



City of **Montgomery**, Alabama

OFFICE OF THE MAYOR  
Todd Strange, Mayor

Post Office Box IIII  
Montgomery, Alabama  
36101-1111

PH 334.625.2000  
FX 334.625.2600

July 26, 2019

Ms. Ashley Mastin  
Governmental Hazardous Waste Branch, Land Division  
Alabama Department of Environmental Management  
1400 Coliseum Boulevard  
Montgomery, AL 36110-2059

Subject: Final Institutional Controls Plan – Downtown Environmental Assessment Project

Dear Ms. Mastin:

On behalf of the Downtown Environmental Alliance (DEA), enclosed is the Final Institutional Controls Plan (ICP) for the Downtown Environmental Assessment Project (DEAP). In addition, the following responses are provided from the DEA to the comments from the Alabama Department of Environmental Management (ADEM), dated June 7, 2019, on the Draft ICP Report:

- **ADEM General Comment #1:** *The Department notes that site contaminants (tetrachloroethene [PCE], trichloroethene [TCE], cis-1,2-dichloroethene [DCE], trans-1,2-DCE, and vinyl chloride [VC]) are referred to as Chemicals of Potential Concern (COPCs) throughout the IC Plan. In accordance with the Alabama Risk-Based Corrective Action (ARBCA) Guidance Manual, Site COPCs with concentrations exceeding screening values or Maximum Contaminant Levels (MCLs) are to be further considered as Chemicals of Concern (COCs) throughout the risk assessment and remedial action, while remaining COPCs are no longer carried forward. The Department recommends revising this nomenclature throughout the report to be consistent with ARBCA Guidance. Please address.*

**Response:** DEA will revise the Draft ICP to refer to PCE as a COC for groundwater and soil vapor, and TCE as a COC for soil vapor only (TCE did not exceed MCLs in groundwater). DEA will revise the third sentence of the third paragraph of Section 2.1.3 as follows:

“Therefore, although other chemicals that are commonly found in industrial or commercial areas were observed during the historical investigations, chemicals of potential concern (COPCs) for the DEAP ~~are~~ were initially identified as PCE in groundwater, are identified at the RSA Energy Plant and former public water supply well PW-09W, and associated degradation products, namely trichloroethene (TCE), cis-1,2-dichloroethene (DCE), trans-1,2-DCE, and vinyl chloride (VC).”

Also, the last sentence of the first paragraph of Section 2.2 will be revised as follows:

“The chemicals of concern (COC) (PCE in groundwater and soil vapor; TCE in soil vapor only) sources and fate and transport pathways are summarized in the conceptual exposure model (CEM), presented on Figure 2-2.”

DEA will revised the remaining sections of the document change COPCs to COCs.

- **ADEM Specific Comment #1 – Page 2-1; Section 2.1:** *This section states that the PCE concentration in soil was less than the Environmental Protection Agency’s (EPA) Regional Screening Level (RSL) and, therefore, both surface and subsurface soils are not considered media of interest. Please include a reference document where this information can be found.*

**Response:** The DEA will include the following sentence at the end of Section 2.1:

“This information was discussed in the Final Technical Work Plan (CH2M 2016)<sup>1</sup>.”

The DEA will also include the following footnote regarding this sentence:

“There are also several ADEM and/or EPA-approved documents from 1993 through 2011 that support this conclusion.”

- **ADEM Specific Comment #2 – Page 2-1; Section 2.1:** *Please add residential in the first sentence describing land use in the downtown area.*

**Response:** DEA will add “residential” to the first sentence of Section 2.1.1.

- **ADEM Specific Comment #3 – Page 2-2; Section 2.1.3** *Please include reference documents for the historical investigation information provided.*

**Response:** The DEA will add the following sentence to the end of the third paragraph of Section 2.1.3:

“A summary of this historical investigation information can be found in the Final Technical Work Plan (CH2M 2016).”

- **ADEM Specific Comment #4 – Page 2-3; Section 2.1.3:** *Please define the acronym “VISL” within the text.*

**Response:** The definition for the acronym “VISL” will be added to the final ICP, at the term’s first use in Section 2.1.3.

- **ADEM Specific Comment #5 – Page 2-3; Section 2.2:** *Please revise references to Figure 2-3 to Figure 2-2 as there is no Figure 2-3 in the document.*

**Response:** The references to Figure 2-3 will be revised to reference Figure 2-2.

- **ADEM Specific Comment #6 – Page 3-1 Section 3.1:** *Please define the acronym “AOI” within the text.*

**Response:** The definition for the acronym “AOI” will be added to the final ICP at the term’s first use in Section 3.1.

- **ADEM Specific Comment #7 – Page 3-1 Section 3.1:** *Please provide drafts of the environmental covenants (ECs) proposed to the Department for review and approval. These may be provided under separate cover.*

**Response:** A draft of the proposed ECs will be provided to ADEM for review and approval under separate cover.

- **ADEM Specific Comment #8 – Page 3-1 Section 3.1:** *According to this section, the DEA will provide future remedial action (RA) progress reports to ADEM. Please provide details regarding the frequency and the information that will be included in this submittals.*

**Response:** The DEA plans on these “future RA progress reports” will be submitted following post-Remedial Action Report (RAR) site activities, such as annual groundwater sampling events, Five-year Reviews, etc. The first sentence of the second paragraph of Section 3.1 will be revised as follows:

“The DEA and ADEM will continue to evaluate the site conditions and provide future RA progress reports (i.e., Initially reports to address groundwater monitoring and effectiveness of institutional controls will be submitted annually, and will likely transition to FYR Reports when the groundwater monitoring frequency is reevaluated (See Section 5), and approval from ADEM to make this transition is received) to ADEM.”

The DEA also will add the following sentence to the second paragraph of Section 3.1:

“These RA progress reports will initially be submitted annually and will include inspection results, groundwater results, progress on voluntary ECs executed from the public notice/website during the effectiveness period, etc.”

- **ADEM Specific Comment #9 – Page 3-1 Section 3.1:** *Please clarify how environmental covenants (ECs) will be “confirmed” from the DEAP website.*

**Response:** The DEA will revise the second to last sentence in the second paragraph of Section 3.1 as follows:

“In future RA progress reports, the DEA will review, obtain copies of and will summarize any EC’s that have been recorded within the DEA site. The basis of this information will be through communicating with ADEM, and any other information on EC’s in progress which the City has been made aware of through its interaction with property owners and through the DEAP website.”

- **ADEM Specific Comment #10 – Page 3-1 Section 3.2:** *Please clarify how the additional ICs will be made permanent and/or not modified without ADEM approval. Also, please provide draft language for the ordinances proposed.*

**Response:** A draft of the proposed ordinance language will be provided to ADEM for review and approval under separate cover.

- **ADEM Specific Comment #11 – Page 3-2 Section 3.2:** *In the last bullet, please revise the word “thought” to “through”.*

**Response:** The document will be revised as recommended.

- **ADEM Specific Comment #12 – Page 3-2 Section 3.2.1.1:** *In the discussion regarding the water well ordinance, the DEA refers to Section 3.1.1, however, there is no Section 3.1.1 in the document. Please address.*

**Response:** DEA will revise this reference from 3.1.1 to 3.2.1.

- **ADEM Specific Comment #13– Page 3-2 Section 3.2.1.2:** *This section states that there are two areas of interest (AOIs) with potential vapor intrusion exposure risks; however, according to Section 3.1, three AOIs were identified. Please address this discrepancy.*

**Response:** The first sentence of Section 3.2.1.2 states “As previously discussed, **within the proposed DEAP Overlay**, there are two AOIs for which potential exposure risk to soil vapor exists. Those are the soil vapor sample locations near MW-08S and MW-02S.” As shown on Figure 3-1 of the Draft ICP, the third AOI is the VIMS, which is located outside of the proposed DEAP Overlay. The DEA will revise the above statement to read as follows:

“As previously discussed, within the proposed DEAP Overlay, there are two AOIs for which potential exposure risk to soil vapor exists (The VIMS is not within the DEAP overlay). Those are the soil vapor sample locations near MW-08S and MW-02S.”

- **ADEM Specific Comment #14– Page 3-2 Section 3.2.2.1:** *This section states that potential VI exposure risks are only present at the 8S AOI and 2S AOI; however, according to Section 3.1, the Vapor Intrusion Monitoring System (VIMS) was also identified as an AOI for potential VI exposure risks. Please address this discrepancy.*

**Response:** The first sentence of Section 3.2.2.1 states “Although potential VI risk **within the plume areas** is present only at the 8S AOI and 2S AOI, the DEA will inform affected parties within the DEAP Overlay of potential risks and relevant, proposed land use restrictions (including those related to the AOIs), and the availability of ECs for use by private property owners.”

As shown on Figure 3-1 of the Draft ICP, the third AOI is the VIMS, which is located outside of the “plume area”. Therefore, these statements are correct, and no changes are proposed. The DEA will revise the above statement to read as follows:

“Although potential VI risk within the plume areas is present only at the 8S AOI and 2S AOI (The VIMS is not within the plume areas), the DEA will inform affected parties within the DEAP Overlay of potential risks and relevant, proposed land use restrictions (including those related to the AOIs), and the availability of ECs for use by private property owners.

- **ADEM Specific Comment #15– Page 3-3 Section 3.2.2.1:** *Please provide details regarding how the DEA will report on the effectiveness of the public notice methods discussed in this section to ADEM*

**Response:** The DEA will add the following sentence to the end of the fourth paragraph of Section 3.2.2.1:

“The effectiveness of these public notice methods will be documented in future RA progress reports in the form of website visits, requests for information, etc.”

- **ADEM Specific Comment #16– Page 3-3 Section 3.2.2.1:** *The DEA states that Community Outreach Group meetings will continue to be held as a means to report on the ongoing effectiveness of the IC Plan and monitoring results. Please provide details regarding the frequency of these meetings.*

**Response:** The DEA will revise the last paragraph of Section 3.2.2.1 as follows:

“Periodic meetings with members of the community (through the COG) are held to update interested parties on the status of any work being performed in conjunction with the DEAP. These meetings will continue to be held to report the ongoing effectiveness of this ICP as well as any future monitoring results. These COG meetings will be held in conjunction with post-RAR activities, such as annual groundwater monitoring events, and FYRs to update the community on the continued activities of the project.”

- **ADEM Specific Comment #17– Page 4-1 Section 4.1:**
  - a. *This section states “City inspectors will perform checks to evaluate that the City ordinances and property use restrictions are still in-place....” Please provide details regarding the frequency of these “checks” and how these events will be reported to ADEM.*
  - b. *This section also states, “If needed, groundwater use restrictions could be monitored by the City through inspections required when building permits or property transactions occur.” Please clarify what constitutes “if needed”. The Department recommends monitoring the proposed ICs as often as possible to ensure they remain protective.*

**Response:** The DEA will revise the first paragraph of Section 4.1 to read as follows:

“The DEA/City (or its consultant) will perform inspections to evaluate that the City ordinances and property use restrictions are still in-place (i.e., no wells are being installed, property zoning ordinances are being adhered to, environmental covenant requirements are being followed, etc.). These inspections will occur throughout the year and will involve selecting random properties to perform these inspections. Groundwater use restrictions will be monitored by the City (or its consultant) through inspections required when building permits or property transactions occur. The results of these inspections will be reported to ADEM as part of future RA progress reports. No well permits will be issued by the City Building Permits Department.”

- **ADEM Specific Comment #18– Page 5-1 Section 5:** *The DEA proposes to select up to four existing groundwater monitoring wells to evaluate groundwater concentrations. Please note that monitoring wells should be selected to determine whether or not migration or expansion of the plume is occurring. Please provide which wells the DEA proposes to sample as well as the sampling/reporting frequency and analytical parameters to be monitored.*

**Response:** The DEA will revise Section 5 to identify the wells the DEA proposes to sample as well as the sampling/reporting frequency and analytical parameters to be monitored.

We look forward to receiving your review of these responses to comments. Should you have any questions regarding this document, please contact JP Martin with DEA at 334.215.9036, or [j.p.martin@DEA.com](mailto:j.p.martin@DEA.com).

Sincerely,

A handwritten signature in black ink, appearing to read 'T. Strange', written in a cursive style.

Todd Strange  
Mayor, City of Montgomery

c: Downtown Alliance Members  
Samantha Downing/ADEM  
J.P. Martin/DEA  
Stephanie Park/DEA  
Glen S. Davis/DEA

# Institutional Controls Plan Downtown Environmental Assessment Project, Montgomery, Alabama

*Prepared for*  
Alabama Department of Environmental  
Management by the  
Downtown Environmental Alliance

July 2019



# PE Certification

This Institutional Controls Plan was prepared under the supervision of a Professional Engineer licensed by the Alabama Board of Licensure for Professional Engineers and Land Surveyors.



Glen S. Davis  
Alabama PE No. 26705



Date 7/25/19



# Contents

## PE Certification

<b>1</b>	<b>Introduction .....</b>	<b>1-1</b>
<b>2</b>	<b>DEAP Details .....</b>	<b>2-1</b>
2.1	DEAP Description .....	2-1
2.1.1	Land Use.....	2-1
2.1.2	Groundwater Use.....	2-1
2.1.3	History and Chemicals of Potential Concern .....	2-2
2.2	Risk Assessment Summary.....	2-3
2.3	Alternatives Analysis Summary.....	2-4
<b>3</b>	<b>Proposed Institutional Controls .....</b>	<b>3-1</b>
3.1	Environmental Covenants.....	3-1
3.2	Institutional Control Tools .....	3-1
3.2.1	Regulatory/Legal Elements .....	3-2
3.2.2	Informational Tools and Outreach.....	3-3
<b>4</b>	<b>Institutional Controls Enforcement.....</b>	<b>4-1</b>
4.1	Institutional Controls Monitoring .....	4-1
<b>5</b>	<b>Groundwater Monitoring .....</b>	<b>5-1</b>
<b>6</b>	<b>Remedial Action Progress Reports.....</b>	<b>6-1</b>
<b>7</b>	<b>References.....</b>	<b>7-1</b>

## Appendix

A	Capital Trailways Correspondence
---	----------------------------------

## Figures

1-1	Site Map with Investigation Locations
2-1	Extent of PCE Plume and Current Property Use Map
2-2	Conceptual Exposure Model
3-1	DEAP Overlay and AOI
5-1	Groundwater Monitoring Program

# Acronyms and Abbreviations

AA	alternatives analysis
ADEM	Alabama Department of Environmental Management
AG	Attorney General
Annex	County Annex III
AOI	Area of Interest
ARAR	applicable, relevant, and appropriate requirement
ARBCA	Alabama Risk-Based Corrective Action
ATSDR	Agency for Toxic Substances and Disease Registry
CH2M	CH2M HILL Engineers, Inc.
City	City of Montgomery
COG	Community Outreach Group
COC	chemical of concern
COPC	chemical of potential concern
DCE	dichloroethene
DEA	Downtown Environmental Alliance
DEAP	Downtown Environmental Assessment Project
DU	Decision Unit
EC	Environmental Covenant
EI	Environmental Investigation
EPA	U.S. Environmental Protection Agency
FYR	Five-year Review
HHRA	human health risk assessment
IC	institutional control
ICP	Institutional Controls Plan
MCL	maximum contaminant level
MWWSSB	Montgomery Water Works and Sanitary Sewer Board
PCE	tetrachloroethene
RA	remedial action
RAO	remedial action objective
RSA	Retirement Systems of Alabama
RSL	Regional Screening Level
SLERA	screening-level ecological risk assessment
TCE	trichloroethene
VI	vapor intrusion
VIMS	vapor intrusion monitoring system
VISL	vapor intrusion screening level

# Introduction

This Institutional Controls Plan (ICP) is being submitted to the Alabama Department of Environmental Management (ADEM) by the Downtown Environmental Alliance (DEA) to detail the Institutional Controls (ICs), Five-year Reviews (FYRs), and Monitoring that were selected as the recommended remedial action (RA) alternative for the Downtown Environmental Alliance Project (DEAP), in accordance with the ADEM-approved *Risk Assessment/Alternatives Analysis Report* (CH2M, 2019). Tetrachloroethene (PCE) in groundwater originally was discovered in former public water supply well PW-09W in 1991 and during the construction of the Retirement Systems of Alabama (RSA) Tower Energy Plant (hereinafter referred to as the RSA Energy Plant) in 1993. Figure 1-1 presents the DEAP investigation area boundary and investigation locations.

Since the discovery of PCE-impacted groundwater, the site has been the subject of numerous investigations (see Section 2.1.3). A human health risk assessment (HHRA), screening level ecological risk assessment (SLERA), and RA alternatives analysis (AA) were performed to assess potential risks to human health and the environment and evaluate alternatives to mitigate those potential risks. The assessments were performed using the results of the supplemental environmental investigation (EI) conducted by the DEA in 2016 and 2017 (CH2M, 2017). The results of these assessments indicated minimal potential future risks to human health exist due to PCE in groundwater and soil vapor. The selected controls in this document provide risk management approaches to eliminate potential risks.

# DEAP Details

## 2.1 DEAP Description

The DEAP covers approximately 30 city blocks in downtown Montgomery and includes groundwater and soil vapor potentially impacted by the PCE discovered in PW-09W in 1991 and during the construction of the RSA Energy Plant in 1993 (Figure 2-1). Prior to completing construction of the RSA Energy Plant, impacted soil was excavated as an emergency removal action. Following the removal action, concentrations of PCE exceeding the U.S. Environmental Protection Agency (EPA) Regional Screening Level (RSL) were not identified in soil, indicating that the source was removed. Therefore, surface and subsurface soil are not considered media of interest at the DEAP site. This information was discussed in the Final Technical Work Plan (CH2M 2016)<sup>1</sup>.

### 2.1.1 Land Use

The DEAP is in a downtown commercial, residential, municipal, and industrial area. The area is covered primarily with private and public buildings, paved streets, and parking areas, with few areas of open space. A land use assessment within the DEAP boundary was performed to determine building use type, as shown on Figure 2-1. The land use assessment (conducted in November 2018 based on ADEM comments received during October 2018 meetings) included a review of the City's geographical information system, parcel boundaries, parcel land use codes (residential, hotel, retail, etc.), basement locations, and ownership information for state, city, and RSA parcels. Most of the buildings were identified as governmental (i.e., municipal, state, or RSA) or industrial/commercial.

A windshield survey of parcels classified in the records as residential was conducted in November 2018 to identify which parcels included first-floor residential occupancy. In addition, properties identified with second floor apartments or lofts were called to confirm whether any apartments were occupied on the first floor.

Three first-floor residential properties, one vacant residentially-zoned lot without buildings, one school, and a child care facility were identified within the assessment boundary; however, these properties (Figure 2-1) are outside the extents of PCE concentrations exceeding the maximum contaminant level (MCL) in groundwater (plume areas). No parcels located within the plume areas, or within a 100-foot buffer of the plume areas, are currently used as first-floor residential properties. The current land use is not expected to change significantly in the future within the DEAP boundary.

### 2.1.2 Groundwater Use

In response to the 1991 discovery of PCE in well PW-09W, the Water Works and Sanitary Sewer Board of the City of Montgomery, Alabama (MWWSSB), discontinued use of the North Well Field, which is located near the north border of the DEAP boundary. PW-09W was located within the North Well Field just north of the plume area. All water supply wells within the North Well Field were abandoned in 2011, except PW-09W, which was retained for environmental monitoring and abandoned in January 2019. Potable water throughout the DEAP boundary is currently served by the MWWSSB. The primary surface water source for the MWWSSB is from the Tallapoosa River, a tributary to the Alabama River, located several miles upstream of the DEAP boundary. Potable water is also obtained from supply wells located at MWWSSB's West and Southwest well fields, located generally 4 to 5 miles from the DEAP boundary, respectively.

---

<sup>1</sup> This conclusion is also supported by several ADEM and/or EPA-approved documents from 1993 through 2011.

MWWSSB is not aware of any domestic wells in use at the DEAP boundary (ATSDR, 2004). Additionally, the City enacted an ordinance (City of Montgomery Code of Ordinances Chapter 5, Article VIII, Section 5-483) in 2003 to prohibit the digging of any wells within a specifically-defined area that includes the DEAP boundary.

One industrial well was known to exist within the site boundary at the Capital Trailways bus station on North Court Street (Figure 1-1). The industrial well was historically used for bus washing and was never used as a potable source. The power and plumbing connected to the well and the water storage tank used to supply the bus washing system were removed in February 2017, rendering the well unusable. Capital Trailways notified ADEM that the well would not be used in any capacity in the future (Appendix A). Subsequently, the City notified Capital Trailways in January 2019 that, according to City of Montgomery Code of Ordinances Chapter 14, Article IV, Sec. 14-138, Capital Trailways must keep the unused well completely filled or securely closed with a 6-inch cement cap. A February 2019 inspection report from the City of Montgomery Inspections Department (Appendix A) documented that Capital Trailways has complied with the City ordinance and capped the well. The well is no longer being used, is not useable in its current state, and there are no plans by Capital Trailways to use it in the future.

### 2.1.3 History and Chemicals of Potential Concern

Following the 1993 emergency removal at the RSA Energy Plant and prior to the DEA's involvement, multiple investigations were conducted in the area to assess the nature and extent of remaining contamination, and other investigations were conducted as environmental site assessments for commercial and industrial properties within downtown Montgomery. These investigations evaluated soil, groundwater, sewer water, soil vapor, and tree core samples through 2012.

Over the course of these investigations, a PCE plume in groundwater emanating from the former RSA Energy Plant location was identified and subsequently monitored; however, no residual PCE contamination was identified in vadose zone soil.

Investigation results also concluded that multiple sources of contamination likely exist within the downtown Montgomery area. However, as previously noted, the DEAP evaluation consists of groundwater and soil vapor potentially impacted by the PCE discovered in PW-09W in 1991 and during the construction of the RSA Energy Plant in 1993. Therefore, although other chemicals that are commonly found in industrial or commercial areas were observed during the historical investigations, chemicals of potential concern (COPCs) for the DEAP were initially identified as PCE in groundwater, identified at the RSA Energy Plant and former public water supply well PW-09W, and associated degradation products, namely trichloroethene (TCE), cis-1,2-dichloroethene (DCE), trans-1,2-DCE, and vinyl chloride. A summary of this historical investigation information can be found in the Final Technical Work Plan (CH2M 2016).

In 2016 and 2017, the supplemental EI conducted by the DEA included groundwater and soil vapor sampling to assess the nature and extent of site COPCs in groundwater and to provide sufficient data to evaluate vapor intrusion (VI) potential. Soil vapor sampling included evaluation of the County Annex III (Annex) and Attorney General (AG) Buildings to address EPA concerns of indoor air quality. The EI also included a transducer study to evaluate groundwater/surface water interaction along the segment of Cypress Creek adjacent to the site (CH2M, 2017). Key results are summarized as follows:

- Groundwater
  - Only PCE and TCE exceed their respective EPA RSLs; however, TCE does not exceed the MCL.
  - PCE in groundwater exists as shown on Figure 2-1.
  - PCE concentrations generally increase in the downgradient areas of the plumes, with the highest concentration reported at the farthest downgradient well, TMPZ-1/MW-13S.

- Where sufficient data exists for time-series evaluation, concentrations in wells where PCE exceeds the MCL are decreasing.
- Soil Vapor
  - Only PCE and TCE exceed their respective vapor intrusion screening levels (VISLs).
  - The highest PCE concentrations in soil vapor (above VISLs) were reported at MW-02S, downgradient of the RSA Energy Plant where PCE also is present in groundwater.
  - Soil vapor TCE concentrations exceeding VISLs were reported at MW-08S and from the 10- and 50-foot vapor intrusion monitoring system (VIMS) points (VIMS-10 and VIMS-50, respectively), installed by the U.S. Geological Survey at the northeast corner of Washington Avenue and North Lawrence Street across from the Annex Building (note the VIMS system is not within the DEAP boundary). Based on the EI results:
    - TCE in soil vapor at these locations is not related to the PCE groundwater plume at the DEAP site.
    - TCE in soil vapor at these locations is attributed to historical vadose zone releases from other sources.
    - TCE in soil vapor in concentrations exceeding VISLs does not extend to the Annex Building located within 100 feet of the VIMS.
- Surface Water
  - Surface water and porewater of the Alabama River communicates directly with, and is the primary influence of, the movement of surface water in the downstream portion of Cypress Creek (connected via an open culvert) and groundwater at TMPZ-1/MW-13S, respectively.
  - Influence on groundwater from the Alabama River occurs as porewater exchange, the cycling of water between the river's surface and the associated sediments.
  - Because of the large volume of flow in the Alabama River near Montgomery (over 37 billion liters per day), porewater from the Alabama River acts as a hydraulic barrier that limits the migration of the PCE plume into the creek and dilutes concentrations of PCE at the downgradient edge.

## 2.2 Risk Assessment Summary

Because PCE and TCE in groundwater and PCE in soil vapor were identified in 2018 as site-related chemicals at concentrations exceeding their appropriate screening levels, a HHRA and SLERA were conducted to assess potential risks to human health and the environment, respectively. To evaluate alternatives to mitigate those potential risks, an AA was also conducted. Results of the HHRA, SLERA, and AA are included in the RA/AA report (CH2M, 2019). Figure 2-2 summarizes the exposure pathways that were considered potentially complete for the DEAP boundary, based on the current and likely future land uses (i.e., primarily industrial/ commercial and potential future residential) and the potential sources and migration pathways associated with the plume areas. The chemicals of concern (COC) (PCE in groundwater and soil vapor; TCE in soil vapor only) sources and fate and transport pathways are summarized in the conceptual exposure model, presented on Figure 2-2.

PCE and TCE concentrations exceeding the tap water RSLs and PCE concentrations exceeding the MCL were identified in groundwater. Although groundwater exposures for a potable use scenario are highly unlikely, in accordance with ADEM guidance, the HHRA conservatively assumed that potable groundwater use may occur in the future. The estimated potential risks for hypothetical potable use of

groundwater exceeded ADEM-acceptable risk levels at three monitoring wells (MW-08S, MW-12S, and TMPZ-1/MW-13S). However, there is no potable use of groundwater in the DEAP boundary and an existing ordinance, Montgomery City Ordinance 58-2003, prohibits drilling of new wells within a boundary that encompasses the DEAP boundary.

The elevated concentrations of TCE and/or PCE in soil vapor at the VIMS, MW-08S, and MW-02S were identified as posing potential future risks to human health through the VI exposure pathway. In particular, potential future industrial and commercial risk was identified at the VIMS and MW-08S but only potential future residential risk was identified at MW-02S. However, no VI exposure concerns were identified under current site conditions. No unacceptable risks were identified for the groundwater discharge to surface water exposure scenario and the potential commercial use of wash water at the Capital Trailways bus station (CH2M, 2019). However, it should be noted that this well has since been capped (see Appendix A).

The results of the SLERA indicated little potential for significant risk to receptor populations associated with the potential discharge of COCs in groundwater into Cypress Creek. In addition, because of development within most of the Cypress Creek watershed upstream of the DEAP site, the habitat in the reach of Cypress Creek at the downgradient boundary of the DEAP site is considered to be poor to very poor (CH2M, 2012). As a result, no further risk assessment or consideration of remedy was recommended for ecological receptors (CH2M, 2019).

## 2.3 Alternatives Analysis Summary

RA alternatives were evaluated to address potential risks identified in the HHRA (CH2M, 2019). Remedial action objectives (RAOs) establish the goals of the proposed RA and provide the basis for the RA alternatives. Based on the results of the site investigations, HHRA, and SLERA, the RAOs are:

- Protect human health and the environment from exposure to COCs in groundwater at concentrations above their respective MCLs.
- Protect human health from potential future exposure to PCE and TCE in soil vapor within the plume areas.
- Minimize disruptions to property owners and business from activities related to the implementation of the RA.

RA alternatives were initially screened based on satisfaction of the two threshold criteria established by EPA (overall protection of human health and the environment and compliance with applicable, relevant, and appropriate requirement (ARARs), as well as implementability, technical effectiveness, safety, and security. Following the initial screening, four RAs were considered potentially applicable to the DEAP site:

- Alternative 1 – No Action
- Alternative 2 – ICs with Five-Year Reviews (FYRs)
- Alternative 3 – ICs with FYRs and Monitoring
- Alternative 4 – ICs with FYRs and Monitored Natural Attenuation

These RA alternatives were evaluated further using the five “balancing criteria” established by EPA. The “balancing” criteria evaluate the balance between the relative effectiveness and reduction of toxicity, mobility, or volume through treatment, implementability, and cost. Based on the results of the evaluation against the balancing criteria, Alternative 3 – ICs with FYRs and Monitoring was recommended. Use of ICs are effective in the short term by immediately preventing direct exposure of human health to groundwater contaminants at the site and notifying current property owners of the potential for VI and building alternatives to mitigate potential VI. In the long term, ICs mitigate the potential for VI through building codes and construction alternatives. If needed, FYRs will confirm that

protections remain in-place and include the evaluation of updated plume data to assess when the remedy can be terminated. ICs with FYRs and Monitoring are readily implemented, as there are well-established processes for implementing ICs, monitoring, and conducting FYRs. The monitoring aspects of the plan are discussed further in Sections 4 and 5 of this document.



# Proposed Institutional Controls

Institutional controls are non-engineered instruments that help to minimize human exposure to contamination. ICs are typically presented in the form of administrative, informational, and/or legal tools. They can, but are not required to, mandate engineered controls, if necessary. This section presents the ICs proposed to address potential risk within the DEAP plume areas. The DEA will use a two-tiered approach for the implementation of these ICs for the project: 1) Environmental Covenants (ECs) and 2) Institutional Control Tools. This approach is detailed in the following sections.

## 3.1 Environmental Covenants

The DEA will employ ECs in a tiered approach, based on locations within the PCE plume areas and 100-foot radius of the groundwater plume (Figure 3-1) with associated potential future human health risk. In general, ECs that are obtained will restrict the use of groundwater for properties within a 100-foot radius of the PCE Groundwater Plume, while property-specific ECs will apply to areas of interest (AOIs) for known soil vapor risk. As explained in the RA/AA Report (CH2M, 2019), an AOI is defined by a 100-foot radius from a potential soil vapor risk exceedance, which includes soil vapor sample locations within the plume areas near MW-02S, MW-08S, and one area outside the DEAP boundary, the VIMS (see Figure 3-1). Two of these three AOIs will be part of the initial ECs for the DEAP (MW-08S and the VIMS). To address the potential residential risk at MW-08S, the City will file an EC on the City-owned property to restrict its use by permanently maintaining its current use as parking only. The City also proposes to file an EC on the portion of the VIMS AOI that it owns; this includes a sidewalk and right-of-way. The City will declare in the EC that the current use will be maintained permanently.

The DEA and ADEM will continue to evaluate the site conditions and provide future RA progress reports (i.e., Initially, reports to address groundwater monitoring and effectiveness of institutional controls will be submitted annually for 3 years, and will likely transition to FYR Reports when the groundwater monitoring frequency is reevaluated (See Section 5), and approval from ADEM to make this transition is received) to ADEM. There are approximately 100 properties located within the 100-foot radius of the groundwater plume, with many of them being owned by various private entities. Also, EC information and an example will be made available to private property owners via the DEAP website and will be presented as part of the public notice process. In the event that the DEA and ADEM deem that these efforts (i.e., posting ECs on the DEA website and public notice activities) to obtain an executed covenant for a property within the DEA Overlay (see Figure 3-1) are likely futile (through the FYR process), the DEA will propose alternative land use controls for those parcels subject to ADEM's review and approval, if necessary. In future RA progress reports, the DEA will review, obtain copies of and summarize any ECs that have been recorded within the DEA site. The basis of this information will be through communicating with ADEM, and any other information on EC's in progress, which the City has been made aware of through its interaction with property owners and through the DEAP website. These RA progress reports will initially be submitted annually and will include inspection results, groundwater results, progress on voluntary ECs executed from the public notice/website during the effectiveness period, etc. For more information on the contents of RA Progress Reports, please refer to Section 6 of this Plan. Additionally, the DEA proposes to employ other IC tools described in Section 3.2.

## 3.2 Institutional Control Tools

Additional ICs are proposed to serve as protective measures that can be readily implemented and enforced under the City of Montgomery's existing governing authority. The DEA will employ ICs in a tiered approach, based on locations within the PCE plume areas and 100-foot radius of the groundwater

plume (Figure 3-1) with associated potential future human health risk. Specifically, some ICs apply within the entire DEAP, while others only apply to an AOI and/or Decision Unit (DU), which is consistent with Alabama Risk-Based Corrective Action (ARBCA) guidance. A DU is defined as any building wholly or partially within the AOI. Currently, there is no exposure risk from soil vapor (Figure 3-1) because:

- There are no residential buildings within the AOI at the soil vapor sample site near MW-02S.
- There are no buildings within the AOI at the soil vapor sample site near MW-08S or the VIMS.

The ICs presented in this ICP will apply to two Overlay areas (shown on Figure 3-1). Overlays are areas where the City will implement ICs, as follows:

- Informational Tools (across DEAP Overlay; see the "Downtown Environmental Overlay" on Figure 3-1) will notify downtown property owners about the ICs within the DEAP Overlay and the existing well drilling ordinance.
- Special restriction regarding residential use (within the AOI Overlay near MW-02S only), which will be achieved through adding special restrictions to the zone in addition to SmartCode. (see the "2S AOI Overlay" on Figure 3-1).

### 3.2.1 Regulatory/Legal Elements

To prevent future use of groundwater as a drinking water source, the Montgomery City Council passed Ordinance 58-2003 on September 16, 2003, which has been codified in the Montgomery Code of Ordinances Chapter 5, Article VIII, Sec. 5-483 (Wells Prohibited in Capital City Plume Site) and prohibits the drilling of water wells (see Figure 3-1 – "Current Groundwater Well Drilling Ban Ordinance"). The City will amend this 2003 ordinance by referencing the ADEM agreement with the DEA. The DEAP is located within the City's current area of applicability.

#### 3.2.1.1 DEAP Overlay Ordinance

The boundaries of the current Ordinance banning groundwater well digging exceeds the boundaries of the properties in the Downtown Environmental Overlay (Figure 3-1). The Ordinance will be amended to include provisions for specific overlays or special restricted zones within the DEAP Overlay which will allow specific characteristics or requirements to affect a specifically-defined boundary. The City will add the 2S AOI Overlay (Figure 3-1) through the current City Ordinance related to well drilling restrictions.

As part of this ICP, the DEA assessed the current and proposed City ordinances to determine if the requirements should be enhanced to ensure current and future exposure to groundwater would be sufficiently impeded. The amended ordinance language will be submitted to ADEM under a separate cover. It will include the existing well drilling prohibition, as well as adding a groundwater use restriction, a requirement to comply with International Building Code requirements related to vapor barriers/retarders, the special restricted zone near MW-02S defined and prohibiting ground floor residential use, and reference this ICP Plan required by the ADEM Agreement.

#### 3.2.1.2 2S AOI Overlay – Special Restrictive Zone

As previously discussed, within the proposed DEAP Overlay, there are two AOIs for which potential exposure risk to soil vapor exists (the VIMS is not within the DEAP overlay). Those are the soil vapor sample locations near MW-08S and MW-02S. The AOI near MW-02S is due to a potential residential risk related to potential VI.

To address the potential residential risk at MW-02S, the City will add a special restricted zone ("2S AOI Overlay," Figure 3-1) to restrict the properties in the AOI by permanently prohibiting ground floor residential use (including schools or daycares).

## 3.2.2 Informational Tools and Outreach

Informational tools are ICs that are used to communicate information about a site and alert property owners, potential property owners, tenants, and others about the potential risks that may be present. These will apply to parcels that are within the "Downtown Environmental Overlay" shown on Figure 3-1.

### 3.2.2.1 Public Notice Methods

Although potential VI risk within the plume areas is present only at the 8S AOI and 2S AOI (the VIMS is not within the plume areas), the DEA will inform parties within the DEAP Overlay of potential risks; relevant, proposed land use restrictions (including those related to the AOIs); and the availability of ECs for use by private property owners. The DEA/City (or its consultant) will mail letters upon finalizing the ICP, after new property ownership is available from the County Tax Appraisers, typically in October 2019, to each property owner within an Overlay with information regarding any restrictions that apply to each respective property within each overlay notification area. These letters are expected to be mailed within the fourth quarter of 2019, after the information is available from the County Tax Appraisers. The letters will also include City personnel contact information. An example of these notification letters will be provided to ADEM for review under a separate cover.

Additionally, the dissemination of information regarding the DEAP will occur based on the following events within the DEAP Overlay:

1. Sale of City-owned property
2. Sale of privately-owned property (i.e., change in ownership through tax assessment records, which typically are posted annually in October each year)
3. Submittal of a building permit application, including renovations
4. Submittal of a well drilling permit application (which would not be issued/allowed in the DEAP Overlay)

To continuously notify property owners in the Overlay, the DEA/City (or its consultant) will send out notices to each annually after new property ownership is available from the County Tax Appraisers, typically in October of each year. These letters are expected to be mailed in the fourth quarter of each year, after the information is available from the County Tax Appraisers. Interested parties will also be informed during property and zoning searches because the DEAP Overlay will direct them to the relevant City department(s) as well as the DEAP website (<http://www.montgomeryal.gov/live/about-montgomery/capital-city-plume-information>).

The City -maintained a DEAP website is populated with reports, sampling results, contact information, maps and photographs, information regarding the Community Outreach Group (COG), and other pertinent information. The website will continue to be maintained and updated with any new information and data. The effectiveness of these public notice methods will be documented in future RA progress reports in the form of website visits, requests for information, etc.

Periodic meetings with members of the community (through the COG) are held to update interested parties on the status of any work being performed in conjunction with the DEAP. These meetings will continue to be held to report the ongoing effectiveness of this ICP as well as any future monitoring results. These COG meetings will be held in conjunction with post-Remedial Action Report activities, such as annual groundwater monitoring events, and FYRs to update the community on the continued activities of the project.

### 3.2.2.2 Education of City Personnel

To ensure the proper information is disseminated as necessary, City personnel will be educated about the relevant requirements and restrictions within each Overlay and the need for them. Furthermore, personnel will be given instructions for how and when to transmit the information. This training would be implemented as part of the City employees on-the-job training process.

# Institutional Controls Enforcement

Enforcement of the ICs presented in this ICP will largely be carried out through the legal and administrative processes adopted by the City. The City is given the authority to adopt and implement ordinances within its city limits by Alabama Code Section 11-45-1 (“Adoption and enforcement authorized”). The Montgomery City Council is authorized to propose new ordinances and amend existing ordinances when necessary. Ordinance adoption includes public notice, public participation through public hearing, and ultimately passing and approving a new ordinance or amendment by a majority of the Council present at the time of the vote.

While existing City ordinances may generally be repealed or amended, some contain specific background information that explains the necessity of the ordinance (e.g., purchase/sale agreement, litigation settlement, consent order, state or federal law or regulation references) to inform future City Council members of the background and any restrictions/limitations to be reviewed in consideration of repealing or amending specific City ordinance. The ordinance described in this ICP will be permanent and annotated with references to this document and the ADEM Settlement Response Agreement such that any proposed changes to the ordinance would require notice and consent by ADEM before any City Council action.

## 4.1 Institutional Controls Monitoring

The DEA/City (or its consultant) will perform inspections to evaluate that the City ordinances and property use restrictions are still in-place (i.e., no wells are being installed, property zoning ordinances are being adhered to, environmental covenant requirements are being followed, etc.). These inspections will occur throughout the year and will involve selecting random properties to perform these inspections. Groundwater use restrictions will be monitored by the City (or its consultant) through inspections required when building permits or property transactions occur. The results of these inspections will be reported to ADEM as part of future RA progress reports. No well permits will be issued by the City Building Permits Department.

Any changes or modifications to the ICs or ECs proposed in this document must be reviewed and approved by ADEM prior to implementing these modifications.

# Groundwater Monitoring

To demonstrate the effectiveness of the selected remedy, the DEA will conduct groundwater monitoring at six representative, existing wells within the DEAP monitoring well network and one new well. The existing wells and new well will be sampled and analyzed for PCE (the only groundwater COC). The six existing groundwater monitoring wells to be analyzed by the DEA are located downgradient (TMPZ-1/MW-13S and MW-12S), mid-plume (MW-2S and MW-8S), lateral (MW-3S), and upgradient (MW-1S) of the PCE groundwater plume (Figure 5-1). Also, one new well (tentatively identified as MW-14S) is proposed generally on the west side of the PCE plume extent and within the current groundwater well drilling ban ordinance (See Figure 5-1). The intent of the single, new well is to be a lateral monitoring point on the west side of the PCE plume. It is not a point-of-compliance or boundary well, but rather is to confirm that the conceptual site model is still valid and that the selected remedy is protective as outlined in this document.

The groundwater samples will be analyzed for PCE only using Method 8260B. The groundwater monitoring events at the seven proposed wells (six existing and one new well) initially will be conducted annually for at least 3 years, after which the monitoring frequency will be reevaluated. The DEA may elect to reduce the frequency of these monitoring events (subject to ADEM review and approval) if conditions are stable or decreasing after the first three events. The DEA will submit these annual groundwater results as part of their annual RA progress reports.

# Remedial Action Progress Reports

As discussed in Section 3.1, the City/DEA (or its consultant) will submit RA Progress Reports initially on an annual basis after approval of the ICP. The RA Progress Reports are intended to demonstrate that the information collected supports the remedy for the site, and to update ADEM on post-ICP activities for the DEAP, such as groundwater monitoring results, IC notification progress, and IC inspections progress. At a minimum, the RA Progress Reports will include the following:

- Summaries of the overall effectiveness of, compliance with, and progress towards completing the RA/ICs, including any new or modifications to existing ECs and/or ordinances, and any changes in land use
- Details of inspections conducted in accordance with the ICP, including dates of the inspections, summaries of the findings, and copies of the inspection logs
- Details regarding dissemination of notices in accordance with the ICP, including annual search results from the Tax Appraisers Records, records of any building and/or well drilling permit applications received, and any revisions to the notice letter template
- Summaries of any updates or changes to the DEAP website, including website visit counts and requests for information
- Summaries and schedules of COG meetings
- Evaluation of groundwater plume concentrations with monitoring data, including tabulated sampling results, chain-of-custody records, field logs, laboratory analytical reports, groundwater elevations, plume isoconcentration map(s), and time versus concentration trend plots for each monitoring well

As stated in Section 3.1, the RA Progress Reports will be submitted annually for 3 years, and will likely transition to FYR Reports when the groundwater monitoring frequency is reevaluated and approval from ADEM to make this transition is received.

# References

Agency for Toxic Substances and Disease Registry (ATSDR). 2004. *Public Health Assessment for Capitol City Plume, Montgomery, Alabama*. January.

CH2M HILL Engineers, Inc. (CH2M). 2012. *Problem Areas Report for the Cypress Creek Aquatic Ecosystem Restoration Feasibility Study*. September.

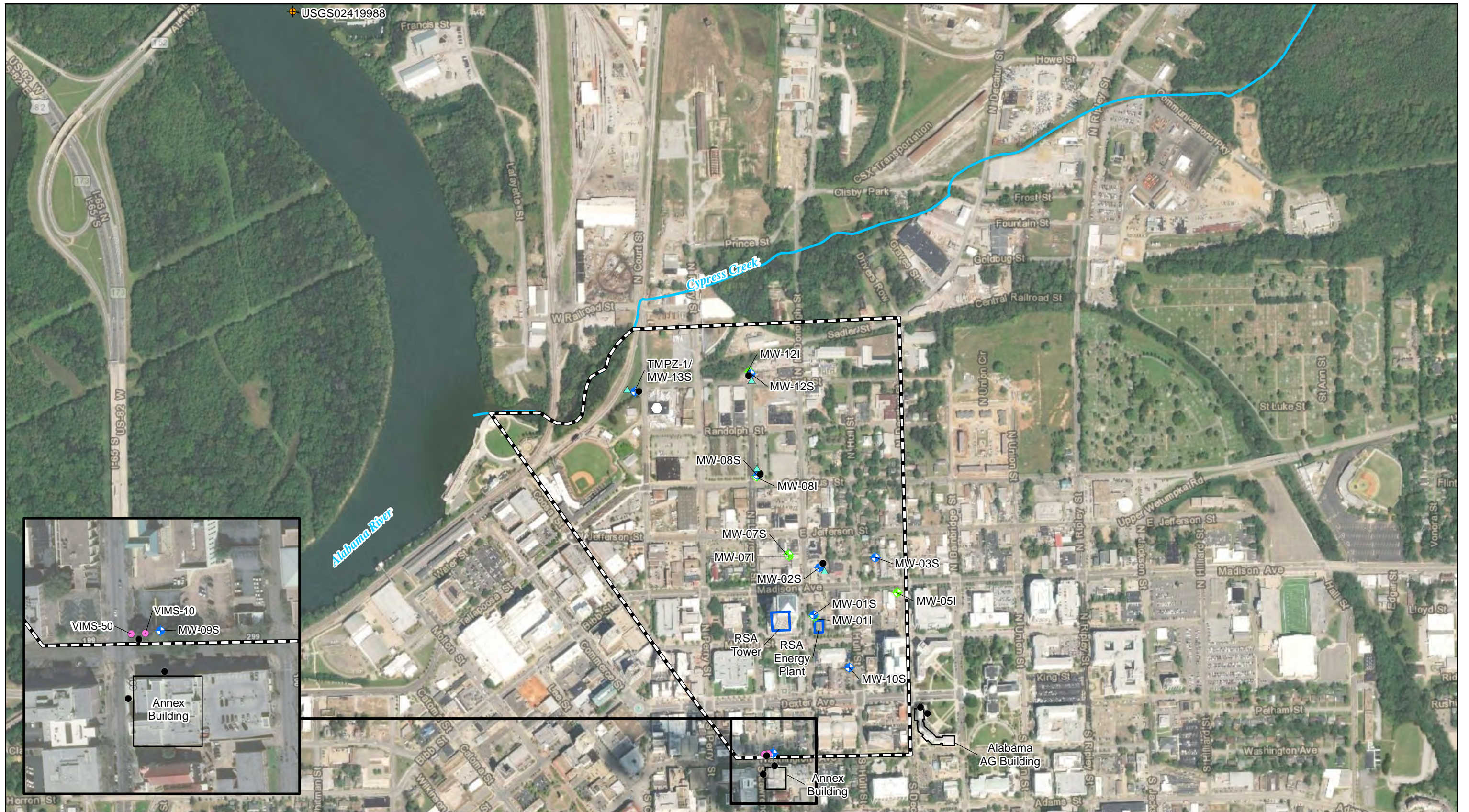
CH2M HILL Engineers, Inc. (CH2M). 2016. *Technical Work Plan - Downtown Environmental Assessment Project, Montgomery, Alabama*. Prepared for Alabama Department of Environmental Management by the Downtown Environmental Alliance. May.

CH2M HILL Engineers, Inc. (CH2M). 2017. *Supplemental Environmental Investigation Report Downtown Environmental Assessment Project, Montgomery, Alabama*. Prepared for Alabama Department of Environmental Management by the Downtown Environmental Alliance. October.

CH2M HILL Engineers, Inc. (CH2M). 2019. *Risk Assessment/Alternatives Analysis Report Downtown Environmental Assessment Project, Montgomery, Alabama*. Prepared for Alabama Department of Environmental Management by the Downtown Environmental Alliance. February.



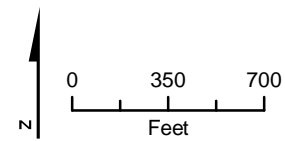
Figures



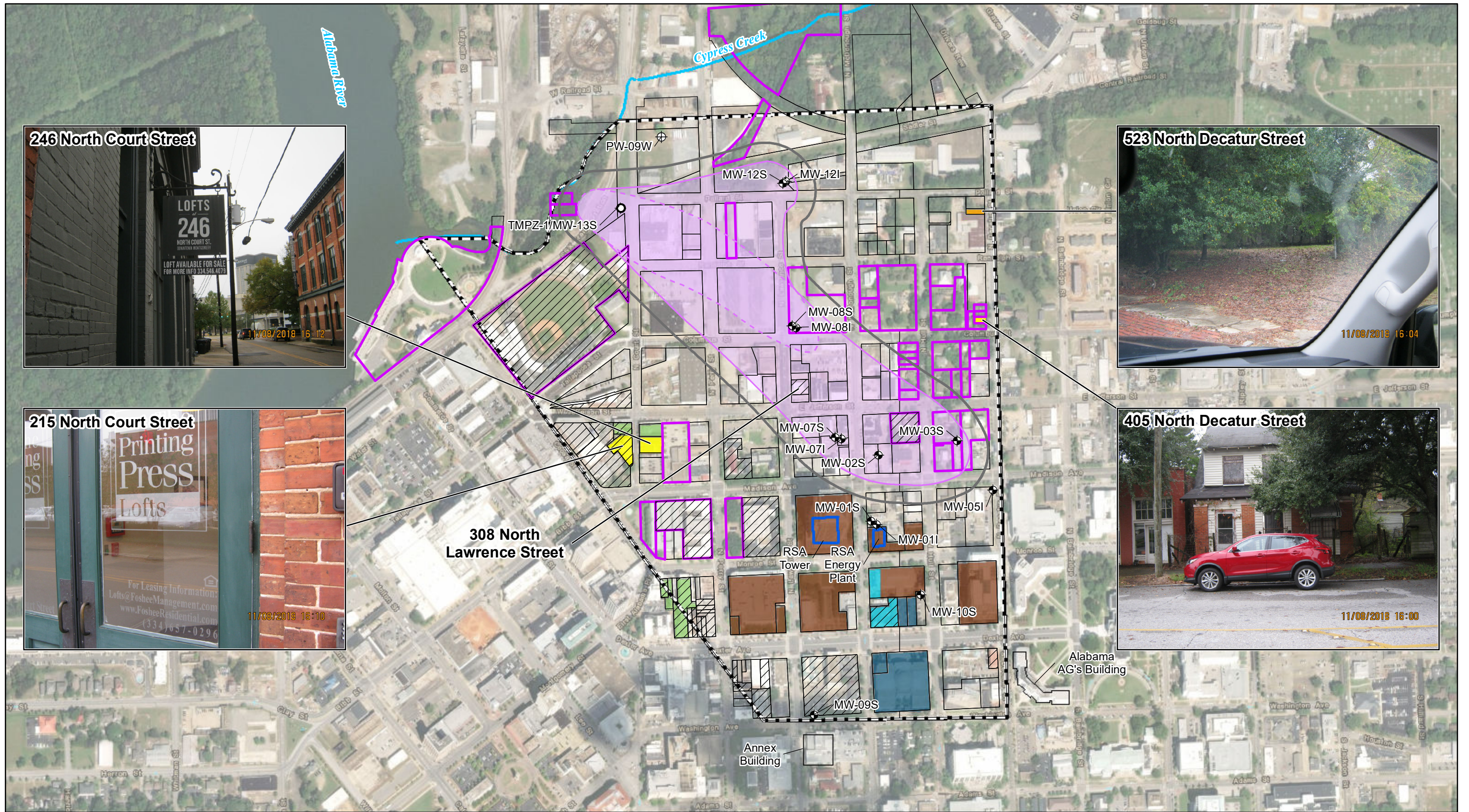
**LEGEND**

- ◆ Shallow Monitoring Well
- ◆ Intermediate Monitoring Well
- VIMS
- Soil Vapor Sampling Location
- ▲ Geotechnical Sampling Location
- ◆ Alabama River Gauge Station
- Commercial Bus-Washing Station
- RSA Building
- Site Boundary

Notes:  
 1. AG = Attorney General  
 2. RSA = Retirement Systems of Alabama  
 3. VIMS = Vapor Intrusion Monitoring System  
 4. DigitalGlobe Aerial Imagery (September 26, 2017).  
 5. Figure extent increased to show location of the Alabama River Gauge.



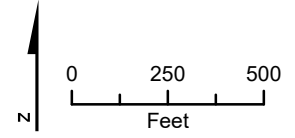
**FIGURE 1-1**  
 Site Map with Investigation Locations  
*Institutional Controls Plan*  
*Downtown Environmental Assessment Project*  
 Montgomery, AL



**LEGEND**

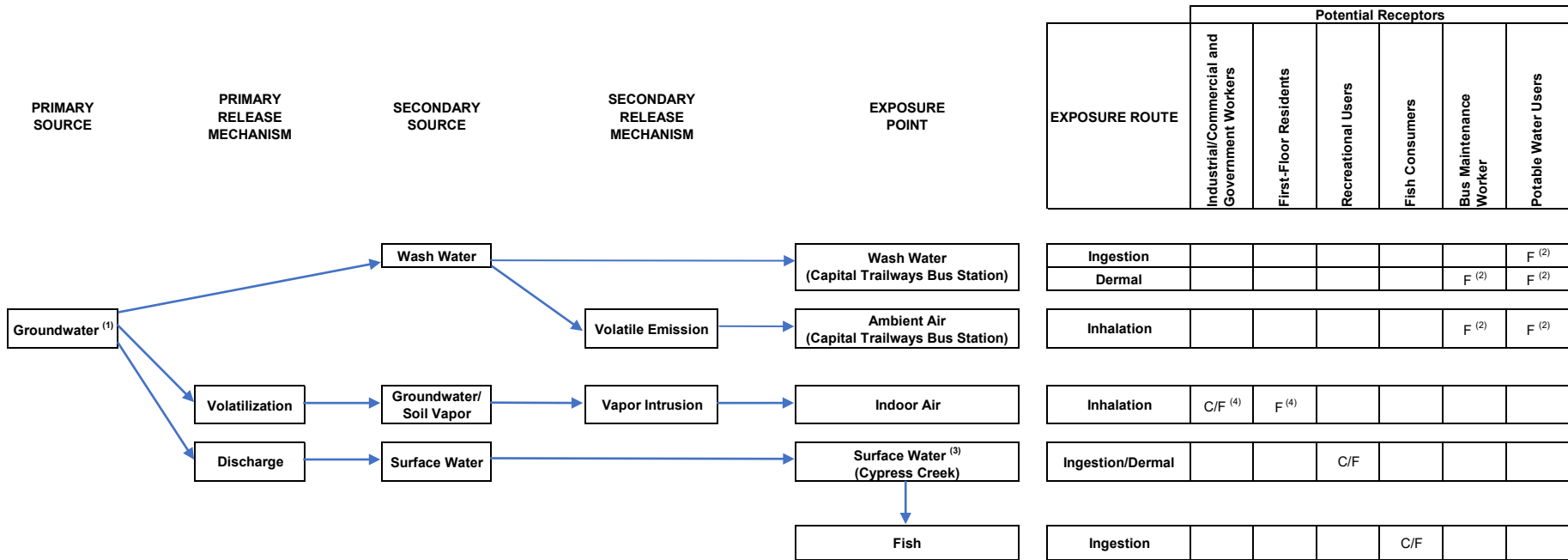
- ◆ Monitoring Well
- ⊕ Former City Water Supply Well
- Temporary Piezometer
- ▭ RSA Building
- ▭ Site Boundary
- ▭ Approximate Extent of PCE > 5 µg/L
- ▭ PCE Plume 100-foot Buffer
- ▭ Parcel Boundary
- ▭ Property with Basement
- ▭ City-owned Property
- ▭ State Property
- ▭ RSA Property
- ▭ School/Daycare Property
- ▭ Residential (First Floor Commercial)
- ▭ Residential (First Floor Occupancy)
- ▭ Empty Residential Lot

- Notes:
1. AG = Attorney General
  2. PCE = tetrachloroethene
  3. RSA = Retirement Systems of Alabama
  4. µg/L = micrograms per liter
  5. Parcel is industrial/commercial use unless otherwise indicated.



**FIGURE 2-1**  
Extent of PCE Plume and Current Property Use Map  
*Institutional Controls Plan*  
*Downtown Environmental Assessment Project*  
*Montgomery, AL*





Notes:

<sup>(1)</sup> Potable use of groundwater is an incomplete pathway under current and future site conditions. The DEAP site is currently served by the Montgomery Water Works and Sanitary Sewer Board. All public water supply wells from the former North Well Field were abandoned and there are no known domestic wells in use at the DEAP site. Additionally, the City enacted an ordinance in 2003 to prohibit future well drilling in the downtown area.

<sup>(2)</sup> As discussed in Section 1.2.6 of the text, the Capital Trailways well has been decommissioned and it is unlikely to be reconstructed and used in the future. However, per ADEM's request, the following potential future exposure scenarios were evaluated:

- Bus maintenance workers were assumed to be exposed to water through dermal contact and inhalation exposure pathways.
- Potable water users were assumed to be exposed to water through ingestion, dermal contact, and inhalation exposure pathways.

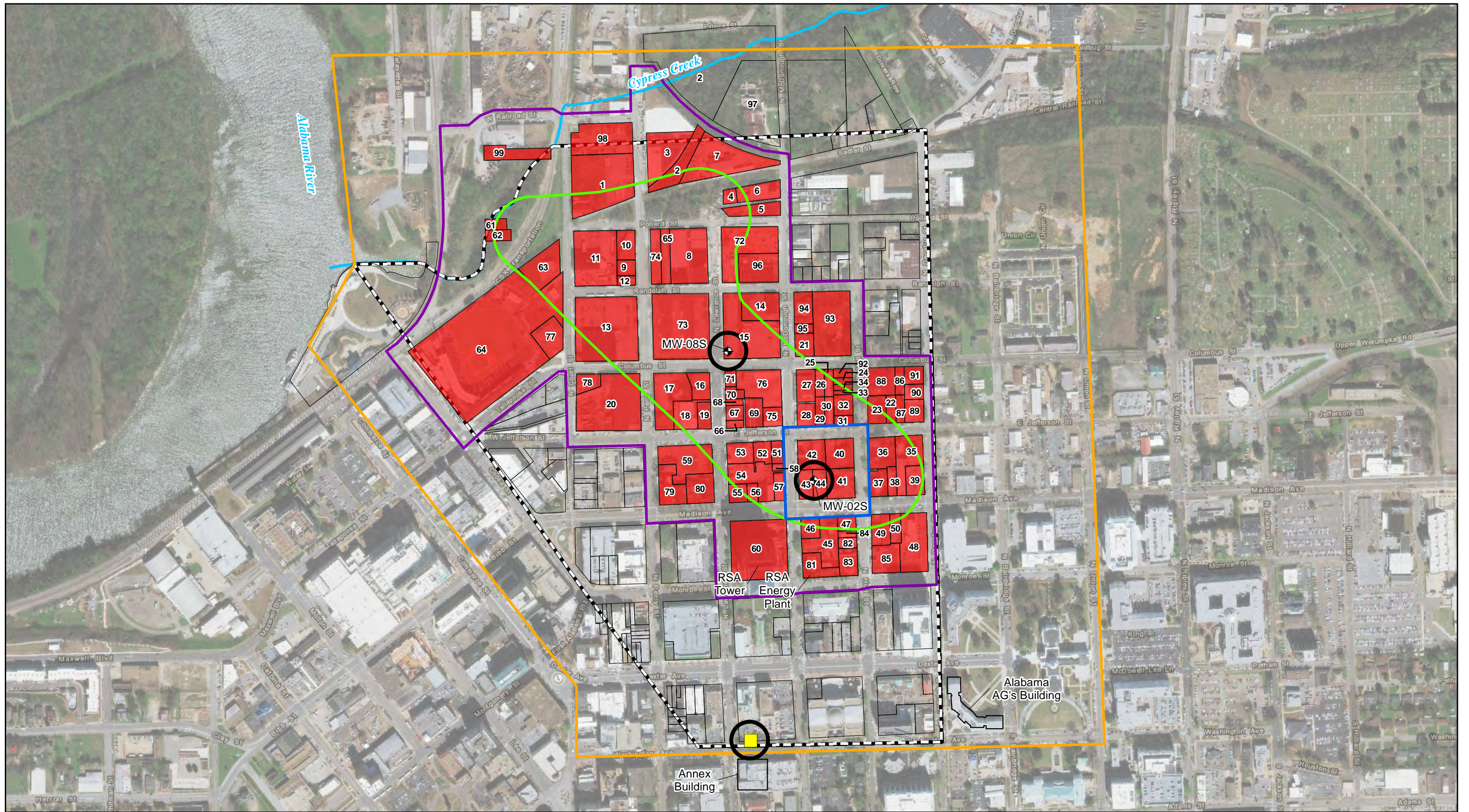
<sup>(3)</sup> Potential surface water concentrations were estimated using groundwater concentrations from monitoring well TMPZ-1 and a site-specific attenuation factor.

<sup>(4)</sup> Potential exposures to indoor air associated with vapor intrusion from groundwater were not evaluated because preference is given to the soil vapor data, which were collected at locations with groundwater concentrations greater than the vapor intrusion screening levels.

C/F - Potentially Complete Pathway under Current and Future Exposure Scenarios

F - Potentially Complete Pathway under Future Exposure Scenario

**FIGURE 2-2**  
**Conceptual Exposure Model**  
*Institutional Controls Plan*  
*Downtown Environmental Assessment Project, Montgomery, AL*

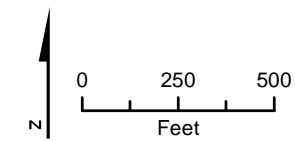


**LEGEND**

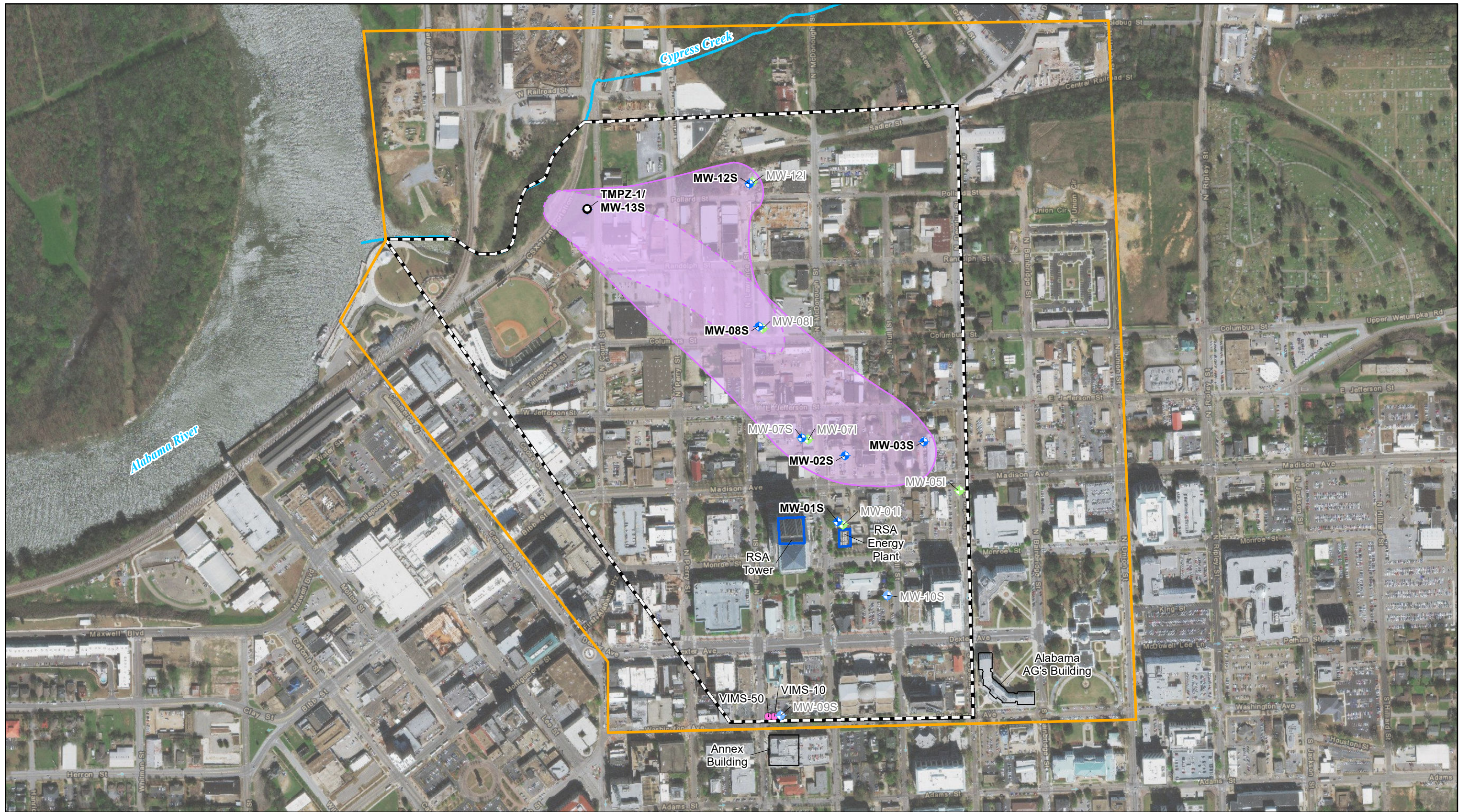
-  Site Boundary
-  PCE Plume 100-foot Buffer
-  Parcel Boundary
-  Blocks Intersecting Plume and 100-ft Buffer
-  Downtown Environmental Overlay/DEAP Boundary
-  2S AOI Overlay
-  Current Groundwater Well Drilling Ban Ordinance
-  Areas of Interest (AOIs)
-  Monitoring Well
-  Vapor Intrusion Monitoring System

**Notes:**

1. AG = Attorney General
2. PCE = tetrachloroethene
3. RSA = Retirement Systems of Alabama



**FIGURE 3-1**  
 DEAP Overlays and AOIs  
 Institutional Controls Plan  
 Downtown Environmental Assessment Project  
 Montgomery, AL

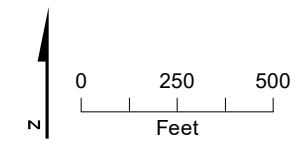


**LEGEND**

- ◆ Shallow Monitoring Well
- ◆ Intermediate Monitoring Well
- Temporary Piezometer
- ◆ VIMS
- RSA Building
- Site Boundary
- Approximate Extent of PCE > 5 µg/L
- Current Groundwater Well Drilling Ban Ordinance

**Notes:**

1. AG - Attorney General
2. RSA - Retirement Systems of Alabama
3. VIMS - Vapor Intrusion Monitoring System
4. µg/L - micrograms per liter
5. Wells that are bold will be sampled during the annual monitoring program. Wells that are shaded will only be gauged for groundwater elevation.
6. New Well MW-14S will be located on the western side of the PCE plume extent and within the Well Drilling Ban Ordinance.



**FIGURE 5-1**  
Groundwater Monitoring Program  
*Institutional Controls Plan*  
Downtown Environmental Assessment Project  
Montgomery, AL

Appendix A  
Capital Trailways Correspondence

**CAPITAL - COLONIAL - SOUTHERN**



520 North Court St.

Montgomery, AL. 36104

February 14, 2018

Mrs. Ashley Mastin

Alabama Department of Environmental Management

P.O. Box 301463

Montgomery, Al. 36130-1463

The well that is located at the Capital Trailways 520 North Court Street Montgomery, Alabama 36104 is no longer in use. The well was deactivated and taken out of service in February of 2017. Power lines and plumbing connected to the well have been removed and the water storage tank that the water was pumped into has also been removed. Capital Trailways has connected to the city water supply and will continue to wash our buses with the city water supply. The well was used only for washing buses and will not be used in any capacity in the future.

Regards,

A handwritten signature in blue ink that reads "Tom Fletcher". The signature is written in a cursive, flowing style.

Tom Fletcher

President of Capital/Colonial Trailways





City of **Montgomery**, Alabama

## *Inspections Department*

Jerry Russell, Chief Building Official

**Todd Strange, Mayor**

City Council Members

Charles W. Jinright, President

Tracy Larkin – Pres. Pro Tem

Fred F. Bell

Richard N. Bollinger

Audrey Graham

William A. Green, Jr.

Arch M. Lee

Brantley W. Lyons

Glen O. Pruitt, Jr.

January 23, 2019

Tom Fletcher  
President, Capitol/Colonial Trailways  
520 North Court Street  
Montgomery, AL. 36105

RE: Discontinued use of well located at 520 North Court Street

Mr. Fletcher,

Thank you for the information with regards to discontinued use of the well located at 520 North Court Street. In order to abate any potential hazardous condition the City of Montgomery Code of Ordinances, Section 14-138 requires that all such wells be completely filled or securely closed with six inch cement cap.

Please understand that as the responsible party, non-compliance with such request within 30 days may result in further action in accordance with City of Montgomery Code of Ordinances.

If I may be of further assistance, please contact me at 334-625-2080.

Sincerely,

Jerry Russell  
City of Montgomery  
Chief Building Official





City of **Montgomery**, Alabama

*Inspections Department*

Jerry Russell, Chief Building Official

**Todd Strange, Mayor**

City Council Members  
Charles W. Jinnright, President  
Tracy Larkin – Pres. Pro Tem  
Fred F. Bell  
Richard N. Bollinger  
Audrey Graham  
William A. Green, Jr.  
Arch M. Lee  
Brantley W. Lyons  
Glen O. Pruitt, Jr.

January 23, 2019

Tom Fletcher  
President, Capitol/Colonial Trailways  
520 North Court Street  
Mongomery, AL. 36105

RE: Discontinued use of well located at 520 North Court Street.

Please sign and date as receipt of letter dated January 23, 2019. being delivered by the City of Montgomery, Inspections Department.

*Sandra Alessia*  
Signature

1-24-19  
Date

**\*\*\*PERMIT DEPARTMENT REPORT OF COMPLAINT INSPECTIONS\*\*\*  
CITY OF MONTGOMERY INSPECTIONS DEPARTMENT**

**COMPLAINT:** C01306  
**STATUS:** CLOSE      **COMPLAINT TYPE:** OTHER      **COMPLAINT DATE:** 4/8/2019  
**LETTER SENT:**

**ADDRESS:** 520 NORTH COURT ST      **FILED BY:**  
**PHONE NO:**

**GENERAL LOC:**  
**LEGAL DESC:** SCOTT PLAT PLAT BK X PAGE 800 11 LESS E 100FT SCOTT PLAT BLK MONTGY MAP BK P 800  
**LOT:**      **SUBDIVISION:**  
**BLOCK:**      **ZONING:** T4-O      **SECTION:**  
**FH:** X - 500 / 0093 - J  
**OWNER:** CAPITAL MOTOR LINES      **PHONE:**

**COMPLAINT REMARKS:**  
 COMPLAINT STATES UN-CAPPED WELL IN AREA OF CAPITOL CITY PLUME.

**COMPLAINT ACTIVITIES / COMMENTS**

Activity	Complaint Type	Sch Date	Comp Date	Inspector
<b>Result Comments</b>				
<b>INSPECTION</b>	OTHER	1/23/2019	2/13/2019	
01/23/19 VISITED LOCATION AND OBSERVED UN-CAPPED WELL. ALL UTILITY SERVICES TO WELL HAVE BEE TERMINATED. DELIVERED NOTICE TO REPAIR (CAP ABANDON WELL). 02/13/19 CONFIRMED WELL CAPPED AS REQUIRED FOR COMPLIANCE.				
<b>REINSPECTION</b>	OTHER			
<b>PUBLIC HEARING</b>	OTHER			

**PRINTED ON:** 4/8/2019  
**PRINTED BY:** PATRICK M. MCGILBERRY  
**FIELD NOTES:**