DEPARTMENT OF HEALTH
ENVIRONMENTAL HEALTH ADMINISTRATION
BUREAU OF HAZARDOUS MATERIAL & TOXIC SUBSTANCES

APPLICATION FOR
VOLUNTARY CLEANUP PROGRAM

Please submit to: Bureau of Hazardous Material & Toxic Substances
51 N Street N.E., 3rd Floor, Washington D.C. 20002-3315
(Please submit either by mail or in person)

A SEPARATE APPLICATION MUST BE SUBMITTED FOR EACH
PARCEL OR EACH PARCEL OWNED BY A SEPARATE LEGAL ENTITY

This application will be used to submit a request to participate in the Voluntary Clean-up Program. The information in this application will be used to determine eligibility of the Applicant and the site as provided for under Title III of the Brownfields Revitalization Amendment Act of 2000, D.C. Law 13-312, effective June 15, 2001.

Please type. Please answer each question completely. Please indicate “N/A” where a question is not applicable to the Applicant. Please include a cover letter for the application package.

Until the District has promulgated a final policy or final rulemaking the following interim fee procedure will be adopted. To offset the time spent by the EHA, in review of ALL site information transmitted along with meetings and site visits, the Applicant will reimburse the District on a preset hourly fee. Time for each project will be recorded using the “Voluntary Cleanup Staff Accounting” form. The Voluntary Cleanup Program Coordinator will maintain this time accounting.

If you have any questions please contact EHA.

INELIGIBLE APPLICANTS
If a determination is made that either Applicant or the site is ineligible for participation the application will be returned.

NOTIFICATION
EHA shall approve or deny the application within 90 business days of its receipt. A request by EHA for additional information shall toll the 90-day review period.

I. Property

Property Name 100 Eve Street, SE

Address 100 Eve Street, SE

City Washington Quadrant SE Zip Code 20003 Ward 6

Square # 695 Lot # 816 Acreage approx. 2

Has the site had any prior involvement with District or Federal environmental regulatory programs including notices of violation, orders, consent orders, enforcement actions, or environmental permits? (Y/N) N

Is the property listed on the National Priority List pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, 42 U.S.C. 9601 et seq.? (Y/N) N

Is the property subject of a current cleanup action by the Environmental Protection Agency or the EHA? (Y/N) N

Please include:
Permit numbers, dates, name(s) of program(s), name of regulated entity and any other information known to the Applicant, and current pictures of the site.
II. Applicant

Name  Aaron Liebert  Title  Authorized Representative

Corporation/Organization  Eve Street, L.P.

Legal Form of Business  Limited Partnership

Mailing Address  c/o JPI, 8300 Greensboro Drive, Suite 600

City  McLean  State  Virginia  Zip Code  22102

Telephone (703) 847-0900  Fax (703) 847-4681

E-mail  aliebert@jpi.com

District of Columbia Corporation (Y/N) N  Out of state entity (Y/N) Y

(please attach copy of certificate) (please attach copy of D.C. business certificate)

Is the Applicant applying for or does the Applicant plan to apply for grants, loans or property tax credits available for the redevelopment of Brownfields in the District per Title VII Cleanup Incentives of the Act? (Y/N) N

Has the Applicant had any prior involvement with District or Federal environmental regulatory programs including notices of violation, orders, consent orders, enforcement actions, or environmental permits? (Y/N) N (please attach copies of any information listed)

Please include:
List of the financial incentives for which you are planning to apply.
Permit numbers, dates, name(s) of program(s), name of regulated entity and any other information known to the Applicant.

III. Current Property Owners

1) Corporation/Organization  One Green Eve, L.L.C.

Legal Form of Business  Colorado Limited Liability Company

Mailing Address  c/o Greenhill Capital, 4901 Fairmont Avenue, Suite 200

City  Bethesda  State  Maryland  Zip Code  20814

Telephone (301) 657-2525  Fax (301) 657-2555

District of Columbia Corporation (Y/N) N  Out of state entity (Y/N) Y

(please attach copy of certificate) (please attach copy of D.C. business certificate)

2) Corporation/Organization  The Green Door L.L.C.

Legal Form of Business  Colorado Limited Liability Company

Mailing Address  c/o Greenhill Capital, 4901 Fairmont Avenue, Suite 200

City  Bethesda  State  Maryland  Zip Code  20814

Telephone (301) 657-2525  Fax (301) 657-2555

District of Columbia Corporation (Y/N) N  Out of state entity (Y/N) Y

(please attach copy of certificate) (please attach copy of D.C. business certificate)
City: Bethesda  State: Maryland  Zip Code: 20814
Telephone: (301) 657-2525  Fax: (301) 657-2555

District of Columbia Corporation (Y/N) N Out of state entity (Y/N) Y (please attach copy of certificate) (please attach copy of D.C. business certificate)

IV. Other Contacts
Consultant
Name: Thomas R. VanBlaricom  Title: President (please list principal if corporate entity)
Corporation/Organization: Environmental Consultants and Contractors, Inc.
Mailing Address: 43045 John Mosby Highway
City: Chantilly  State: Virginia  Zip Code: 20152
Telephone: (703) 327-2900  Fax: (703) 327-2777
E-mail: tvb@ecfirst.com

Project Manager
Name: Aaron Liebert  Title: Authorized Representative (please list principal if corporate entity)
Corporation/Organization: JPI Development Services, L.P.
Mailing Address: c/o JPI, 8300 Greensboro Drive, Suite 600
City: McLean  State: Virginia  Zip Code: 22102
Telephone: (703) 847-0900  Fax: (703) 847-4681
E-mail: aliebert@jpi.com

V. Applicant's Interest in Property
Do you own this property? (Y/N) N (Include copy of deed)
Are you under contract to purchase the property? (Y/N) Y
Are you under contract to sell the property? (Y/N) N
If under contract to sell or purchase the property, has a settlement date been scheduled? (Y/N) Y  Date: 8/15/05

Are you renting or leasing the property? (Y/N) N

Are you considering renting or leasing the property? (Y/N) N
Are you a holder of a mortgage, deed, trust or other security interest in the property? (Y/N) N

Place an "X" in the appropriate blank.

X Intend to develop site for personal or business purposes.
__ Intend to conduct an investigation of site prior to acquisition or development.
__ Neighboring property owner who was unable to obtain relief from the responsible party.

VI. Current Property Use

Place an "X" in the appropriate blank.

___ Residential  ___ Underutilized
X Industrial  ___ Undeveloped
___ Commercial  ___ Idle/Inactive
___ Mixed-Use  ___ Other (explain)
___ Abandoned

Current operations on property Used for storage of vehicles and dumpsters and for light truck repair.

Current Operators  Sunrise Company (contractor), Tenleytown Trash, and Empire Cab  (Principals are unknown)

Number of Employees  Two (Sunrise Company)  Type of work performed by employees  Light vehicle repair

Recorded deed restrictions on property (Y/N) N  If yes, explain

Are hazardous substances used, generated, treated, stored, disposed of or released at the property? (Y/N) Y

If yes, explain  Limited quantities of new and used automotive fluids are stored on the site from vehicle repair.

Please include:
Permits for release of hazardous substances.
Copies of Toxic Release Inventory (TRI).
Copies of permits for hazardous waste generation.
Any other relevant local and federal registrations.
Site map that describes the location(s) of building(s) and operation(s).

VII. Historical Property Use

Have there ever been any hazardous substances used, generated, treated, stored, disposed of, or discharged at the property? (Y/N) Y
If yes, explain  **Past use of the site as a rail yard likely included the use or temporary storage of hazardous substances.** Recent observations of petroleum surface staining indicates use or improper disposal of petroleum.

Please list all categories of contaminants that are known to exist on the property (i.e. solvents, metals, inorganics, organics):  **Moderate amounts of TPH and PAHs found in soil and limited amounts of TPH and MTBE found in groundwater (see attached Phase I/II report, Section 9.0).**  

Please include:
All available historical information on the property.  
Previous owners and lessors, uses and dates of transfer of ownership of the property.  
Results of a title search for the property.

**VIII. Future Property Use**

Place an “X” in the appropriate blank.  

- Unlimited  
- X Residential  
- Mixed Use  
- Commercial  
- Industrial  
- Undetermined

Please include:  
Description of the future use of the property.  
Include timelines, types of operations, number of potential employees.  
Construction and site plans.

750 Residential Units, 2 buildings, 13 stories, 600 parking spaces  

Approximately 16-20 potential employees (office, maintenance, etc.)  
ConSTRUCTION TO BEGIN AROUND AUGUST 2006 AND FINISH AROUND AUGUST 2010

Statement of Certification

I certify under penalty of law that the information provided in this application is, to the best of Applicant’s knowledge and belief, accurate and complete.

I certify that I am the Applicant or an authorized representative of the Applicant.

I certify that all information on environmental conditions relevant to the site and known to the Applicant is included in this application.
By signing below the Applicant, or the authorized representative acting on behalf of the Applicant, agrees to pay all invoices for the costs of services provided by the Environmental Health Administration when billed.

Printed Name   Aaron Liebert

Company    Eve Street, L.P.   Title   Authorized Representative

Signature   [Signature]   Date  5/5/05

OFFICE USE

Documents Received by:  ___________________ VCP Case No.  2005-005

Date:  May 7, 2005  Approved _____  Not Approved _____  Resubmit _____

Additional Information Required:  _______________________________________

CERTIFICATION OF FINANCIAL RESPONSIBILITY

Eve Street, L.P. hereby certifies that it will be in compliance with the financial responsibility requirements of 20 DCMR Chapter 67 prior to performing any remedial work on the property.

The financial assurance mechanism(s) used to demonstrate financial responsibility under 20 DCMR Chapter 67 are as follows:

[Type of mechanisms]  _______________________________________

[Name of issuer]  _______________________________________

[Mechanism number (if applicable)]  _______________________________________

[Amount of coverage]  _______________________________________

[Effective period of coverage]  _______________________________________

Whether mechanism covers “taking correction action” or compensating third parties for bodily injury and property damage caused by either “sudden accidental releases” or “nonsudden accidental releases.”  _______________________________________

[Signature of Applicant]  _______________________________________

[Name of Applicant]  _______________________________________

[Signature]  _______________________________________

[Name]  _______________________________________
The Applicant must update this Certification whenever the financial assurance mechanisms used to demonstrate financial responsibility changes.