

Ohio EPA RCRA AND VAP MOA Track:
Initial Investigation Approval Letter (example)

Initial Investigation - example letter for Initial Investigation (or comments responding to Initial Investigation w/ noted deficiencies) approved by OEPA/VAP - tailor this letter to fit the documents you or others have reviewed, and specify the volunteer's next steps to proceed in the RCRA AND VAP MOA Track. Please note that this letter is not required if the volunteer decides not to have the RCRA AND VAP MOA-Track work reviewed by Ohio EPA at the completion of the Initial Investigation (Pursuant to the 2/13/06 VAP/Superfund MOA modification, volunteers have the option to have MOA-Track work only reviewed at the Initial Eligibility Determination phase and the Remedial Action Plan phase.)

DATE

[CP or Volunteer Name
Consulting Firm/Company
ADDRESS]

RE: Ohio EPA's Review of the RCRA AND VAP MOA Track Initial Investigation which includes: [name, e.g.,: VAP Phase I Report, Eligibility Determination Report and Phase II Sampling Plan] for [Property Name], [Project No. __, i.e., TA account no.]; Notice of Approval

Dear [CP/Volunteer Name]:

On [DATE], Ohio EPA-[name] District Office received the [specify actual document names: the Phase I Report dated [Date], the Eligibility Determination Report dated [Date] and the Phase II Sampling Plan dated [Date] for property located at [Street Address], [City], [County], Ohio (the "Property"). [CP/Volunteer name] submitted the above documents [if by CP, add: on behalf of [Volunteer's name] (the "Volunteer")] for Ohio EPA's review in accordance with the "Voluntary Action Program Memorandum of Agreement Track" established by Ohio EPA and U.S. Environmental Protection Program ("RCRA AND VAP MOA Track"). The documents support the Initial Investigation of the Property under the RCRA AND VAP MOA Track.

Based upon review of the above-mentioned documents and the information gathered during Ohio EPA's site visit conducted on [date] [if applicable add: and the Volunteer's responses submitted on [list dates] to Ohio EPA's [date] comments regarding the

documents], Ohio EPA approves of [pick or adjust as needed: the Initial Investigation / this portion of the Initial Investigation] under the RCRA AND VAP MOA Track.

This letter and any accompanying guidance do not constitute an action of the Director; they are only intended to serve as guidance on compliance with the VAP rules and the RCRA AND VAP MOA Track requirements. Moreover, the technical comments and guidance provided herein do not constitute applicable standards or a determination that the Property will meet applicable standards. Finally, please note that the Volunteer is responsible for achieving and demonstrating compliance with applicable standards at the Property before a no further action letter and a covenant not to sue may be issued under the Voluntary Action Program.

Ohio EPA's review is based upon evaluation of the submitted documents and information gathered during Ohio EPA's site visit conducted on [date]. The Property-specific guidance provided was based on information provided to Ohio EPA about the conditions or circumstances at the Property. Therefore, the provided guidance may not be accurate if actual conditions or circumstances are different from those represented, or if newly discovered conditions or circumstances are identified.

If you have any questions or concerns related to this review or would like to schedule a meeting or conference call, please free feel to contact me at [phone #].

Sincerely,

[Name]

Project Coordinator

Ohio EPA - Division of Emergency and Remedial Response

cc: DERR/DO Manager/Supervisor

VAP Manager/Supervisor

[List out Project Reviewers' names (e.g. legal reviewer, risk reviewer, DDAGW reviewer)]

DERR/CO Administrative Supervisor

DO VAP Files