



# SABR Program Updates

**Amy Yersavich, Ohio EPA  
CP Annual Training  
October 23, 2012**

# SABR Updates

- \* VAP Eligible BUSTR Releases
- \* Biocriteria Certification Change
- \* Federal Brownfield Reauthorization
- \* Brownfield Funding Workshops
- \* OEPA Website Redesign

# BUSTR Releases Eligible for VAP

## Senate Bill 294

The legislation, among other things, proposes changes to the VAP Statute (ORC 3746.02) and the BUSTR Corrective Action Statute (ORC 3737.88) which will deem petroleum UST releases, regardless of whether they are designated Class C or not, eligible to be addressed under the VAP. **Caveats:**

- \* Volunteer cannot be a responsible party, as defined by BUSTR, or be the subject of a BUSTR administrative order or referral to the Attorney General's Office.
- \* The property, on which the UST release exists, must include other non-BUSTR hazardous substances that are being addressed under the VAP.

Became effective on September 3, 2012. **Martin Smith (OEPA) and Lori Stevens (BUSTR)** will provide more details later today!

# Biocriteria Certification

## Revisions to the CP and the Risk Assessment Rule

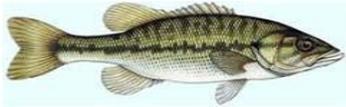


- \* Dave Altfater and Mike Grey, both of Division of Surface Water/Ecological Assessment Unit, will retire this Fall.
- \* Dave and Mike have been taking care of renewing certification for those individuals who have attended the VAP Biocriteria Training and have met all the criteria to conduct either QHEI, IBI, or ICI under the VAP.
- \* VAP Biocriteria Training and criteria for conducting QHEI, ICI and IBI are identical to DSW's Level 3 Credible Data Collectors under OAC 3745-300-03.



# Biocriteria Certification

## Revisions to the CP and the Risk Assessment Rule



- \* Cindy Hafner, DERR Chief, has received approval by our Director to transition our seven Biocriteria Certified Consultants into the Level 3 Credible Data Collector program.
- \* <http://www.epa.ohio.gov/portals/30/vap/docs/CERT/biocriteria.pdf> Biocriteria Certified Consultants List
- \* Next step is to make proposed revisions to the VAP rules to allow this change. SABR has drafted revisions to the CP Rule and the Risk Assessment Rule and is ready to have DERR's Rule Coordinator start them through the Interested Party review and JCARR process.

# Federal Brownfields Re-Authorization Bill

aka The Brownfields Restoration, Investment and Jobs Act of 2012



- Changes to the Brownfields Revitalization and Environmental Restoration Act of 2001 have been proposed and are currently under consideration by the Senate Energy and Environment Committee
- Bill is not likely to be voted out of Committee until after the November elections
- Inability to pass a Reauthorization Bill does not effect funding that is received by states (128a Grants) and communities (ARC Grants)

# Federal Brownfields Re-Authorization Bill Proposed Changes

- 501 (c) (3) s will be eligible to apply for ARC Grants
- Governmental entities may receive ARC Grants for properties they acquired prior to January 11, 2002 even if they don't qualify as a bona fide prospective purchaser
- Allow USEPA Multipurpose Grants with a maximum award amount of \$950,000 (inventory, assessment, planning and remediation in one grant)
- Allow ARC grantees to use up to 8% of their ARC Grant for administrative costs

# Federal Brownfields Re-Authorization Bill Proposed Changes



- Increase the maximum amount for Remediation Grants to \$500,000
- Over a half million dollar set-aside which will be provided in grants (up to \$7,500) to States to assist small and rural communities (population < 15,000)
- Waterfront Brownfield Grants
- Renewable Electricity Generation at Brownfields Grants

# Brownfield Funding Workshops aka-Resources to Redevelop Blighted Properties

Upcoming Workshops in early December:

- \* Cuyahoga County CDCs/Cleveland Suburbs – December 4
- \* Youngstown – December 5



## State and Federal Resources to Redevelop Blighted Properties

September 25, 2012

10:00am – 4:00pm

TechSolve

6705 Steger Drive, Cincinnati, OH 45237

- 10:00**      **Welcome and Introduction Ohio's Voluntary Action Program**  
Amy Yersavich, Site Assessment and Brownfield Revitalization Manager
- 10:30**      **Targeted Brownfield Assessments**  
Martin Smith, TBA Coordinator, Ohio EPA
- 11:00**      **Clean Ohio Fund and Brownfield Revolving Loan Fund**  
Katie Courtright, Brownfield Specialist, Ohio DOD  
Erin Hazelton, Brownfields and Sustainability Specialist, Ohio DOD
- 11:30**      **Ohio Water Development Authority Loan Programs**  
Katie Courtright, Brownfield Specialist, Ohio DOD  
Erin Hazelton, Brownfields and Sustainability Specialist, Ohio DOD
- 11:45**      **Ohio's Brownfield Inventory**  
Amy Yersavich, Site Assessment and Brownfield Revitalization Manager
- 12:00**      **LUNCH**
- 1:00**      **Technical Assistance to Brownfields (TAB) Program and e-tools for Brownfield Redevelopment**  
Blase Levin, TAB Coordinator, Kansas State University Rural Development Resources
- 1:30**      **US EPA Brownfield Grants**  
Karla Auker, Brownfields Coordinator, US EPA Region 5
- 2:00**      **Small and Rural Community Brownfield Assistance**  
Ildi Pallos, Technical Writer, Ohio EPA
- 2:20**      **BREAK**
- 2:35**      **Workshop Success Story**  
Kevin Dennis, FOHCC Project Director
- 3:05**      **Putting it All Together**  
Amy Yersavich, Site Assessment and Brownfield Revitalization Manager
- 3:30**      **Question and Answer Session**

Division of Environmental Response and Revitalization - Windows Internet Explorer

http://epa.ohio.gov/derr/EnvironmentalResponseandRevitalization.aspx

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Division of Environmental Response and Revitalization

! Please excuse our bumps in the road as Ohio EPA migrates to a new website design. Parts of the site's functionality may be temporarily unavailable. Here's a quick link to [Ohio EPA's eBusiness Center](#). Note to Internet Explorer users: this site is viewed better in IE8 or IE9. We appreciate your patience as you explore Ohio EPA's new site. Please email questions and comments to [webmaster](#).



## Division of Environmental Response and Revitalization

The Division of Environmental Response and Revitalization oversees investigation and cleanup of contaminated sites including RCRA corrective action and closure, VAP, federal facilities, Superfund and remedial response. The division responds to and oversees cleanup of emergency releases and spills to the environment; and provides assistance to companies and communities that clean up and reuse brownfield sites.

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**Announcements/Highlights:**

**New Certified Professional TGCs:**

- [VA3005.12.001](#) - Complying with Certified Professional Initial Training Requirements
- [VA3005.12.002](#) - Complying with Continuing Education Requirements for Certified Professionals

**New Legislation:**

[Expanded eligibility for BUSTR releases in the VAP is found under Sections 3737.88 and 3746.02 in the bill.](#)



Guidance - Windows Internet Explorer

http://epa.ohio.gov/derr/rules/guidance.aspx

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Guidance

Ground Water and Leaching Assessment QA/QC Remedial Response Risk Assessment VAP

**Distinction between Monitored Natural Attenuation and Enhanced Monitoring at DERR Remedial Sites** - Distinguishes between monitored natural attenuation plans and enhanced monitoring to assess the natural attenuation processes.

**Leach-Base Soil Guidance - 2008 & Leach-Base Soil Guidance Appendix** - Provides guidance on the Leach-Base Soil.

**Monitored Natural Attenuation** - Discusses DERR's expectations with respect to the evaluation and implementation of monitored natural attenuation (MNA) as a response action at Remedial Response Program sites.

**Soil Leaching to Groundwater Evaluation for Total Petroleum Hydrocarbons (TPH)** - Recommends an approach for the evaluation of total petroleum hydrocarbons (TPH) leaching from soil to ground water. The process is designed to address existing contamination only. It is not designed to be used to approve controlled discharges from permitted facilities.

**Use of Direct Push Technologies for Soil and Ground Water Sampling** - The Division of Drinking and Ground Water has added a new chapter to its Technical Guidance Manual for Hydrogeologic Investigations and Ground Water Monitoring (TGM).

Division of Environmental Response and Revitalization  
Phone: (614) 644-2924 ~ Fax: (614) 644-3146 ~ [Contact](#)

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**Brownfield Assistance** - facilitates brownfield redevelopment through funding and other resources along with outreach and education

**Brownfield Incentives/Clean Ohio Fund** - provides technical support to Clean Ohio Fund projects and outreach to communities that can benefit from the Clean Ohio Fund

**Emergency Response** - minimizes the impact of spills and releases to the environment and makes sure they are properly cleaned up

**Federal Facilities** - oversees the investigation, remediation and stewardship activities at federal cleanup sites in Ohio (Department of Energy and Department of Defense sites)

**Radiological Emergency Preparedness** - provides Ohio EPA staff with radiological technical advice and provides the [Ohio Utility Radiological Safety Board \(URSB\)](#) with environmental expertise

**RCRA**- oversees RCRA hazardous waste facility closures and RCRA corrective actions

**Remedial Response** - investigates the nature and extent of historical hazardous waste releases in Ohio and determines whether or not these sites represent a risk to human health or the environment and therefore require cleanup

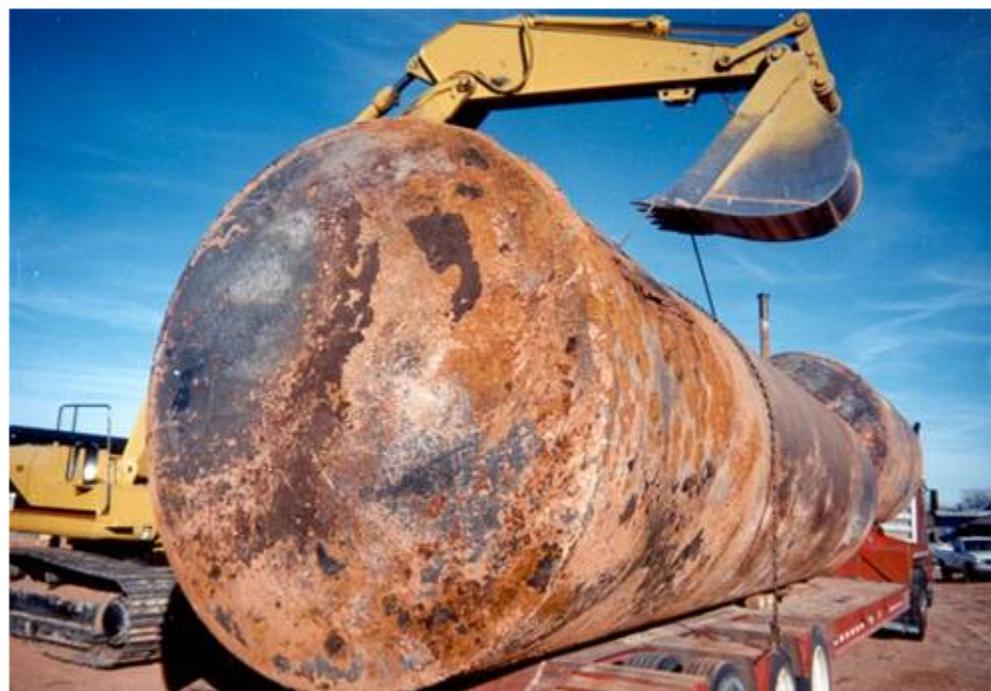
**Site Assessment** - provides on-site sampling and assessment assistance, including collection of surface soil samples, ground water monitoring well samples, residential well samples, surface water and sediment samples and ecological assessments

**Voluntary Action Program** - gives individuals a way to investigate possible environmental contamination, clean it up if necessary and receive a promise from the State of Ohio that no more cleanup is needed



## More Cleanup Options for Some Underground Storage Tanks





## VAP Eligible BUSTR Releases

With the signing of House Bill 153 in June 2011 and the signing of Senate Bill 294, which became effective on Sept. 3, 2012, volunteers can now follow Volur Action Program (VAP) cleanup requirements to address petroleum releases fr underground storage tank systems (USTs) at several sites that were previous ineligible to enter the VAP prior to conducting a BUSTR regulated cleanup.

Class C sites, pursuant to HB 153, are eligible for the VAP as long as the rele: has been determined by the Bureau of Underground Storage Tank Regulation (BUSTR) to be a release of petroleum occurring or identified from a UST syste subject to the BUSTR laws, where the responsible person (RP) for the releas specifically determined by BUSTR to not be a viable person capable of undertaking or completing the required corrective actions.

BUSTR determines the status of petroleum releases and will designate a rele to be a Class C release when either the RP for the release is no longer aroun (for example, an individual is deceased or a corporation is bankrupt) or the RP specifically determined not to be financially able to assess and clean up the

release. Except for persons responsible for the Class C release, volunteers now have a choice to address a Class C release following either BUSTR rules or VAP rules.

If your property has a petroleum release and is not on the "Class C release list" (see link below) but you believe it to be a Class C release and want to pursue the VAP, you ca complete the BUSTR-VAP Eligibility Determination Form (see link below) and BUSTR will work with you to determine whether the release can receive the Class C release designation.

Under Senate Bill 294, additional BUSTR release sites are now also eligible for the VAP. These include sites with BUSTR UST releases where:

- The volunteer is not a responsible party, as defined by BUSTR, or the subject of a BUSTR administrative order or referral to the Attorney General's Office; and

# Questions???

**Amy Yersavich, SABR Manager, DERR**  
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