

**GOVERNMENT OF THE DISTRICT OF COLUMBIA
District Department of the Environment**



Office of the Director

CERTIFICATE OF COMPLETION

VCP CASE NO.: VCP2008-017

PARTICIPANT STATUS: Non-Responsible Person

VCP PARTICIPANT: Ms. Lynn Brantley
President and Chief Executive Officer
Capital Area Food Bank,
645 Taylor Street, N.E. Washington, D.C. 20017

SITE NAME: Capital Area Food Bank (CAFB)

SITE ADDRESS: 4900 Puerto Rico Avenue, NE
Square 3788, Lot 0813

REFERENCE: VCP Application/Comprehensive Site Assessment dated March 7, 2008, Cleanup Action Plan (CAP) dated September 5, 2008 and Site Completion Report dated March 19, 2012

The District Department of the Environment (“DDOE”) hereby issues this Certificate of Completion (“Certificate”) pursuant to § 306 of the Brownfield Revitalization Amendment Act of 2000, D. C. Law 13-312, D.C. Official Code §§ 8-631 *et seq.*, as amended April 8, 2011, D.C. Law 18-369 (herein referred to as the “Act”). The Voluntary Cleanup Program (“Program”) received no comments regarding the issuance of this Certificate during the 21-day public notice and comment period prior to issuance required by § 601 of the Act, D.C. Official Code § 8-636.01(a). (*See 53 DCR 9017*). Pursuant to § 306(c) of the Act, D.C. Official Code § 8-633.06(c), DDOE has overseen the implementation and completion of the approved Voluntary Cleanup Action Plan (“CAP”) dated September 5, 2008. DDOE has also reviewed the Voluntary Cleanup Program Site Completion Report (“Report”), dated March 19, 2012, which indicates that the cleanup standards specified in § 305 of the Act, D.C. Official Code § 8-633.05 (b) have been achieved.

Pursuant to § 306(d) of the Act, D.C. Official Code § 8-633.06(d) the District Department of the Environment hereby states that:

1. The requirements of the cleanup action plan have been implemented, and all applicable cleanup standards have been met;
2. The Participant's implementation of the cleanup action plan at the Property has achieved the applicable cleanup standards regarding the contamination addressed in the cleanup action plan;
3. The Participant is released from further liability under this Act and any other District law or regulation, for the cleanup of this Property and for any contamination identified in the comprehensive environmental assessments of this Property dated March 7, 2008 and the Participant shall not be subject to a contribution action instituted by a responsible person;
4. Long-term monitoring or maintenance requirements for the Property are not required;
5. The permissible use of this Property is for Commercial use;
6. This Certificate of Completion is transferable.

Pursuant to § 306(i) of the Act, D.C. Official Code § 8-633.06(i), this Certificate shall not:

1. Prevent the District from taking action against any person or property to prevent or abate an imminent or substantial endangerment to the public or the environment;
2. Remain in effect if obtained by fraud or a material misrepresentation, or if new information is discovered, within a reasonable time, about a hazardous substance that revises the acceptable risk levels; or if the risk level increases due to land use;
3. Affect the District's authority to take action against any person concerning new contamination or the exacerbation of an existing contamination after this Certificate has been issued;
4. Affect the District's authority to take action against any person concerning previously undiscovered contamination at this Property after this Certificate has been issued;
5. Prevent the District from taking action against any person who is responsible for long-term monitoring and maintenance, for the failure to comply with the cleanup action plan or failure to maintain institutional controls;
6. Prevent the District from taking action against any person who does not comply with the conditions on the permissible use of the eligible property contained in the Certificate;
7. Prevent the District from requiring any person to take further action if the eligible property fails to meet the applicable cleanup criteria set up in the cleanup action plan; or
8. Affect the planning or zoning authority of the District.

CONDITIONS

1. This Certificate may be transferred to any person whose actions did not cause or contribute to the contamination at this Property.
2. No less than ten (10) days before transferring this Certificate, the Participant or any successor-in-interest shall provide written notice to the Voluntary Cleanup Program at the following address:

Land Remediation and Development Branch
District Department of the Environment
1200 1st Street, NE, 5th Floor
Washington, D.C. 20002

3. If any portion of this Property is transferred, the property owner shall notify the Voluntary Cleanup Program at least ten (10) days before the transfer. In addition, any successor-in-interest must submit a written certification to the attention of the Program Manager, Voluntary Cleanup Program, that the successor-in-interest has received a copy of this Certificate including any physical maintenance requirements for this Property.

RECORDATION

Because this Certificate does not restrict permissible uses, DDOE will send a copy of the Certificate to the Recorder of Deeds and the Office of Tax and Revenue within 10 business days after its issuance.

[Handwritten signature]
Christophe A.G. Tulou
Director
District Department of the Environment

05/23/12
Date

DISTRICT OF COLUMBIA: to wit:

I HEREBY CERTIFY, that on this ____ day of _____, 2012, before me the undersigned Notary Public of the District of Columbia, personally appeared Christophe A.G. Tulou, Director, District Department of the Environment, and known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument, and acknowledged that he executed the foregoing instrument, and being authorized so to do acknowledged the same to be the act and deed of said District Department of the Environment and in my presence signed the same.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

[Handwritten signature]
Notary Public

My commission expires: 7/14/2013

[Handwritten signature]
Notary Public, D.C.
My commission expires July 14, 2013

Original to:

Ms. Lynn Brantley
President and Chief Executive Officer
Capital Area Food Bank
645 Taylor Street, N.E.
Washington, D.C. 20017

Copies to:

James P. Sweeney
Chief, Land Remediation and Development Branch
District Department of the Environment
1200 1st Street, NE, 5th Floor
Washington, DC 20002

Recorder of Deeds
1101 4th Street, SW, 5th Floor
Washington DC 20024

Office of Tax & Revenue
1101 4th Street, SW, Suite W270
Washington, DC 20024