



# Voluntary Action Program

## 2014 Legislative Report



Division of Environmental Response and Revitalization

August 2015

# Voluntary Action Program Annual Report to the Legislature

## Summary of Activities in 2014

- 67 No Further Action (NFA) letters were issued by certified professionals (CPs). One of these was issued with no covenant not to sue (CNS) requested; three were withdrawn.
- 46 CNS (for a total of 648 acres) were issued by Ohio EPA.
- Four properties notified VAP of entry into the Memorandum of Agreement (MOA) track.
- The program staff initiated audits of 16 NFA letters.
- The total program cost for 2014 was \$3.5 million.

## Overview

Ohio's Voluntary Action Program (VAP), created in September 1994, was fully implemented in early 1997. The program was created to provide companies a way to investigate possible environmental contamination, clean it up, if necessary, and receive a promise from the State of Ohio (via a CNS) that no more cleanup is needed. Prior to the creation of this program, valuable land sat idle because fears of immense liability and clean-up costs deterred potential developers, businesses and banks. Some developers had abandoned plans to clean up their contaminated properties because Ohio EPA, which must focus its efforts on the worst sites, could not make those properties a priority. By creating this program, Ohio recognized

### Definitions

VAP (Voluntary Action Program) - A program created to allow companies to undertake a cleanup project without direct oversight and be assured the property meets specific environmental standards developed by Ohio EPA. Once cleanup is complete, the company receives a promise from the State of Ohio that no more cleanup is needed.

NFA letter (No Further Action) - Describes any environmental problems found at the site, how those environmental problems were investigated and how the site meets applicable standards.

CP (Certified Professional) - A qualified, experienced professional such as an engineer, geologist or environmental scientist, who is certified by Ohio EPA to issue NFA letters.

CNS (Covenant Not to Sue) - Legal action issued by the director of Ohio EPA that protects the property owner or operator and future owners from being legally responsible for additional investigation and cleanup.

MOA (Memorandum of Agreement) - Agreement signed with U.S. EPA stating that sites cleaned under Ohio's VAP also receive comfort that U.S. EPA would not ask for additional cleanup if the volunteer incorporates public involvement and upfront oversight from Ohio EPA.

USD (Urban Setting Designation) – Designation granted by the director exempting the cleanup of ground water to drinking water standards in urbanized areas which rely on community water systems to supply residents with safe drinking water. Other possible exposures to contaminated water such as to wildlife or streams in the area still must be addressed.

the need to remove the environmental and legal barriers that stalled redevelopment and reuse of contaminated properties.

VAP administrative rules were updated in 2014 as part of the mandated five-year rule review. The rules became effective August 1, 2014. Included in this rule revision were changes to the environmental property assessment requirements, methods used to calculate generic numerical standards (GNS), the scope and content of the no further action (NFA) letter, and the process by which NFA letters are selected for audit.

- Requirements for a VAP Phase I environmental property assessment were updated to be more consistent with recent updates to ASTM International's *Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process (Active Standard ASTM E1527-13)*. E1527-13 is intended for use on a voluntary basis for assessing the environmental conditions of commercial real estate and constitutes all appropriate inquiries into the previous ownership, uses, and environmental conditions of a property for the purposes of qualifying for certain landowner liability protections under federal law.
- Flexibility in the point of compliance for ground water standards was incorporated into ground water assessment.
- The remediation rule was updated to include a process to revise remedial activities at a property after it has already received a CNS from Ohio EPA.
- The methods used to calculate GNS were modified to be consistent with the process U.S. EPA uses to calculate its regional screening levels (RSLs). This resulted in the addition of over 200 new chemicals to the GNS tables. As a result, the volunteer no longer has to calculate property-specific standards for these chemicals thus streamlining the risk assessment evaluation.
- The scope and content of the NFA letter was modified so that the agency relies more on the professional judgment of the certified professional (CP) issuing the NFA letter. The content of the NFA letter was streamlined so that it includes the most significant and relevant information the agency needs to approve a request for a CNS. Detailed supporting documentation is provided to the agency after the CNS is issued and is maintained in agency records for auditing purposes.
- The process used to select NFA letters for audit was modified to allow for the discretionary audit of NFA letters and the option to conduct compliance audits of NFA letters.

This report provides an update of the program activities for 2014. Contact VAP at (614) 644-2924 with questions.

## Forty-six Properties Receive Covenants Not to Sue

During 2014, Ohio EPA issued 46 CNS. The following are some examples of sites that received a CNS.

### Former Big Bear Warehouse—Grandview Yard – Grandview Heights, Franklin County



The 17.65-acre site in Grandview Heights was the location of the Big Bear Warehouse from 1988 through 2004. Previously the property was primarily agricultural land until the late 1940s when it was developed by Armstrong Furnace Company. Big Bear stores demolished the former Armstrong Furnace industrial building, except for the office pods connected to the north end of one of the warehouse; subsequently all of the buildings have been demolished.

The site received \$2 million in Clean Ohio Revitalization Funds to assist in building demolition and remediation of contaminated soil. Chemicals of concern were asbestos, total petroleum hydrocarbons, lead, benzo(a)pyrene, benzene, xylene, naphthalene and Light Non-Aqueous Phase Liquid (LNAPL). Remedial activities included soil excavation and removal, excavation of asbestos-containing materials from the building foundation, and the removal of LNAPL from the ground water. The site is limited to commercial and industrial use and a prohibition on the potable use of ground water is in place.

Nationwide Realty Investors, one of the co-volunteers along with the City of Grandview Heights, plans to build a 500,000-square-foot campus for its employees, a 135-room hotel and 13,000-square-foot conference center at the site. Construction has begun, with the first building to open in 2016.

### ConAgra Redevelopment – Huron, Erie County

Seven-year-old cancer patient Maxwell Hinton had his wish come true when he was given the chance through the efforts of Make-A-Wish Foundation to press the button demolishing the ConAgra grain mill in Huron in January 2012. The building implosion was part of the city of Huron's plan to redevelop the waterfront. Maxwell has since undergone treatment and is now recovering.



The 10.7-acre property has been used for industrial purposes for the past 115 years. Originally the property was used for a coal dumping operation at the Huron Ore Docks. The original coal dumper was built in 1895 and updated in 1905. Grain milling activities began on the property in the mid-1950s. The property was previously owned by Huron Ore Docks, Pillsbury, Miller Milling Company, Burdick Grain, Amber Milling Company, Cenex

Harvest States Milling, ConAgra dba Peavey Company, the State of Ohio and now the city of Huron. The ConAgra plant opened around 1937. The property was purchased in 2006 by the Ohio Department of Natural Resources (ODNR) with title given to the city when the company decided to leave Huron.

Assessment of the historic use (Phase I site assessment) and sampling for contaminants (Phase II site assessment) found chemicals of concern to be volatile organic compounds (VOCs), semi-volatile organic compounds (SVOCs), total petroleum hydrocarbon (TPH), arsenic, barium, cadmium, chromium, cyanide, lead, mercury, selenium and silver. Soil that exceeded the residential direct contact standards was excavated and removed from the site. The buildings were abated for asbestos and demolished. An environmental covenant restricts land use to restricted residential and restricts the potable use of ground water.

ODNR provided the city of Huron with grants totaling \$8.3 million, including \$3.2 million to acquire 20 acres, \$3.1 million to construct a 10-acre boat launch, which occupies about half the space, and \$2 million to demolish ConAgra. ODNR, Division of Watercraft has completed the public boating and fishing access site with launch ramps, docks and parking facilities. Property redevelopment on the rest of the acreage is currently planned for mixed commercial/restricted residential use with public access green space.

### **Fairmont Creamery – Cleveland, Cuyahoga County**

The Fairmont Creamery produced and distributed dairy products from 1930 through 1969. The building stood vacant until 1985 at which time the building was used for chrome and nickel-plating and as a plating waste and hazardous waste storage facility. The facility was properly closed in 2013. The building overlooks an industrial valley in Tremont and provides dramatic views of the city skyline and neighboring Ohio City.

The CP identified benzene, toluene, ethylbenzene, and xylenes (BTEX) and other VOCs, Polycyclic aromatic hydrocarbons (PAHs), TPH, metals, hexavalent chromium and cyanide as chemicals of concern. Soils exceeding the residential direct contact standards were excavated and removed from the site. Clean fill or concrete pavements or foundations were used to meet the two-foot point of compliance for restricted residential use. In addition, an environmental covenant limits the property use to modified residential.



To redevelop the property, the developers tapped into several types of financing: federal New Markets Tax Credits, state and federal Historic Preservation Tax Credits, \$1 million Clean Ohio Assistance Funds, a JobsOhio grant, city vacant property initiative funds, about \$1.2 million in private equity investment and a Goldman Sachs construction loan. The building has been repurposed into a 106,000-square-foot, mixed-used project featuring residential and commercial space and parking.

### Grand Theater – Steubenville, Jefferson County



The historic Grand Theater building was built in 1885 and originally housed a saloon, restaurant and livery stables. In 1924 the stables were torn down and the auditorium was constructed in its place. The Grand was eventually converted into a movie theatre and operated until 1979. The building was vacant until it was donated to Sheperd's Walk Church in 2006 which ran a thrift shop in a portion of the building.

In 2012 the city of Steubenville received \$96,000 in Clean Ohio Revitalization Funds for asbestos abatement. The property is currently owned by the Steubenville Historic Landmark Foundation and

has been undergoing renovations with the intent of revitalizing it as a performing arts center and museum.

### Queen City Barrel Company – Cincinnati, Hamilton County

A decade and \$9 million later (including \$3 million in Clean Ohio Revitalization Funds), the former Queen City Barrel site in Lower Price Hill in Cincinnati is being marketed for light industrial redevelopment.

The property had been used for lumber and woodworking-related businesses since the 1860s. Other early businesses included manufacturers of paint, ink, varnish, and lamp-black. From about 1900 until the mid-1900s, businesses included automobile parts manufacturers, repair and service companies, a tin-ware manufacturer, metal works and foundries. The F. H. Lawson Co., a tin-ware manufacturer, closed in 1987. Queen City Barrel operated a drum storage and recycling facility on a portion of the property starting in 1928.



Following a fire at the Queen City Barrel building in 2004, the city of Cincinnati began acquiring the land. Chemicals of concern that were identified during the Phase II site assessment were VOCs, SVOCs, PCBs, metals and TPH. The City excavated and removed or consolidated soil that exceeded commercial and industrial direct contact standards to a two-foot depth below the surface. In addition, the property is restricted to commercial and industrial use, ground water extraction and use is prohibited, and a building occupancy limitation remedy is in place.

The 18-acre site is now called MetroWest Commerce Park. The City has signed with Resurgence Partners and Al. Neyer as the developers, and Colliers International is the broker. The site is in an ideal location for manufacturing or light industrial businesses due to the active rail lines on the property, easy access to I-75 and proximity to downtown. The site could feature four buildings totaling 250,000 square feet and could bring up to 400 jobs and \$1.1 million in property and income tax revenue.

### Summary of Covenants Not to Sue Issued in 2014

NFA # Type	Site Name	Address	EPA District*	Date Received	Date CNS Issued	CP Name (#)	Volunteer	Acres
14NFA601 30 Day	Atlas Building	8 East Long St., Columbus, Franklin	CDO	9/4/2014	11/25/2014	Knecht, M (105)	Long and High Loan Holdings, LLC; City of Columbus	0.34
13NFA523 90 Day	B&T Metals & Eickholt Glass	401 and 425-435 West Town St., Columbus, Franklin	CDO	8/28/2013	1/27/2014	Pandey, A (224)	Brick Investments	4.14
14NFA563 30 Day	Bridgeview Golf Course	2727 & 2738 Agler Rd., Columbus, Franklin	CDO	5/16/2014	8/14/2014	Savage, B (265)	Kipp Columbus Foundation; Columbus State Community College	110.8
14NFA566 90 Day	Franklinton Warehouse	433-451 W. State St., Columbus, Franklin	CDO	6/10/2014	12/29/2014	Pandey, A (224)	FDA Acquisition Corp 2011, LLC	1.04
14NFA546 90 Day	Grady Memorial Hospital	561 and 641 West Central Ave. & 5 Orchard Ln., Delaware, Delaware	CDO	1/2/2014	8/18/2014	Pandey, A (224)	Grady Memorial Hospital	25.66
13NFA542 90 Day	Grandview Heights Yard Development	842 West Grandview Yard South, Grandview Heights, Franklin	CDO	12/31/2013	12/29/2014	Gross, S (192)	City of Grandview Heights	10.3
13NFA544 90 Day	Grandview Yard Former Big Bear Warehouse	851 West Third Ave., Grandview Heights, Franklin	CDO	1/2/2014	11/24/2014	Gross, S (192)	City of Grandview Heights; NRI Equity Land Investments, LLC	17.65
14NFA552 90 Day	4815 Detroit Avenue	4801,4815 and 4903 Detroit Ave. 414 and 1418 West 48th St., Cleveland, Cuyahoga	NEDO	2/10/2014	8/18/2014	Pandey, A (224)	Thermagon, Inc., an Ohio Corporation d/b/a Laird Technologies	0.96

NFA # Type	Site Name	Address	EPA District*	Date Received	Date CNS Issued	CP Name (#)	Volunteer	Acres
12NFA454 90 Day	888 Wooster Rd. W Redevelopment	888 Wooster Rd. W, Barberton, Summit	NEDO	4/17/2012	1/29/2014	Bremer, D (311)	Barberton Community Development Corporation	1.95
13NFA545 90 Day	Asia Plaza	2999 Payne Ave., Cleveland, Cuyahoga	NEDO	1/2/2014	8/18/2014	Zampino, J (280)	Asia Plaza Co.	3.81
13NFA519 90 Day	BecoTek Manufacturing, Inc.	1305 Oberlin Ave., Lorain, Lorain	NEDO	6/10/2013	4/16/2014	Knecht, M (105)	BecoTek Manufacturing, Inc.	6.52
13NFA501 90 Day	Ben Venue Labs, Inc.	270 Northfield Rd., Bedford, Cuyahoga	NEDO	2/27/2013	2/3/2014	Knecht, M (105)	Ben Venue Laboratories, Inc.; Cuyahoga County Dept. of Development	14.81
13NFA514 90 Day	Brier Hill Asphalt Plant	1506 S. State St., Girard, Trumbull	NEDO	5/2/2013	10/6/2014	Pierko, J (186)	City of Youngstown Land Reutilization Program	9.24
13NFA507 90 Day	Coit Rd. Water Tower Park	*Coit Rd. & E. 140th St., Cleveland, Cuyahoga	NEDO	4/18/2013	3/3/2014	Roelker, R (157)	Forest City Land Group, LLC; Collinwood BioEnergy, LLC	24.61
14NFA606 90 Day	Fairmont Creamery	1720 Willey Ave., Cleveland, Cuyahoga	NEDO	10/20/2014	12/29/2014	Schultz, T (244)	Sustainable Community Associates, Inc.	1.55
13NFA530 90 Day	Gipson Bearing & Supply Former, Ashtabula	1432 East 21st St., Ashtabula, Ashtabula	NEDO	11/4/2013	6/30/2014	Smith, J (121)	Richard W. Gipson Residuary Trust	9.77
13NFA492 90 Day	Honeywell Signal Systems Former	6705, 6709, 6615 Carnegie Ave., Cleveland, Cuyahoga	NEDO	1/14/2013	2/27/2014	Baker, B (198)	Honeywell International, Inc.	1.24

NFA # Type	Site Name	Address	EPA District*	Date Received	Date CNS Issued	CP Name (#)	Volunteer	Acres
13NFA499 90 Day	Horsburgh & Scott Main Plant	4629 Hamilton Ave., Cleveland, Cuyahoga	NEDO	2/12/2013	1/9/2014	McKim, M (249)	The Horsburgh & Scott Co.	5.44
13NFA529 30 Day	John Hartness Brown Building	1001,1007,1015,1021 and 1101 Euclid Ave., Cleveland, Cuyahoga	NEDO	10/18/2013	1/27/2014	McKim, M (249)	JHB Hotel, LLC; City of Cleveland	1.22
13NFA522 30 Day	Lake East Hospital	10 E. Washington St., Painesville, Lake	NEDO	8/26/2013	1/27/2014	Mignery, T (125)	City of Painesville	8.16
13NFA539 30 Day	Liberty Paramount Theater	138 Federal Plaza W, Youngstown, Mahoning	NEDO	12/13/2013	2/13/2014	Clark, R (101)	City of Youngstown	0.22
13NFA536 90 Day	Northern Portion of Parcel 791-01- 010	24700 Miles Rd., Bedford Heights, Cuyahoga	NEDO	11/29/2013	9/23/2014	Knecht, M (105)	Marotta-Glazer Realty Company, LLC	16.21
13NFA533 90 Day	State Rd. Shopping Center	2667- 2761,2893,2981,2829- 2889,2903-2923 State Road, Cuyahoga Falls, Summit	NEDO	11/14/2013	3/11/2014	Pandey, A (224)	City of Cuyahoga Falls	24.72
13NFA526 90 Day	White Rubber	835 Cleveland Rd., Ravenna, Portage	NEDO	9/9/2013	5/15/2014	Clark, R (101)	City of Ravenna	2.47
13NFA525 90 Day	Clauss Cutlery	223 N. Prospect Street, Fremont, Sandusky	NWDO	9/3/2013	9/3/2014	Brown, D (127)	City of Fremont	6.29
13NFA528 90 Day	Columbia Gas of Ohio, Toledo Service Center	333 South Erie St., Toledo, Lucas	NWDO	10/4/2013	11/10/2014	Egan, K (259)	Columbia Gas of Ohio, A Nisource Co.	5.5
13NFA537 90 Day	Con Agra Redevelopment	41 East Cleveland Rd., Huron, Erie	NWDO	12/5/2013	11/25/2014	Coonfare, M (298)	City of Huron	10.7
14NFA550 90 Day	Napoleon Commerce Park Hogrefe Property	1722 Oakwood Ave., Napoleon, Henry	NWDO	1/29/2014	10/6/2014	Coonfare, M (298)	City of Napoleon	8.12

NFA # Type	Site Name	Address	EPA District*	Date Received	Date CNS Issued	CP Name (#)	Volunteer	Acres
14NFA559 90 Day	Winzeler Stamping Company Plant 2	109 E. Main St., Montpelier, Williams	NWDO	4/23/2014	11/25/2014	Momenee, M (236)	Winzeler Stamping Co.	24
13NFA534 90 Day	Cambridge One- Hour Martinizing	2013 Southgate Pkwy., Cambridge, Guernsey	SEDO	11/26/2013	8/18/2014	Coonfare, M (298)	Garrison Central Cambridge, LLC	0.5
14NFA571 30 Day	Frames Market Former	3839 State Route 93 NE, Crooksville, Perry	SEDO	7/1/2014	10/14/2014	Showalter, E (278)	Perry County Commissioners; Crooksville Exempted Village School District	0.76
13NFA538 90 Day	Frick Gallagher	201 S. Michigan Ave., Wellston, Jackson	SEDO	12/10/2013	12/1/2014	Sittler, S (342)	City of Wellston; Garrett Well, LLC	4.64
14NFA561 30 Day	Grand Theater	115 South 4th St., Steubenville, Jefferson	SEDO	5/5/2014	10/8/2014	Kreeger, D (330)	City of Steubenville	0.25
13NFA513 90 Day	AEG Photoconductor Corp. Former	27 Kiesland Ct., Hamilton, Butler	SWDO	5/1/2013	7/30/2014	Bishop, C (253)	Flavor Liquidating Company (f/k/a A.M. Todd Company)	5.54
13NFA515 90 Day	Blue Ash Airport Shooting Range	4273 Glendale Milford Rd., Blue Ash, Hamilton	SWDO	5/8/2013	6/16/2014	Luessen, M (267)	City of Cincinnati - Department of Transportation and Engineering	7.6
14NFA556 90 Day	Calmego West Expansion	411, 419 and 421 Poplar St. & 424 and 426 Oliver St., Cincinnati, Hamilton	SWDO	4/2/2014	11/24/2014	Fay, D (254)	City of Cincinnati	0.37
13NFA531 30 Day	Cincinnati Enquirer Building	617 Vine St., Cincinnati, Hamilton	SWDO	11/5/2013	9/30/2014	Henegar, C (321)	Vine Street Hotel Partners, LLC	0.49

NFA # Type	Site Name	Address	EPA District*	Date Received	Date CNS Issued	CP Name (#)	Volunteer	Acres
13NFA532 90 Day	Cincinnati Milacron Plant 5 Property	4701 Marburg Ave., Cincinnati, Hamilton	SWDO	11/12/2013	12/11/2014	White, B (146)	City of Cincinnati	16.35
13NFA540 90 Day	Cincinnati Milacron/Oakley North Redevelopment	4701 Marburg Ave., Cincinnati, Hamilton	SWDO	12/16/2013	12/1/2014	White, B (146)	City of Cincinnati	155.55
13NFA517 90 Day	Fox River Paper Mill	700 W. Court St., Urbana, Champaign	SWDO	5/21/2013	4/21/2014	Gross, S (192)	City of Urbana	9.26
12NFA488 90 Day	ITT Jabsco Fac Former	501 W. Liberty St., Springfield, Clark	SWDO	11/16/2012	3/3/2014	Cherry, E (142)	ITT Fluid Technology Corporation	3.28
14NFA551 90 Day	Miami Packaging Co. Former	1701 Reinartz Blvd., Middletown, Butler	SWDO	1/31/2014	7/8/2014	Luessen, M (267)	City of Middletown	9.8
13NFA541 90 Day	Monument Ave. Gateway Project	537 East Monument Ave., Dayton, Montgomery	SWDO	12/31/2013	9/30/2014	Funk, L (286)	City of Dayton	1.44
13NFA535 30 Day	Piqua Memorial Hospital	624 Park Ave., Piqua, Miami	SWDO	11/26/2013	6/17/2014	Franz, B (119)	City of Piqua	6.85
13NFA521 90 Day	Textron, Inc.	360 and 474 South Nelson Ave., Wilmington, Clinton	SWDO	7/22/2013	11/25/2014	White, B (146)	City of Wilmington	48.84

\*Ohio EPA Districts:

CDO = Central District (Columbus); NEDO = Northeast District (Twinsburg); NWDO = Northwest District (Bowling Green);  
SEDO = Southeast District (Logan); SWDO = Southwest District (Dayton)

## VAP Memorandum of Agreement Track

The MOA-Track program incorporates public involvement and up-front oversight into the existing VAP process. Volunteers who follow this track of the VAP obtain both a CNS from Ohio EPA and assurance that U.S. EPA will not require any additional cleanup at the site. Four properties entered the MOA Track in 2014. The original VAP process, known as the Classic VAP Track, is also available to volunteers who are not seeking federal assurance and prefer not to incorporate up-front Agency oversight or public involvement into the voluntary cleanup process.

VAP staff created procedures and documents to assist volunteers and CPs through a voluntary action that meets both the traditional VAP requirements and the additional public involvement and Ohio EPA review requirements for the MOA track. Detailed information about the VAP's MOA Track process, including a copy of the MOA between Ohio EPA and U.S. EPA, can be found on the program website at <http://epa.ohio.gov/portals/30/vap/docs/MOA%20Track.pdf>

### Properties that Entered the MOA Track in 2014

Property Name, Address	Volunteer	Date Entered MOA Track
Amerace Corp. Swan Hose Division, 201 East Beal Ave., Bucyrus, Crawford	Tekni-Plex, Inc.; TPI Acquisition Subsidiary, Inc.	9/17/2014
Standard Products Co., 215 Maple St., Port Clinton, Ottawa	Cooper Tire & Rubber	2/11/2014
Steel Ceilings, Inc., 500 North Third St., Coshocton, Coshocton	Coshocton Port Authority	5/9/2014
Tech Town Redevelopment, 300 Taylor St., Dayton, Montgomery	City of Dayton	9/22/2014

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## Audits of No Further Action Letters

Ohio EPA annually audits at least 25 percent of all NFA letters submitted to the VAP in each calendar year. These audits can be limited to a review and analysis of the documents pertaining to the NFA letter to determine compliance with program requirements (Tier I Audit), or be expanded to include sampling and analysis of soils, surface water, air, sediments or ground water (Tier II Audit). Audits are conducted to determine if the properties meet applicable standards after completion of the remedial activities. Audits also are conducted to ensure that CPs and certified laboratories that performed work in support of the NFAs possess the qualifications necessary to perform work under the VAP and that their work results in NFAs that are consistent with applicable standards.

Ohio Administrative Code (OAC) Chapter 3745-300-14 describes the procedures for selecting and conducting audits of NFA letters. The rule establishes three pools of NFA letters to prioritize their selection for audits - mandatory, priority and random audit pools. The *mandatory audit pool* includes NFA letters meeting one of six criteria that provide reason to believe the NFA letter was issued fraudulently or that performance of the CP who issued the NFA letter or the certified laboratory that performed analyses in support of the NFA letter was inadequate. The *priority audit pool* includes NFA letters that included a risk assessment or employed an engineering control (such as a vapor barrier system) or institutional control (such as a deed restriction) as a remedial activity. The *random audit pool* includes all other NFA letters, including those from the priority audit pool that are not selected during the initial random selection as described below. Properties were selected according to criteria and procedures described in OAC Chapter 3745-300-14.

In addition to auditing all NFA letters in the mandatory audit pool, OAC Chapter 3745-300-14 requires Ohio EPA to audit at least 25 percent of NFA letters for properties where remedial activities occurred and 25 percent of those where no remedial activities occurred. Letters are randomly selected from the priority audit pool and the random audit pool to meet the 25 percent quota.

In 2014, the VAP initiated audits of 16 of the NFA letters requesting a CNS that were submitted to Ohio EPA during the previous year (2013). The following table summarizes the name and address of the properties audited, the NFA number, the basis for selecting the property for audit and the status of the audit.

## NFA Letters Received in 2013 Selected for Audit in 2014

Property Name	Address	NFA #	Ohio EPA District	Audit Pool	Complete
Queen City Barrel Metrowest Commerce Park	1937 South St., Cincinnati	13NFA518	SWDO	Discretionary	N
Brier Hill Asphalt Plant	1506 S. State St., Girard	13NFA514	NEDO	Priority	N
CSU Viking Hall	2112 - 2130 Euclid Ave., Cleveland	13NFA527	NEDO	Priority	N
Frick Gallagher	201 S. Michigan Ave., Wellston	13NFA538	SEDO	Priority	N
Goodyear Tire Building 116 Martha Ave.	1381 Techway Dr., Akron	13NFA498	NEDO	Priority	N
Grandview Heights Yard	842 W. Goodale Blvd., Grandview Heights	13NFA542	CDO	Priority	N
Honeywell Signal Cleveland	6705, 6709, 6615 Carnegie Ave., Cleveland	13NFA492	NEDO	Priority	N
Ironton Iron Works	2520 S. Third St., Ironton	13NFA512	SEDO	Priority	N
Linden Place	S Prospect and West Columbia Streets, Marion	13NFA494	NWDO	Priority	N
Monument Avenue Gateway	537 E. Monument Ave., Dayton	13NFA541	SWDO	Priority	N
Penguin Cleaners	5637 Mayfield Rd., Lyndhurst	13NFA506	NEDO	Priority	N
Textron, Inc.	360 S. Nelson Ave., Wilmington	13NFA521	SWDO	Priority	N
Asia Plaza	2999 Payne Ave., Cleveland	13NFA545	NEDO	Random	N
Grandview Yard Big Bear	851 West Third Ave., Grandview Heights	13NFA544	CDO	Random	N
Lake East Hospital	10 E. Washington St., Painesville	13NFA522	NEDO	Random	N
Northern Portion of PPN 791-01-010	24700 Miles Rd., Bedford Heights	13NFA536	NEDO	Random	N

## VAP Expenditures for Calendar Year 2014

<b>Personnel</b>	<b>2014</b>
Fund 4R9 - VAP Fund	\$ 810,134.94
Hazardous Waste Management Fund (505)	\$ 1,535,882.97
Environmental Protection Fund (5BC)	\$ 88,156.28
U.S. EPA Grants (Federal dollars)	\$ 100,982.60
<b>Total Cost of Personnel</b>	<b>\$ 2,535,156.79</b>
<b>Maintenance of the Program</b>	
Fund 4R9 - VAP Fund	\$ 261,203.71
Hazardous Waste Management Fund (505)	\$ 406,449.60
Environmental Protection Fund (5BC)	\$ 263,297.48
U.S. EPA Grants (Federal dollars)	\$ 483.82
<b>Total Cost of Maintenance</b>	<b>\$ 931,434.61</b>
<b>Equipment</b>	
Fund 4R9 - VAP Fund	\$ 6,675.74
Hazardous Waste Management Fund (505)	\$ -
Environmental Protection Fund (5BC)	\$ 1,287.00
U.S. EPA Grants (Federal dollars)	\$ -
<b>Total Cost of Equipment</b>	<b>\$ 7,962.74</b>
<b>Contractual and Other</b>	
Fund 4R9 - VAP Fund	\$ 3,982.09
Hazardous Waste Management Fund (505)	\$ 7,616.17
Environmental Protection Fund (5BC)	\$ 5,349.94
U.S. EPA Grants (Federal dollars)	\$ -
<b>Total Cost of Contractual and Other</b>	<b>\$ 16,948.20</b>
<b>Total VAP Program Cost</b>	<b>\$ 3,491,502.34</b>

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## VAP Revenues for Calendar Year 2014

### VAP Administration Fund Revenue

Certified Professional Fees	\$	211,336.20
Certified Laboratory Fees	\$	62,013.52
No Further Action Fees	\$	228,255.45
Technical Assistance Cost Recovery	\$	556,820.43
CP Training Reimbursements	\$	-
Attorney General's Office Collected	\$	-
Misc. - Intra-governmental, photocopying, etc.	\$	-
<b>Total VAP Administration Fund Revenue</b>	<b>\$</b>	<b>1,058,425.60</b>

### Tax Abatements in 2014

According to Ohio Revised Code 5709.87, parcels that are issued an NFA letter from CPs are exempt from increases in assessed value. Ohio Revised Code Section 709.88 similarly allows the exemption of a negotiated portion of the increase in the assessed value of parcels related to new buildings and improvements that are issued NFA letters from CPs and enter into agreements with a municipal corporation or county. The following is a list of the counties in which are located properties with parcels eligible for tax abatements and the amount of taxes exempted.

County	2014 # of properties listed	\$ Amount of taxes exempted in 2014
Allen	3	\$1,687.37
Ashland	4	\$9,273,470.00
Ashtabula	4	\$0.00
Athens	1	\$23,396.45
Butler	8	\$32,229.67
Carroll	1	\$0.00
Champaign	2	\$0.00
Clark	8	\$150,845.72
Clermont	1	\$100,897.24
Clinton	1	\$17,862.76
Columbiana	2	\$12,288.62
Coshocton	1	\$0.00
Cuyahoga	69	\$1,257,944.36
Darke	1	\$0.00
Delaware	2	\$0.00
Erie	4	\$23,964.29
Fairfield	1	\$0.00
Franklin	34	\$1,330,434.00
Geauga	2	\$0.00
Greene	2	\$212,652.43
Hamilton	30	\$592,808.09
Hancock	1	\$0.00
Henry	2	\$2,670.77
Hocking	2	\$3,649.82
Huron	1	\$0.00

County	2014 # of properties listed	\$ Amount of taxes exempted in 2014
Jackson	2	\$2,883.98
Jefferson	2	no data provided
Knox	1	\$10,132.52
Lake	3	\$0.00
Lawrence	2	\$13,122.00
Licking	1	\$250,600.00
Lorain	4	\$75,354.39
Lucas	13	\$382,002.34
Mahoning	10	\$2,924,520.00
Marion	1	\$472.29
Mercer	1	\$0.00
Miami	3	\$0.00
Montgomery	15	no data provided
Perry	3	\$0.00
Pickaway	1	\$0.00
Portage	3	\$7,621.93
Putnam	1	\$0.00
Richland	2	\$67,840.00
Ross	2	\$52,081.28
Sandusky	1	\$0.00
Scioto	5	\$10,186.91
Seneca	2	\$0.00
Stark	7	\$0.00
Summit	18	\$7,818.00
Trumbull	5	no data provided
Tuscarawas	2	\$0.00
Van Wert	1	\$0.00
Vinton	1	\$0.00
Warren	3	\$116,810.87
Wayne	1	no data provided
Williams	2	\$290.00
Wyandot	1	\$0.00
<b>Total</b>	<b>306</b>	<b>\$16,958,538.10</b>



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