

# SABR News

A Publication for the Brownfield Interested Party List

March 2013

## VAP's Biocriteria Certification Requirements Changing Soon

Since the original VAP rules were adopted in 1996, the program has relied on biocriteria testing to determine if sediments on or near a VAP property are contaminated to such a degree that remediation is necessary.

Ohio's biocriteria testing, originally developed by Ohio EPA's Division of Surface Water (DSW), looks at the environmental health of a stream or river by analyzing the diversity of fish species and macroinvertebrate species in the water body along with the quality of the riparian area surrounding the water body. DSW has relied upon its biocriteria testing methodology since the late 1980s to determine the environmental health of Ohio's streams and rivers.

Because the VAP is a privatized program, Ohio EPA staff had to determine how to certify private environmental consultants to conduct biocriteria testing. Prior to the VAP, DSW relied completely on Agency staff to conduct the biocriteria testing. As a result, a biocriteria training curriculum and recertification requirements were developed for those consultants who specialized in aquatic biology and wanted to be certified to conduct biocriteria testing under the VAP.

Since 1996, the Division of Environmental Response and Revitalization (DERR), which houses the VAP, has relied on two DSW staff, who work full-time for DERR, to provide VAP biocriteria training and recertification.

At the end of 2012, the two staff who provided DERR with aquatic biology testing and technical assistance retired. These positions were not replaced due to funding reductions. This left the VAP looking to identify a way to ensure those individuals who were certified to conduct biocriteria testing for the program could continue to have their certifications renewed into the future.

The answer was found in DSW, which had developed its own chemical and biocriteria testing certification program, known as the Ohio Credible Data Program. The program formed in 2003 in response to legislation that required Ohio EPA to develop standards to determine the scientific validity of the water quality data that are collected by watershed groups, local governments, educators, private businesses and others who do not work for Ohio EPA.

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We're on the Web!

[epa.ohio.gov/derr/SABR/sabr.aspx](http://epa.ohio.gov/derr/SABR/sabr.aspx)



Consultants who are currently certified as VAP biocriteria evaluators can apply to be a Credible Data Collector Level 3 (level 3 is the highest level of data quality and scientific validity) without having to take the Credible Data Level 3 training. This is because the VAP biocriteria training is identical to the Credible Data Level 3 training.

The only change the current VAP biocriteria evaluators will experience is when they need to renew their certification, they will renew through DSW's Credible Data Program rather than DERR. The certification period under the Credible Data Collector Level 3 is two years, which is the same as it was under the VAP biocriteria evaluator certification. The recertification requirements are also essentially the same.

Revisions to VAP rules OAC 3745-300-05 (the certified professional rule) and OAC 3745-300-09 (the risk assessment rule) have been proposed to allow the VAP biocriteria evaluator certification to merge with DSW's Credible Data Collector Level 3 certification program. These rule revisions were recently filed with the Joint Committee on Agency Rule Review (JCARR). A public hearing was held on March 4. More information can be accessed at [epa.ohio.gov/derr/derrrules.aspx](http://epa.ohio.gov/derr/derrrules.aspx). DERR estimates that these rule changes will become effective in April 2013.

Any questions about these rule revisions and the programmatic changes that will occur as a result of the revisions should be directed to Amy Yersavich, DERR's Site Assistance and Brownfield Revitalization Manager, at (614) 644-2924.

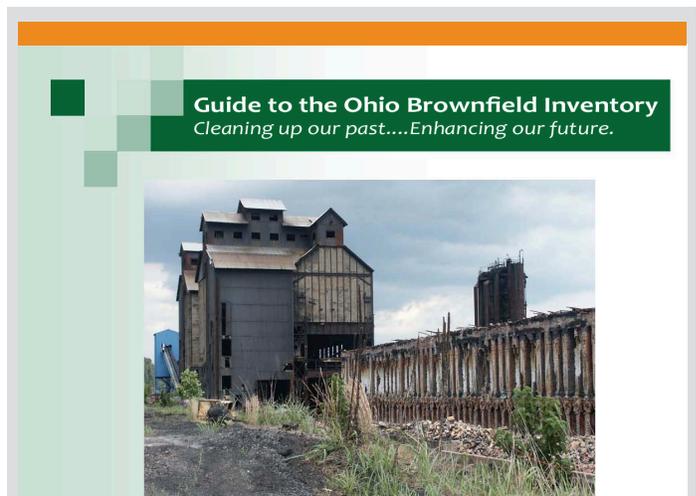
## Brownfield Inventory

Ohio EPA maintains a voluntary, publicly available statewide inventory of brownfield properties. Prospective brownfield sites must be included in the inventory in order to be eligible for Clean Ohio program grant funding.

Information contained in the Ohio Brownfield Inventory includes details such as location, past use, utilities available and proximity to major roads, airports and public transportation. It also includes Google Maps support to allow you to use features such as pan, zoom, MAP Views Terrain/Satellite/Hybrid and Street-view. Advanced query grid tools allow for filtering, sorting, grouping and exporting of brownfield property data.

To make Ohio's inventory more comprehensive, Ohio EPA encourages local governments and private entities to submit information for inclusion in the online inventory. We consistently receive inquiries from developers who are interested in locating brownfield properties in Ohio. By providing information for the brownfield inventory, you will introduce developers and other potential buyers to your property.

The website also includes resources for brownfield redevelopment, a media gallery highlighting some of Ohio's brownfield success stories, an application for admission to the Ohio Brownfield Inventory and an affidavit for removing a property from the inventory.



**Guide to the Ohio Brownfield Inventory**  
*Cleaning up our past....Enhancing our future.*

### Join the Inventory

By providing information for the brownfield inventory, you will introduce developers and other potential buyers to your property.

To be eligible for Clean Ohio program grant funding, prospective brownfield sites must be included in the inventory.

Go to [www.derr.epa.ohio.gov](http://www.derr.epa.ohio.gov) to check out the inventory. For assistance, or to submit your property information, email Rikki Knerr at [Rikki.Knerr@epa.ohio.gov](mailto:Rikki.Knerr@epa.ohio.gov) or call (614) 728-1749.



## Phase II Assistance Funds

### A Catalyst for Success in Cuyahoga Falls

In 2010, the City of Cuyahoga Falls received \$155,250 from the Clean Ohio Assistance Fund (COAF) to conduct a Phase II investigation at a former commercial/retail building at 1110 to 1130 Portage Trail. The 0.66-acre property is located northwest of downtown Cuyahoga Falls on a major city corridor. Prior to city involvement at the property, numerous local businesses had expressed interest in the property because of the high traffic and visibility of the property, but unknown environmental liabilities hindered any action.

The city used Community Development Block Grant (CBDG) funds to complete the Phase I, purchase the property and complete demolition activities. Their original intent was to assess the property, conduct any necessary cleanup and market the property.

Upon completion of the Phase II and a small soil removal, the property was found to meet the VAP cleanup standards resulting in the issuance of a VAP No Further Action (NFA) Letter and paving the way for immediate redevelopment.

The property was first used for commercial-industrial purposes in the 1920s when it was parceled from rural land for redevelopment. Approximately 50 businesses have occupied the property over the past 85 years. Businesses and operations at the property have included a former ODOT garage, various auto repair services, a bakery, a dairy, a screen printing business, a sports supply business, a lawnmower supply business, a chemical dealer and other businesses. By 2007, buildings on the property, totaling more than 15,250 square feet, were vacant, dilapidated and condemned by the city.

The city completed Phase II investigation activities in late 2010. Twelve identified areas ranging from former hydraulic lifts, auto repair areas, storage areas, an oil/water separator and former pit were evaluated. Soil, ground water, sludge and wipe samples were collected with limited contaminants found.

Following Phase II activities, the City purchased the property for \$10,000 out of foreclosure in April 2011. The city spent \$60,000 to demolish the buildings and remove a small area of lead-impacted soil and catch basin sludge in May 2011. The city utilized U.S. EPA grant-funded technical assistance provided by Ohio EPA technical staff to review draft Phase I and Phase II reports. An NFA Letter was issued for the property in October 2011 and a Covenant Not to Sue (CNS) was granted by Ohio EPA in February 2012.



### Cuyahoga Falls Success

The City of Cuyahoga Falls used Clean Ohio Assistance Fund (COAF) and Community Development Block Grant (CDBG) money to investigate, clean up and purchase a former commercial/retail building located northwest of downtown Cuyahoga Falls on a major city corridor.

In 2012, Pediatrics of Akron purchased the redeveloped property and invested more than \$450,000 to construct a new 3,025-square-foot state-of-the-art medical office building.



## National Brownfields Conference to Be Held in Atlanta

U.S. EPA and the International City/County Management Association (ICMA) are hosting the next National Brownfields Conference in Atlanta on May 16-17, 2013 (with mobile workshops also on May 15). This conference is the largest event in the nation that focuses on environmental revitalization and economic redevelopment.

Speakers at the opening plenary session will include Kasim Reed, mayor of Atlanta; Edna Jackson, mayor of Savannah, GA; Jay Williams, White House Deputy Director for Intergovernmental Relations; Mathy Stanislaus, Assistant Administrator, U.S. EPA; and Scott Condra, President, Jacoby Development Inc.

Discussions will revolve around sustainable community revitalization and equitable growth. The conference includes seven educational tracks:

- » How is the Market Working Now? Real Estate, Finance and Jobs
- » What is the Strategy? Sustainability, Place-Based and Greener Cleanup
- » To What End? Renewable Energy, Urban Agriculture, Waterfronts and More End Uses
- » Are We Engaged? Community Engagement, Public Outreach and Sharing the Vision
- » Who is Liable? What is the Law? Brownfields Law and Liability
- » Is it Healthy? Public Health and Brownfields Redevelopment
- » Is it Equitable? Environmental Justice and Equitable Redevelopment

The conference is designed primarily with government leaders, economic development officials, community development organizations and real estate developers and investors in mind. Ohio's certified professionals should view this as an excellent opportunity to learn about issues relating to community revitalization and redevelopment and as a networking opportunity. There are no qualifying PDHUs for attending this conference.

## Courses Pre-approved for PDHUs

To renew certification, a certified professional (CP) must demonstrate completion of a minimum of 12 professional development hour units (PDHUs), as set forth in paragraphs (C)(7) through (C)(11) of rule 3745-300-05, of relevant continuing education during the previous certification year.

Certified professionals are encouraged to attend CP Coffees (3-4 hour training sessions held 2-3 times a year), the VAP Annual Certified Professional Training Session in the fall of each year (typically a full-day session), and/or the Ohio Brownfield Conference presentations that are pre-approved for PDHUs. In addition, technical courses covering issues such ground water sampling and soil classification are offered on a periodic basis. Current courses being offered can always be found under "Outreach and Training" at [epa.ohio.gov/derr/](http://epa.ohio.gov/derr/) and it will be noted if the courses qualify for PDHUs.

In addition, there are several technical webinars, seminars and conferences related to investigation and remediation techniques that DERR/SABR staff approve on a regular basis for PDHUs. For the most current list of pre-approved courses, go to [epa.ohio.gov/portals/30/vap/docs/CP/Courses\\_pre-approved\\_2-19-13.pdf](http://epa.ohio.gov/portals/30/vap/docs/CP/Courses_pre-approved_2-19-13.pdf). For a list of archived pre-approved courses, go to [epa.ohio.gov/portals/30/vap/docs/CP/Archived\\_Courses\\_2-22-13.pdf](http://epa.ohio.gov/portals/30/vap/docs/CP/Archived_Courses_2-22-13.pdf).

If you have any questions about PDHU courses or documentation required to satisfy your renewal application, please feel free to contact a SABR certified professional coordinator at (614) 644-2924.



### Reserve Your Spot

Registration will remain open through 5 p.m. April 24, 2013. Mobile workshop registration will remain open through 5 p.m. May 3, 2013.

For more information  
and to register, visit  
[brownfieldsconference.org](http://brownfieldsconference.org)



## Clean Ohio Revitalization Fund - A Success Story in Cincinnati

### The Oakley North Project/Former Milacron Facility

In 2011, the City of Cincinnati received a \$3 million Clean Ohio Revitalization Fund grant to conduct a cleanup and demolition at the former Milacron Facility. Since the property is located in a very urban area, the city and its development partner plan on converting the 74-acre former heavy industrial site into a modern multi-use development that includes 350,000 square feet of retail, 250,000 square feet of offices, 300 apartments and a 55,000 square-foot movie theater.



### From Milacron to Movies

The City of Cincinnati received a \$3 million grant to conduct a cleanup and demolition at the former Milacron Facility. The property, located in a very urban area, will be transformed into a modern multi-use development that includes 350,000 square feet of retail, 250,000 square feet of offices and 300 apartments.

Demolition is nearly complete, and a new 55,000 square-foot Cinemark movie theater is under construction. The development is more real now than ever.



Once a major employer for the residents of Oakley, the old factory had been vacant for years. Past efforts to build something on the site failed due to the sluggish economy, but a deal between the City and Vandercar Holdings will bring about a \$120 million mixed-use development to the site.

The property was first occupied by Cincinnati Milacron in 1917 to make manufacturing equipment for factories around the world. The facility operated mainly as a metal works facility until 2004. Factory Power Company operated an independently owned power plant on the property that provided power to Cincinnati Milacron and other industrial users on the property. In the 1950s, Kirk and Blum Manufacturing Company began metal work on the property as well. In 1999, Cincinnati Milacron sold the majority of the property to UNOVA Industrial Automation Systems, Inc. From 2004 to late 2010, only the Kirk and Blum portion of the project property remained operational.

### SABR News

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