



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION III  
1650 Arch Street  
Philadelphia, Pennsylvania 19103-2029

October 18, 2007

Mr. James H. Richardson, III  
Vice President - Development  
Forest City Commercial Development  
Terminal Tower  
50 Public Square, Suite 1000-B  
Cleveland, Ohio 44113-2267

Dear Mr. Richardson:

With this letter, the Environmental Protection Agency (EPA) addresses the potential liability of prospective purchasers and lessees for existing contamination at the property located at 4500 S. Laburnum Avenue, Henrico County, Richmond, Virginia 23231 (the Facility). EPA understands that Forest City Commercial Development, Inc. (Forest City) is currently developing the Facility for commercial reuse and will be offering parcels of the Facility for sale or lease to prospective purchasers and lessees. EPA supports Forest City's commitment to re-development in an existing commercial area. It is EPA's intent to provide Forest City with information regarding investigation and remediation of contaminants at the Facility which it can in turn provide to prospective purchasers and lessees.

In June 1991, EPA issued a Record of Decision (ROD) under the Resource Conservation and Recovery Act of 1976, as amended, (RCRA), in which EPA selected the remedy for the cleanup of contaminated groundwater at the Facility (hereinafter, RCRA ROD). EPA subsequently amended the RCRA ROD in February 1992 through an Explanation of Significant Differences (ESD). The remedy for the Facility, as selected by EPA in the RCRA ROD and as amended by the ESD, consists of a groundwater pump and treat system which is designed to attain EPA's cleanup goals at all identified points of compliance.

In September 1996, EPA issued an Initial Administrative Order (Order), U.S. EPA Docket No. RCRA-III-084-CA, pursuant to RCRA Section 3008(h), to Lucent Technologies Inc. (Lucent) requiring Lucent to implement the remedy selected by EPA in the RCRA ROD, as amended by the ESD. Pursuant to the Order, Lucent has installed and is currently operating a groundwater pump and treat system at the Facility, which includes 17 extraction wells and a state of the art treatment plant. Under the Order, Lucent is responsible for the continued operation of the groundwater pump and treat system. In addition, Lucent has provided EPA with assurance, in the form of a bond, of its financial ability to meet the projected capital and operation and maintenance costs associated with EPA's selected remedy.



While Lucent has not yet attained the established cleanup goals at all identified points of compliance for the following contaminants: 1,1,1-Trichloroethane (1,1,1-TCA); 1,1-Dichloroethylene (1,1-DCE); methylene chloride; and 1,1-Dichloroethane (1,1-DCA), groundwater monitoring data indicates that the concentrations of these constituents in the groundwater have decreased significantly and the groundwater pump and treat system is controlling the groundwater plume.

Based on currently known information about Facility conditions, if Lucent complies with all of the requirements of the Order, EPA neither plans nor anticipates requiring any further corrective action at the Facility. Of course, any future owner or lessee's reuse of the Facility or any part of the Facility may not exacerbate environmental conditions at the Facility, or in any way interfere with its cleanup. In addition, EPA maintains the right to require additional corrective action or any other action if new information becomes available or there is a change in Facility conditions indicating that such action is necessary to protect human health and/or the environment.

If you have any questions regarding this letter, please contact me at 215-814-3423 or Mr. Russell Fish at 215-814-3226.

Sincerely,



Robert E. Greaves, Chief  
RCRA Operations Branch  
Waste & Chemicals Management Division  
EPA Region III

