



July 29, 2003

Mr. Brandon Rogers
Managing Partner
Orion Realty
Fayetteville, AR 72701

Dear Mr. Rogers:

The Arkansas Department of Environmental Quality (ADEQ) and United States Environmental Protection Agency (EPA) Region 6 together have determined that the former University of Arkansas Gregg Site ("Gregg Site") is Ready for Reuse. A Ready for Reuse Determination is an acknowledgment that environmental conditions on the property are protective of human health and the environment based on its current and anticipated future use.

The former Gregg Site (the "Property") is located on land previously owned by the University in Johnson, Washington County, Arkansas, north of the City of Fayetteville. The Property consists of approximately $\frac{1}{2}$ acre in the southwest corner of a 100-acre tract described as the SW $\frac{1}{4}$, NE $\frac{1}{4}$, and NW $\frac{1}{4}$ of Section 28, T17N and R30W. Although no longer in use by the University, the site had historically been used as a research station for seismology. Accounts by retired University staff indicated that containers of laboratory chemicals had been buried in shallow pits or trenches on the Property in the late-1960's or early 1970's. The quantities and contents of the containers were unknown and were not documented at the time of disposal. In September 2000, the University installed an 8-foot chain link fence to control unauthorized access to the site.

In the spring of 2000, the University voluntarily initiated and implemented an investigation to delineate the location of trenches and identify potential environmental impacts. Preliminary investigations consisted of non-invasive surface geophysical methods to detect potential disposal areas. The results of the geophysical survey are presented in the report titled, *Surface Geophysics Investigation of the University of Arkansas Gregg Site Chemical Waste Landfill, June 2000*. Additional investigations were conducted based on the results of the initial geophysical survey and are presented in the report titled, *Source Delineation and Impact Evaluation (at) the University of Arkansas Gregg Site, November 2000*. The investigations identified four geophysical anomalies that were further investigated and determined to contain waste materials, including potentially hazardous substances.

On November 1, 2001, the University and ADEQ negotiated a *Consent Administrative Order (CAO)* for voluntary cleanup of the areas identified in previous investigations. The *CAO* required the University to submit a *Remediation Plan* to ADEQ for concurrence prior to implementing work. The University submitted the *Remediation Plan, March 2002*, to fulfill this requirement. ADEQ approved the *Remediation Plan* on May 21, 2002, and proposed its approval in the *Draft Remedial Action*

Decision Document (RADD) for Corrective Action. The public comment period on the *Draft RADD* began on May 23, 2002, and ended on June 24, 2002. ADEQ prepared a Responsiveness Summary of all comments received and determined that no changes to the draft RADD were warranted based on the comments submitted. The *RADD* became final on June 24, 2002.

The University implemented the *Remediation Plan* between July and September 2002, and submitted a *Closure Report* to ADEQ on March 12, 2003. ADEQ subsequently approved the *Closure Report* in a “no further remedial action” letter dated April 29, 2003. With this Ready for Reuse Determination, ADEQ and EPA Region 6 agree that the University of Arkansas has successfully completed its investigation and remediation pursuant to the *Remediation Plan*. The Ready for Reuse Determination, which affirms that environmental conditions at the Property are protective of human health and the environment based on its current and anticipated future use as a residential development, is based on a review of the following documents: *Remediation Plan*, dated March 2002; final *RADD*, dated June 24, 2002, and *Closure Report*, dated March 12, 2003 (collectively, the “Documentation”). Information concerning the current environmental conditions of the Property (i.e., concentrations of contaminants present and their associated risks) and risk management activities conducted to ensure protectiveness are summarized in the *Closure Report*. Copies of the Documentation may be obtained from EPA Region 6, ADEQ, or the University of Arkansas at the addresses provided in Enclosure 1 to this letter.

The “Remedy” implemented at the Gregg Site consisted of removal and off-site disposal of over 300 glass containers and contaminated soils. The excavated area was backfilled, regraded to match original site grades, and restored to greenspace. The Documentation demonstrates that residual concentrations of contaminants do not present an unacceptable risk to human health or the environment based on risk-based cleanup levels established by EPA and given the current and reasonably expected future residential use of the Property. As discussed in Enclosure 2, EPA and ADEQ have determined that the remediation of the Property has been performed to residential or more conservative standards, and that no additional institutional controls are necessary in order to ensure the long-term protectiveness of the Remedy. The area is currently zoned residential.

If conditions at the site change, including environmental conditions, land use, site receptors, and remedy performance, it will be necessary to revisit this determination of suitability for reuse to ensure its continuing protectiveness. The undersigned expressly reserves all rights and authorities to require future action by owners or operators if new or additional information comes to light that materially impacts this Ready for Reuse Determination, whether such information is known as of this date, or is discovered in the future.

Congratulations on this most noteworthy accomplishment!

Sincerely yours,

Marcus C. Devine
Director
Arkansas Department of Environmental Quality

Richard E. Greene
Regional Administrator
EPA Region 6

Enclosures

ENCLOSURE 1
AGENCY CONTACTS

For copies of the Documentation referenced in the Ready for Reuse Determination, please contact:

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All media inquiries should be directed to the EPA Region 6 Office of External Affairs at (214) 665-2200, or the ADEQ Customer Service Division at (501) 682-0923.

ENCLOSURE 2 INSTITUTIONAL CONTROLS

EPA and ADEQ have determined that the cleanup of the Property has been successfully performed and meets the remedial objectives established in the *RADD*, dated June 24, 2002, and that no additional remedial activities are needed to be protective of human health. The remedial standards outlined in the *RADD* were: U.S. EPA Region 6 Human Health Screening Levels for residential exposure, groundwater protection criteria at a dilution attenuation factor (DAF) of 20, and site background concentrations for metals.

This determination is based on a review of the *Closure Report* for the Gregg Site (March 12, 2003) submitted by University of Arkansas, Fayetteville. Soil verification sampling from the area showed that several metals in soils were detected above soil screening levels, but were below concentrations that are naturally occurring in area soils. Metals in soils are generally not removed when they are present below naturally occurring concentrations. 1,1,2,2 tetrachloroethane was found in soils from one sample above the groundwater protection standard. However, after running a Synthetic Precipitation Leaching Procedure extraction, it was non-detectable in the extraction liquid. 1,1,2,2 tetrachloroethane was not detected in any groundwater samples collected from the site, which indicates that the concentration in the soil is protective of human health and the environment. Hence, no property use restrictions or institutional controls (e.g., a Deed Notice) are necessary.