

Termination of a Remedial Response Order

Once all the work required by an order is complete, responsible parties may request that the order be terminated. The most common language included in an order for termination is below.

“These Orders shall terminate upon Ohio EPA's concurrence in writing of Respondents' written certification to the Ohio EPA that all Work required to be performed under these Orders, including the payment of Response Costs, has been completed. The termination of these Orders shall not affect the terms and conditions of the Reservation of Rights, Access to Information, Indemnity, Other Claims, and Land Use and Conveyance of Title provisions of these Orders.”

When all activities required under the orders are completed, the responsible party can formally request that the orders be terminated by sending a letter to the district site coordinator certifying that all of the requirements contained in the orders have been met and requesting that the order be terminated. The letter, signed by a responsible official of the responsible party, is to include the following attestation:

“I certify that the information contained in or accompanying this certification is true, accurate, and complete.”

The site coordinator will confirm that all requirements of the orders have been met and that all outstanding response costs have been paid. If all the requirements of the orders have been met, a concurrence letter will be sent to the responsible party by the district site coordinator. This letter will terminate the order in accordance with the provision in the order. The legal release provided by complying with the order is for the work performed under the order. This work is typically defined in a Statement of Work attached to the order and serves as the basis for a work plan that is reviewed and approved by Ohio EPA.