

GOVERNMENT OF THE DISTRICT OF COLUMBIA  
Department of Energy and Environment



**CERTIFICATE OF COMPLETION**

**VCP CASE NO.:** VCP 2015-031  
**SITE NAME:** Buzzard Point/Soccer Stadium  
**SITE ADDRESS:** 100 Potomac Avenue, SW  
**SQUARE/LOT:** 0661N/0800; 0603S/0800; 0605/0007; 0605/0802; 0607/0013;  
0661/0804; 0661/0805; 0665/0024

**VCP PARTICIPANT:** Mr. Brian Kenner  
Deputy Mayor for Planning and Economic Development  
District of Columbia Government  
1350 Pennsylvania Avenue, NW  
Washington, DC 20004.

**REFERENCE:** Voluntary Cleanup Program Application dated March 2, 2015;  
Various Phase I and Phase II reports for all eight squares/lots listed  
above; Voluntary Cleanup Action Plan dated August 2, 2015,  
revised September 30, 2015; Voluntary Cleanup Action Plan  
Completion Report dated August 30, 2018

The Department of Energy and Environment (“DOEE”) hereby issues this Certificate of Completion (“Certificate”) pursuant to the provisions of Subchapter III of the Brownfield Revitalization Amendment Act of 2000, D. C. Law 13-312, as amended, ( D.C. Official Code §§ 8-633.01 *et seq.* ( the “Act”) for the cleanup of the site known as Buzzard Point/Soccer Stadium and identified by the eight square and lot numbers above (“Property”).

Pursuant to D.C. Official Code § 8-633.06 (c), DOEE has overseen the implementation and completion of the approved Voluntary Cleanup Action Plan (“VCAP”) dated August 02, 2015, revised VCAP dated September 30, 2015 for the Property. DOEE has also reviewed the Voluntary Cleanup Action Plan Completion Report (“Report”) dated August 30, 2018, and associated project

progress reports, which indicated that the cleanup standards specified in § 8-633.05 (b) of the Act have been achieved. The Voluntary Cleanup Program received no comments regarding the issuance of this Certificate during the 21-day public notice and comment period prior to issuance required by § 8-636.01 of the Act. (See DC Register Volume 65/41, Notice ID N0074256 dated October 05, 2018).

Pursuant to § 8-633.06 (d) of the Act, the Department of Energy and Environment hereby states that:

1. The requirements of the cleanup action plan have been implemented, and that 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 the Property and for any contamination identified in the Phase II Environmental Site Assessment reports completed for the Property. The Participant shall not be subject to a contribution action instituted by a responsible person;
4. **Long-term monitoring or maintenance for the Property is required as set forth in the conditions;**
5. The permissible use of this property is limited to **Special Use-Commercial (Stadium);**
6. This Certificate of Completion is transferable.

Pursuant to § 633.06 (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 an existing contamination after this Certificate has been issued;
4. Prevent the District from taking action against any person who is responsible for long term monitoring and maintenance, for failure to comply with the cleanup action plan or failure to maintain institutional controls;
5. Affect the District's authority to take action against any person concerning previously undiscovered contamination at the Property after this Certificate has been issued;

6. Prevent the District from taking action against any person who does not comply with the conditions on the permissible use of the Property contained in this Certificate;
7. Prevent the Department 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:

Department of Energy and Environment  
Environmental Services Administration  
Land Remediation and Development Branch  
1200 1 First Street, N.E., 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 Chief, Land Remediation and Development Branch, Voluntary Cleanup Program, that the successor in interest has received a copy of this Certificate including any physical maintenance requirements for this Property.
4. If the property owner or successor in interest plans to change the use of the property from the current permissible use, the property owner or successor in interest must notify the Voluntary Cleanup Program of the proposed change. Depending on the proposed change, further investigation and remediation may be required.
5. The property owner or successor in interest shall complete post-construction groundwater monitoring in accordance with the Approved Post-Construction Groundwater Assessment Work Plan dated June 26, 2018, and attached as Appendix H to the Report. The property owner or successor in interest shall complete at least four quarterly monitoring events and any additional monitoring events as directed by DOEE.

**RECORDATION**

Because this Certificate limits the permissible uses of the Property, the participant shall record this Certificate with the Recorder of Deeds within (30) business days after receiving the Certificate or the Certificate shall be deemed void.

  
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Richard Jackson, Deputy Director

11-18-2018  
Date

Original to:

Mr. Brian Kenner  
Deputy Mayor for Planning and Economic Development  
District of Columbia Government  
1350 Pennsylvania Avenue, NW  
Washington, DC 20004

Copies to:

Dave R. Tomlinson  
Associate Director  
Toxic Substances Division  
Environmental Services Administration  
Department of Energy & Environment  
Government of the District of Columbia  
1200 First Street NE, 5th Floor, Room 518  
Washington, DC 20002

Recorder of Deeds  
1101 4<sup>th</sup> Street, SW, 5<sup>th</sup> Floor  
Washington, D.C. 20024