



State of Ohio Environmental Protection Agency

STREET ADDRESS:

Lazarus Government Center
50 W. Town St., Suite 700
Columbus, Ohio 43215

TELE: (614) 644-3020 FAX: (614) 644-3184
www.epa.state.oh.us

MAILING ADDRESS:

P.O. Box 1049
Columbus, OH 43216-1049

CERTIFIED MAIL

October 25, 2007

Mr. C. Brent DeVore
President
Otterbein College
Westerville, Ohio 43081

Re: Issuance of Covenant Not to Sue for the 800 Spring Road Property, NFA # 07NFA271, Delaware County, Ohio

Dear Mr. DeVore:

I am happy to inform you that on October 25, 2007, the Director of the Ohio Environmental Protection Agency, Chris Korleski, issued a Covenant Not to Sue ("Covenant") to the Otterbein College Board of Trustees, for the approximately 69 acre Otterbein College Equine Facility Property, located at 800 Spring Road in Westerville, Delaware County, Ohio. The Covenant was issued as Final Findings and Orders pursuant to Ohio Revised Code ("ORC") Chapter 3746 and Ohio Administrative Code ("OAC") Chapter 3745-300.

Based on the NFA Letter and subject to the conditions set forth in these Findings and Orders, Ohio EPA hereby covenants not to sue and releases the Otterbein College Board of Trustees and Otterbein College and its agents, employees, officers, directors, successors and assigns, and successors and assigns of the Property, from all civil liability to the State of Ohio to perform additional investigational and remedial activities at the Property for releases of hazardous substances or petroleum identified and addressed in the Phase I Property Assessment conducted in compliance with ORC Chapter 3746 and OAC Chapter 3745-300.

You will find the certified copy of the Covenant enclosed. When filing the Covenant and its exhibits at the Delaware County Recorder's Office, please use the enclosed Affidavit from Ohio EPA to guide the recording of the documents in the County's deed records.

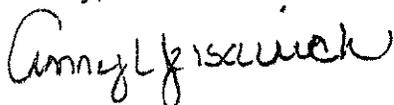
The issuance of the Covenant is a final action of the Director and will be public noticed in accordance with OAC 3745-47-07. The action may be appealed to the Environmental Review Appeals Commission pursuant to ORC section 3745.04. The

Ted Strickland, Governor
Lee Fisher, Lieutenant Governor
Chris Korleski, Director

appeal must be in writing and set forth the action complained of and the grounds upon which the appeal is based. The appeal must be filed with the Commission within thirty (30) days after notice of the Director's action. The appeal must be accompanied by a filing fee of \$70.00 which the Commission, in its discretion, may reduce if by affidavit it is demonstrated that payment of the full amount of the fee would cause extreme hardship. Notice of the filing of the appeal shall be filed with the Director within three (3) days of filing with the Commission. Ohio EPA requests that a copy of the appeal be served upon the Ohio Attorney General's Office, Environmental Enforcement Section. An appeal may be filed with the Commission at the following address: 309 South Fourth Street, Room 222, Columbus, Ohio 43215.

Many persons within the Agency, Otterbein College and Brown and Caldwell, among others, worked hard to remove the environmental barriers associated with redeveloping this property. Congratulations on the issuance of this Covenant. If you have any questions or concerns, please feel free to contact me at (614) 644-2285 or amy.yersavich@epa.state.oh.us.

Sincerely,



Amy Yersavich, Manager
Division of Emergency and Remedial Response
Voluntary Action Program

Enclosure

cc: Scott Blanchard, Certified Professional
Brown and Caldwell

Fred Myers, Ohio EPA, DERR, CDO
Mark Navarre, Ohio EPA, Legal Office, CO
Ohio EPA VAP Files, DERR, CO

TO BE RECORDED IN DEED RECORDS,
PURSUANT TO R.C. 317.08(A)

AFFIDAVIT

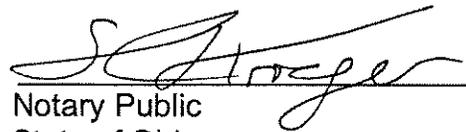
STATE OF OHIO)
)
COUNTY OF FRANKLIN) ss:

Before me, the subscriber, a Notary Public in and for the State of Ohio, personally appeared Tonya R. Jackson, who, being duly sworn according to law, deposes and says that: (i) she is employed as a records management officer in the Legal Office of the Ohio Environmental Protection Agency ("Ohio EPA") and, as such, is authorized to sign this Affidavit on behalf of Ohio EPA; and (ii) the attached document is a true and correct copy of the Covenant Not to Sue/Director's Final Findings and Orders issued by the Director and entered in the Ohio EPA Director's Journal on Oct 25, 2007 regarding the approximately 69 acre property known as the Otterbein College Equine Facility Property, located at 800 Spring Road, in Westerville, Delaware County, Ohio, and further described in Exhibit 1 of the attached Covenant Not to Sue.



Tonya R. Jackson
Records Management Officer
Ohio EPA Legal Office

Sworn to and subscribed before me, a Notary Public in and for the State of Ohio, this 25th day of October, 2007.



Notary Public
State of Ohio

Permanent Commission
No expiration, R.C. 147.03

This instrument prepared by:

Mark Navarre, Attorney
Ohio EPA Legal Office
P.O. Box 1049
Columbus, Ohio 43216-1049



SUSAN C. KROEGER
Attorney at Law
Notary Public
State of Ohio
Lifetime Commission

OCT 25 2007

BEFORE THE
OHIO ENVIRONMENTAL PROTECTION AGENCY

ENTERED DIRECTOR'S JOURNAL

In the matter of:

Otterbein College Board of Trustees
One Otterbein College
Westerville, Ohio 43081

Covenant Not to Sue

Director's Final Findings and Orders

Regarding property known as:

Otterbein College Equine Facility
800 Spring Road
Westerville, Ohio 43082

I certify this to be a true and accurate copy of the official documents as filed in the records of the Ohio Environmental Protection Agency.

By: [Signature] Date: 11-25-07

Pursuant to Ohio Revised Code ("ORC") Chapter 3746 and Ohio Administrative Code ("OAC") Chapter 3745-300, the Director of the Ohio Environmental Protection Agency ("Director") hereby makes the following Findings and issues the following Orders ("Findings and Orders").

FINDINGS

1. A No Further Action Letter, No. 07NFA271 ("NFA Letter"), was submitted on September 19, 2007 to the Director under the Voluntary Action Program on behalf of Otterbein College Board of Trustees ("Volunteer") by Scott M. Blanchard, C.P.G., a certified professional, No. CP 292, as defined in ORC 3746.01(E) and OAC 3745-300-01(A)(8) ("Certified Professional").
2. The Certified Professional submitted to the Director an addendum to the NFA Letter, dated September 28, 2007. For the purposes of these Findings and Orders, the term "NFA Letter" includes the addendum.
3. The NFA Letter describes the investigational activities undertaken at the approximately 69-acre property, currently known as Otterbein College Equine Facility, located at 800 Spring Road, Westerville, Delaware County, Ohio ("Property"). An exact legal description of the Property is attached hereto as Exhibit 1. A property-location map is attached hereto as Exhibit 2. Based on information in the NFA Letter / the Certified Professional's affidavit the current owner of the Property is Otterbein College.

4. The Certified Professional prepared pursuant to OAC 3745-300-13(I) an executive summary of the NFA Letter, which is attached hereto as Exhibit 3.
5. Based upon the information contained in the NFA Letter, the Volunteer undertook or completed the following investigational activities regarding the Property:
 - a. A Phase I property assessment, in accordance with OAC 3745-300-06, to determine whether there is any reason to believe that a release of hazardous substances or petroleum has occurred on, or is emanating from, the Property.
 - b. A determination by the Volunteer and Certified Professional that there is no reason to believe that a release of hazardous substances or petroleum has occurred on, or is emanating from, the Property.
6. The Certified Professional has verified by affidavit that the investigational activities undertaken at the Property demonstrate there is no reason to believe a release of hazardous substances or petroleum has occurred at the Property; that the Property is eligible to receive a covenant not to sue ("Covenant") under the Voluntary Action Program; and that the voluntary action was conducted in compliance with all applicable federal, state and local laws and regulations.
7. Based on the NFA Letter, and subject to all conditions set forth in these Findings and Orders, a Covenant may be issued for the Property in accordance with ORC 3746.12(A), and the voluntary action for the Property is protective of public health and safety and the environment.

ORDERS

Covenant

1. Based on the NFA Letter and subject to the conditions set forth in these Findings and Orders, Ohio EPA hereby covenants not to sue and releases the Otterbein College Board of Trustees and Otterbein College and its agents, employees, officers, directors, successors and assigns, and successors and assigns of the Property, from all civil liability to the State of Ohio (the "State") to perform additional investigational and remedial activities at the Property for the releases of hazardous substances or petroleum identified and addressed in the Phase I Property Assessment conducted in compliance with ORC Chapter 3746 and OAC Chapter 3745-300.

Conditions and Limitations

Requirement to Record These Findings and Orders / Covenant Not to Sue

2. Within 30 days after the issuance of these Findings and Orders, the Volunteer shall:
 - a. File with the Delaware County Recorder's Office, for recording in the same manner as a deed to the Property pursuant to ORC 3746.14, a copy of these Findings and Orders, including Exhibits 1 (Legal Description), 2 (Property Location Map), and 3 (Executive Summary) .
 - b. Submit to Ohio EPA a copy of the Findings and Orders that shows the filing date stamp of the Delaware County Recorder's Office or other reliable information that verifies the recording of the Findings and Orders in accordance with this Order. The submission shall include a cover letter that identifies "*Recorded - Covenant Not to Sue for NFA Letter No. 07NFA271.*" The submission shall be addressed and delivered by regular U.S. mail or by other reliable means to: Ohio EPA, 50 West Town Street, Suite 700, P.O. Box 1049, Columbus, OH 43216-1049, Attention: DERR Records Management Officer, and Ohio EPA Central District Office, 50 West Town Street, Suite 700, P.O. Box 1049, Columbus, OH, Attention: Fred Myers, Site Coordinator for Otterbein Equine Facility.

Scope of Covenant

3. The Covenant provided in Order No. 1 shall only apply to the approximately 69-acre Property described in the NFA Letter, these Findings and Orders, and the exhibits attached hereto, upon which the investigational activities specified in the NFA Letter were conducted.
4. Pursuant to ORC 3746.12(B), the Covenant shall remain in effect for as long as the Property continues to comply with the applicable standards upon which the Covenant is based, as referenced in these Findings and Orders.
5. The Covenant shall not apply to releases of hazardous substances or petroleum:
 - a. That occur after the issuance of the NFA Letter.

- b. On or emanating from the Property that are not identified and addressed in the Phase I property assessment of the NFA Letter.
 - c. For which investigational activities were conducted that were not in compliance with ORC Chapter 3746 or OAC Chapter 3745-300.
6. The Covenant shall not apply:
- a. To claims for natural resource damages the State may have pursuant to Sections 107 or 113 of the Comprehensive Environmental Response, Compensation and Liability Act of 1980 ("CERCLA"), 42 U.S.C. 9607 and 9613, as amended.
 - b. To claims the State may have pursuant to Section 107 of CERCLA, 42 U.S.C. 9607, as amended, for costs other than those for damages to natural resources, provided that the State incurs those other costs as a result of an action by the United States Environmental Protection Agency.
 - c. As otherwise specifically provided in ORC Chapter 3746, including but not limited to obligations arising under other applicable laws.
7. Nothing in ORC Chapter 3746 limits the authority of the Director to act under ORC 3734.13 and 3734.20 to 3734.23, or to request that a civil action be brought pursuant to the ORC or common law of the state of Ohio to recover the costs incurred by Ohio EPA for investigating or remediating a release or threatened release of hazardous substances or petroleum at or from the Property, when the Director determines that the release or threatened release poses an imminent and substantial threat to public health or safety or the environment.
8. Nothing in the Covenant shall be construed to limit or waive the Director's authority to revoke the Covenant in response to any of the circumstances for revocation of a covenant, as provided in ORC Chapter 3746 and OAC Chapter 3745-300.

Ohio EPA Access to Property

9. Pursuant to ORC 3746.21, authorized representatives of the Director shall be granted access to the Property for inspection or investigation purposes.

Transfer

10. Pursuant to ORC 3746.14 and OAC 3745-300-13(K), the NFA Letter and the Covenant / Findings and Orders may be transferred to any person by assignment or in conjunction with the acquisition of title to the Property.

IT IS SO ORDERED:



Chris Korleski, Director
Ohio Environmental Protection Agency

OCT 25 2007

Date

Otterbein College Equine Facility Property
Director's Final Findings and Orders / Covenant Not to Sue

Exhibit 1
Legal Description

**DESCRIPTION OF A 69.145 ACRE TRACT
EAST OF SPRING ROAD,
NORTH OF COUNTY LINE ROAD,
WESTERVILLE, OHIO**

Situate in the State of Ohio, County of Delaware, City of Westerville in Farm Lot 9, Section 4, Township 3, Range 17, United States Military Lands and being a 73.673 acre tract out of a 110 acre tract of land conveyed to Otterbein College by deed of record in Deed Book 299, Pg. 439, all records referencing Recorder's Office, Delaware County, Ohio, said tract bounded and described as follows:

Beginning, for reference, at a point in the centerline of Spring Road, at the southwest corner of said 110 acre tract, at the northwest corner of a 99.164 acre tract of land conveyed to Board of Education - City of Westerville by deeds of record in Deed Book 204, Page 297 and Deed Book 206, Page 454, at the southwest corner of said Farm Lot 9, at the northwest corner of Farm Lot 12 and in the east line of Farm Lot 7;

thence S 85° 46' 48" E along a portion of the south line of said 110 acre tract, along a portion of the north line of said 99.164 acre tract, along a portion of the south line of said Farm Lot 9 and along a portion of the north line of said Farm Lot 12 a distance of 40.00 feet to a point at the true place of beginning of the tract herein intended to be described;

thence N 04° 21' 09" E crossing a portion of said 110 acre tract a distance of 1527.50 feet to a point;

thence N 04° 25' 02" E crossing a portion of said 110 acre tract a distance of 921.13 feet to a point in the north line of said 110 acre tract, in the north line of said Farm Lot 9 and in the south line of Farm Lot 8;

thence S 85° 39' 06" E along a portion of the north line of said 110 acre tract, along the south line of a 17.264 acre tract of land conveyed to M/I Schottenstein Homes, Inc. by deed of record in Official Record 361, Page 1271, along the south line of Lot Number 231 as shown upon the plat of Mariners Cove, Section 6 of record in Plat Cabinet 2, Slides 8 through 8B, along a portion of the south line of Lot No. 230 as shown upon said plat of Mariners Cove, Section 6, along a portion of the north line of said Farm Lot 9 and along a portion of the south line of said Farm Lot 8 a distance of 995.74 feet to a point;

thence S 04° 13' 29" W crossing a portion of said 110 acre tract a distance of 925.62 feet to a point;

thence S 85° 46' 00" E crossing a portion of said 110 acre tract a distance of 443.04 feet to a point;

thence S 04° 14' 00" W crossing a portion of said 110 acre tract a distance of 1057.37 feet to a point;

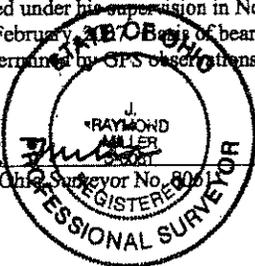
thence N 85° 46' 00" W crossing a portion of said 110 acre tract a distance of 231.92 feet to a point;

thence S 04° 13' 11" W crossing a portion of said 110 acre tract a distance of 463.35 feet to a point in the south line of said 110 acre tract, in the north line of said 99.164 acre tract, in the south line of said Farm Lot 9 and in the north line of said Farm Lot 12;

thence N 85° 46' 48" W along a portion of the south line of said 110 acre tract, along a portion of the north line of said 99.164 acre tract, along a portion of the south line of said Farm Lot 9 and along a portion of the north line of said Farm Lot 12 a distance of 1213.23 feet to the point of beginning;

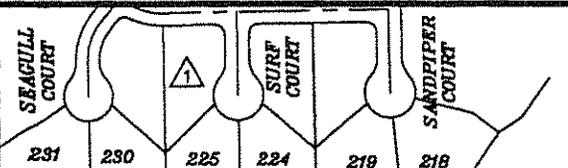
containing 69.145 acres of land, more or less, and subject to all easements and restrictions of record.

The above description was prepared by Jay R. Miller, Ohio Surveyor No. 8061, of C.F. Bird & R.J. Bull, Inc., Consulting Engineers & Surveyors, Columbus, Ohio, from best an actual field survey conducted under his supervision in November, 2006 and from best available Court House information in February, 2007. Basis of bearings is the centerline of Spring Street, being N 04° 21' 09" E as determined by GPS observations on the Ohio State Plane, South Zone.


Jay R. Miller - Ohio Surveyor No. 8061

M/I SCHOTTENSTEIN
HOMES, INC.
17.264 AC.
O.R. 361, PG. 1271

Farm Lot 8 S 85°39'06" E 995.74'
Farm Lot 9



OTTERBEIN COLLEGE
110 AC.
D.B. 299, PG. 439

N 04°25'02" E 921.13'

KEYHAM TERRACE DR.

S 04°13'29" W 925.62'

S 85°46'00" E
443.04'

69.145 AC.

MARINERS COVE,
SECTION 6
P.C. 2, SLDS. 8-8B

MARINERS COVE,
SECTION 7
P.C. 2, SLDS. 298-298A

MARINERS COVE,
SECTION 1
P.C. 1, SLD. 225

THE LANDINGS AT HOOVER
PHASE 2, PART 1
P.B. 24, PG. 65-66

THE LANDINGS AT HOOVER
PHASE I
P.B. 23, PG. 14-15

SCALE: 1" = 300'



TRUE PLACE OF
BEGIN. OF 69.145
ACRE TRACT

GRAPHIC SCALE

RESERVE "A"
RESERVE MILSTONE CREEK
"B" PHASE I, SECTION 1
P.C. 3, SLDS. 467, 467A - 467D
SPRING ROAD
Farm Lot 9
N 04°21'09" E 1527.50'

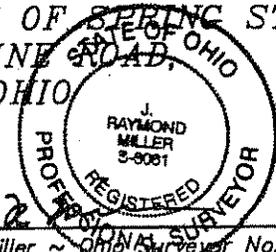
RESERVE "B"
SUNBURY LAKE DR.
LIGHTHOUSE LANE
LANDING LOOP WEST
Farm Lot 12
N 85°46'00" W 231.92'

REF. POINT OF
BEGIN. OF 69.145
ACRE TRACT
N 85°46'48" W 1213.23'
Farm Lot 9
Farm Lot 12
BOARD OF EDUCATION -
CITY OF WESTERVILLE
99.164 AC.
D.B. 204, PG. 297
D.B. 206, PG. 454

Basis of bearings is the centerline of
Spring Street, being N 04° 21' 09" E as
determined by GPS observations on the
Ohio State Plane, South Zone.

Rev. May 1, 2007
February 28, 2007

**BOUNDARY EXHIBIT OF A 69.145 ACRE TRACT
OF LAND ALONG THE EAST SIDE OF SPRING STREET,
NORTH OF COUNTY LINE ROAD,
WESTERVILLE, OHIO**



By *Jay R. Miller*
J. Raymond Miller
Ohio Surveyor No. 8061

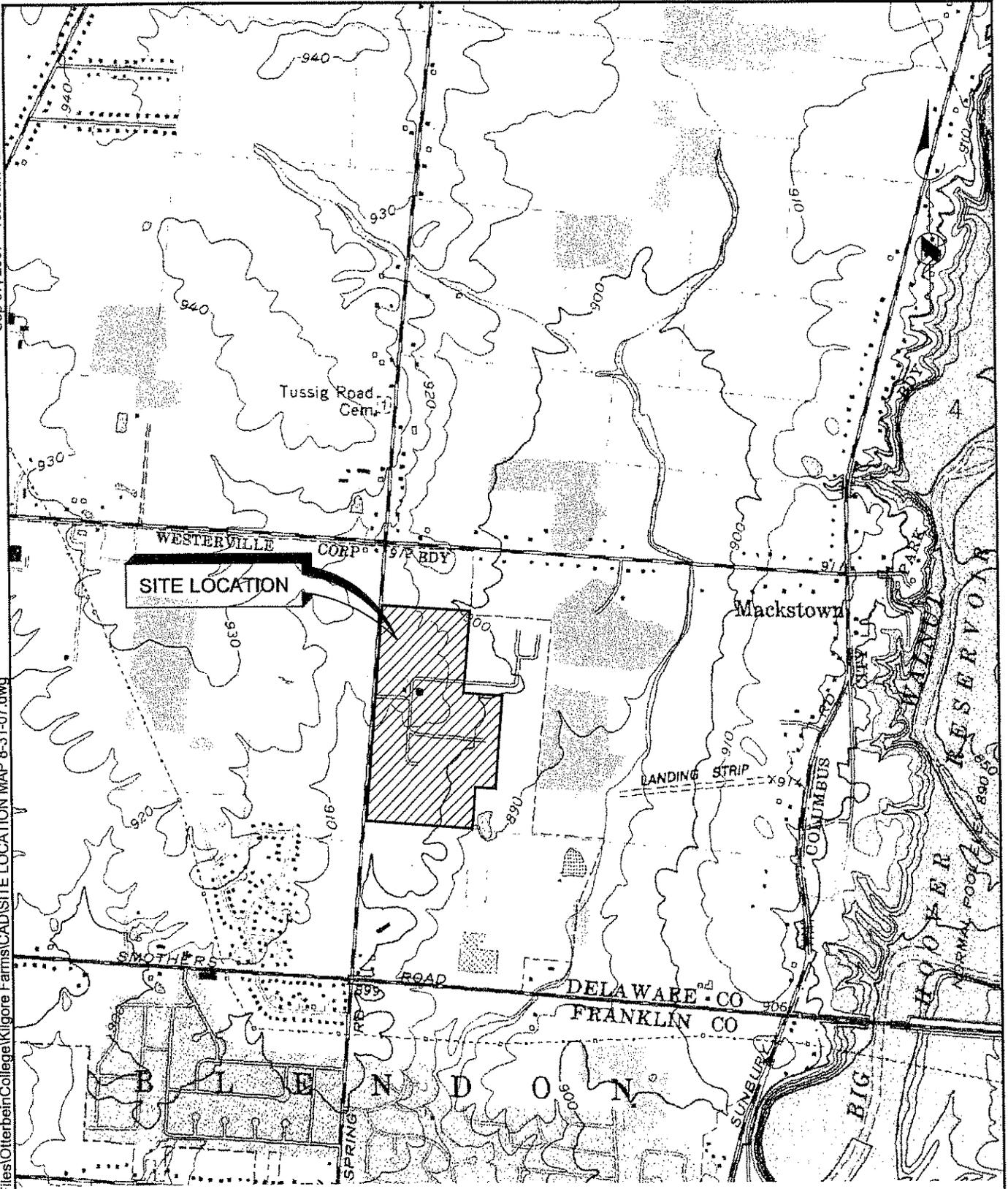
C.F. Bird & R.J. Bull, Inc.
2875 W. Dublin-Granville Rd.
Columbus, Ohio 43235

Otterbein College Equine Facility Property
Director's Final Findings and Orders / Covenant Not to Sue

Exhibit 2
Property Location Map

Sep 07, 2007 - 10:54am EMcPeck

P:\Project Working Files\OtterbeinCollege\Kilgore Farms\CAD\SITE LOCATION MAP 8-31-07.dwg



ADAPTED FROM U.S. GEOLOGICAL SURVEY MAP
 GALENA QUADRANGLE
 OHIO
 7.5 MINUTE SERIES (TOPOGRAPHIC)

NOT TO SCALE

BROWN AND CALDWELL

OTTERBEIN EQUINE FACILITY
 SITE LOCATION MAP
 FIGURE 1

Otterbein College Equine Facility Property
Director's Final Findings and Orders / Covenant Not to Sue

Exhibit 3
Executive Summary

NO FURTHER ACTION LETTER FORM
OTTERBEIN COLLEGE EQUINE FACILITY
WESTERVILLE, DELAWARE COUNTY, OHIO

EXECUTIVE SUMMARY

Volunteer:

Dr. C. Brent DeVore, President
Otterbein College
One Otterbein Way
Westerville, Ohio 43081

Owner(s) of Property:

Otterbein College Board of Trustees
Otterbein College
One Otterbein Way
Westerville, Ohio 43081

Certified Professional who Issued the NFA Letter:

Scott M. Blanchard, C.P.G., CP #292
Brown and Caldwell Ohio, LLC
4700 Lakehurst Court, Suite 100
Columbus, Ohio 43016

Property Subject to NFA Letter:

Otterbein College Equine Facility
800 Spring Road
Westerville, Ohio 43082

1.0 Introduction

The purpose of this summary is to meet the No Further Action (NFA) Letter formatting requirements of Ohio Administrative Code (OAC) 3745-300-13(H) and to provide a summary of the NFA Letter to be recorded in the county recorder's office per OAC 3745-300-13(J). This NFA letter was issued under the authority of Otterbein College and their representative, Dr. C. Brent DeVore, President.

In October 2005, Otterbein College Board of Trustees formed an *ad hoc* committee to study options related to the establishment of a permanent home for the Equine Science Department field operations (the stables) which have occupied rented facilities since the program's inception. One option for the new facility was to utilize existing land already owned by Otterbein College (Otterbein).

Otterbein owns the 111-acre former Kilgore Farms parcel located off Spring Road approximately one-half mile north of County Line Road in Westerville, Ohio. In March 2007, Otterbein successfully obtained a zoning change from Rural Residential (RR) to Planned Neighborhood District (PND) for the entire 111 acres. This new zoning is consistent with the PND designation for other Otterbein properties within Westerville's jurisdiction. A subdivision of the 111-acre site resulted in a 2.249-acre right-of-way that will eventually become the property of the City of

Westerville, the 69.145-acre equine facility property, and the 39.818-acre eastern portion of the former Kilgore Farms site. The new zoning at the 69-acre Equine Property, the subject of this NFA Letter, will allow the equine facility to be used for college expansion to include classrooms, a residence (the equine caretaker), an animal facility, and events areas. The final Phase I Property Assessment for the Property was completed August 27, 2007 and the NFA letter package was issued on September 12, 2007. The legal description of the Property is included as Attachment 1 at the end of this executive summary.

A complete copy of the NFA letter may be obtained by contacting Scott Blanchard at: *Brown and Caldwell Ohio, LLC, 4700 Lakehurst Court, Suite 100, Columbus, Ohio 43016 (614-410-6144 phone).*

2.0 Summary of No Further Action Letter

Brown and Caldwell Ohio, LLC (Brown and Caldwell) was retained by Otterbein to prepare and submit a No Further Action Letter (NFA) to Ohio Environmental Protection Agency (Ohio EPA) consistent with Ohio Administrative Code (OAC) 3745-300-06, the requirements of Ohio's Voluntary Action Program (VAP).

The Phase I Report (NFA Form, Section E) addresses the historical operations conducted on the entire 111-acres, but specifically discusses the 69.145 acre Property that will be the future location of Otterbein's equine science field operations. The Phase I did not identify any areas or containers containing hazardous substances or petroleum at the 69-acre Property. The Phase I Property Assessment for this 69-acre parcel meets all of the requirements of OAC 3745-300-06 and therefore, requires no further action. A list of the documents used to support the NFA letter is provided as Attachment 2 to this summary.

2.1 Phase I Property Assessment

In December 1941, in response to the needs of the Army Chemical Warfare Service, Kilgore Manufacturing purchased undeveloped land near the Franklin County / Delaware County, Ohio border. The former 111-acre farm was converted to a pyrotechnics and ordnance manufacturing facility consisting of a network of magazines, concrete buildings, Quonset huts, a water tower, and other ancillary support facilities. Onsite activities conducted by Kilgore Manufacturing included experimental work, the manufacture and assembly of incendiary items and detonation, burning and disposal of waste material.

The Phase I was conducted in accordance with OAC 3745-300-06 for the purpose of determining that the Property meets the requirements of no further action. The Phase I report describes the specific methodologies used, the current and historical information that was reviewed, summaries of people interviewed, and Brown and Caldwell's findings and conclusions during the preparation of the NFA Letter. The Phase I was conducted from February through August 2007, and the Radius Map database search was updated on September 7, 2007 to insure that the Phase I information remained current. The comprehensive property inspection walk was conducted on April 20 and May 22, 2007 by the certified professional, Scott Blanchard.

As described in Ohio Administrative Code (OAC) Section 3745-300-02, Paragraph C, the equine facility property ("the Property") owned by Otterbein College is eligible for entry into the Ohio VAP. The Phase I Property Assessment did not identify any areas or containers containing hazardous substances or petroleum at the 69-acre Property. The Phase I Property Assessment for this Property meets all of the requirements of OAC 3745-300-06 and therefore, requires no further action.

During the Property reconnaissance walk, two small areas of rusted drum fragments were identified, and confirmatory soil samples were obtained from under each of the two drum fragment areas. The soil samples were analyzed for TCL volatile organic compounds, TCL semi-volatile organic compounds, and TAL metals per VAP protocols. The results of the analysis indicates that there is no impact to the soils immediately underlying the drum fragments and therefore no evidence of a release. A Phase II investigation was not required for the work and remedial actions at the Property are not necessary.

3.0 Conclusions

The Phase I review has not identified any areas or containers containing hazardous substances or petroleum at the 69-acre Property. The point of compliance for the Property is the ground surface. The Phase I Property Assessment for this Property meets all of the requirements of OAC 3745-300-06 and therefore, requires no further action. A remedy was not required as part of the voluntary action performed at the Property and as such, the Property is protective of public health and safety and the environment.

Attachment 1 – Legal Description of the Property

Attachment 2 - Documents used to Support the NFA letter

Attachment 3 – Certified Professional Affidavit Pursuant to OAC 3745-300-13(P)
and 3745-300-05 (F)(4)