

GOVERNMENT OF THE DISTRICT OF COLUMBIA
Department of Energy and Environment



CERTIFICATE OF COMPLETION

VCP CASE NO.: VCP2021-072
SITE NAME: DGS Headquarters- Senator Square
SITE ADDRESS: 3924 Minnesota Avenue, N.E
SQUARE/LOT: 5044/ 813
ACERAGE 1.5

PARTICIPANT: Mr. Robin Zeigler, Chief Operating Officer
Cedar Senator Square LLC
44 South Bayles Avenue
Port Washington, New York 11050

REFERENCE: Voluntary Cleanup Program Application dated February 4, 2021; and
Cleanup Action Plan Completion Report dated May 4, 2022.

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 identified as 3924 Minnesota Avenue, N.E consisting of Square 5044 and lots 813 identified above (the “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”) report dated February 5, 2021 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 (“Program”) received no adverse comments regarding the issuance of this Certificate during the 14-day public notice and comment period prior to issuance required by § 8-636.01 of the Act. (See DC Register Volume 70/10, Notice 129551, March 10, 2023)

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 this Property and for any contamination identified in the previous 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 and maintenance for the Property is not required;
5. The permissible use of this Property is Non-Restrictive; and
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. Affect the Department'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 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 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
Toxic Substances Division
1200 First Street NE, 5th Floor
Washington, DC 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.

RECORDATION

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



Dave R. Tomlinson, Associate Director
Toxic Substances Division

3/29/2023

Date

Copies to:

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

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