

GOVERNMENT OF THE DISTRICT OF COLUMBIA  
District Department of the Environment



Toxic Substances Division

Voluntary Cleanup Program

**CERTIFICATE OF COMPLETION**

**VCP CASE NO.:** VCP2010-019

**PARTICIPANT STATUS:** Non-Responsible Person

**VCP PARTICIPANT:** Mr. James Nozar, Vice President  
JBG/14<sup>th</sup> and S LLC  
4445 Willard Avenue, Suite 400  
Chevy Chase Maryland 20815 ("Participant")

**SITE NAME:** Formerly Swann Laundromat and Whitman Walker Clinic

**SITE ADDRESS:** 1818 14<sup>th</sup> Street, NW  
Square 0206, Lots 0831 & 7001

**REFERENCE:** VCP Application/Comprehensive Site Assessment and revised work plan on May 10, 2010 and phase II supplemental Investigation dated July 23, 2010, Cleanup Action Plan (CAP) dated May 12, 2010 and Site Completion Report dated August 31, 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 mandatory 21-day public notice and comment period prior to issuance required by § 601 of the Act. (*See DC Register Vol 59/42, October 19, 2012*). Pursuant to § 306 (c) of the Act, the District Department of the Environment ("DDOE") has reviewed the Voluntary Cleanup Program Site Completion Report ("Report") dated August 31, 2012 and the implementation and completion of the approved Voluntary Cleanup Action Plan (CAP) dated May 12, 2010, in accordance with the cleanup standards specified in § 8-633.05 (b) of the Act.

Pursuant to § 306 (d) of the Act, 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 Phase I Environmental Assessment of this Property dated November 4, 2009, and Phase II Supplemental Investigation (SI), dated July 23, 2010. 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 Non-Restrictive; and
6. This Certificate of Completion is transferable.

Pursuant to § 306 (i) of the Act, 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 any 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:


District Department of the Environment  
Land Remediation and Development Branch  
1200 1<sup>st</sup> Street, NE, 5<sup>TH</sup> 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.

  
\_\_\_\_\_  
Keith Anderson, Interim Director  
District Department of the Environment

12/10/12 \_\_\_\_\_  
Date

\*\*\*\*\*

DISTRICT OF COLUMBIA: to wit:

I HEREBY CERTIFY, that on this 10<sup>th</sup> day of December, 2012, before me the undersigned Notary Public of the District of Columbia, personally appeared Keith Anderson, Interim 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.

Lakeisha R. Estep  
Notary Public, District of Columbia  
My Commission Expires 7/14/2013

Lakeisha R. Estep  
Notary Public

My commission expires: \_\_\_\_\_.



**Original to:**

Mr. James Nozar, Vice President  
JBG/14<sup>th</sup> & S, L.L.C.  
4445 Willard Avenue, Suite 400  
Chevy Chase, Maryland 20815

**Copies to:**

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

Recorder of Deeds  
1104 4<sup>th</sup> Street, SW, 5<sup>th</sup> Floor  
Washington, D.C. 20024

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