

### Ohio EPA RCRA & VAP MOA Track: Initial Eligibility Determination

Eligibility Type	Required Information for Initial Eligibility Determination	Yes or No (indicate which)	Provide specific responses where indicated below, and attach to this Form supporting documentation. Please reference all attachments [including document name, section and page number(s)] where the relevant information is located.
NPL	1. OAC 3745-300-02(B)(1); National Priority List (NPL) sites		
NPL	1a. Is the property or some portion of the property (i) on the NPL, or (ii) proposed to be listed on the NPL according to Federal Register notice, or (iii) a site where U.S. EPA, after performance of a preliminary assessment or site inspection and after consultation with Ohio EPA, determines or has determined that the site obtains a preliminary score sufficient for possible listing on the NPL. (If only a portion of the property is affected by one or more of the above criteria, attach a map that identifies the portion of the property affected.)	Yes: No:	
<p>Note: Properties or portions thereof that are listed on the NPL are ineligible for the MOA Track, until U.S.EPA delists the property or portion thereof from the NPL, and Ohio EPA is provided documentation of the delisting. Properties or portions thereof that are proposed to be listed on the NPL or are the subject of a Hazard Ranking Scoring package, are ineligible for the MOA Track, unless U.S. EPA determines not to list the property or portion thereof or determines not to take further federal action, and Ohio EPA is provided documentation of the determination.</p>			
NPL	1b. If YES to 1.a.), has U.S.EPA delisted, determined not to list, or determined not to take any further federal action at the property or portion of the property?	Yes: No:	
NPL	1c. If YES to 1.b.), provide the date of the delisting or the determination not to list or take further federal action, and attach documentation of the delisting.		Date delisted / determination by U.S. EPA: Document name: Section: Page Number(s):
NPL	1d. If NO to 1 b.), the property or portion thereof may be ineligible for the VAP MOA Track. If the property's eligibility may be justified under the MOA, the volunteer may attach an explanation of the property's favorable eligibility.		Document name: Section: Page Number(s):
UIC	2. OAC 3745-300-02(B)(2) Underground Injection Control wells		
UIC	2a. Has there ever been an "injection well" as defined in OAC 3745-34-01(MN) located on the property?	Yes: No:	
<p>Note: Properties on which a Class I, II, III, or IV injection well is located are not eligible for the VAP unless all closure and/or remediation obligations are satisfied, and Ohio EPA receives documentation of completion of those requirements.</p>			
UIC	2b. If YES to 2.a.), identify, in accordance with OAC 3745-34-04, the classification of each injection well.		Number of Class I wells: Number of Class II wells: Number of Class III wells: Number of Class IV wells:

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			Number of Class V wells : _
UIC	2c. For each well identified as Class I, was closure and remediation pursuant to ORC Chapter 6111 conducted and approved by Ohio EPA?	Yes: No:	
UIC	2.d. If YES to 2.c.), provide the date of the closure approval and attach documentation of the closure approval.		Date: Document name: Section: Page Number(s):
UIC	2.e. If NO to 2.c.), the property may be ineligible for the MOA Track. If the property's eligibility may be justified under the MOA, the volunteer may attach an explanation of the property's favorable eligibility.		Document name: Section: Page Number(s):
UIC	2.f. For each well identified as Class II, was closure and remediation pursuant to ORC Chapter 1509 completed for which ODNR issued approval?	Yes: No:	
UIC	2.g. If YES to 2.f.) provide the date of the closure approval and attach documentation of the closure approval.		Date: Document name: Section: Page Number(s):
UIC	2.h. If NO to 2.f.), the property may be ineligible for the MOA Track. If the property's eligibility may be justified under the MOA, the volunteer may attach an explanation of the property's favorable eligibility.		Document name: Section: Page Number(s):
UIC	2.i. For each well identified as Class III, was closure and remediation pursuant to OAC Chapter 1509 completed at the property for which ODNR issued approval?	Yes: No:	
UIC	2.j. If YES to 2.i.), provide the date of closure approval and attach documentation of the closure approval.		Date: Document name: Section: Page Number(s):
UIC	2.k. If NO to 2.i.), the property may be ineligible for the MOA Track. If the property's eligibility may be justified under the MOA, the volunteer may attach an explanation of the property's favorable eligibility.		Document name: Section: Page Number(s):
UIC	2.l. For each well identified as Class IV was closure and remediation pursuant to ORC	Yes:	

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	Chapter 3734 conducted, and the closure and remediation approved of by Ohio EPA?	No:	
UIC	2.m. If YES to 2.l.), provide the date of closure approval and attach a copy of the closure approval documentation.		Date: Document name: Section: Page Number(s):
UIC	2.n. If NO to 2.l.), the property may be ineligible for the MOA Track. If the property's eligibility may be justified under the MOA, the volunteer may attach an explanation of the property's favorable eligibility.		Document name: Section: Page Number(s):
UIC	2.o. For any well identified as Class V, does a permit or order issued by Ohio EPA or U.S.EPA require site assessment, removal or remediation?	Yes: No:	Document name: Section: Page Number(s):
Note: Properties on which Class V injection wells are located and which are subject to a permit and/or order requiring investigation or remediation are not eligible for the MOA Track, unless all obligations of the permit and/or order are satisfied, and Ohio EPA receives documentation of completion of those requirements.			
UIC	2.p. If YES to 2.o.), has all work under the order or permit been completed satisfactorily and has the order or permit been terminated?	Yes: No:	
UIC	2.q. If YES to 2.p.), provide the date of the termination documentation and attach a copy of the termination documentation.		Date: Document name: Section: Page Number(s):
UIC	2.r. If NO to 2.p.), the property may be ineligible for the MOA Track. If the property's eligibility may be justified under the MOA, the volunteer may attach an explanation of the property's favorable eligibility.		Document name: Section: Page Number(s):
RCRA CA Permit	4. OAC 3745-300-02(B)(3) RCRA Corrective Action Permit		
RCRA CA Permit	4.a. Is the property subject to any state or federal obligations to perform corrective action pursuant to a permit issued under RCRA or ORC Chapter 3734, and rules adopted thereunder?	Yes: No:	
Note: If a property is subject to a federal corrective action order, it is ineligible pursuant to OAC 3745-300-02(B)(4) and the MOA, until the obligations of the order are satisfied, and Ohio EPA receives documentation of completion of those requirements.. If a property is subject to a state corrective action order, it is ineligible pursuant to OAC 3745-300-02(B)(3) (see below).			

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RCRA CA Permit	4.b. If YES to 4.a.), has all work under the permit been completed satisfactorily and the permit been terminated?	Yes: No:	
RCRA CA Permit	4.c. If YES to 4.b), provide the date of termination letter and attach a copy of the termination letter.		Date: Document name: Section: Page Number(s):
RCRA CA Permit	4.d. If NO to 4.b), the property may be ineligible for the MOA Track. If the property's eligibility may be justified under the MOA, the volunteer may attach an explanation of the property's favorable eligibility. reference the location within the NFA Letter where a concise explanation of the property's favorable eligibility is located.		Document name: Section: Page Number(s):
PCBs	5. OAC 3745-300-02(C)(8) Polychlorinated Biphenyls ("PCBs")		
PCBs	5.a. Has a release of PCBs in excess of fifty (50) parts per million (ppm) ever occurred at the property?	Yes: No:	
Note: Properties or portions thereof upon which a release of PCBs in excess of 50 ppm has occurred are ineligible for the VAP, unless all applicable obligations of Toxic Substances Control Act (TSCA) have been satisfied, and Ohio EPA receives documentation of completion of those requirements.			
PCBs	5.b. If YES to 5.a.), provide the date(s) of the release(s).		Date(s):
PCBs	5.c. If any release occurred, has removal or remediation pursuant to TSCA been completed at the property, and approval issued by U.S. EPA?	Yes: No:	Document name: Section: Page Number(s):
PCBs	5.d. If NO to 5.c), the property may be ineligible for the MOA Track. If the property's eligibility may be justified under the MOA, the volunteer may attach an explanation of the property's favorable eligibility.		Document name: Section: Page Number(s):
Fed Enf	6. OAC 3745-300-02(B)(4) Federal Enforcement		
Fed Enf	6.a. Has the property, or any portion thereof, ever been the subject of a RCRA or CERCLA federal enforcement action which required any site assessment, removal, or remedial activities, pursuant to any federal laws or regulations?	Yes: No:	
Note: Properties which are subject to a RCRA or CERCLA federal enforcement action, including but not limited to administrative or judicial			

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orders, injunctions, consent decrees, or CERCLA special notice letters, are ineligible for the MOA Track, until all obligations of the federal enforcement action are satisfied, and Ohio EPA receives documentation of completion of those requirements.			
Fed Enf	6.b. IF YES to 6.a.), has all work under the federal enforcement action been completed satisfactorily and the enforcement action terminated?	Yes: No:	Document name: Section: Page Number(s):
Fed Enf	6.c. If YES to 6.b.), provide date of termination letter and attach a copy of the letter of termination.		Date: Document name: Section: Page Number(s):
Fed Enf	6.d. If NO to 6.b.), the property may be ineligible for the MOA Track. If the property's eligibility may be justified under the MOA, the volunteer may attach an explanation of the property's favorable eligibility.		Document name: Section: Page Number(s):
Solid Waste	7. OAC 3745-300-02(B)(5) Solid Wastes		
Solid Waste	7.a. Was "solid waste", as defined in ORC Chapter 3734 and rules adopted thereunder, disposed of on the property after 1968?	Yes: No:	
Note: Properties which are subject to solid waste closure and post-closure activities under ORC Chapter 3734 and the rules adopted thereunder, are ineligible for the VAP, until all obligations of solid waste closure and post-closure are satisfied, and Ohio EPA receives documentation of completion of those requirements.			
Solid Waste	7.b. If YES to 7.a.), is the solid waste disposal (or solid waste facility) subject to closure pursuant to a permit, license or order issued pursuant to ORC chapter 3734?	Yes: No:	
Solid Waste	7.c. If YES to 7.b.), did Ohio EPA approve of completion of the closure?	Yes: No:	
Solid Waste	7.d. If YES, to 7.c.), provide the date of the closure approval and attach a copy of the closure approval letter.		Date: Document name: Section: Page Number(s):
Solid Waste	7.e. If YES to 7.c.), have all post-closure obligations been met at the closed disposal facility?	Yes: No:	
Solid Waste	7.f. If YES to 7.e.), attach documentation of Ohio EPA's approval of completion of the post-closure obligations.		Document name: Section: Page Number(s):

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Solid Waste	7.g. If NO to 7.c.), or 7.e.), the property may be ineligible for the MOA Track. If the property's eligibility may be justified under the MOA, the volunteer may attach an explanation of the property's favorable eligibility.		Document name: Section: Page Number(s):
Solid Waste	7.h. Does the property contain any foundry sand, fly ash, bottom ash, slag, or construction and demolition debris that is not solid waste, as defined by ORC 3734.01?	Yes: No:	
Solid Waste	7.i. If YES to 7.h., attach documentation that supports the material is not solid waste as defined by ORC 3734.01.		Document name: Section: Page Number(s):
Haz Waste	8. OAC 3745-300-02(B)(5) Hazardous Wastes		
Haz Waste	8.a. Did treatment, storage, or disposal of a hazardous waste, as defined in ORC Chapter 3734 and the rules adopted thereunder, occur at the property on or after November 19, 1980?	Yes: No:	
Haz Waste	8.b. Have soils or other environmental media been removed from the area of contamination and placed in other locations on the property?	Yes: No:	<p>Note: Properties which are subject to hazardous waste closure and post-closure activities under ORC Chapter 3734 and the rules adopted thereunder, are not eligible for the MOA Track, until all obligations of hazardous waste closure and post-closure are satisfied, and Ohio EPA receives documentation of completion of those requirements.</p>
Haz Waste	8.c. If YES to 8.b.), are the soils characteristic or do they meet the listing criteria as Hazardous Wastes as defined in ORC Chapter 3734 and the rules adopted thereunder?	Yes: No:	
Haz Waste	8.d. If YES to 8.a.) and/or 8.c.), was closure of the hazardous waste unit(s), certified as completed at the property for which Ohio EPA has issued approval?	Yes: No:	
Haz Waste	8.e. If YES to 8.d.), provide date of closure approval.		Date:
Haz Waste	8.f. If NO to 8.d.), the property may be ineligible for the MOA Track. If the property's eligibility may be justified under		Document name: Section: Page Number(s):

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	the MOA, the volunteer may attach an explanation of the property's favorable eligibility.		
Haz Waste	8.g. Has an operation at the property ever generated hazardous waste in quantities that initiate Large Quantity Generator status under RCRA pursuant to OAC Chapter 3745-52?	Yes: No:	
Haz Waste	8.h. If YES to 8.g.), has a generator closure been conducted and self-certified in accordance with OAC Chapter 3745-52?	Yes: No:	
Haz Waste	8.i. If YES to 8.h.), attach a copy of the self-certification of completion of generator closure.		Document name: Section: Page Number(s):
Haz Waste	8.j. If NO to 8.h.), the property may be ineligible for the MOA Track. If the property's eligibility may be justified under the MOA, the volunteer may attach an explanation of the property's favorable eligibility.		Document name: Section: Page Number(s):
BUSTR	9. OAC 3745-300-02(B)(6) Petroleum Underground Storage Tank (UST) Systems		
BUSTR	9.a. Have there ever been any petroleum UST systems, as defined at OAC 1301:7-9-02(B)(45), located on the property?	Yes: No:	
BUSTR	Note: Properties on which petroleum UST systems subject to ORC chapter 3737 and the rules adopted hereunder are located are not eligible for the VAP, unless all such obligations of site assessment, removal or remediation pursuant to ORC 3737.87 et seq. are satisfied, and Ohio EPA receives documentation of completion of those requirements.		
BUSTR	9.b. Have any known or suspected releases from any petroleum UST systems ever occurred on or emanated onto the property? Note: This must include releases that occurred from off-property UST systems.	Yes: No:	
BUSTR	9.c. Has the State Fire Marshal issued an order to the owner or operator of the UST system to close the UST system in accordance with OAC 1301:7-9-12?	Yes: No:	
BUSTR	9.d. If YES to 9.a.) and 9.b.), indicate or attach a copy of any exemptions applicable		Document name: Section:

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BUSTR	to the UST systems. 9.e. For each UST system to which an exemption does not apply, has the Bureau of Underground Storage Tank Systems (BUSTR) provided an NFA letter that documents satisfaction of the site assessment, removal or remediation requirements pursuant ORC chapter 3737.87 et seq. and the rule adopted thereunder for all UST systems?	Yes: No:	Page Number(s):
BUSTR	9.f. If YES to 9.d.), provide the date of the BUSTR NFA letter and attach a copy of the BUSTR NFA letter.		Date: Document name: Section: Page Number(s):
BUSTR	9.g. If NO to 9.d.), the property may be ineligible for the MOA Track. If the property's eligibility may be justified under the MOA, the volunteer may attach an explanation of the property's favorable eligibility.		Date: Document name: Section: Page Number(s):
Oil & Gas	10. OAC 3745-300-02(B)(7) Oil and Gas Wells		
Oil & Gas	10.a. Have any oil and gas wells, as those terms are defined in ORC Chapter 1509 and rules adopted thereunder, ever been located on the property?  Note: Properties on which oil and gas wells subject to ORC Chapter 1509 and the rules adopted thereunder are located are ineligible for the MOA Track, unless all obligations of ORC Chapter 1509 and the rules adopted thereunder are satisfied, and Ohio EPA receives documentation of completion of those requirements.	Yes: No:	
Oil & Gas	10.b. If YES to 10.a.), have those wells been properly abandoned in accordance with ORC Chapter 1509 and the rules thereunder?	Yes: No:	
Oil & Gas	10.c. If YES to 10.b), provide date of approval and attach a copy of the ODNR approval documentation.		Date: Document name: Section: Page Number(s):
Oil & Gas	10.d. If NO to 10.b), the property may be ineligible for the MOA Track. If the property's eligibility may be justified under the MOA, the volunteer may attach an explanation of the property's favorable eligibility.		Date: Document name: Section: Page Number(s):
Enforcement	11. OAC 3745-300-02(B)(8)		

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Letter	Enforcement Letter		
Enforcement Letter	<p>11.a. Is the property, or a portion thereof, subject to an enforcement letter as defined by OAC 3745-300-02 relating to a release or threatened release of hazardous substances or petroleum at or from the property?</p> <p>Note: Properties subject to an enforcement letter relating to a release or threatened release of hazardous substances or petroleum are ineligible for the MOA Track, unless evidence of entry into and participation in the VAP can be demonstrated, as provided in OAC 3745-300-02(D), or unless the investigation and/or remediation obligations of the enforcement action have been completed to Ohio EPA's satisfaction and the enforcement action has been terminated.</p>	<p>Yes: No:</p>	
Enforcement Letter	11.b. If YES to 11.a.), provide the date enforcement letter was received.		Date of Enforcement Letter:
Enforcement Letter	11.c. IF YES to 11.a.), has all work under the state enforcement action been completed satisfactorily and the enforcement action been terminated?	<p>Yes: No:</p>	
Enforcement Letter	11.d. If YES to 11.c.), provide date of enforcement action termination and attach a copy of the letter of termination.		<p>Termination Date: Document name: Section: Page Number(s):</p>
Enforcement Letter	11.e. If NO to 11.c.), has a demonstration of sufficient evidence been presented for the Director's consideration pursuant to OAC 3745-300-02(D)?	<p>Yes: No:</p>	
Enforcement Letter	11.f. If YES to 11.e.), attach a copy of the demonstration of sufficient evidence.		<p>Document name: Section: Page Number(s):</p>
Completed Property Investigation and Remedy Initiated	12. MOA, p. 4. Sites which have "completed investigation and initiated a remedy" under the VAP (ORC chapter 3746 and OAC chapter 3745-300).		
Completed PI and Initiated Remedy	<p>12.a. Have investigations and implementation of a permanent remedy been completed at the property, or a portion thereof?</p> <p>Note: Properties for which investigations have been completed and which have a permanent remedy may be ineligible for the MOA Track. Remedies initiated under the MOA Track require Ohio EPA oversight and public comment. Please contact Ohio EPA regarding whether an implemented remedial activity may be a permanent remedy effecting the property's eligibility for the MOA Track.</p>	<p>Yes: No:</p>	
Completed PI and Initiated	12.b. If YES to 12.a.), provide the date of the completed phase I property assessment		<p>Date of completed Phase I Property Assessment: Date of completed Phase II Property Assessment:</p>

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Remedy	and completed phase II property assessment.		
Completed PI and Initiated Remedy	12.c. If YES to 12.a.), provide the type of remedy.		Type of remedy:
Completed PI and Initiated Remedy	12.d. If YES to 12.a.), the property may be ineligible for the MOA Track. If the property's eligibility may be justified under the MOA, the volunteer may attach an explanation of the property's favorable eligibility.		Date: Document name: Section: Page Number(s):
END OF FORM #7			