg/kg)

Analyte PAHs	SB-1 0-2'	SB-1 18'-20'	SB-2 0-2'	SB-2 23'-25'	SB-3 0-2'	SB-3 18'-20'	RSL – R	RSL – I
Acenaphthene	BDL	.000695	BDL	BDL	0.119	BDL	360	4,500
Acenaphthylene	BDL	0.000370	BDL	BDL	0.0446	BDL	TBC	TBC
Anthracene	0.000344	0.00187	BDL	BDL	0.424	BDL	1,800	23,000
Benzo(a)anthracene	0.000808	0.00612	0.000452	0.000445	1.64	0.000377	1.1	21
Benzo(a)pyrene	BDL	0.00519	BDL	BDL	1.35	BDL	0.11	2.1
Benzo(b)fluoranthene	0.000472	0.00452	BDL	BDL	1.12	BDL	1.1	21
Benzo(g,h,i)perylene	BDL	0.00290	BDL	BDL	0.489	BDL	228	4,950
Benzo(k)fluoranthene	BDL	0.00259	BDL	BDL	0.534	BDL	11	210
Chrysene	0.000472	0.00597	BDL	BDL	1.63	BDL	110	2,100
Dibenz(a,h)anthracene	BDL	0.000712	BDL	BDL	0.144	BDL	0.11	2.1
Flouranthene	0.00103	0.0119	BDL	0.000440	2.66	BDL	240	3,000
Fluorene	BDL	0.000688	BDL	BDL	0.108	BDL	240	3,000
Indeno(1,2,3-cd)pyrene	0.000356	0.00325	BDL	BDL	0.595	BDL	1.1	21
1-Methynaphthalene	BDL	BDL	BDL	BDL	0.0525	BDL	18	73
2-Methynaphthalene	BDL	0.000633	BDL	BDL	0.0434	0.000586	24	300
Naphthalene	BDL	0.00113	0.000702	0.000620	0.0626	0.00116	3.8	17
Phenanthrene	0.000995	0.00746	0.000547	0.000684	1.66	0.000545	202	3,060
Pyrene	0.000827	0.00897	BDL	BDL	2.31	BDL	180	2,300

All results are in milligrams per kilogram (mg/kg)

BDL – Below Method Detection Limit

TBC – To Be Calculated

RSL-R – EPA Regional Screening Level for Residential Soil (April 2019)

RSL-I – EPA Regional Screening Level for Industrial/Commercial Soil (April 2019)

00 – Concentration above the RSL



TABLE 1B
Soil Sample Analytical Results (mg/kg)

Analyte	SB-1 0-2'	SB-1 18'-20'	SB-2 0-2'	SB-2 23'-25'	SB-3 0-2'	SB-3 18'-20'	RSL – R	RSL – I
Total Metals								
Arsenic	18.2	24.9	20.1	13.3	25.2	17.3	0.68	3
Barium	21.4	10	33	85.2	75.4	18	1,500	22,000
Cadmium	1.17	1.95	1.67	0.429	1.43	BDL	7.1	98
Chromium	48.2	23.5	58.4	25.5	43.7	21.1	30	64
Hex Chromium	BDL	0.612	BDL	0.489	BDL	0.705	0.3	6.3
Lead	18.6	12.3	32.3	28.5	82	20.6	400	800
Mercury	0.048	0.137	0.113	0.0834	0.104	0.16	1.1	4.6
Analyte VOCs								
Acetone	0.027B	0.007B	0.014B	0.037B	BDL	0.012B	6,100	67,000
Carbon Disulfide	BDL	BDL	BDL	BDL	0.0004	BDL	77	350
Chloroform	BDL	BDL	BDL	BDL	0.0004	BDL	0.32	1.4
Isopropylbenzene	BDL	BDL	BDL	BDL	0.0006	BDL	190	990
MTBE	BDL	0.0004	0.0006	0.001	0.001	0.0008	47	210
Methylene Chloride	BDL	0.011	0.013	0.026	0.108	0.024	35	320
Tetrachloroethene	BDL	0.0005	BDL	BDL	0.005	BDL	8.1	39
Toluene	BDL	BDL	BDL	0.001	0.002	BDL	490	4700
1,2,3-Trichlorobenzene	0.005	BDL	BDL	BDL	0.002	BDL	6.3	93
1,2,4-Trichlorobenzene	0.005	BDL	0.0008	BDL	0.002	BDL	5.8	26

Total chromium results greater than ADEM's PSV of 30 mg/kg were further analyzed for hexavalent chromium

All results are in milligrams per kilogram (mg/kg)

BDL – Below Method Detection Limit

RSL-R – EPA Regional Screening Level for Residential Soil (April 2019)

RSL-I – EPA Regional Screening Level for Industrial/Commercial Soil (April 2019)

00 – Concentration above the RSL

