

APPENDIX A

MDE VCP APPLICATION APPROVAL LETTER



MARYLAND DEPARTMENT OF THE ENVIRONMENT
1800 Washington Boulevard • Baltimore MD 21230
410-537-3000 • 1-800-633-6101 • www.mde.maryland.gov

Ben Grumbles
Secretary

Larry Hogan
Governor

Boyd Rutherford
Lieutenant Governor

March 30, 2015

CERTIFIED MAIL

Marc Weller, Member
Dickman Property Investments LLC
1000 Key Highway East
Baltimore, MD 21230

Re: Voluntary Cleanup Program Application
101 West Dickman Street Property
Baltimore, Maryland 21230

Dear Mr. Weller:

The Voluntary Cleanup Program ("VCP") of the Maryland Department of the Environment ("Department") has completed its evaluation of the complete VCP application package submitted for commercial use of the 101 West Dickman Street property, located in Baltimore City, Maryland. The Department accepts the 6.77-acre property into the VCP and confirms the inculpable person status of Dickman Property Investments LLC for this property pursuant to Title 7, Subtitle 5 of the Environment Article, Annotated Code of Maryland.

The property does not qualify for a No Further Requirements Determination and a proposed response action plan ("RAP") for commercial use of the property must be developed, approved by the Department and implemented to address risks to human health and the environment at the property. The RAP will not include the ongoing investigation and recovery of free phase petroleum product conducted by a previous property owner, City of Baltimore, under the supervision of the Department's Oil Control Program (Case Number 2013-0631-BC).

Submission of the proposed RAP and implementation of all statutory requirements must occur within 18 months of receipt of this letter. The guidelines for preparation of the proposed RAP are available on the Department's web site and the statutory requirements can be found in Section 7-508 of the Environment Article. Simultaneously with submission of the proposed RAP to the Department for review and approval, you must comply with the public participation requirements by posting a sign at the property and publishing a notice in a daily or weekly newspaper of general circulation in the geographic area where the participating property is located. Both notices for the proposed RAP must include the date and location of the public informational meeting. A summary of the public participation requirements and a template for the public notice in the newspaper and the sign on the property will be provided via email upon request.

You are requested to forward a draft of the sign and newspaper notice for the proposed RAP to



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TTY Users 1-800-735-2258
Via Maryland Relay Service

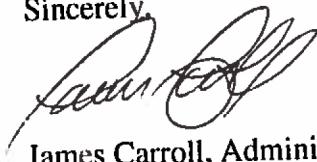
the VCP for review prior to publication and posting at the property. Upon satisfactory implementation and completion of the requirements set forth in the approved RAP and any subsequent addendums, the Department will issue a Certificate of Completion for the property, which must be recorded in the land records of Baltimore City within 30 days following receipt.

You are encouraged to contact Barbara Brown, VCP Section Head, to discuss development of the proposed RAP and the expected date for submitting the proposed RAP to the Department for review and approval.

In accordance with the provisions of Section 7-506(g)(1) of the Environment Article, you are requested to inform the Department in writing, within 30 days of receipt of this letter, whether Dickman Property Investments, LLC intends to proceed as a participant in the VCP. If the Department does not receive the notice of intent to proceed within the 30-day period, the application for participation in the VCP shall be deemed withdrawn pursuant to Section 7-506(g)(2) of the Environment Article.

If you have any questions regarding the requirements, development of the proposed RAP or other aspects of the program, please contact Ms. Barbara Brown at 410-537-3493.

Sincerely,



James Carroll, Administrator
Land Restoration Program

cc: Paul Hayden, Geo-Technology Associates
Mr. Horacio Tablada
Ms. Barbara Brown
Mr. Chris Hartman



**101 WEST DICKMAN STREET PROPERTY
Baltimore City, Maryland**

Comments on the Application Package

GENERAL COMMENT

Note that the VCP had previously accepted the property into the program pending the development and completion of a response action plan to address the identified risks from metals and carcinogenic polycyclic aromatic hydrocarbons in surface and sub-surface soil and for potential vapor intrusion of volatiles in soil to indoor air for future commercial use populations. In addition to these risks, the response activities should include containment or removal of the soils impacted by diesel range organics, near the former compressor blow-down location.

APPLICATION

Provide a chain of title for the property.

PHASE I

To meet the requirements of ASTM International E1527-13, All Appropriate Inquiry, and CERCLA/Superfund, the Phase I must assess the potential for the encroachment of volatile organic compound vapors at or onto the property and the possible intrusion into current or future indoor occupied spaces. Please provide a narrative to address these issues at the property.

Provide information in regards to any interviews or attempts to interview the previous owner or occupants.

SUPPLEMENTAL SAMPLING

Additional sampling is required to fully characterize the property for potential contaminants in soil and soil gas from prior use of the property. The proposed sampling locations are identified on Figure 1 and detailed in Tables 1, 2 and 3.

Soil Sampling

Collect 20 representative surface (0 to 1 foot) soil samples from the proposed approximate locations in the grassy areas shown on Figure 1. Create two composite samples from those 20 samples and analyze as indicated in Table 1 for the following parameters; priority pollutant list metals (PPLM, EPA Method 6020) and semi-volatile organic compounds including carcinogenic polycyclic aromatic hydrocarbons (SVOCs, EPA Method 8270).

If unusual conditions such as staining, discoloration, odor, and/or liquid are observed within any soil profile, collect a sample at that location and analyze at the fixed laboratory for these parameters: PPLM and SVOCs.

Chromium Analyses in Soils: If total chromium is detected in the soil sample at levels exceeding the MDE cleanup standard relevant to the future use designation of the property, the soil sample must be speciated for Cr(VI) and Cr(III). If total chromium concentrations reported to MDE are not speciated for Cr(VI) and Cr(III), MDE will assume that the chromium concentrations reported are Cr(VI), which is the more toxic form of chromium and has lower cleanup standards than trivalent chromium.

Mercury Analyses in Soils: If mercury is detected in the soil sample at levels exceeding the MDE cleanup standard relevant to the future use designation of the property, the sample must be differentiated for inorganic/elemental mercury. If total mercury concentrations are not differentiated, MDE will evaluate the reported mercury as both elemental mercury and organic mercury.

Soil Vapor Sampling

Collect sub-slab soil vapor samples from the locations shown on Figure 1 and listed in Table 2, the volatile organic compound (VOC) sampling should utilize EPA Method TO-15 using Summa canisters and be collected for a minimum of eight (8) hours.

Results reported to the VCP should include the following: 1) a narrative summary describing the area sampled, cap condition, sampling period, sample depth, methods used, and soil type encountered; 2) figures and photographs documenting the location of the samples and condition of the slab; 3) results for all detected analytes [in units of $\mu\text{g}/\text{m}^3$]; and 4) copies of the laboratory analytical data sheets with minimum detection limits and practical quantitation limits.

QUALITY ASSURANCE/QUALITY CONTROLS

Detection Limits: Low detection limits must be obtained during sample analyses. The detection limits for soil and groundwater samples should be comparable to the soil and groundwater guidelines established in the Department's March 2008 Interim Final Guidance document. Data with elevated detection limits will be deemed unacceptable.

Data Deliverables: MDE recommends the use of quality assurance and quality control measures during the sampling program; such measures help insure the veracity of sampling data. Refer to *Attachment A* for details on the project deliverables requested by the Department as part of the laboratory's analytical data package.

Table 1. Proposed soil sampling plan for the 101 West Dickman St., Baltimore, Maryland.

Number of Sample Locations	Depths	Analytical Parameters	Rationale
20	(0 - 1')	Fixed Lab Analysis PPLM (EPA Method 6020) SVOCs (EPA Method 8270)	Collect representative soil samples from the 20 locations shown on Figure 1 and create one composite sample for each parameter. Analyze as needed for speciation of Cr (VI) and/or differentiation of inorganic/elemental mercury.
<i>Recommended Soil QA/QC Parameters</i>			
Duplicate	(0 - 1')	Fixed Lab Analysis PPLM (EPA Method 6020) SVOCs (EPA Method 8270)	Collect representative soil samples from the 20 locations shown on Figure 1 and create one composite sample for each parameter. Analyze as needed for speciation of Cr (VI) and/or differentiation of inorganic/elemental mercury.
MS/MSD (Collect at one location)		Matrix Spike and Duplicate Performed by the lab	A matrix spike is recommended for every 20 samples per matrix submitted to the lab.

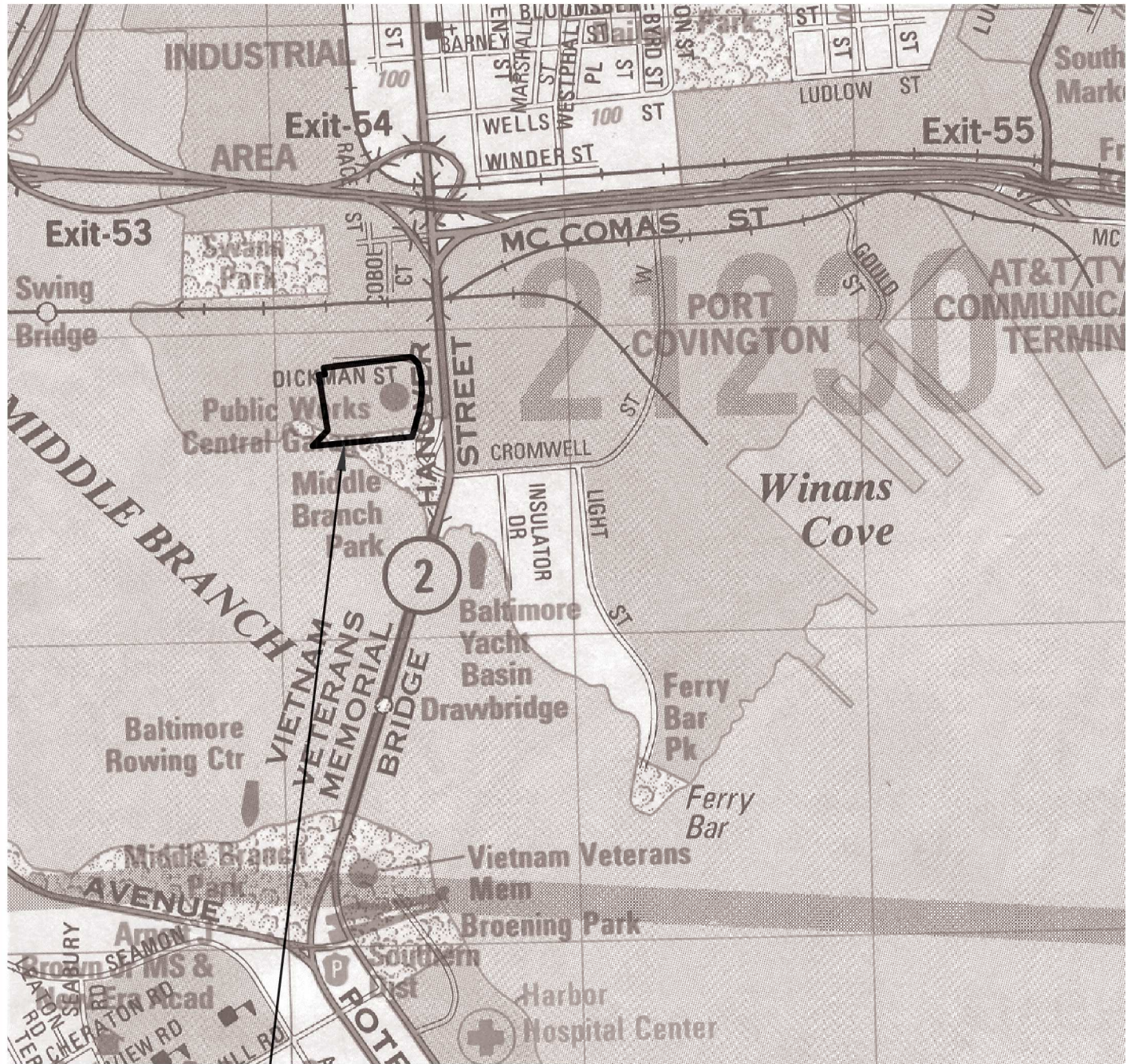
Table 2. Proposed soil gas samples for the 101 West Dickman St., Baltimore, Maryland.

Soil Gas Sampling		
Sample Locations	Analytical Parameters	Rationale
1 through 9	Fixed Lab Analysis VOCs (EPA method TO-15 or equivalent) 8 Hour Minimum Sample Period, Overnight Acceptable	Collect a representative sub-slab soil vapor sample from below the building.
<i>Recommended Soil Gas QA/QC Parameters</i>		
Blind Duplicate Collect at Location 3	Fixed Lab Analysis VOCs (EPA method TO-15 or equivalent) 8 Hour Minimum Sample Period, Overnight Acceptable	One duplicate sample is recommended for every 10 samples per matrix

APPENDIX B

FIGURES

DRAFT



Approximate Subject Property Boundary



Approximate Scale
1 inch = 1,000 feet



Notes

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101 WEST DICKMAN STREET
BALTIMORE CITY, MARYLAND

SITE LOCATION MAP

PROJECT: 140144

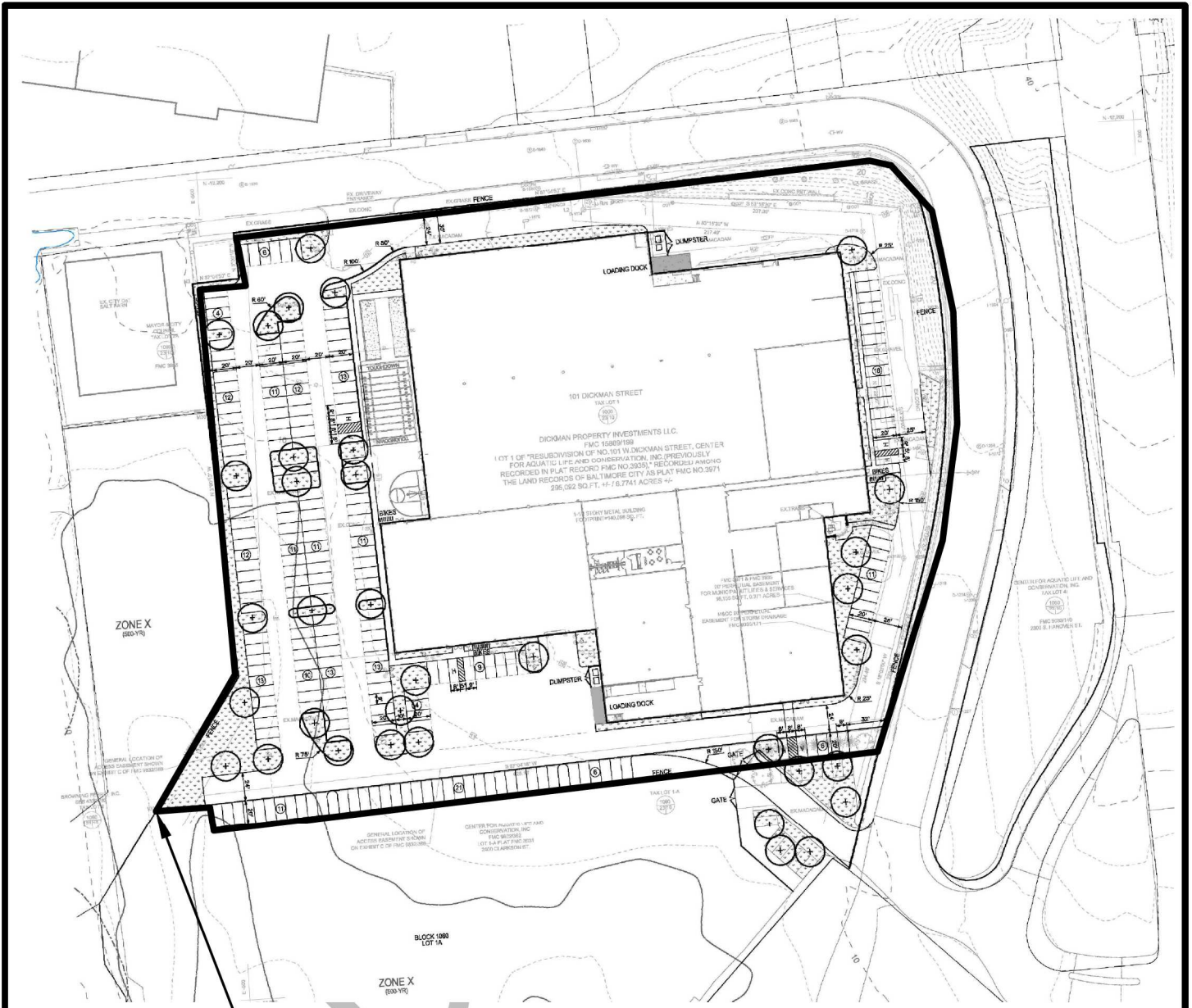
DATE: APRIL 2015

SCALE: 1" = 1000'

DESIGN BY: LMD

REVIEW BY: PHH

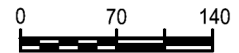
FIGURE: 1



Approximate Subject
Property Boundary

Notes

- 1. Base image from a STV Incorporated SPRC Site Plan dated March 31, 2015.



Approximate Scale
1 inch = 140 feet

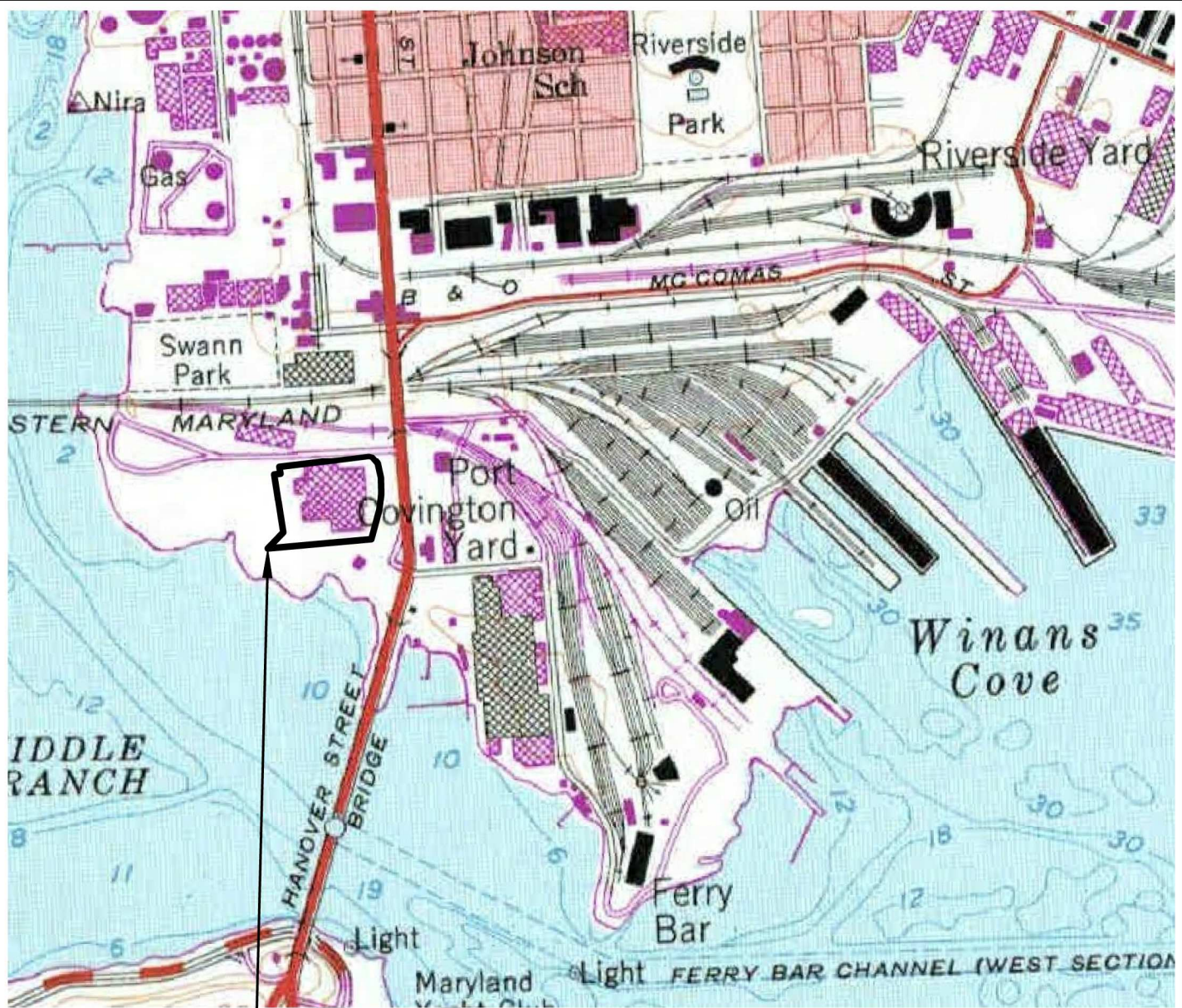


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101 WEST DICKMAN STREET
 BALTIMORE CITY, MARYLAND

PROPOSED SITE RENOVATIONS

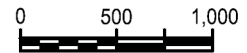
PROJECT: 140144	DATE: APRIL 2015	SCALE: 1" = 140'	DESIGN BY: LMD	REVIEW BY: PHH	FIGURE: 2
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Approximate Subject Property Boundary

Notes

1. Based on the USGS Baltimore East, MD 7.5 Minute Quadrangle Map.
2. Copyright 2013 MyTopo, Inc.



Approximate Scale
1 inch = 1,000 feet



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101 WEST DICKMAN STREET
BALTIMORE CITY, MARYLAND

TOPOGRAPHIC MAP

PROJECT: 140144

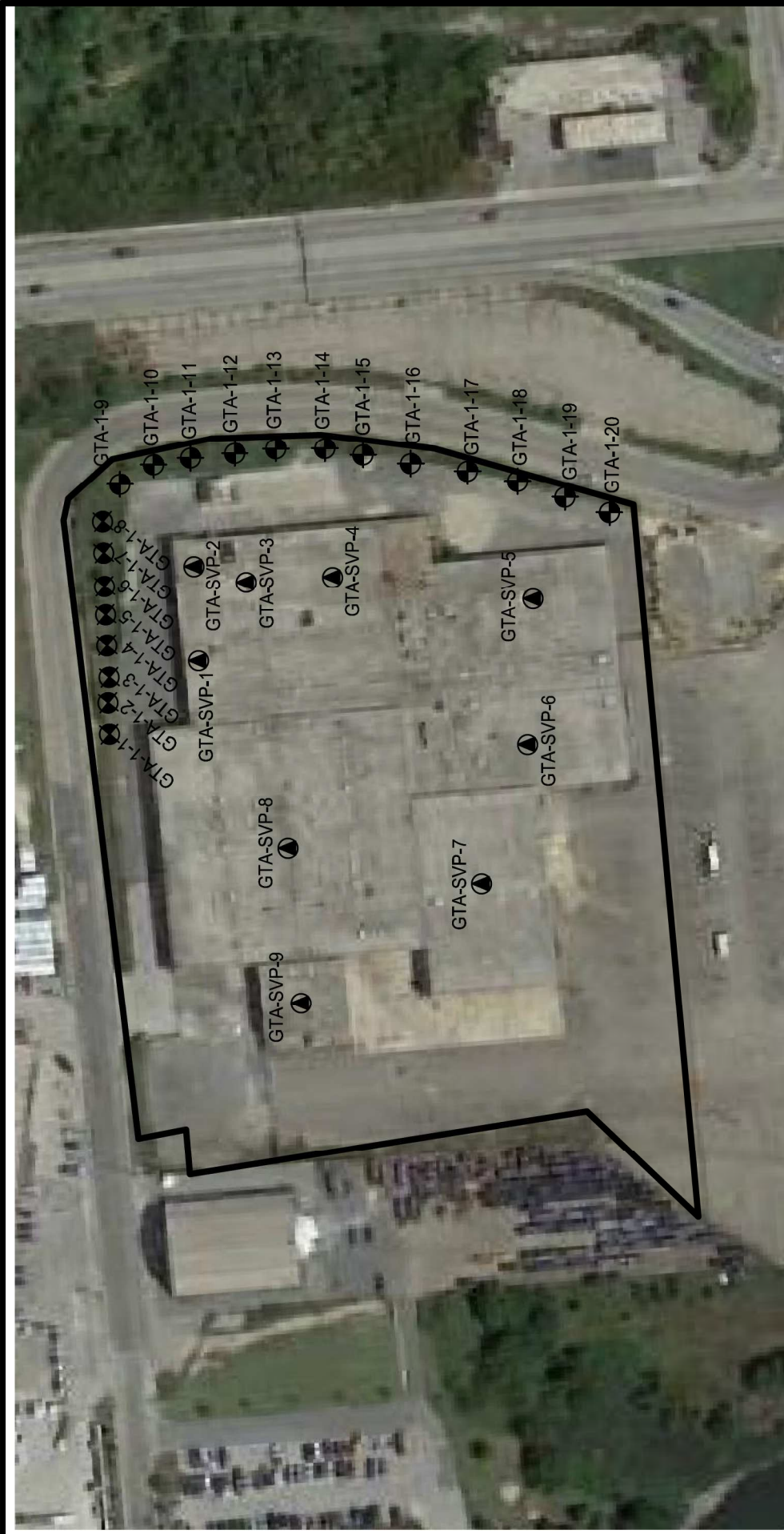
DATE: APRIL 2015

SCALE: 1" = 1000'



DESIGN BY: LMD

REVIEW BY: PHH

FIGURE: 3

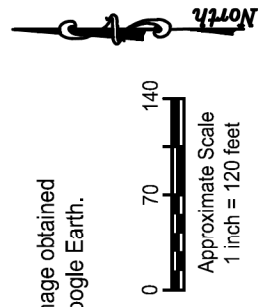


Legend

-  GTA-1 Identification and approximate location of soil borings performed by GTA in October 2014.
-  GTA-SVP-1 Identification and approximate location of subslab soil vapor probes installed by GTA in October 2014.

Notes

1. Base image obtained from Google Earth.



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101 WEST DICKMAN STREET
 BALTIMORE CITY, MARYLAND

SAMPLE LOCATION PLAN

PROJECT: 140144

DATE: APRIL 2015

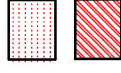
SCALE: 1" = 120'

DESIGN BY: LMD

REVIEW BY: PHH

FIGURE: 4

Legend



Approximate area to be covered by Geotextile Marker Fabric

Approximate area to be redeveloped as part of the CALC RAP dated September 2009.

Notes

1. Based on a STV Incorporated Preliminary Plot Plan dated May, 2015.
2. Property boundaries and site conditions are approximate.

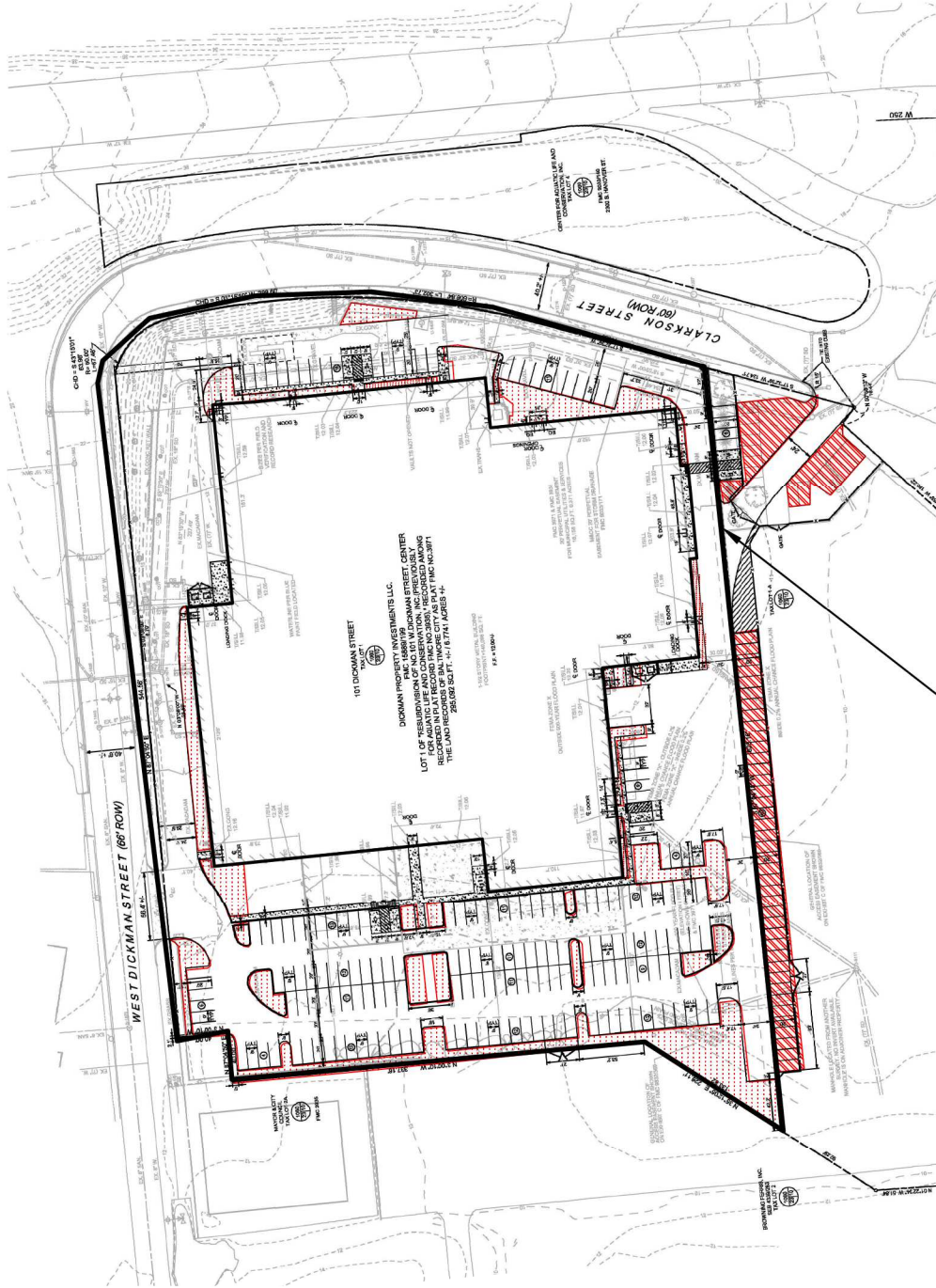
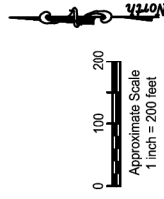


TABLE 1
MINIMUM PHYSICAL REQUIREMENTS FOR MARKER GEOTEXTILE

PROPERTY	UNITS	ACCEPTABLE VALUES	TEST METHOD
Grab Strength	lbs	205	ASTM D 4632
Stem Strength	lbs	195	ASTM D 4884
CBR Puncture	lbs	300	ASTM D 4833
Trapezoid Tear	lbs	80	ASTM D 4533
Apparent Opening Size	U.S. sieve	80	ASTM D 4751
Permeability	Sec.-1	1.1	ASTM D 4481
Ultraviolet Degradation	Percent	70 at 500 hrs	ASTM D 4355



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101 WEST DICKMAN STREET
 BALTIMORE CITY, MARYLAND
DESIGNATED LANDSCAPED
AND CAPPED AREAS

Geotextile Marker Fabric Specifications

The geotextile marker fabric should be nonwoven porous sheet of polypropylene material. Add stabilizers and/or inhibitors to the base material, as needed, to make the filaments resistant to deterioration by ultraviolet light, oxidation, and heat exposure. Reprint material, which consists of edge trimmings and other scraps that have never reached the consumer, may be used to produce the geotextile. Post-consumer recycled material may be used. Geotextile shall be formed into a network such that the filaments retain dimensional stability relative to each other, including the edge geotextile. See the statement of work for further information. Values for Apparent Opening Size (AOS) represent minimum average roll values.

Approximate Subject
 Property Boundary

PROJECT: 140144

DATE: MARCH 2014

SCALE: 1" = 200'

DESIGN BY: LMD

REVIEW BY: PHH

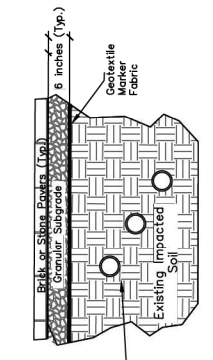
FIGURE: 5

TABLE 1
MINIMUM PHYSICAL REQUIREMENTS FOR MARKER GEOTEXTILE

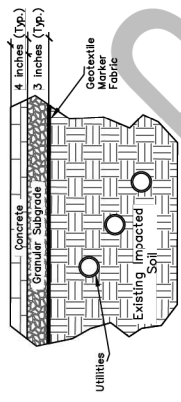
PROPERTY	UNITS	ACCEPTABLE VALUES	TEST METHOD
Grab Strength	Ibs	205	ASTM D 4632
Seam Strength	Ibs	195	ASTM D 4884
CBR Puncture	Ibs	300	ASTM D 4833
Trapezoid Tear	Ibs	80	ASTM D 4633
Apparent Opening Size	U.S. sieve	80	ASTM D 4751
Permittivity	Sec-1	1.1	ASTM D 4491
Ultraviolet Degradation	Percent	70 at 500 hrs	ASTM D 4355



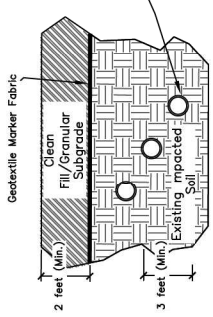
LANDSCAPE AREA (PLANTING)
Typical Section



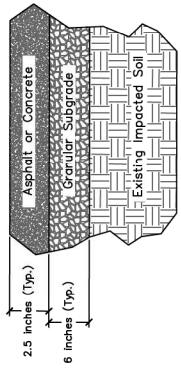
HARDSCAPED AREA
Typical Section



HARDSCAPED AREA
Typical Section



LANDSCAPED AREA (SOIL/STONE)
Typical Section



PAVED AREA
Typical Section

Notes

1. Depth/width of utility trench will vary.
2. Details are not for construction.
3. Details are provided for informational purposes only and are subject to final design.
4. Granular subgrade beneath asphalt/concrete may include MDE approved clean stone/fill.

Geotextile Marker Fabric Specifications

The geotextile marker fabric should be nonwoven polypropylene material. Add stabilizers and/or inhibitors to the base material, as needed, to make the filaments resistant to deterioration by ultraviolet light, oxidation, and heat exposure. Regrind material, which consists of edge trimmings and other scraps that have never reached the consumer, may be used to produce the geotextile. Post-consumer recycled material may be used. Geotextile shall be formed into a network such that the filaments or yarns retain dimensional stability relative to each other, including the edges. Geotextiles shall meet the requirements specified in Table 1. Where applicable, Table 1 property values represent minimum average roll values in the weakest principal direction. Values for Apparent Opening Size (AOS) represent maximum average roll values.



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101 WEST DICKMAN STREET
BALTIMORE CITY, MARYLAND
CAPPING DETAILS

PROJECT: 140144

DATE: APRIL 2015

DESIGN BY: LMD

REVIEW BY: PHH

FIGURE: 6

APPENDIX C

TABLES

DRAFT

Table 1
Soil Analysis Results Summary

Analyte	Sample Identification		Comparison Values (mg/kg)	
	GTA-1 (Composite)	GTA-Soil DUP	NRCS	ATC Eastern
SVOCs				
Benzo(a)anthracene	2.0	0.36	3.9	NA
Benzo(a)pyrene	--	0.36	0.39	NA
Benzo(b)fluoranthene	2.6	0.6	3.9	NA
Chrysene	2.0	0.4	390	NA
Fluoranthene	3.9	0.72	4,100	NA
Indeno(1,2,3,-cd)pyrene	--	0.2	3.9	NA
Phenanthrene	2.9	0.44	31,000	NA
Pyrene	3.5	0.66	3,100	NA
Priority Pollutant Metals				
Antimony	14	--	41	6.0
Arsenic	8.7	8	1.9	3.6
Chromium	45	35	310	28
Copper	47	59	4,100	12
Lead	160	170	1,000	45
Mercury	0.25	0.26	31	0.51
Nickel	24	23	2,000	13
Zinc	800	650	31,000	63

Notes:

Samples collected on October 2, 2014

Results in milligrams per kilogram (mg/kg), or parts per million (ppm)

Only detected compounds shown

-- = Not detected at or above the laboratory's reporting limit

NA = Not applicable

MDE = Maryland Department of the Environment

NRCS = MDE Non-Residential Cleanup Standards for soil

ATC = Anticipated Typical Concentrations/Reference Levels for soils

in Eastern Maryland (MDE Interim Final Guidance Update No. 2.1, June 2008)

Shaded and bold values represent exceedance of MDE NRCS and/or ATC

SVOCs = Semivolatile Organic Compounds



Table 2
Soil Vapor Analysis Results Summary

Analyte	Sample Identification														MDE Screening Values	
	GTA-SVP-1	GTA-SVP-2	GTA-SVP-3	GTA-SVP-4	GTA-SVP-5	GTA-SVP-6	GTA-SVP-7	GTA-SVP-8	GTA-SVP-9	GTA-SVP-DUP	Tier 1	Tier 2				
	VOCs															
Acetone	11.7	35.5	52.1	15.9	23.2	13.2	15.2	--	81.7	16.0	14,000,000	70,000,000				
Benzene	4.47	--	--	--	--	3.45	--	2.94	--	--	1,600	8,000				
Carbon disulfide	--	23.9	2.74	4.11	--	--	--	--	5.61	--	310,000	1,550,000				
Chloroform	3.91	--	--	--	--	--	1.82	--	--	--	550	2,650				
Chloromethane	--	--	--	--	--	--	--	6.61	--	--	39,000	195,000				
Cyclohexane	8.12	--	--	--	--	--	4.35	6.33	--	--	2,600,000	13,000,000				
Dibromochloromethane	--	--	--	--	--	12.5	--	--	7.3	--	450	2,250				
Ethylbenzene	10.2	72.4	--	--	--	--	--	--	6.72	--	4,900	24,500				
Heptane	48	--	--	--	--	--	--	--	--	--	NE	NE				
Isopropylbenzene	48.6	--	37.6	--	--	--	--	--	--	--	NE	NE				
Methyl Butyl Ketone	--	--	--	--	--	--	--	--	--	--	NE	NE				
Methyl Ethyl Ketone	--	4.6	8.85	2.71	3.54	--	--	--	19	2.6	2,200,000	11,000,000				
Methyl Isobutyl Ketone	--	--	--	--	3.6	--	--	--	4.1	--	1,300,000	6,500,000				
Naphthalene	--	--	--	--	4.82	251	5.66	6.92	--	--	360	1,800				
Propylene	7.99	3.3	2.13	3.03	3.86	5.51	4.75	2.89	3.72	3.0	1,300,000	6,500,000				
Styrene	--	4.09	--	--	--	--	--	--	--	--	440,000	2,200,000				
Tetrachloroethylene	24.7	19.5	--	--	6.24	5.97	13	42.3	--	--	18,000	90,000				
Toluene	740E	--	--	--	--	--	--	--	5.73	--	2,200,000	11,000,000				
Trichloroethane, 1,1,1-	--	--	--	--	--	--	--	71.8	--	--	2,200,000	11,000,000				
Trichloroethene	8.81	--	--	--	--	--	--	--	--	28.5	880	4,400				
Trichlorofluoromethane	18.9	31	41.4	26.1	30.3	48.5	48.3	55.3	29	--	310,000	1,550,000				
Trimethylbenzene, 1,2,4-	5.31	--	--	--	3.93	5.51	--	--	--	--	3,100	15,500				
Trimethylpentane, 2,2,4-	--	--	--	--	--	--	--	--	7.29	--	NE	NE				
Xylene, m&p-	24.5	333	16.3	--	8.69	56.8	8.34	--	26.6	--	44,000	220,000				
Xylene, o-	11.1	159	9.55	--	3.65	23.3	3.65	--	10.2	--	44,000	220,000				

Notes:

Samples collected on October 3, 2014
 Results expressed in micrograms per cubic meter ($\mu\text{g}/\text{m}^3$)
 Only detected compounds are shown
 NE = No published guidance value
 -- = Not detected at or above the laboratory's reporting limit
 RSL = Regional Screening Level, from USEPA Region III Regional Screening Level Summary Table, May 2014
 MDE Screening Values = Values published in the September 2012 Vapor Intrusion Fact Sheet, updated using USEPA's May 2014 RSL tables.
 VOCs = Volatile Organic Compounds
 Non-carcinogens are expressed with hazard index (HI) = 1.0

APPENDIX D
EXAMPLE CAP INSPECTION FORM

CAP INSPECTION FORM

Location:		Date/Time:	
Inspector:		Weather:	
PAVEMENT			
Overall Condition			
Specific Areas of Note (use PCI, below, and attach sketches/ photographs, as needed)			
Area	PCI	Comments	
Pavement Condition Index (PCI)			
Response?	PCI	Characterization	Description
Optional	1	New, crack-free surface	Black in color, smooth texture
	2	Oxidation has started	Short hairline cracks start to develop. Dark gray color.
	3	Oxidation in advanced state	Hairline cracks are longer and wider. Gray in color.
Required	4	Oxidation complete	Crack area 1/4" wide and crack lines have found base faults.
	5	Moisture penetrating through 1/4" cracks. Loose material (stone and sand) evident.	Texture of surface becoming rough. Preventive maintenance.
	6	Cracks widen and join.	Cracks and shrinkage evident at curb and gutter lines.
	7	Potholes develop in low spots.	Gatoring areas begin to break up. Overall texture very rough.
	8	Potholes developing.	Pavement breaking up.
	9	Heaving due to excessive moisture in base.	Distorts entire surface.
	10	General breakup of surface.	
SIDEWALKS/CURBS			
	Sidewalks		Curbs and Gutters
Overall Condition			
Check all that apply	<input type="checkbox"/> Sound	<input type="checkbox"/> Cracked	<input type="checkbox"/> Sound
	<input type="checkbox"/> Deteriorated	<input type="checkbox"/> Root Intrusion	<input type="checkbox"/> Cracked
			<input type="checkbox"/> Deteriorated
			<input type="checkbox"/> Root Intrusion
Other Comments			
LANDSCAPED AREAS			
Overall Condition			
Check all that apply	<input type="checkbox"/> Sound	<input type="checkbox"/> Erosion	<input type="checkbox"/> Healthy Plant Condition
	<input type="checkbox"/> Mortality	<input type="checkbox"/> Animal Burrows	
Trees	<input type="checkbox"/> Healthy	<input type="checkbox"/> Poor Health	<input type="checkbox"/> Dead
	<input type="checkbox"/> Fallen	<input type="checkbox"/> Other _____	
Shrubs	<input type="checkbox"/> Healthy	<input type="checkbox"/> Poor Health	<input type="checkbox"/> Dead
	<input type="checkbox"/> Fallen	<input type="checkbox"/> Other _____	
Vent Risers and Piping at Light Poles	<input type="checkbox"/> Good Condition	<input type="checkbox"/> Cracked	<input type="checkbox"/> Broken/ Damaged
	<input type="checkbox"/> Other _____		
RESPONSE ACTIONS			
Responses Required			
Work Completed (Description, Date, Contractor, etc.)			
List Attached Photographs/Sketches			

DRAFT

APPENDIX E

ZONING CERTIFICATION