

GOVERNMENT OF THE DISTRICT OF COLUMBIA
District Department of the Environment



Toxic Substances Division

Voluntary Cleanup Program

CERTIFICATE OF COMPLETION

VCP CASE NO.: VCP 2006-008
PARTICIPANT STATUS: Non-Responsible Person
VCP PARTICIPANT: Mr. Erik A. Moses, Managing Director, Washington Convention and Sports Authority ("Participant")
SITE NAME: DC BASEBALL STADIUM - Special Use-Commercial ("Property")
SITE ADDRESS: 1500 South Capitol Street, S.E.,
REFERENCE: Site Completion Report dated May 20, 2008

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 §§ 8-633.01 *et seq.* (2005 Supp.))("Act"). The Voluntary Cleanup Program ("Program") received no comments upon the proposed issuance of this Certificate during the mandatory 21-day public notice and comment period prior to issuance required by § 601 of the Act. (*See 53 DCR 9017*). Pursuant to § 8-633.06 (c) of the Act, the District Department of the Environment ("DDOE") has reviewed the Voluntary Cleanup Program Site Completion Report ("Report") dated May 20, 2008 and the implementation and completion of the approved Voluntary Cleanup Action Plan (CAP) dated August 16, 2006, and amended CAPs dated March 27, 2007 and May 10, 2007 in accordance with the cleanup standards specified in § 8-633.05 (b) of the Act.

Pursuant to § 8-633.06 (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;

1200 First Street, NE, 5th Floor, Washington, DC 20002. Telephone (202) 535-2600 Fax (202)535-1383
www.green.dc.gov



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 (Volume I and II) of this Property dated August 06, 2006 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 **limited to Special Use – Commercial (Stadium)** use; and
6. This Certificate of Completion is transferable.

Pursuant to § 8-633.06 (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. 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

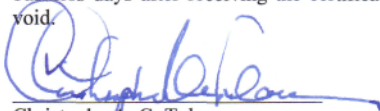
1. This Certificate may be transferred to any person whose actions did not cause or contribute to the contamination at this Property.
2. No less than ten (10) days before transferring this Certificate, the Participant or any successor-in-interest shall provide written notice to the Voluntary Cleanup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

Chief, Land Remediation and Development Branch
District Department of the Environment
1200 First 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.
4. If the property owner or successor-in-interest plans to revise 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 changes. Depending on the proposed changes, further investigation and remediation may be required.

RECORDATION

Because this Certificate limits the permissible use of the property, pursuant to § 8-633.06, the participant shall record the Certificate of Completion with the Recorder of Deeds within 30 business days after receiving the certificate, or the Certificate of Completion shall be deemed void.



Christophe A. G. Tulou
Acting Director
District Department of the Environment

6-22-10

Date

DISTRICT OF COLUMBIA: to wit:

I HEREBY CERTIFY, that on this 22nd day of June, 2010, before me the undersigned Notary Public of the District of Columbia, personally appeared Christopher 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.



Notary Public

My commission expires: 3/14/2011

Gabriela Delgadillo
Notary Public, District of Columbia
My Commission Expires 3/14/2011



Original to:

Attn. Mr. Erik A. Moses
Managing Director
Washington Convention and Sports Authority
2400 East Capitol Street, S.E
Washington, DC 20006

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
515 D Street, N.W.
Washington, D.C. 20001

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