



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

JUN 15 2010

CERTIFIED MAIL

James Sisto
Value Recovery Group II, LLC
919 Old Henderson Road
Columbus, OH 43220

Sadicka White
City of Gahanna
Development Department
200 South Hamilton Road
Gahanna, OH 43230

**Re: Issuance of Covenant Not To Sue for the 5799 Taylor Road Undeveloped Property (#09NFA370)
Project ID # 125-000264-012**

Dear Mr. Sisto and Ms. White:

JUN 15 2010

I am pleased to inform you that on _____, the Director of the Ohio Environmental Protection Agency issued a covenant not to sue (CNS) to Value Recovery Group II, LLC and the city of Gahanna for the 5799 Taylor Road Undeveloped Property, located at 5799 Taylor Road, Gahanna, Franklin County, Ohio. The CNS was issued as final findings and orders pursuant to Ohio Revised Code (ORC) Chapter 3746 and Ohio Administrative Code (OAC) Chapter 3745-300.

The CNS states that, based on the no further action letter, and subject to all conditions set forth in these findings and orders, Ohio EPA covenants not to sue and releases Value Recovery Group II, LLC and the city of Gahanna, and their respective agents, employees, members, shareholders, 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. The CNS and release of liability applies to the property that has undergone a Phase I or Phase II property assessment in compliance with ORC Chapter 3746 and OAC Chapter 3745-300 or has been the subject of remedial activities conducted under ORC Chapter 3746 and OAC Chapter 3745-300 to address a release of hazardous substances and / or petroleum, and the assessment or the remedial activities demonstrate or result in compliance with applicable standards.

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



Enclosed is a certified copy of the CNS and its exhibits for the recording of the documents in the same manner as a deed for the property, as instructed by the CNS (see the "Conditions and Limitations" section of the CNS.) The enclosed affidavit should be presented to the county recorder's office staff to support the required recording. Remember to submit to Ohio EPA after the recording a copy of the CNS that shows the filing date stamp of the county recorder's office.

This action of the Director is final and may be appealed to the Environmental Review Appeals Commission (Commission) pursuant to ORC Section 3745.04. The 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 30 days after notice of the Director's action. The appeal must be accompanied by a filing fee of \$70.00, made payable to "Ohio Treasurer Kevin Boyce," 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 days after the appeal is filed 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: Environmental Review Appeals Commission, 309 South Fourth Street, Room 222, Columbus, Ohio 43215.

Congratulations on the issuance of this CNS. Many persons within the agency, Value Recovery Group II, LLC, the city of Gahanna and Hull & Associates, Inc., among others, worked hard to remove the environmental barriers associated with redeveloping this property. If you have any questions or concerns, feel free to contact me at (614) 644-2924 or tiffani.kavalec@epa.state.oh.us.

Sincerely,



Tiffani Kavalec, Manager
Division of Emergency and Remedial Response
Assessment, Cleanup and Reuse (ACRE)

Enclosure

c: Steven M. Gross, Certified Professional, Hull & Associates, Inc.
DERR CO/CDO Files (#09NFA370)

ec: Deborah Strayton, DERR/CDO
Raymond R. Moreno, DERR/CDO
Andrea Smoktonowicz, Legal Office

TO BE RECORDED IN DEED RECORDS,
PURSUANT TO ORC 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. Lassiter, 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 June 15, 2010, regarding property known as 5799 Taylor Road Undeveloped Property, located at 5799 Taylor Road in Gahanna, Franklin County, Ohio and further described in the attached Covenant Not to Sue.

Tonya R. Lassiter
Tonya R. Lassiter
Records Management Officer
Ohio EPA Legal Office

Sworn to and subscribed before me, a Notary Public in and for the State of Ohio, this 15th day of June, 2010.

[Signature]
Notary Public
State of Ohio

*Permanent Commission
No expiration, R.C. 147.03*

This instrument prepared by:

Andrea Smoktonowicz, 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

Ohio (the "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 Property is owned by Value Recovery Group II, LLC and the city of Gahanna and the parcel numbers are 025-013631-00 (partial), 025-013632-00, 025-013633-00, 025-013634-00 (partial), 025-013641-00 (partial) and 025-013642-00 (partial).

4. The Certified Professional prepared pursuant to OAC 3745-300-13(J) an executive summary of the NFA Letter, which is attached hereto as Exhibit 3.

Summary of the Voluntary Action for the Property

5. Based upon the information in the NFA Letter, the Volunteers undertook the following investigational 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 or may have occurred on, underlying or is emanating from the Property.
 - b. A Phase II property assessment, in accordance with OAC 3745-300-07, including but not limited to investigations of identified areas and affected media at the Property, to assess environmental conditions related to releases of hazardous substances and/or petroleum.
 - c. A demonstration that the Property complies with applicable standards for the identified chemicals of concern in the identified areas and affected media at the Property through a comparison to background levels in accordance with OAC 3745-300-07 and the use of generic numerical standards in accordance with OAC 3745-300-08.
6. The Certified Professional has verified by affidavit that the voluntary action was conducted and the NFA Letter was issued for the Property in accordance with ORC Chapter 3746 and OAC Chapter 3745-300, that the Property is eligible for the Voluntary Action Program, and that the voluntary action was conducted in compliance with all applicable federal, state and local laws and regulations.
7. At the time that analyses were performed, Southern Petroleum Laboratories, Inc., TestAmerica, Inc. Dayton and TestAmerica, Inc. North Canton were certified laboratories, No(s). CL0005, CL0018 and CL0024, respectively, as defined in ORC 3746.01(E) and OAC 3745-300-01(A), whose services were used in support of the NFA Letter (the "Certified Laboratories").

Applicable Standards

8. Based on the information contained in the NFA Letter and all conditions set forth

in these Findings and Orders, the Property meets applicable standards contained in ORC Chapter 3746 and OAC Chapter 3745-300 for various uses including unrestricted land use and unrestricted potable ground water use. The applicable standards for the Property are those in effect when the NFA Letter was issued on August 7, 2009. The applicable standards, the methods of achieving compliance with the standards, and the associated points of compliance for the standards for each complete exposure pathway, are identified in the NFA Letter, which contains a summary table entitled "*Applicable Standards and Remedial Activities for Each Exposure Pathway*," Table 10, in the NFA Letter Form at Section D. The standards include one or more of the following:

- a. Generic numerical standards determined in accordance with OAC 3745-300-08.
 - b. Property-specific risk assessment standards developed in accordance with OAC 3745-300-09.
 - c. Background standards determined in accordance with ORC 3746.06(A) and OAC 3745-300-07(H).
 - d. Standards for residential (potable) use of ground water in the upper shale bedrock saturated zone underlying the Property, applied in accordance with ORC 3746.06(B).
9. Pursuant to ORC 3746.12(A), the Director of Ohio EPA is authorized to issue a covenant not to sue for the Property through these Findings and Orders.

ORDERS

Covenant

1. Based on the NFA Letter, and subject to all conditions set forth in these Findings and Orders, Ohio EPA hereby covenants not to sue and releases Value Recovery Group II, LLC and the city of Gahanna, and their respective agents, employees, members, shareholders, 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. This covenant not to sue and release of liability ("Covenant") applies to the Property that has undergone a Phase I or Phase II property assessment in compliance with ORC Chapter 3746 and OAC Chapter 3745-300 or has been the subject of remedial activities conducted under ORC Chapter 3746 and OAC Chapter 3745-300 to address a release of hazardous substances or petroleum, and the assessment or the remedial activities demonstrate or result in compliance with applicable standards.

Conditions and Limitations

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

2. Within thirty (30) days after the issuance of these Findings and Orders, Value Recovery Group II, LLC or the city of Gahanna shall:
 - a. File with the Franklin 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), 3 (Executive Summary).
 - b. Submit to Ohio EPA a copy of the Findings and Orders that shows the filing date stamp of the Franklin 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. 09NFA370.*" The submission shall be delivered either (1) electronically to the DERR Records Management Officer at Ohio EPA's Central Office, at records@epa.state.oh.us or (2) by U.S. mail or by other reliable means to both Ohio EPA's Central Office, 50 West Town Street, Suite 700, P.O. Box 1049, Columbus, OH 43216-1049, Attention: DERR Records Management Officer and Ohio EPA's Central District Office, 50 West Town Street, Suite 700, P.O. Box 1049, Columbus, OH 43216-1049, Attention: DERR Site Coordinator for 5799 Taylor Road Undeveloped Property.

Limits of Covenant

3. Pursuant to ORC 3746.12(B)(1), 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. Upon a finding pursuant to ORC 3746.12(B)(2) that the Property or portion thereof no longer complies with applicable standards upon which issuance of the Covenant was based and receipt of the Director's notice of that fact and the requirements of ORC 3746.12(B)(3), the person(s) responsible for maintaining compliance with those standards shall receive an "opportunity to cure" the noncompliance. ORC 3746.12(B)(4) provides for revocation of the Covenant upon a Director's finding that the noncompliance has not been cured.
4. The Covenant shall not apply to releases of hazardous substances or petroleum that occur after the issuance of the NFA Letter.
5. 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.
6. Nothing in the Covenant 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 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.
7. 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

8. Pursuant to ORC 3746.21 and at reasonable times, upon proper identification, and stating the necessity and purpose as directed by applicable law, authorized representatives of the Director shall be granted access to the Property for the inspection or investigation purposes authorized under applicable law.

Transfer

9. Pursuant to ORC 3746.14 and OAC 3745-300-13(L), the NFA Letter and the Covenant Not to Sue/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

Date 6/11/10

Exhibit 1
Legal Description

**Parcel Description for 25.7 Acres
South Side of Taylor Road
West of Taylor Station Road**

Situated in the State of Ohio, County of Franklin, City of Gahanna, Quarter Township 3, Township 1, Range 16, United States Military District and being: all of Lots 3 and 4, part of Lots 2 and 5, part of Reserves B and C and part of Techcenter Drive as shown on "Techcenter Drive Extension and Greenspace Dedication Plat" as recorded in Plat Book 112, Page 79 and described as follows:

Beginning at the northwest corner of said Lot 3;

Thence S 85° 55' 13" E, with the north line of said Lot 3, 465.46 feet to the northeast corner thereof;

Thence N 42° 09' 01" E, with a west line of said Reserve C, 325.04 feet to the southwest corner of said Lot 4;

Thence N 03° 45' 31" E, with the west line of said Lot 4, 499.34 feet to the northwest corner thereof;

Thence S 85° 58' 41" E, with the north line of said Lot 4, the same being the south right-of-way line for Taylor Road, 364.70 feet to the northeast corner of said Lot 4;

Thence S 04° 14' 39" W, with the most east line of said Lot 4, then across Reserve C, Lot 5 and Techcenter Drive, then with the east line of said Reserve B and then across said Reserve B, 1564.15 feet;

Thence N 85° 51' 01" W, across said Reserve B, 1007.31 feet;

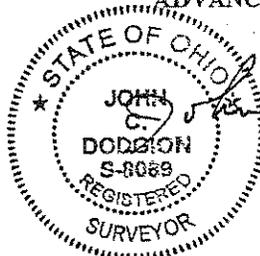
Thence N 02° 56' 42" E, across said Reserve B, Lot 2, and Techcenter Drive and then with the west line of said Lot 3, 807.49 feet to the **Point of Beginning**. Containing 25.7 acres, more or less.

Subject, however, to all legal highways, easements, and restrictions. The above description was prepared by Advanced Civil Design, Inc. on May 03, 2010 and is based on existing records and is not a boundary survey per Ohio Administrative Code Chapter 4733-37.

Bearings are based on the Ohio State Plane Coordinate System, NAD83 South Zone (1986 Adj.).

All references used in this description can be found at the Recorder's Office, Franklin County, Ohio.

ADVANCED CIVIL DESIGN, INC.

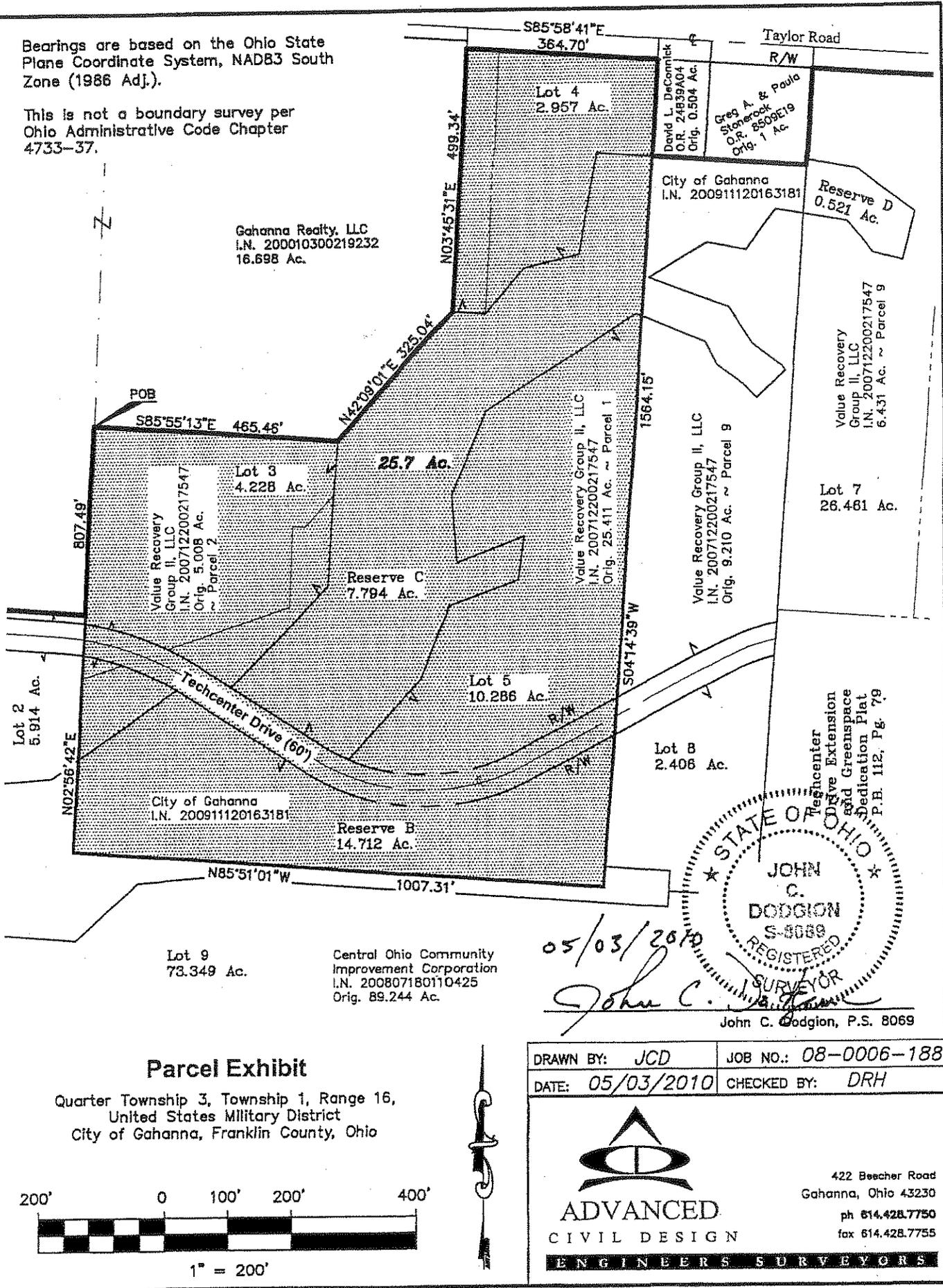


John C. Dodgion
John C. Dodgion, P.S. 8069

05/03/2010

Bearings are based on the Ohio State Plane Coordinate System, NAD83 South Zone (1986 Adj.).

This is not a boundary survey per Ohio Administrative Code Chapter 4733-37.



Gahanna Realty, LLC
I.N. 200010300219232
16.698 Ac.

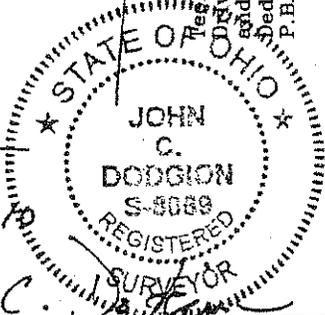
Value Recovery Group II, LLC
I.N. 200712200217547
Orig. 5.008 Ac. ~ Parcel 2

Value Recovery Group II, LLC
I.N. 200712200217547
Orig. 25.411 Ac. ~ Parcel 1

Value Recovery Group II, LLC
I.N. 200712200217547
Orig. 9.210 Ac. ~ Parcel 9

Value Recovery Group II, LLC
I.N. 200712200217547
6.431 Ac. ~ Parcel 9

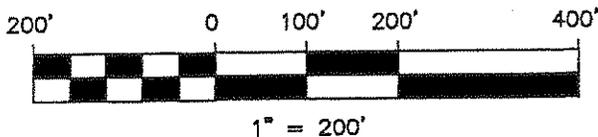
Central Ohio Community Improvement Corporation
I.N. 200807180110425
Orig. 89.244 Ac.



John C. Dodgion, P.S. 8069

Parcel Exhibit

Quarter Township 3, Township 1, Range 16,
United States Military District
City of Gahanna, Franklin County, Ohio



DRAWN BY: JCD	JOB NO.: 08-0006-188
DATE: 05/03/2010	CHECKED BY: DRH

ADVANCED CIVIL DESIGN
ENGINEERS SURVEYORS

422 Beecher Road
Gahanna, Ohio 43230
ph 614.428.7750
fax 614.428.7755

**Parcel Description for 6.2 Acres
North Side of Techcenter Drive
East of Morrison Road**

Situated in the State of Ohio, County of Franklin, City of Gahanna, Quarter Township 3, Township 1, Range 16, United States Military District and being part of Reserve C of "Techcenter Drive Extension and Greenspace Dedication Plat" as recorded in Plat Book 112, Page 79, as shown in the deed to City of Gahanna of record in Instrument Number 200911120163181, and described as follows:

Beginning at a southeast corner of said Reserve C, the same being the southwest corner of Lot 5 of said "Techcenter Drive Extension and Greenspace Dedication Plat", in the north right-of-way for Techcenter Drive;

Thence with said north right-of-way line, the following courses;

with a curve to the right, having a central angle of $09^{\circ} 36' 02''$ and a radius of 370.00 feet, a chord bearing and chord distance of $N 62^{\circ} 04' 52'' W$, 61.92 feet to a point of tangency;

$N 57^{\circ} 16' 51'' W$, 200.80 feet to the southwest corner of said Reserve C;

Thence along the west perimeter of said Reserve C, the following courses;

$N 44^{\circ} 30' 00'' E$, 266.06 feet;

$N 04^{\circ} 12' 13'' E$, 275.26 feet;

$N 42^{\circ} 09' 01'' E$, 325.04 feet;

$S 85^{\circ} 59' 01'' E$, 62.26 feet;

$N 41^{\circ} 26' 20'' E$, 111.82 feet;

$N 76^{\circ} 08' 08'' E$, 106.31 feet;

$N 10^{\circ} 43' 37'' E$, 194.19 feet;

$S 85^{\circ} 58' 41'' E$, 107.64 feet;

Thence $S 04^{\circ} 14' 39'' W$, across said Reserve C, 300.63 feet to a south line of said Reserve C;

Thence along the east perimeter of said Reserve C, the following courses;

$N 67^{\circ} 35' 11'' W$, 11.91 feet;

$S 57^{\circ} 58' 43'' W$, 304.85 feet;

$S 22^{\circ} 21' 28'' W$, 171.55 feet;

6.2 Acres

-2-

S 04° 12' 12" E, 127.66 feet;

N 69° 19' 48" E, 137.71 feet;

S 08° 43' 09" W, 82.87 feet;

S 70° 17' 18" W, 140.20 feet;

S 20° 09' 39" W, 147.53 feet;

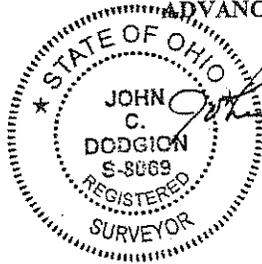
S 42° 59' 35" W, 204.47 feet to the Point of Beginning. Containing 6.2 acres, more or less.

Subject, however, to all legal highways, easements, and restrictions. The above description was prepared by Advanced Civil Design, Inc. on 28, October 2009 and is based on existing records and is not a boundary survey per Ohio Administrative Code Chapter 4733-37.

Bearings are based on the Ohio State Plane Coordinate System, NAD83 South Zone (1986 Adj.).

All references used in this description can be found at the Recorder's Office, Franklin County, Ohio.

ADVANCED CIVIL DESIGN, INC.



John C. Dodgion
John C. Dodgion, P.S. 8069

04/22/2010

**Parcel Description for 4.7 Acres
South Side of Techcenter Drive
East of Morrison Road**

Situated in the State of Ohio, County of Franklin, City of Gahanna, Quarter Township 3, Township 1, Range 16, United States Military District and being part of Reserve B of "Techcenter Drive Extension and Greenspace Dedication Plat" as recorded in Plat Book 112, Page 79, as shown in the deed to City of Gahanna of record in Instrument Number 200911120163181, and described as follows:

Beginning at a northeast corner of said Reserve B, the same being the northwest corner of Lot 8 of said "Techcenter Drive Extension and Greenspace Dedication Plat", in the south right-of-way for Techcenter Drive;

Thence S 04° 14' 39" W, with the west line of said Lot 8 and said west lot line being extended, 278.39 feet;

Thence N 85° 51' 01" W, across said Reserve B, 1007.31 feet;

Thence N 02° 56' 42" E, across said Reserve B, 175.27 feet to a north line of said Reserve B;

Thence N 55° 15' 38" E, with said north reserve line, 226.87 feet to a corner thereof, in said south right-of-way line;

Thence with said south right-of-way line, the following courses;

S 57° 16' 51" E, 285.47 feet to a point of curvature;

with a curve to the left, having a central angle of 60° 19' 46" and a radius of 430.00 feet, a chord bearing and chord distance of S 87° 26' 44" E, 432.14 feet to a point of tangency;

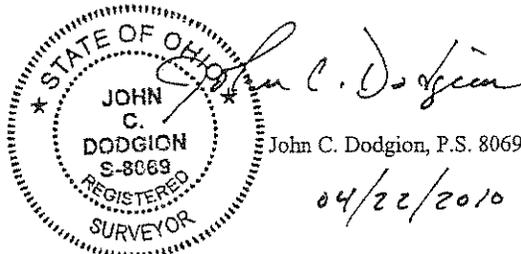
N 62° 23' 23" E, 179.00 feet to the Point of Beginning. Containing 4.7 acres, more or less.

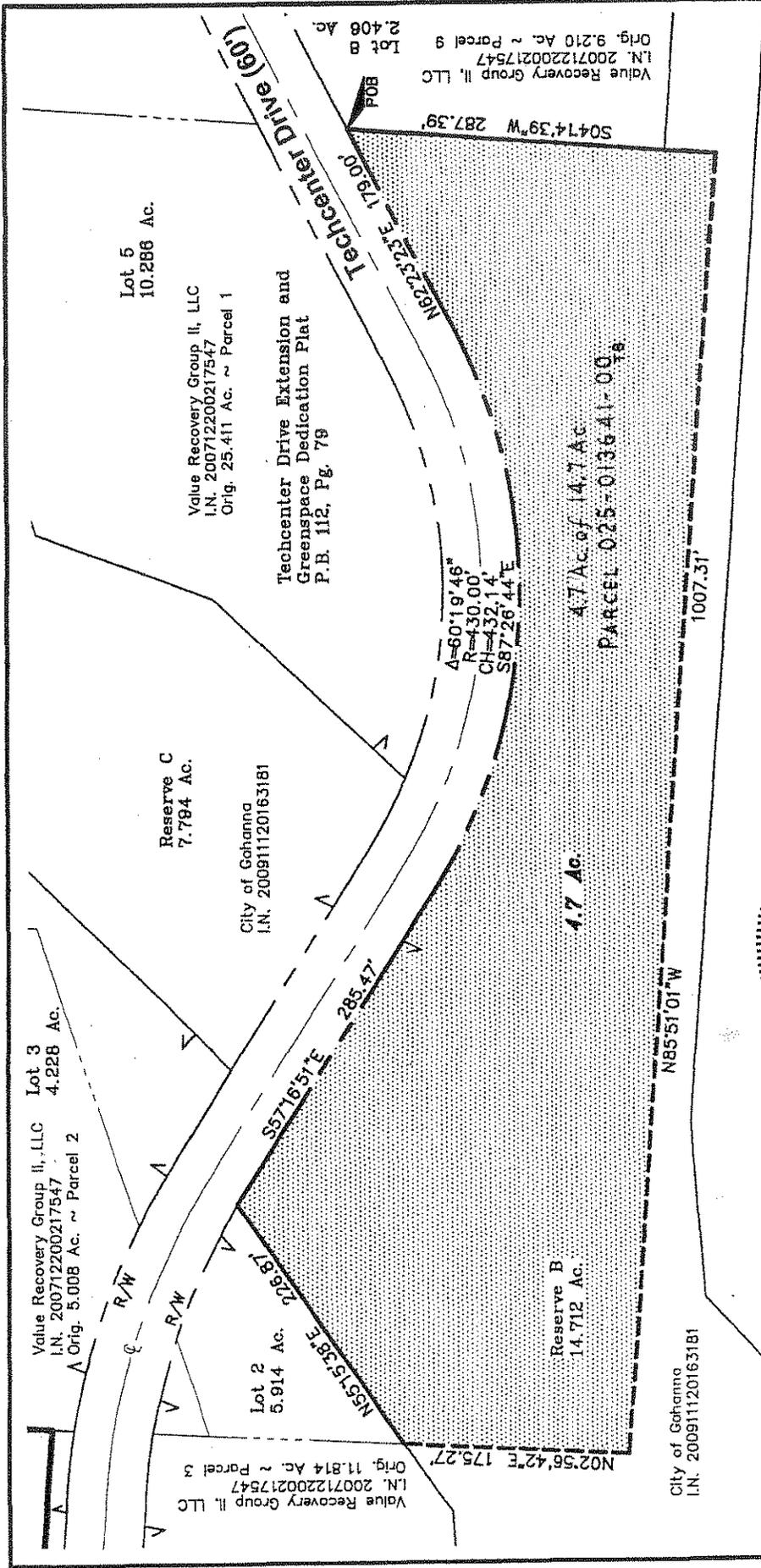
Subject, however, to all legal highways, easements, and restrictions. The above description was prepared by Advanced Civil Design, Inc. on 28, October 2009 and is based on existing records and is not a boundary survey per Ohio Administrative Code Chapter 4733-37.

Bearings are based on the Ohio State Plane Coordinate System, NAD83 South Zone (1986 Adj.).

All references used in this description can be found at the Recorder's Office, Franklin County, Ohio.

ADVANCED CIVIL DESIGN, INC.





Value Recovery Group II, LLC
I.N. 200712200217547
Orig. 5.008 Ac. ~ Parcel 2

Lot 3
4.228 Ac.

Reserve C
7.794 Ac.

City of Gahanna
I.N. 20091120163181

Lot 2
5.914 Ac.

Value Recovery Group II, LLC
I.N. 200712200217547
Orig. 11.814 Ac. ~ Parcel 3

Lot 1
10.286 Ac.

Value Recovery Group II, LLC
I.N. 200712200217547
Orig. 25.411 Ac. ~ Parcel 1

Techcenter Drive Extension and
Greenspace Dedication Plat
P.B. 112, Pg. 79

Parcel 025-013641-00
14.7 Ac.

Reserve B
14.712 Ac.

Lot 9
73.349 Ac.

City of Gahanna
I.N. 20091120163181

Central Ohio Community
Improvement Corporation
I.N. 200807180110425
Orig. 89.244 Ac.

Rev: 04/21/2010

DRAWN BY: JCD JOB NO.: 08-0006-188

DATE: 10/28/2009 CHECKED BY: DRH

STATE OF OHIO

JOHN C. DODGION

REGISTERED SURVEYOR

04/22/2010

John C. Dodgion, P.S. 8089

1" = 120'

Parcel Exhibit

Quarter Township 3, Township 1, Range 16,
United States Military District
City of Gahanna, Franklin County, Ohio

Bearings are based on the Ohio
State Plane Coordinate System,
NAD83 South Zone (1986 Adj.).

This is not a boundary survey per
Ohio Administrative Code Chapter
4733-37.

ADVANCED
CIVIL DESIGN
ENGINEERS SURVEYORS

422 Beecher Road
Gahanna, Ohio 43230
ph 614.428.7760
fax 614.428.7755

Parcel Description for 1.5 Acres
Part of Techcenter Drive

Situated in the State of Ohio, County of Franklin, City of Gahanna, Quarter Township 3, Township 1, Range 16, United States Military District and being part of the right-of-way for Techcenter Road (a City of Gahanna public street) as shown on "Techcenter Drive Extension and Greenspace Dedication Plat" and recorded in Plat Book 112, Page 79 and described as follows:

Beginning at a southeast corner of Reserve A, the same being the southwest corner of Lot 3 both being of said "Techcenter Drive Extension and Greenspace Dedication Plat", in the north right-of-way for Techcenter Drive;

Thence with said north right-of-way line, the following courses;

with a curve to the right, having a central angle of $23^{\circ} 56' 34''$ and a radius of 530.00 feet, a chord bearing and chord distance of $S 69^{\circ} 15' 05'' E$, 219.87 feet to a point of tangency;

$S 57^{\circ} 16' 51'' E$, 285.47 feet to a point of curvature;

with a curve to the left, having a central angle of $60^{\circ} 19' 46''$ and a radius of 370.00 feet, a chord bearing and chord distance of $S 87^{\circ} 26' 44'' E$, 371.84 feet to a point of tangency;

$N 62^{\circ} 23' 23'' E$, 216.28 feet to a current southeast corner of the remainder of Parcel 1 as shown in the deed to Value Recovery Group II, LLC of record in Instrument Number 200712200217547;

Thence $S 04^{\circ} 14' 39'' W$, across said right-of-way, 70.64 feet to the northwest corner of Lot 8 of said "Techcenter Drive Extension and Greenspace Dedication Plat", in the south right-of-way line for said Techcenter Drive;

Thence with said south right-of-way line, the following courses;

$S 62^{\circ} 23' 23'' W$, 179.00 feet to a point of curvature;

with a curve to the right, having a central angle of $60^{\circ} 19' 46''$ and a radius of 430.00 feet, a chord bearing and chord distance of $N 87^{\circ} 26' 44'' W$, 432.14 feet to a point of tangency;

$N 57^{\circ} 16' 51'' W$, 285.47 feet to a point of curvature;

with a curve to the left, having a central angle of $23^{\circ} 11' 40''$ and a radius of 470.00 feet, a chord bearing and chord distance of $N 68^{\circ} 52' 41'' W$, 188.97 feet to a northwest corner of Parcel 2 as shown in said deed to Value Recovery Group II, LLC;

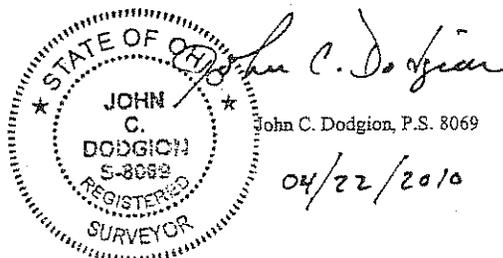
Thence $N 02^{\circ} 56' 42'' E$, across said right-of-way, 60.35 feet to the Point of Beginning. Containing 1.5 acres, more or less.

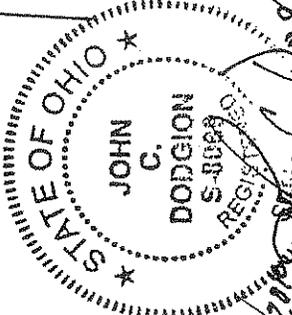
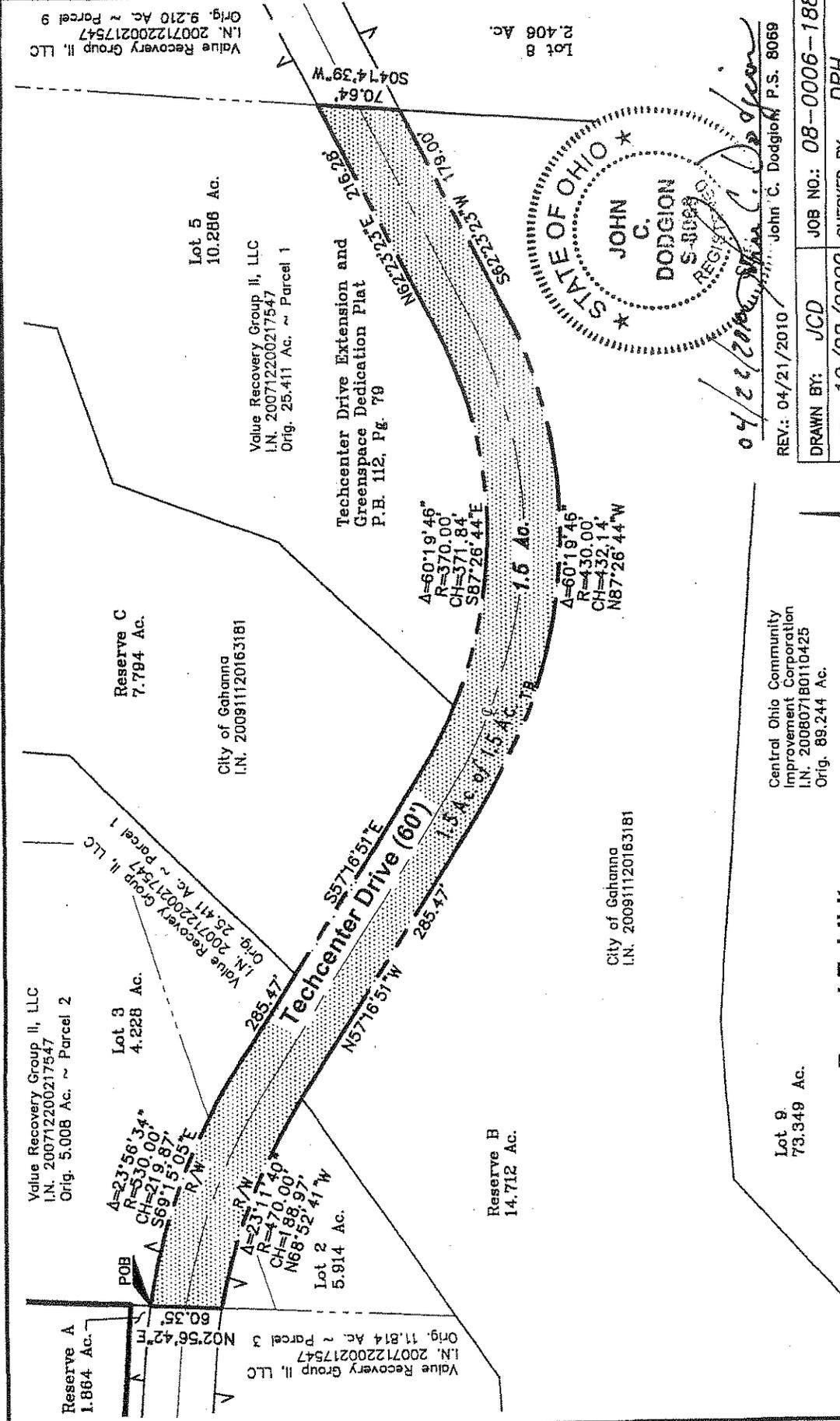
Subject, however, to all legal highways, easements, and restrictions. The above description was prepared by Advanced Civil Design, Inc. on 28, October 2009 and is based on existing records and is not a boundary survey per Ohio Administrative Code Chapter 4733-37.

Bearings are based on the Ohio State Plane Coordinate System, NAD83 South Zone (1986 Adj.).

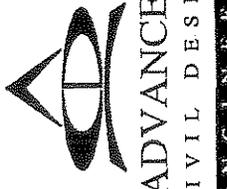
All references used in this description can be found at the Recorder's Office, Franklin County, Ohio.

ADVANCED CIVIL DESIGN, INC.





04/22/2010
John C. Dodgion, P.S. 8069
REV.: 04/21/2010
DRAWN BY: JCD
DATE: 10/28/2009
JOB NO.: 08-0006-188
CHECKED BY: DRH



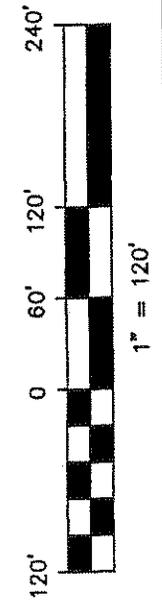
422 Beecher Road
Gahanna, Ohio 43230
PH 614.428.7750
FAX 614.428.7755

Parcel Exhibit

Quarter Township 3, Township 1, Range 16, United States Military District
City of Gahanna, Franklin County, Ohio

Bearings are based on the Ohio State Plane Coordinate System, NAD83 South Zone (1986 Adj.).

This is not a boundary survey per Ohio Administrative Code Chapter 4733-37.



**Parcel Description for 3.0 Acres
South Side of Taylor Road
East of Morrison Road**

Situated in the State of Ohio, County of Franklin, City of Gahanna, Quarter Township 3, Township 1, Range 16, United States Military District and being part of Parcels 1 and 2 as shown in the deed to Value Recovery Group II, LLC of record in Instrument Number 200712200217547, said parcel being all of Lot 4 of "Techcenter Drive Extension and Greenspace Dedication Plat" as recorded in Plat Book 112, Page 79 and described as follows:

Beginning at the northwest corner of said Lot 4, in the east line of that 16.698 acre tract conveyed to Gahanna Realty, LLC of record in Instrument Number 200010300219232 and in the south right-of-way for Taylor Road;

Thence along the perimeter of said Lot 4, the following courses;

S 85° 58' 41" E, 364.70 feet to the northeast corner thereof;

S 04° 14' 39" W, 185.00 feet;

N 85° 58' 41" W, 107.64 feet;

S 10° 43' 37" W, 194.19 feet;

S 76° 08' 08" W, 106.31 feet;

S 41° 26' 20" W, 111.82 feet;

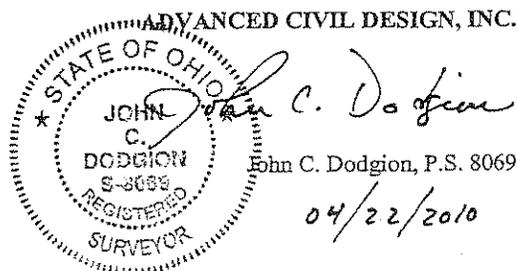
N 85° 59' 01" W, 62.26 feet to the southwest corner thereof;

N 03° 45' 31" E, 499.34 feet to the Point of Beginning. Containing 3.0 acres, more or less.

Subject, however, to all legal highways, easements, and restrictions. The above description was prepared by Advanced Civil Design, Inc. on 28, October 2009 and is based on existing records and is not a boundary survey per Ohio Administrative Code Chapter 4733-37.

Bearings are based on the Ohio State Plane Coordinate System, NAD83 South Zone (1986 Adj.).

All references used in this description can be found at the Recorder's Office, Franklin County, Ohio.



Taylor Road

POB
S85°58'41"E 364.70'

R/W

David L. DeConick
O.R. 24839A04
Orig. 0.504 Ac.

Value Recovery Group II, LLC
I.N. 200712200217547
Orig. 25.411 Ac. ~ Parcel 1

3.0 Ac.

3.0 Ac. of 3.0 Ac.

PARCEL 026-013633-00

Lot 4
2.957 Ac.

Value Recovery Group II, LLC
I.N. 200712200217547
Orig. 5.008 Ac. ~ Parcel 2

Gahanna Realty, LLC
I.N. 200010300219232
16.698 Ac.

S04°14'39"W 185.00'

N85°58'41"W
107.64'

S10°43'37"W 194.19'

Reserve C
7.794 Ac.

S76°08'08"W
106.31'

S41°26'20"W
177.82'

62.26'
N85°59'01"W

Techcenter Drive Extension and
Greenspace Dedication Plat
P.B. 112, Pg. 79

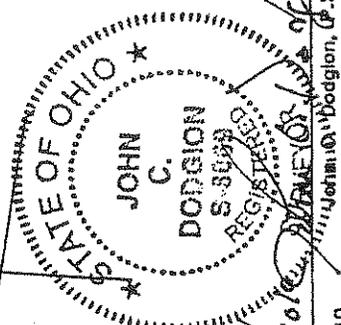
City of Gahanna
I.N. 20091120163181

Lot 5
10.286 Ac.

Greg A. Stonerock
& Paula Stonerock
O.R. 8509E19
Orig. 1 Ac.

Value Recovery
Group II, LLC
I.N. 200712200217547
6.431 Ac. ~ Parcel 9

Reserve D
0.521 Ac.



04/22/2010
Rev.: 04/21/2010
John C. Dodgion, P.S. 8069

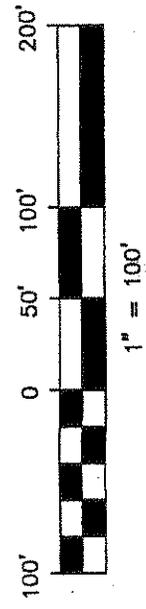
DRAWN BY: JCD
DATE: 10/28/2009
JOB NO.: 08-0006-188
CHECKED BY: DRH

Parcel Exhibit

Quarter Township 3, Township 1, Range 16, United States Military District
City of Gahanna, Franklin County, Ohio

Bearings are based on the Ohio
State Plane Coordinate System,
NAD83 South Zone (1986 Adj.).

This is not a boundary survey per
Ohio Administrative Code Chapter
4733-37.



ADVANCED
CIVIL DESIGN

ENGINEERS SURVEYORS

422 Beecher Road
Gahanna, Ohio 43230
ph 614.428.7750
fax 614.428.7755

**Parcel Description for 4.2 Acres
North Side of Techcenter Drive
East of Morrison Road**

Situated in the State of Ohio, County of Franklin, City of Gahanna, Quarter Township 3, Township 1, Range 16, United States Military District and being part of Parcels 1 and 2 as shown in the deed to Value Recovery Group II, LLC of record in Instrument Number 200712200217547, said parcel being all of Lot 3 of "Techcenter Drive Extension and Greenspace Dedication Plat" as recorded in Plat Book 112, Page 79 and described as follows:

Beginning at the southeast corner of said Lot 3, the same being the southwest corner of Reserve C of said "Techcenter Drive Extension and Greenspace Dedication Plat", in the north right-of-way line for Techcenter Drive;

Thence with the perimeter of said Lot 3, the following courses;

N 57° 16' 51" W, 84.67 feet to a point of curvature;

with a curve to the left, having a central angle of 23° 56' 31" and a radius of 530.00 feet, a chord bearing and chord distance of N 69° 15' 07" W, 219.86 feet to the southwest corner thereof;

N 02° 56' 42" E, 374.23 feet to the northwest corner thereof;

S 85° 55' 13" E, 465.46 feet to the northeast corner thereof;

S 04° 12' 13" W, 275.26 feet;

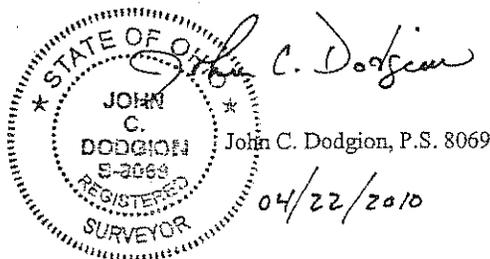
S 44° 30' 00" W, 266.06 feet to the **Point of Beginning**. Containing 4.2 acres, more or less.

Subject, however, to all legal highways, easements, and restrictions. The above description was prepared by Advanced Civil Design, Inc. on 28, October 2009 and is based on existing records and is not a boundary survey per Ohio Administrative Code Chapter 4733-37.

Bearings are based on the Ohio State Plane Coordinate System, NAD83 South Zone (1986 Adj.).

All references used in this description can be found at the Recorder's Office, Franklin County, Ohio.

ADVANCED CIVIL DESIGN, INC.



Gahanna Realty, LLC
 I.N. 200010300219232
 16.698 Ac.

Mertex Properties, LLC
 I.N. 200608310173351
 7.752 Ac.

Reserve C
 7.794 Ac.

City of Gahanna
 I.N. 20091120163181

Techcenter Drive Extension and
 Greenspace Dedication Plat
 P.B. 112, Pg. 79

Value Recovery Group II, LLC
 I.N. 200712200217547
 Orig. 5.008 Ac. ~ Parcel 2

4.2 Ac.
 4.2 Ac. of 4.2 Ac.
 PARCEL 025-013632-00

Lot 3
 4.228 Ac.

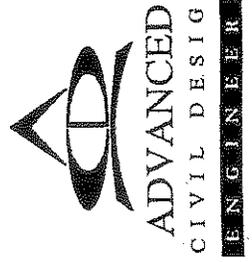
Value Recovery Group II, LLC
 I.N. 200712200217547
 Orig. 11.814 Ac. ~ Parcel 3

Lot 2
 6.914 Ac.



04/22/2010
 Rev.: 04/21/2010
 JOHN C. DODSON
 10111 C. Dodglen, P.O. 8069

DRAWN BY: JCD	JOB NO.: 08-0006-188
DATE: 10/28/2009	CHECKED BY: DRH



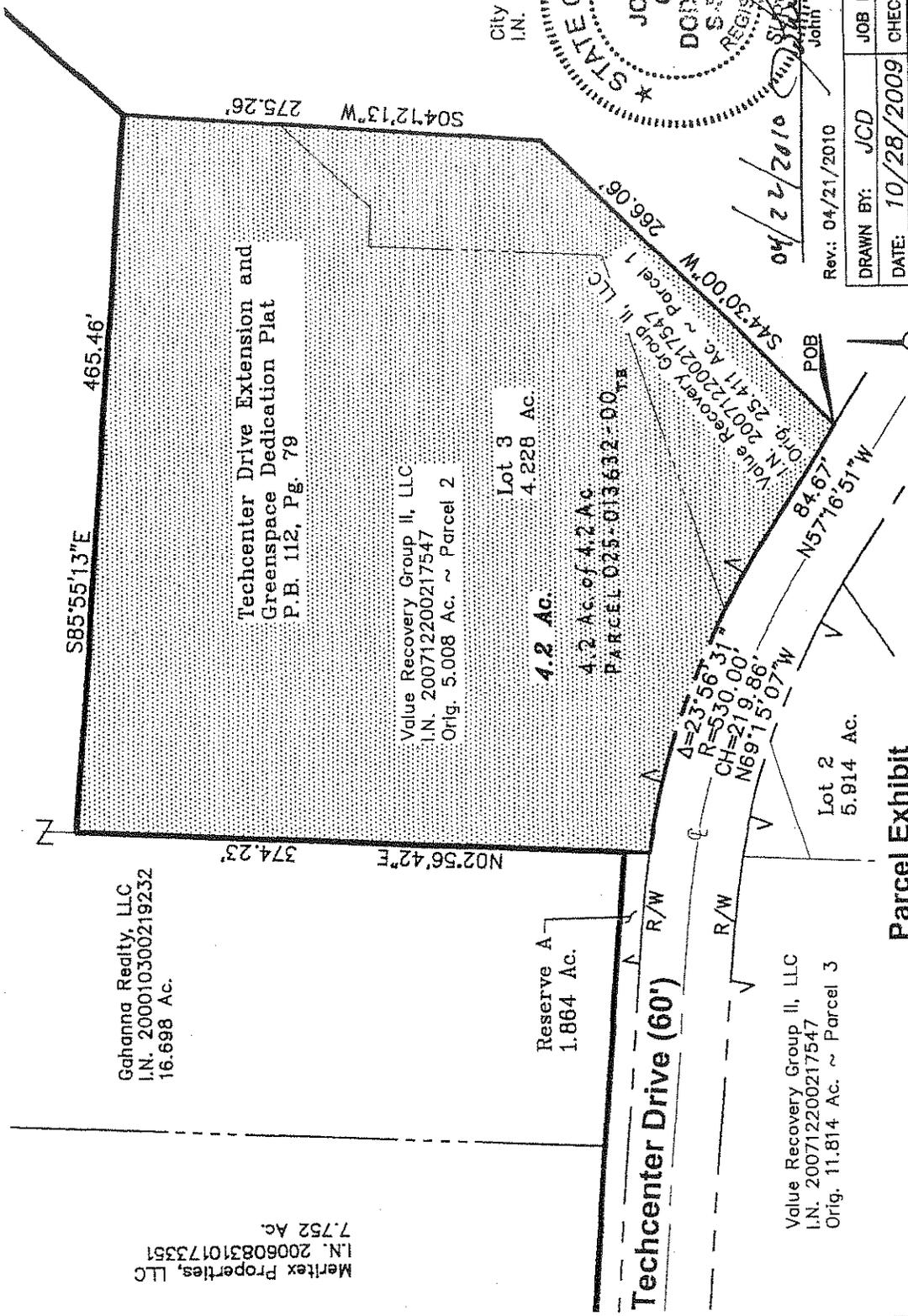
422 Beecher Road
 Gahanna, Ohio 43230
 ph 614.428.7750
 fax 614.428.7755

Parcel Exhibit

Quarter Township 3, Township 1, Range 16, United States Military District
 City of Gahanna, Franklin County, Ohio

Bearings are based on the Ohio
 State Plane Coordinate System,
 NAD83 South Zone (1986 Adj.).

This is not a boundary survey per
 Ohio Administrative Code Chapter
 4733-37.



**Parcel Description for 5.6 Acres
North Side of Techcenter Drive
East of Morrison Road**

Situated in the State of Ohio, County of Franklin, City of Gahanna, Quarter Township 3, Township 1, Range 16, United States Military District and being part of Parcel 1 as shown in the deed to Value Recovery Group II, LLC of record in Instrument Number 200712200217547, said parcel being part of Lot 5 of "Techcenter Drive Extension and Greenspace Dedication Plat" as recorded in Plat Book 112, Page 79 and described as follows:

Beginning at a southwest corner of said Lot 5, the same being the southeast corner of Reserve C of said "Techcenter Drive Extension and Greenspace Dedication Plat", in the north right-of-way for Techcenter Drive;

Thence along the west perimeter of said Lot 5, the following courses;

N 42° 59' 35" E, 204.47 feet;

N 20° 09' 39" E, 147.53 feet;

N 70° 07' 18" E, 140.20 feet;

N 08° 43' 09" E, 82.87 feet;

S 69° 19' 48" W, 137.71 feet;

N 04° 12' 12" W, 127.66 feet;

N 22° 21' 28" E, 171.55 feet;

N 57° 58' 43" E, 340.85 feet;

S 67° 35' 11" E, 11.91 feet to an east line of said Parcel 1;

Thence S 04° 14' 39" W, with an east line of said Parcel 1, 720.50 feet to a corner thereof, in said north right-of-way line;

Thence with said north right-of-way line, the following courses;

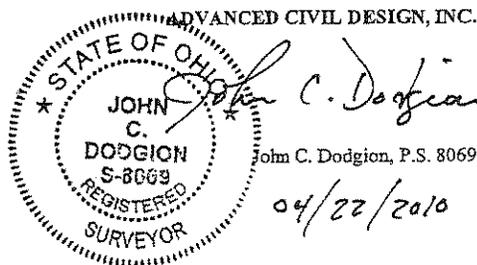
S 62° 23' 23" W, 216.28 feet to a point of curvature;

with a curve to the right, having a central angle of 50° 43' 44" and a radius of 370.00 feet, a chord bearing and chord distance of S 87° 45' 15" W, 317.00 feet to the Point of Beginning. Containing 5.6 acres, more or less.

Subject, however, to all legal highways, easements, and restrictions. The above description was prepared by Advanced Civil Design, Inc. on 28, October 2009 and is based on existing records and is not a boundary survey per Ohio Administrative Code Chapter 4733-37.

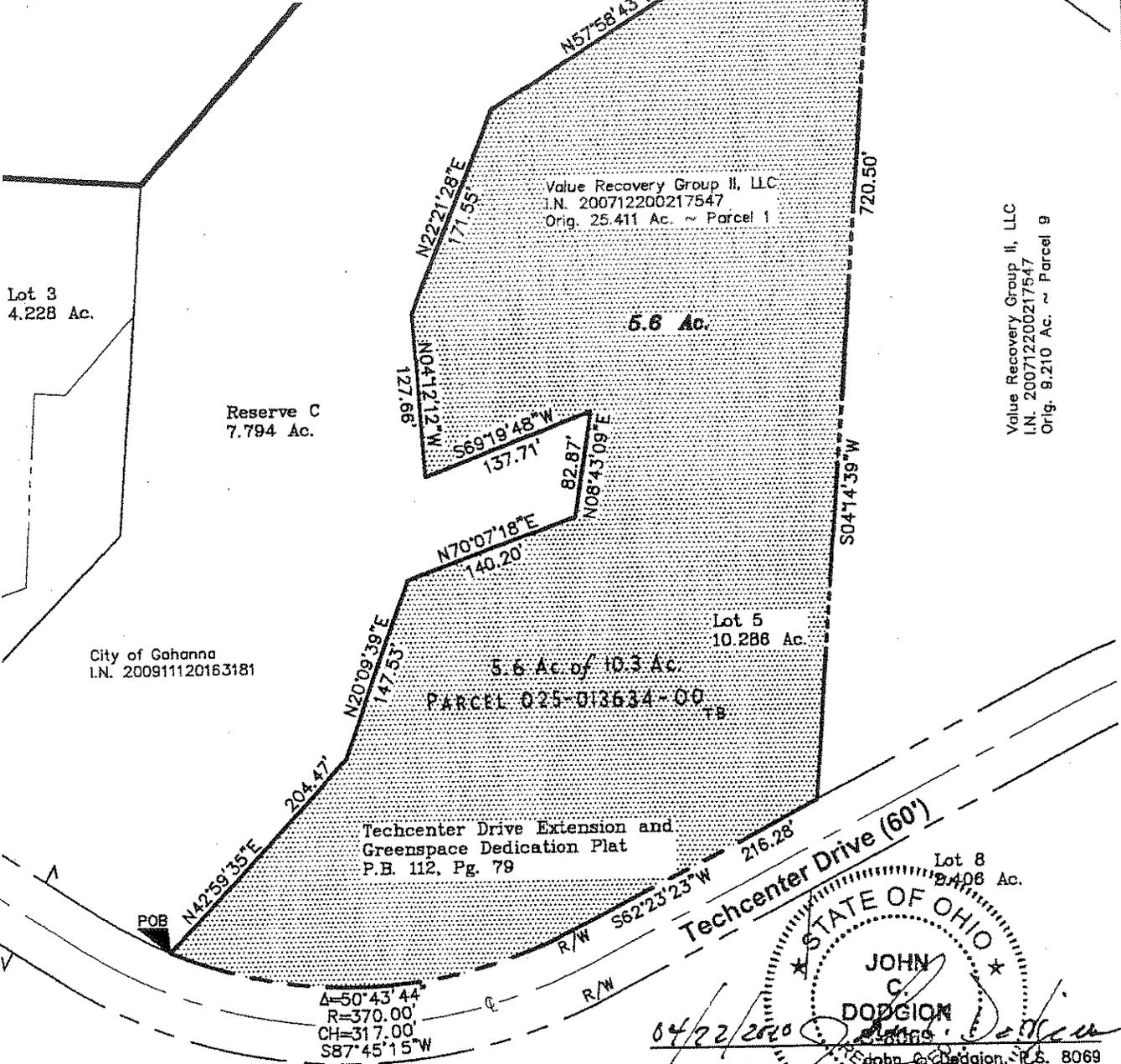
Bearings are based on the Ohio State Plane Coordinate System, NAD83 South Zone (1986 Adj.).

All references used in this description can be found at the Recorder's Office, Franklin County, Ohio.



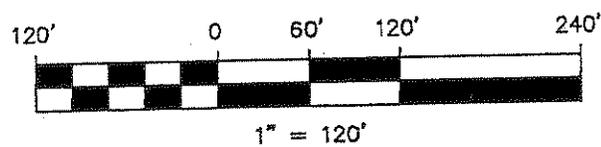
Bearings are based on the Ohio State Plane
Coordinate System, NAD83 South Zone (1986 Adj.).

This is not a boundary survey per
Ohio Administrative Code Chapter 4733-37.



Parcel Exhibit

Quarter Township 3, Township 1, Range 16,
United States Military District
City of Gahanna, Franklin County, Ohio



04/22/2010

STATE OF OHIO

JOHN C. DODGION

Surveyor

John C. Dodgion, P.E. 8069

Rev.: 04/21/2010

DRAWN BY: JCD	SURVNO: 08-0006-188
DATE: 10/28/2009	CHECKED BY: DRH

**ADVANCED
CIVIL DESIGN**

ENGINEERS SURVEYORS

422 Beecher Road
Gahanna, Ohio 43230
ph 614.428.7750
fax 614.428.7755

**Parcel Description for 0.4 Acre
South Side of Techcenter Drive
East of Morrison Road**

Situated in the State of Ohio, County of Franklin, City of Gahanna, Quarter Township 3, Township 1, Range 16, United States Military District and being part of Parcels 1 and 2 as shown in the deed to Value Recovery Group II, LLC of record in Instrument Number 200712200217547, said parcels being part of Lot 2 of "Techcenter Drive Extension and Greenspace Dedication Plat" as recorded in Plat Book 112, Page 79 and described as follows:

Beginning at the northeast corner of said Lot 2, the same being the northwest corner of Reserve B of said "Techcenter Drive Extension and Greenspace Dedication Plat", in the south right-of-way line for Techcenter Drive;

Thence S 55° 15' 38" W, with an east line of said Lot 2, 226.87 feet to a west line of said Parcel 1;

Thence N 02° 56' 42" E, across said Lot 2 with a west line of said Parcels 1 and 2, 197.63 feet to said south right-of-way line;

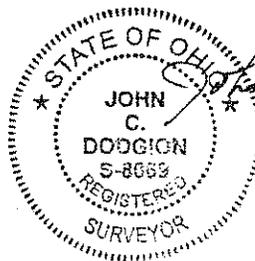
Thence along said south right-of-way line, being a curve to the right, having a central angle of 23° 11' 40" and a radius of 470.00 feet, a chord bearing and chord distance of S 68° 52' 41" E, 188.97 feet to the **Point of Beginning**. Containing 0.4 acre, more or less.

Subject, however, to all legal highways, easements, and restrictions. The above description was prepared by Advanced Civil Design, Inc. on 28, October 2009 and is based on existing records and is not a boundary survey per Ohio Administrative Code Chapter 4733-37.

Bearings are based on the Ohio State Plane Coordinate System, NAD83 South Zone (1986 Adj.).

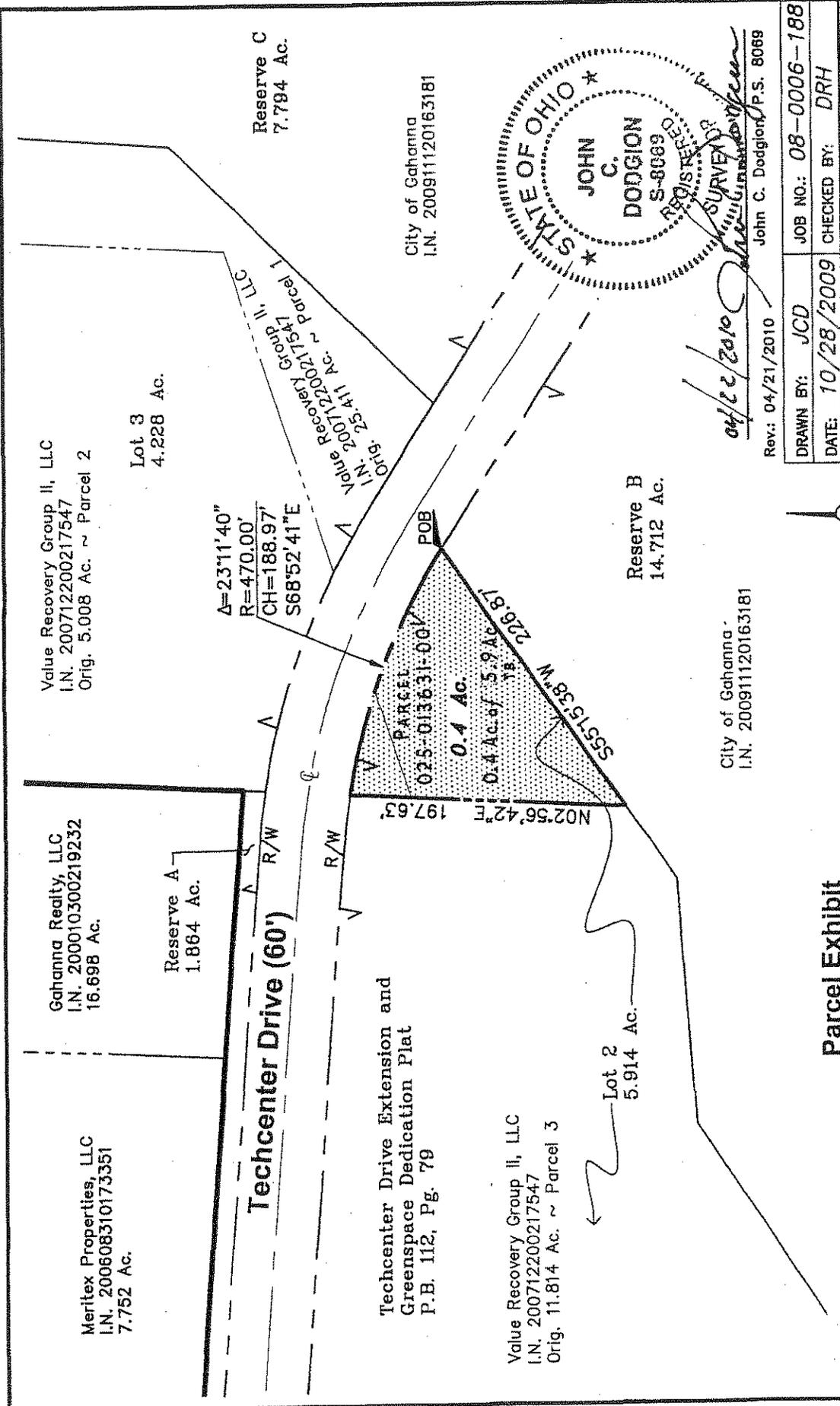
All references used in this description can be found at the Recorder's Office, Franklin County, Ohio.

ADVANCED CIVIL DESIGN, INC.



John C. Dodgion, P.S. 8069

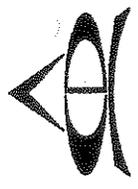
04/22/2010



STATE OF OHIO
 JOHN C. DODGION
 S-8089
 REGISTERED SURVEYOR

04/22/2010
 John C. Dodgion, P.S. 8089

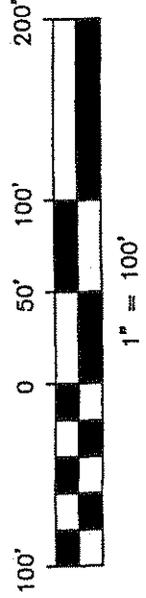
Rev.: 04/21/2010
 DRAWN BY: JCD
 DATE: 10/28/2009
 JOB NO.: 08-0006-188
 CHECKED BY: DRH



ADVANCED
 CIVIL DESIGN

ENGINEERS SURVEYORS

422 Beecher Road
 Gahanna, Ohio 43230
 ph 614.428.7750
 fax 614.428.7755



Parcel Exhibit

Quarter Township 3, Township 1, Range 16, United States Military District
 City of Gahanna, Franklin County, Ohio

Bearings are based on the Ohio
 State Plane Coordinate System,
 NAD83 South Zone (1986 Adj.).

This is not a boundary survey per
 Ohio Administrative Code Chapter
 4733-37.

Value Recovery Group II, LLC
 I.N. 200712200217547
 Orig. 5.008 Ac. ~ Parcel 2

Lot 3
 4.228 Ac.

$\Delta=2311'40''$
 $R=470.00'$
 $CH=188.97'$
 $S68^{\circ}52'41''E$

Techcenter Drive Extension and
 Greenspace Dedication Plat
 P.B. 112, Pg. 79

Value Recovery Group II, LLC
 I.N. 200712200217547
 Orig. 11.814 Ac. ~ Parcel 3

Lot 2
 5.914 Ac.

Reserve B
 14.712 Ac.

City of Gahanna
 I.N. 20091120163181

City of Gahanna
 I.N. 20091120163181

Value Recovery Group II, LLC
 I.N. 200712200217547
 Orig. 25.411 Ac. ~ Parcel 1

Reserve C
 7.794 Ac.

Gahanna Realty, LLC
 I.N. 200010300219232
 16.698 Ac.

Reserve A
 1.864 Ac.

Techcenter Drive (60')

R/W

N02°56'42"E
 197.63'

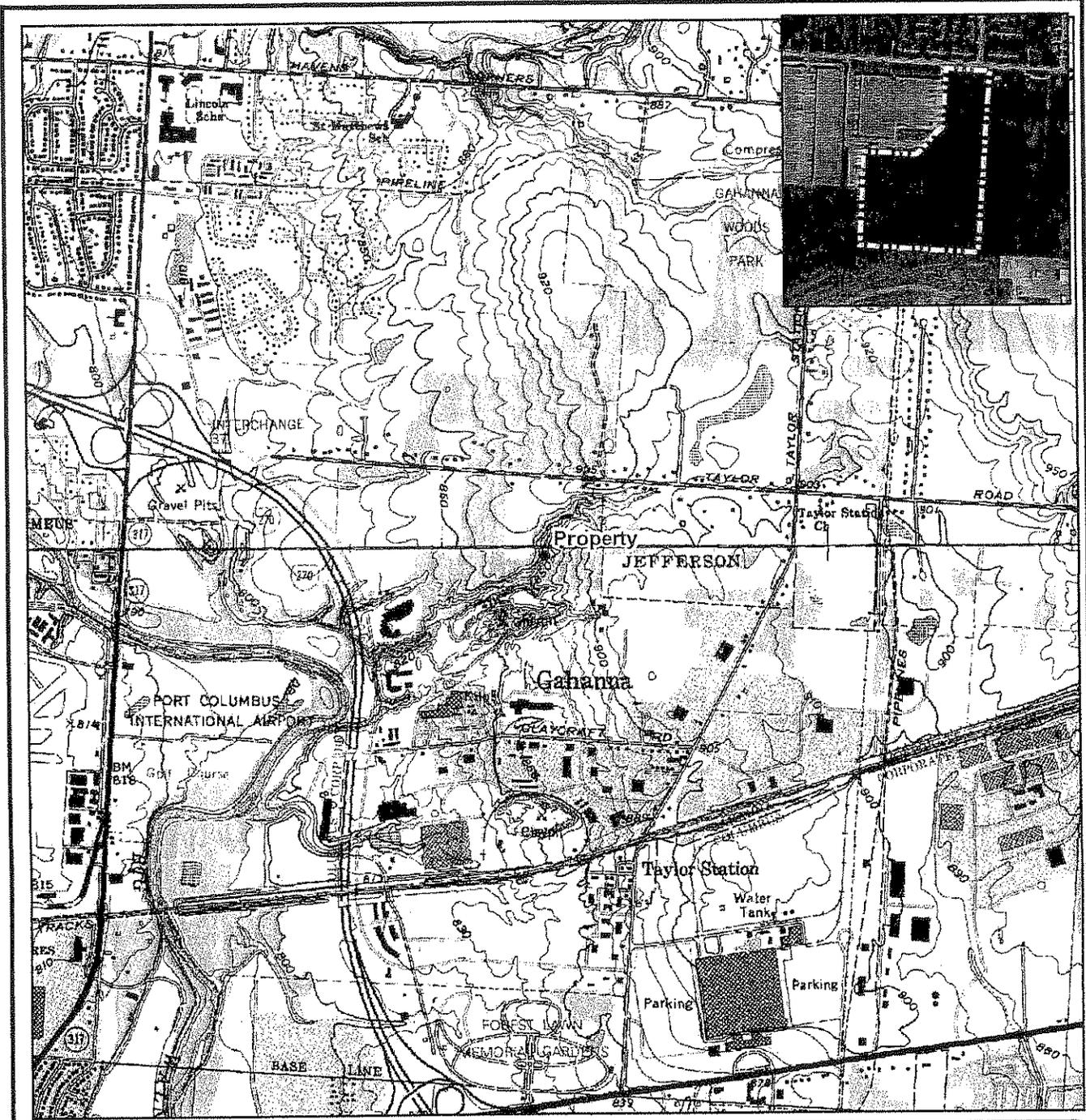
PARCEL
 025-013631-007
 0.4 Ac.

0.4 Ac. of 5.914 Ac.

5535138'W
 228.87'

POB

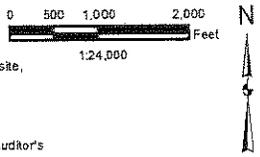
Exhibit 2
Property Location Map



Legend
 ● Property Location

Source: The topographic map was obtained from the Terrserver website, <http://terrserver-usa.net>. Quadrangle names: Reynoldsburg, Ohio, published in 1983 and photo revised 1985; New Albany, Ohio, published in 1980 and photorevised in 1983.

The aerial photo in the inset was acquired from the Franklin County Auditor's Office. Aerial photography dated 2007.



Hull
 & associates, inc.
 6397 Emerald Parkway
 Suite #200
 Dublin, Ohio 43016
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Phone: (614) 793-8777
 Fax: (614) 793-9070
 www.hullinc.com

No Further Action Letter - Executive Summary
 25.69-Acre Undeveloped Property

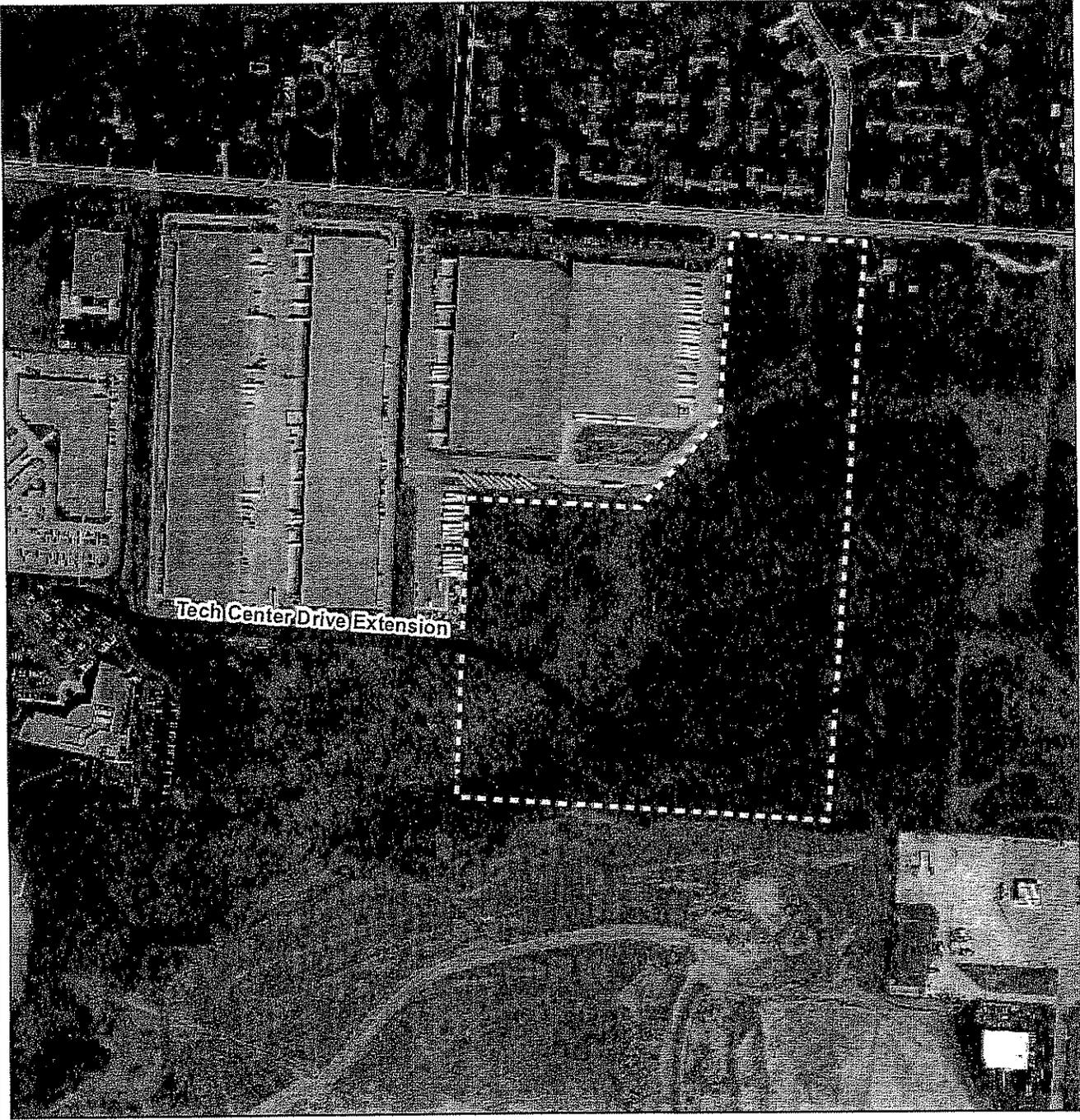
Property Location Map

5799 Taylor Road
 City of Gahanna, Franklin County, Ohio

Date:
 April 2010

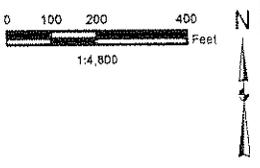
Project Number: PSM002_01.ENV
 Geodatabase: PSM001.mdb
 File Name:
 PSM001_04_Fig01_PropLocMap.mxd

Figure
 1



Quadrangle Location

- Legend**
- Tech Center Drive Expansion
 - Surface Water Bodies**
 - Main on-Property Stream
 - Tributary to Main Stream
 - Stormwater Outfall
 - Approximate Property Boundary



Hull
 & associates, inc.
 6397 Emerald Parkway
 Suite #200
 Dublin, Ohio 43016
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 Fax: (614) 793-9070
 www.hullinc.com

No Further Action Letter - Executive Summary
 25.69-Acre Undeveloped Property

Property Layout Map (2007 Aerial View)

5799 Taylor Road
 City of Gahanna, Franklin County, Ohio

Date: April 2010

Project Number: PSM001
 Geodatabase: PSM002.mdb
 File Name: PSM002_04_Fig02a_CurrLayout.mxd

Figure
2

Produced using ArcGIS 9.3

Exhibit 3
Executive Summary

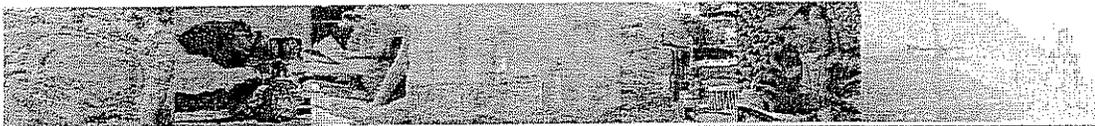
**SECTION B
EXECUTIVE SUMMARY
NO FURTHER ACTION LETTER**

FOR THE:
25.69-ACRE UNDEVELOPED PROPERTY
5799 TAYLOR ROAD
GAHANNA, OHIO 43230

PREPARED FOR VOLUNTEER:
VALUE RECOVERY GROUP II, LLC
919 OLD HENDERSON ROAD
COLUMBUS, OHIO 43220

PREPARED BY:
STEVEN M. GROSS
CERTIFIED PROFESSIONAL #192
(614) 793-8777

MAY 2010 (JULY 2009)



engineers | geologists | scientists | planners

Hull
& associates, inc.

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2.2 Phase II Property Assessments.....	5
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2.2.2 Groundwater Investigation and Findings.....	6
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Figure 2	Property Layout Map (2007 Aerial View)

1.0 INTRODUCTION

This document has been prepared to meet the requirements of the Ohio EPA Voluntary Action Program (VAP) for submitting a summary of the No Further Action (NFA) Letter to the County Recorder's Office, as cited in the Ohio Administrative Code (OAC) 3745-300-13(K). The NFA letter was submitted to the Ohio Environmental Protection Agency (Ohio EPA), Division of Emergency and Remedial Response (DERR) Voluntary Action Program (VAP) by Mr. Steven M. Gross, Hull & Associates Inc., Certified Professional 192, as authorized by the Co-Volunteers, Value Recovery Group II, LLC (VRG II) and the City of Gahanna. A copy of the full NFA letter with attachments is available at the offices of Value Recovery Group II, LLC, 919 Old Henderson Road, Columbus, Ohio, through contacting Mr. James Sisto at (614) 324-5959 or at the Ohio EPA Central Office located at 50 West Town Street, Suite 700, Columbus, Ohio, in accordance with the filing requirements of OAC 3745-300-13(K).

This NFA letter involves the Property known as the 25.69-Acre Undeveloped Property, located at 5799 Taylor Road in the City of Gahanna, Ohio (Property). The Property consists of two full parcels (025-013632-00 and 025-013633-00) and five partial parcels (025-013631-00, 025-013634-00, 025-013641-00, 025-013642-00, and Techcenter Drive). As mentioned within the 2008 Phase I Property Assessment Update and Phase II Property Assessment, Addendum 1.0, the acreage used in the June 2005 Phase I and Phase II Property Assessments was incorrectly stated as 26.38 acres. This information was based off deed records and data from the Franklin County Auditor. However, the VAP Property, as shown within the NFA Letter and Addendum No. 1, is 25.69 acres. Hull believes this discrepancy to be attributed to a sanitary sewer easement owned by the City of Gahanna incorrectly added twice to the surveyed acreage of the Property. The Property has historically been undeveloped with the exception of a residence and small outbuildings formerly located in the northwest corner of the Property. The Auditor's Office has records of Property ownership back to 1920. It appears that until the year 2000 the Property consisted of a single parcel, 025-004245. Parcel 025-012128 was apparently created from parcel 025-004245 in September 2000. In October 2009 the Property was split into the seven full and partial parcels as part of a land transfer. VRG II is listed as the current owner of 13.2 acres and the City of Gahanna of 12.5 acres. According to the Auditor's records, VRG II acquired both parcels from the Central Ohio Community Improvement Corporation (COCIC) in December 2007. Prior owners of the Property include the COCIC (September 2005 to December 2007), the City of Gahanna (December 2000 to September 2005), Lynn and Kanwal Singh (January 2000 through December 2000), T&S Industrial (March 1989 through January 2000), Lewis Lee Murphy (January 1922 through March 1989) and Otto Reisberg (prior to January 1922). The Property is designated for residential/unrestricted use, in accordance with the Ohio EPA VAP definitions cited in OAC 3745-300-08(C)(2)(c)(i). A copy of the survey and legal description for the Property is provided in the NFA Letter and Addendum No. 1. The Property location within the City of Gahanna is shown on Figure 1. The Property layout, (Figure 2) is based on an aerial photo from 2007 and shows the current Property layout.

This NFA Letter has been prepared after completion of investigative activities at the Property. Investigations at the Property included completion of the June 2005 Phase I Property Assessment, the June 2005 Phase II Property Assessment, the November 2008 Phase I Property Assessment Update, the June 2009 Phase II Property Assessment - Addendum 1.0, the June 2009 VAP Update to Phase I Property Assessment, and NFA Letter Addendum 1. No remedial, demolition or construction activities were warranted on the Property.

The voluntary action commenced at the Property in May 2005 and was completed with preparation of this NFA Letter in November 2008. An Addendum to the NFA Letter was

completed in April 2010. The appropriate NFA checklists have been completed in support of this NFA Letter and are included in this volume following the introduction and summary of the voluntary action.

The NFA letter consists of the following volumes and documents:

- Volume I NFA Executive Summary and Filing Document with NFA Forms;
 - Volume II June 2005 Phase I Property Assessment and June 2005 Phase II Property Assessment;
 - Volume III November 2008 Phase I Property Assessment Update, June 2009 Phase II Property Assessment, Addendum 1.0 and June 2009 VAP Update to Phase I Property Assessment, and
- Addendum No. 1 Response to Ohio EPA's Request for Additional Clarification for the No Further Action Letter (09NFA370) for the Taylor Road Property at 5799 Taylor Road in Gahanna, Ohio.

2.0 SUMMARY OF NO FURTHER ACTION LETTER

The Certified Professional, Steven M. Gross, of Hull & Associates, Inc. (Hull), prepared a NFA Letter for the Property based upon the results of the Phase I and Phase II Property Assessments. The current and future land use for the Property is residential and/or commercial/industrial. The following documents were reviewed by the Certified Professional to support the NFA Letter:

1. Phase I Property Assessment for the 26.38-Acre Undeveloped Property, 5799 Taylor Road, Gahanna, Ohio, June 2005, Hull Document No. VRG001.300.0004;
2. Phase II Property Assessment of the 26.38-Acre Undeveloped Property, 5799 Taylor Road, Gahanna, Ohio, June 2005, Hull Document No. VRG002.300.0008;
3. Phase I Property Assessment Update for the 25.69-Acre Undeveloped Property (Franklin County Auditor's Parcel Numbers 025-004245 and 025-012128), 5799 Taylor Road, Gahanna, Ohio, November 2008, Hull Document No. PSM001.300.0039;
4. Phase II Property Assessment, Addendum 1.0 for the 25.69-Acre Undeveloped Property (Franklin County Auditor's Parcel Numbers 025-004245 and 025-012128), 5799 Taylor Road, Gahanna, Ohio, November 2008, Hull Document No. PSM001.300.0040;
5. VAP Update to Phase I Property Assessment for the 25.69-Acre Undeveloped Property (Franklin County Auditor's Parcel Numbers 025-004245 and 025-012128), 5799 Taylor Road, Gahanna, Ohio, June 2009, Hull Document No. PSM001.300.0078; and
6. Addendum 1 - Response to Ohio EPA's Request for Additional Clarification for the No Further Action Letter (09NFA370), Hull Document No.; PSM002.300.0024.

The chronology of activities associated with completion of the NFA Letter for the 25.69-Acre Undeveloped Property is summarized below in Table 1.

Table 1. Chronology of Assessment Activities, 5799 Taylor Road in Gahanna, Ohio

Activity	Date
Completion of Phase I Property Assessment and reconnaissance activities	May through June 2005
Completion of 2005 Phase II Property Assessment and field activities	May through June 2005
Submittal of application for the Clean Ohio Revitalization Fund (CORF) to the Ohio EPA and DOD	June 2005
Completion of Phase I Update activities	September through November 2008
Completion of Phase II Activities	October through November 2008
Completion of Phase I Property Assessment Update	November 2008
Completion of Phase II Property Assessment Addendum 1.0, for the Former Columbus Tile Yard Property	June 2009
Preparation of NFA Letter, Addendum No. 1 "Response to Ohio EPA's Request for Additional Clarification for NFA Letter (08NFA321)" for the Former Columbus Tile Yard Property	May 2009
Preparation of NFA Letter, Addendum No. 2 "Response to Ohio EPA's Request for Additional Clarification for NFA Letter (08NFA321)" for the Former Columbus Tile Yard Property	June 2009
Completion of Phase II Property Assessment, Addendum 1.0	June 2009
Completion of VAP Update to Phase I Property Assessment	June 2009
Preparation of NFA Letter for submittal to Ohio EPA	July 2009
Preparation of Addendum 1 - NFA Letter Response to Ohio EPA's Request for Additional Clarification for the NFA Letter (09NFA370)	April 2010

2.1 Phase I Property Assessment

The purpose of the Phase I Property Assessment was to determine if it was reasonable to suspect that releases had occurred on the Property, to determine relevant identified areas, and to select potential chemicals of concern (COCs). The initial Phase I Property Assessment was conducted between May and June 2005. The second and final Phase I Property Assessment Update was completed in June 2009. These assessments were completed by Mr. Jason Wooten, Scientist, Ms. Michele Holtom, P.E., Engineer, Mr. Chase Forman, Hydrogeologist, Mr. Hugh Crowell, P.W.S., Senior Scientist, Mr. Rob Corzatt, Senior Project Manager, and Mr. Steven M. Gross, Senior Project Manager. Mr. Gross also provided project direction and peer review as the Certified Professional. The June 2005 Phase I Property Assessment completed in support of the NFA Letter is included in Volume II of the NFA Letter. The November 2008 and June 2009 Phase I Property Assessment Update reports are included in Volume III.

Each assessment was conducted pursuant to the requirements of a Phase I Property Assessment as codified in OAC 3745-300-06. The assessments included the following:

1. a determination of eligibility for entry into the VAP;
2. a review of historic and current uses of the Property and surrounding properties;
3. an environmental history review;
4. a review of the history of hazardous substances or petroleum releases;
5. a Property reconnaissance;
6. interviews with key personnel knowledgeable in the past operations and environmental conditions; and
7. determination of "identified areas" as defined in OAC 3745-300-06(E).

The Property is located at 5799 Taylor Road in the City of Gahanna, Franklin County, Ohio. The entirety of the Property is owned by the Co-Volunteers, VRG II and the City of Gahanna. The total surveyed area comprising the Property equals 25.69 acres.

The Property is generally bound by Taylor Road to the north with residential properties north of Taylor Road, a residence and undeveloped property to the east, the former Bedford I Landfill to the south and commercial/industrial warehouse properties to the west.

At the time of the original Phase I Property Assessment in June 2005, the City of Gahanna owned the entire Property. During the updated November 2008 and June 2009 assessments, Property conditions were similar to those observed during the original Phase I report, with the exception of the Techcenter Drive extension, which was completed in the southern portion of the Property in October 2008.

Based on information collected during the June 2005 Phase I Property Assessment, one (1) Identified Area was determined. The Identified Area and associated chemicals of concern (COCs) are listed below:

Identified Area 1 Due to the possibility of releases from the waste emplaced in the former landfill to the south, the southern Property line that is contiguous with the former Bedford landfill has been designated as an Identified Area.

Following the completion of the November 2008 Phase I Property Assessment Update, an additional Identified Area was designated for the Property and is shown below:

Identified Area 2 The location of four empty steel drums identified at three areas on the Property. The locations of these empty drums were identified as a potential concern based on the unknown origin and contents of the four empty drums. Drum 1 is located in the southeast corner of the Property, Drum 2 is in the central portion of the Property and Drums 3 and 4 are located in the northeast corner of the Property.

On the basis of the selection of these identified areas, Phase II Property Assessment tasks were recommended. The locations of the Identified Areas are shown on Figures included in the

NFA Letter and Addendum No. 1. The COCs associated with the Identified Areas included one or more of the following general classes of chemicals;

1. Volatile Organic Compounds (VOCs) analyzed in accordance with U.S. EPA Method 8260;
2. Semi-volatile organic compounds (SVOCs) analyzed in accordance with U.S. EPA Method 8270;
3. Total Petroleum Hydrocarbons (TPH) - diesel range organics (TPH-DRO) analyzed in accordance with U.S. EPA Method 8015M;
4. TPH - gasoline range organics (TPH-GRO) analyzed in accordance with U.S. EPA Method 8015M; and
5. VAP Metals analyzed in accordance with U.S. EPA Methods 6010 and 7471.

The results of the Phase II assessment activities are summarized below in Section 2.2.

2.2 Phase II Property Assessments

The Phase II Property Assessment process was initiated by Hull in May 2005, concurrent with the Phase I investigation, to evaluate the presence of potential source areas in Identified Area 1 (IA-1). Additional Phase II Property Assessment activities were initiated in October 2008 during completion of a Phase I Property Assessment Update. Based on the results of the Update, an additional Identified Area (IA-2) was designated on the Property. Seven additional soil borings, an excavation and three confirmatory samples were installed to investigate IA-2, locations of empty drums of unknown origin. The Phase II assessments were completed by Mr. Jason Wooten, Scientist, Mr. Chase Forman, Hydrogeologist, Mr. Tim Brown, Project Hydrogeologist, Ms. Monica Williamson, Project Scientist, Mr. Rob Corzatt, Senior Project Manager and Mr. Steven M. Gross, Senior Project Manager and VAP Certified Professional, (CP #192).

2.2.1 Soil Investigation and Findings

The May and June 2005 field assessment included the following activities:

1. installation and sampling of 4 hand auger soil borings, three within the extent of IA-1 and the fourth on the adjacent landfill property to the south;
2. collection and chemical analyses of selected soil samples; and
3. determination of complete exposure pathways.

Following the completion of the May and June 2005 Phase II field assessment activities, the City of Gahanna applied to the Ohio Department of Development (ODOD) for funding through the Clean Ohio Revitalization Fund (CORF). The application process was completed for the then documented 26.38-acre Undeveloped Property (later changed to 25.69-Acre Undeveloped Property), the adjacent 84-acre Bedford I Landfill to the south and the 23-acre former Columbus Tile Yard Property south of the former landfill.

Based on the near completion of landfill closure activities to the south, Hull completed a Phase I Property Assessment Update for the Property in November 2008. During the completion of this report, Hull identified four separate empty drums of unknown origin. Based on

recommendations from the Client and Volunteer, Hull completed drum removal and additional assessment activities on the Property in October and November 2008.

Final Phase II assessment activities completed between October and November 2008 included:

1. installation of 7 additional hand auger soil borings (SB-5NP through SB-11NP) in the areas of Drums 2, 3 and 4;
2. excavation and confirmatory sampling (DRUM1, EDRUM1, and WDRUM1) around Drum 1;
3. chemical analysis of selected soil samples from SB-5NP through SB-11NP;
4. removal of each of the four rusted drums;
5. replacement of soils into the aforementioned excavation following analysis of confirmatory sampling data; and
6. determination of complete exposure pathways.

Additional environmental investigation activities to the former Columbus Tile Yard property were completed in March through May 2009 to address Ohio EPA's letter request for additional clarification dated February 24, 2009. Among other activities completed, Hull installed twenty (20) soil borings located on the east side of the VAP Property and analyzed for arsenic for the purpose of calculating an arsenic background concentration. Location of background samples are shown on Figures included in the NFA Letter and Addendum No. 1 (i.e., BKG-1 through BKG-10).

Soil boring locations completed during the Phase II sampling activities are presented on Figures included in the NFA Letter and Addendum No. 1. The analytical data collected during the Phase II assessment activities are summarized in the NFA Letter Addendum No. 1 and in Tables 2 through 5 of the Phase 2 Property Assessment documents and revised tables included in the April 2010 Addendum to the NFA Letter 09NFA370. Soil data was compared to generic direct contact standards (GDCS) for the resident, commercial/industrial worker and the construction/excavation worker. None of the COCs detected above method detection limits were found to exceed the GDCS.

In response to Ohio EPA's March 1, 2010 comment letter to the July 2009 NFA Letter and request for a Covenant Not to Sue (CNS), three additional hand auger borings were completed at SB-7NPC, SB-9NPC, and EDRUM1C. Soil samples were collected from these locations and analyzed for methylene chloride to further determine if methylene chloride was an issue at the Property. Data collected from these borings determined that no further assessment was necessary to evaluation of exposure pathways including soil direct contact, soil to indoor air exposure pathways and leaching to groundwater in accordance with the applicable provisions of OAC 3745-300-07(F).

2.2.2 Groundwater Investigation and Findings

Groundwater was not encountered in the unconsolidated materials at the Property with the exception of perched water encountered at soil borings SB-5NP, SB-6NP and SB-7NP located immediately adjacent to the stream. It was presumed that groundwater was present in the shale bedrock underlying the Property. Monitoring wells were not installed during the Phase II

Property Assessments. It was determined in the Phase II Property Assessment, Addendum 1.0 that the provisions for the protection of groundwater meeting unrestricted potable use standards (POGWMUPUS) apply to the bedrock aquifer at the Property, in accordance with Paragraph (F)(2) of Rule 3745-300-07 of the OAC. Additionally, the Phase II Property Assessment also illustrated that potential analyzed COCs in the soils at the Property do not exceed leaching values that would cause an exceedance of the unrestricted potable use standards in the bedrock aquifer, in accordance with Paragraph (F)(3) of Rule 3745-300-07 of the OAC. Thus, the groundwater in the bedrock aquifer has not likely been impacted by potential releases of hazardous substances or petroleum at the Property.

As shown in the October 2008, Phase II Property Assessment Addendum 1.0 (Hull Document #PSM001.300.0022), the May 7, 2009 Response to Ohio EPA's Request for Additional Clarification for No Further Action Letter, Addendum 1.0 (Hull Document #PSM001.300.0068) and June 30, 2009 Response to Ohio EPA's Request for Additional Clarification for No Further Action Letter, Addendum 2.0 (Hull Document #PSM001.300.0084) for the former Columbus Tile Yard property, no COCs in groundwater have been detected at levels above UPUS in monitoring wells in the shallow groundwater within close proximity or up-gradient of the Property, giving no evidence for a release to the Property. Also based on evidence documented the Phase II assessments and letters to EPA for the former Columbus Tile Yard property the lower Saturated zone encountered in the Ohio Shale does not meet the definition of groundwater as codified under Rule 3745-300-01(A)(58) of the OAC.

2.2.3 Surface Water and Sediments Investigations and Findings

Surface water and sediments were found on the Property in and along the tributary to Big Walnut Creek that traverses the Property from northeast to southwest. However, based on the updated Property reconnaissance and the soil samples collected on the Property, it is not anticipated that a release of petroleum or hazardous substances has occurred on the Property. Therefore, a release to each of these media is unlikely and was not evaluated.

2.2.4 Exposure Pathway Assessment

The Site Conceptual Model included in the Phase II Property Assessment, Addendum 1.0 illustrated that there were complete exposure pathways to on-Property receptor populations. These exposure pathways included direct contact with surface soil by resident and commercial/industrial worker; and inhalation of particulate and volatile emissions from surface soil to outdoor air by the resident and commercial/industrial worker. Complete exposure pathways also included direct contact with surface and subsurface soils and inhalation of particulate and volatile emissions from surface and subsurface soils to outdoor air by construction and excavation workers. Surface soils are considered to be the upper two feet of soils at the Property, in accordance with the direct contact point of compliance for soils at Properties with institutional controls, described in Paragraph (I)(1)(a)(i)(b) of Rule 3745-300-07 of the OAC. Surface and subsurface soils are considered to be a depth of ten feet at the Property described in Paragraph (I)(1)(a)(i)(b) of Rule 3745-300-07 of the OAC. However, due to the shallow bedrock, the maximum soil sample depth was to refusal at five feet bgs. Direct contact with subsurface soils by construction and excavation workers is limited to those soils within the anticipated depth of excavation activity anticipated at the Property (assumed to be approximately 6 feet), in accordance with Paragraph (I)(1)(a)(i)(c) of Rule 3745-300-07 of the OAC. There were no complete exposure pathways with respect to groundwater underlying the Property based on the fact that groundwater was not encountered within the unconsolidated material above bedrock.

2.2.5 Summary of Phase II Findings

The Phase II Property Assessments indicated the following:

1. COCs were not detected in the soil within the zero to ten-foot point of compliance for the unrestricted residential land use at the Property in concentrations that exceed the single-chemical direct contact standards for residential land use;
2. COCs were not detected in the soil within the zero to two-foot point of compliance for commercial/industrial land use at the Property in concentrations that exceed the single-chemical direct contact standards for commercial or industrial land use. Additionally, no COCs were encountered within the two- to six-foot depth interval above the direct contact commercial/industrial standards;
3. COCs were not detected in the soil within the zero to six foot depth interval at the Property in concentrations that exceed the single-chemical direct contact standards for construction or excavation activities;
4. No unacceptable ELCR to the on-Property resident receptor population was identified. The maximum calculated ELCR of 8×10^{-6} does not exceed the acceptable limit of 1×10^{-5} . Not unacceptable non-cancer hazards to the on-Property Resident receptor population were identified, based on a maximum HI of 0.9, below the target of 1.0. This demonstration is adequate to show that there are also no unacceptable hazards or risks posed to the on-Property commercial/industrial worker receptor population and for any construction/excavation activities, based on duration and intensities of exposures; and
5. Residual concentrations of COCs (i.e., arsenic and thallium) in the unsaturated zone will not leach to groundwater in excess of the unrestricted potable use standards. A remedy will not be required to prevent leaching of COCs on the Property to groundwater in excess of the unrestricted potable use standards.

Compliance with applicable standards, as described above does not require a remedy for the Property.

A copy of the June 2005 Phase II Property Assessment is included in Volume II of the NFA Letter. The June 2009 Phase II Property Assessment, Addendum 1.0 is included in Volume III of the NFA Letter.

2.3 Determination of Applicable Standards

As addressed in the Phase II Property Assessment, the generic numerical direct contact soil standards for residential, commercial or industrial use and for construction or excavation activities were determined to be the applicable standards at the Property. The direct contact soil standards for residential land use are found in Paragraph (C)(3)(b) and (C)(3)(f) of Rule 3745-300-08 of the OAC. The direct contact soil standards for commercial or industrial land use are found in Paragraphs (C)(3)(c) and (C)(3)(f) of Rule 3745-300-08 of the OAC. The direct contact soil standards for construction or excavation activities are found in Paragraphs (C)(3)(d) and (C)(3)(f) of Rule 3745-300-08 of the OAC. The direct contact soil standards for residential land use, commercial or industrial land use, and for construction or excavation activities, are derived by a quantitative assessment of several exposure pathways: incidental soil ingestion, dermal contact with soil, and inhalation of particulate and volatile emissions from soil to outdoor

air. Thus, the generic numerical direct contact soil standards include an evaluation of all potentially significant complete exposure pathways identified on the Site Conceptual Model.

The point of compliance for residential direct contact soil standards at the Property is from surface to minimum depth of ten feet, as specified in Paragraph (I)(1)(a)(i)(a) of Rule 3745-300-07 of the OAC. The point of compliance for commercial or industrial direct contact soil standards at the Property is from the surface to a minimum depth of two feet, as specified in Paragraph (I)(1)(a)(i)(b) of Rule 3745-300-07 of the OAC. The point of compliance for construction or excavation direct contact soil standards is from the surface to a depth of six feet in accordance with Paragraph (I)(1)(a)(i)(c) of Rule 3745-300-07 of the OAC. The depth of six feet corresponds to the maximum depth reasonably anticipated for activities on the Property.

Groundwater was not encountered within the borings at the Property. Hull is assuming groundwater is located within the shale bedrock on the Property and has demonstrated through a weight-of-evidence that groundwater meets POGWMUPUS as described in Section 2.2.2. Sediments and surface waters were not evaluated on the property; therefore, applicable standards do not apply to these media.

2.4 Determination of Compliance with Applicable Standards

The findings of the Phase II Property Assessments for soils present on the Property indicated that no institutional controls were needed to demonstrate compliance with applicable standards. As discussed in Section 2.2.1, no soil exceedances were encountered on the Property. Therefore, no remediation was required at the Property. Groundwater was not encountered on the Property and therefore, was not investigated. Hull demonstrated within the Phase II Property Assessment, Addendum 1.0 that POGWMUPUS applied to the Property. There was no evidence that would suggest a release had occurred to the sediments and surface waters found on the Property. Therefore, these media were not evaluated.

2.4.1 Data Analysis

Soil data collected during the Phase II Property Assessments were compared to the generic numerical standards included in OAC 3745-300-08(C)(3) Tables I, II, III and IV. Groundwater was not encountered on the Property and, therefore, was not evaluated. There was no evidence to suggest a release had occurred to sediments and surface waters on the Property based on soil analytical results and the Property reconnaissance. Therefore, sediments and surface waters were not evaluated.

2.4.2 Compliance with Generic Numerical Standards

An evaluation was performed to identify areas at the Property that required remediation, based on a comparison to the standards described above. For soils, this evaluation included a comparison of analytical results within the zero-to-ten-foot depth interval (i.e., bedrock refusal) at each sample boring to the single chemical and cumulative generic direct contact soil standards for residential land use. Also, the zero-to-two-foot depth interval at each sample boring to the single chemical generic direct contact soil standards for commercial land use, and a comparison of analytical results within the 0 to 6-foot depth interval at each sample boring to the single chemical generic direct contact soil standards for construction or excavation activities. As mentioned above in Section 2.4, groundwater, sediments and surface waters were not sampled on the Property. Based on the findings of the Phase II Property Assessments, a Property-Specific Risk Assessment (PSRA) was not completed for the Property.

2.5 Remedial Activities

No remedial activities were deemed necessary at the Property based upon the findings of the Phase II Property Assessments.

No institutional or engineering controls are necessary at the Property to meet applicable standards for unrestricted property use.

2.6 Planned Operation and Maintenance Remedies

An Operation & Maintenance (O&M) Plan is not required for this Property because engineering controls have not been used to maintain applicable standards at the Property and no remedial activities were deemed necessary to ensure compliance with applicable standards.

2.7 Phase I Update

The Phase I Update was first completed in November 2008 and then updated again in June 2009 in accordance with OAC 3745-300-06(I)(3) from the original Phase I Property Assessment completed in June 2005. During completion of the November 2008 Phase I Update, very little change was seen at the Property during the updated reconnaissance, with exception of the construction of the Tech Center Drive expansion in the southern portion of the Property. The update was completed to determine whether there were still any Identified Areas at the Property. There was no need for any additional assessment activities at the Property based on the analytical data collected during the Phase II Property Assessments. All of the data collected was found to be below applicable standards. The remaining concentrations of COCs do not represent unacceptable risk for the planned and unrestricted land uses. Current environmental conditions require no active remediation in order for this Property to be developed as residential land. The Property meets all applicable standards that are protective of public health and safety and the environment. No further action is required.

The November 2008 Phase I Property Assessment Update and the June 2009 VAP Update to the Phase I Property Assessment letter reports are included in Volume III of the NFA Letter.

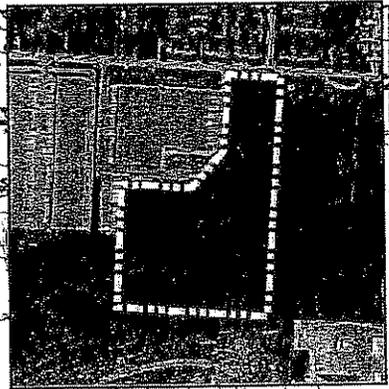
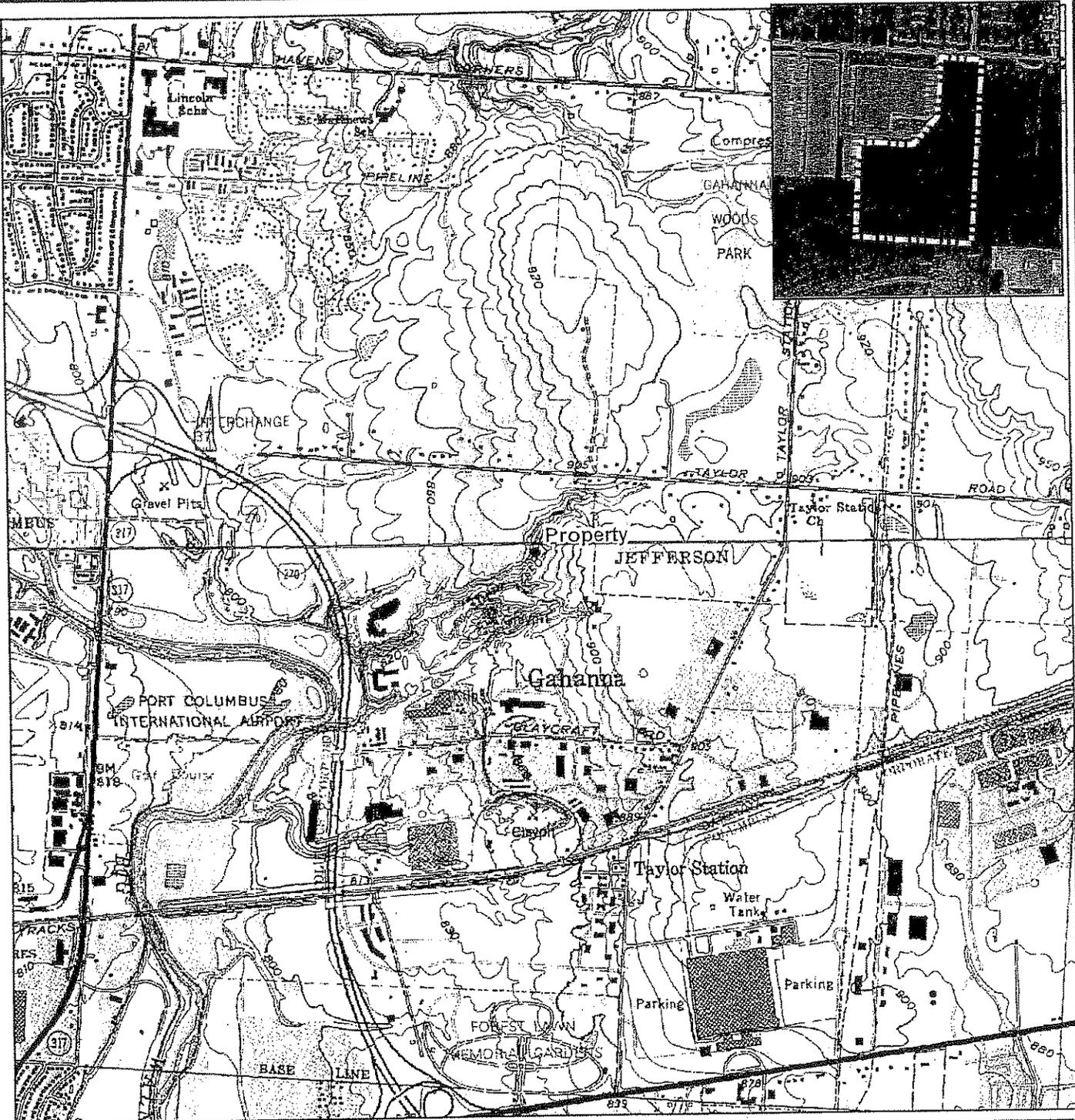
3.0 CONCLUSION

The foregoing is a summary of the NFA Letter submitted for Value Recovery Group II, LLC and the City of Gahanna by Steven M. Gross, of Hull & Associates Inc., as Certified Professional (CP #192), pursuant to OAC Rule 3745-300-05. The information provided in this document demonstrates that the environmental media at the Property meet applicable standards under an unrestricted residential land use and no additional Phase II and/or remedial activities are warranted.

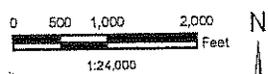
Mr. Gross is the contact at Hull & Associates, Inc. for questions regarding the NFA letter and may be contacted at (614) 793-8777.

A complete copy of the NFA letter is on file with the Ohio EPA, Department of Emergency and Remedial Response, Voluntary Action Program. The NFA letter will be made available by the Ohio EPA upon request. The telephone number for the Ohio EPA/DERR/VAP is (614) 644-2924.

FIGURES



Legend
 ● Property Location



Source: The topographic map was obtained from the Terrserver website, <http://terrserver-usa.net>. Quadrangle names: Reynoldsburg, Ohio, published in 1983 and photo revised 1985; New Albany, Ohio, published in 1980 and photorevised in 1983

The aerial photo in the inset was acquired from the Franklin County Auditor's Office. Aerial photography dated 2007.

Quadrangle Location

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No Further Action Letter - Executive Summary
 25.69-Acre Undeveloped Property

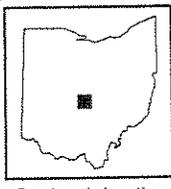
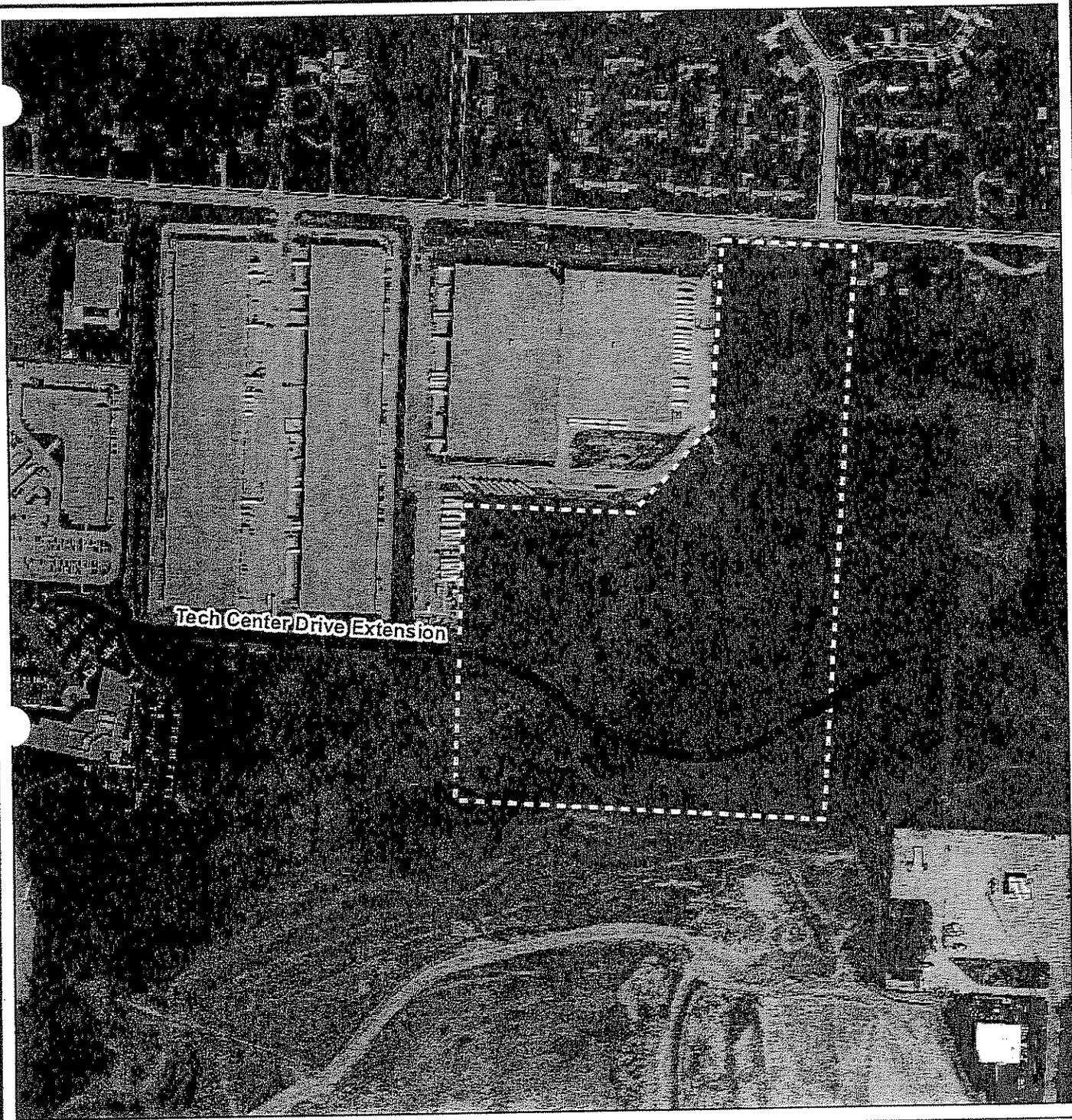
Property Location Map

5799 Taylor Road
 City of Gahanna, Franklin County, Ohio

Date:
 April 2010

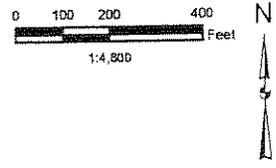
Project Number: PSM002 01.ENV
 Geodatabase: PSM001.mdb
 File Name:
 PSM001_04_Fig01_PropLocMap.mxd

Figure
1



Quadrangle Location

- Legend**
- Tech Center Drive Expansion
 - Surface Water Bodies**
 - Main on-Property Stream
 - Tributary to Main Stream
 - Stormwater Outfall
 - Approximate Property Boundary



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No Further Action Letter - Executive Summary
 25.69-Acre Undeveloped Property

Property Layout Map (2007 Aerial View)

5799 Taylor Road
 City of Gahanna, Franklin County, Ohio

Date: April 2010

Project Number: PSM001
 Geodatabase: PSM002.mdb
 File Name:
 PSM002_04_Fig02a_CurrLayout.mxd

Figure
2

Produced using ArcGIS 9.3