



**John R. Kasich**, Governor  
**Mary Taylor**, Lt. Governor  
**Craig W. Butler**, Director

## Memorandum

**To:** VAP Certified Professionals, Environmental Attorneys, Volunteers, Developers, and Other Interested Parties

**From:** Mike Proffitt, Chief, Division of Environmental Response and Revitalization

**Date:** March 13, 2017

**Re:** Seeking Interested Persons for a VAP Advisory Group

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The Voluntary Action Program (VAP) has seen recent policy changes related to placing more emphasis on verifying and ensuring properties that utilize the program are protective of public health both in the short term and the long term. Certified Professionals (CPs) and Volunteers have had to adjust to changes including:

- New provisions in the covenant not to sue (CNS) issued by the Director
- Additional conditions in environmental covenants and operation and maintenance plan agreements
- Engineering control requirements, especially related to vapor intrusion
- Expected response times and CP's duty to report imminent hazard conditions related to vapor intrusion, especially trichloroethylene

Going forward, Ohio EPA would like to engage with interested stakeholders to continue to improve the program. Ohio EPA is interested in exploring what works well with the VAP, but also what can be improved. Topics of interest to Ohio EPA include:

- New ideas to better ensure the long-term protectiveness of properties receiving a CNS
- Responsibilities and duties of VAP CPs
- Changes to incentivize continued use of the VAP by developers and volunteers
- Recommendations for VAP rule revisions

Ohio EPA would also like to hear from members of the VAP Advisor Group and other stakeholders about topics of interest they would like to discuss with Ohio EPA. The VAP Advisory Group forum would be a good place to begin these additional discussions.

Persons interested in volunteering to participate on a VAP Advisory Group are asked to contact Martin Smith, VAP manager (contact information provided below). The intent is to

keep the group to a manageable size of around 10 to 12 individuals. Individuals should be willing to commit to participation in a series of meetings to be held four to six times a year. Participation in person is preferred with occasional conference calls possible.

Please contact Martin Smith, VAP manager, at (614) 644-4829 or by email at [martin.smith@epa.ohio.gov](mailto:martin.smith@epa.ohio.gov) if you are interested in participating on this new VAP Advisory Group.