

Mr. James Banks,
Attorney, City of Alexandria
301 King Street, Room 1300
Alexandria, VA 22314

December 4, 2017

Dear Mr. Banks

In several meetings of the City of Alexandria's Ad Hoc Monitoring Group on Waterfront Construction (Ad Hoc Group), questions have been raised on the legal "chain of custody" of responsibility for the cleanup at Robinson Terminal North (RTN), and potential City liability has been implied. To clear potential misunderstandings and assure the Ad Hoc Group and local citizens are aware of the status of RTN, we seek clarification from your office on a few questions.

1. Who is financially responsible for the cleanup of RTN, and in case of default, what is the succession plan for that responsibility?
 - a. Discussion: The fear voiced at meetings is that it is currently owned by "shell companies" that have no other assets to go against in the event of a default ("Alexandria North Terminal LLC" in this case of RTN). If default occurs, the thought is that liability may fall back on Graham Holdings. Is there also a scenario where there is no solvent owner of the property?
2. What is the extent of financial responsibility possibly borne by the City of Alexandria?
 - a. Discussion: Regardless of who finances the cleanup discussed in 1) above, it's understood that they could seek redress from the City to the extent that the City contributed to the site contamination (by virtue of migrating contaminants from the Alexandria Town Gas Plant). Is there supporting case law that would support claims against the City?

We appreciate your time and expertise addressing these questions. The Ad Hoc Group would also invite a member of the Attorney's Office to join us at one of our public meetings, as answers to the above questions will likely create follow-on questions. Thank you.

V/R

//signed//

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