

SECTION J - ATTACHMENT I

Use the following affidavit templates to meet the requirements of ORC 3745-300-13.

Affidavit by Volunteer Pursuant to OAC 3745-300-13(L)

[for submissions under OAC 3745-300-13(L):Volunteer providing information to any person for conducting or completing a voluntary action]

State of _____)
County of _____) ss:

I, _____ **[insert name of Volunteer affiant]**, being first duly sworn according to law, state that, to the best of my knowledge, information and belief:

1. I am an adult over the age of eighteen (18) years old and competent to testify herein.
2. I am authorized to submit this affidavit on behalf of _____ **[insert name of Volunteer]** (the "Volunteer").
3. The voluntary action is being conducted or completed by the Volunteer at property known as _____, located at _____ **[insert name and address of the Property]** (the "Property").
4. The purpose of this submission is to _____ **[insert description of purpose; e.g., "provide a Phase I property assessment report" or "provide a report documenting completion of hazardous waste unit closure"]** for conducting or completing the voluntary action identified in paragraph 3 of this affidavit. **[Please note, if there is more than one purpose, list each purpose.]**
5. I provided the following information, data, documents, or reports to the following persons: **[List the documents, dates and persons, below.]**

<u>Document</u>	<u>Date of Document</u>	<u>Submitted to</u>
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[Also insert the following two paragraphs when the submission is to a Certified Professional in support of an NFA Letter:]

6. *The voluntary action was conducted in compliance with all applicable local, state and federal laws and regulations.*
7. *The Property is eligible for the voluntary action pursuant to ORC 3746.02 and OAC 3745-300-02.*
8. The information, data, documents, and reports identified in this affidavit are true, accurate and complete.

Further affiant sayeth naught.

Signature of Affiant

Sworn to before me this _____ day of _____, _____.

Notary Public

Examples of para. 5 inserts:

<u>Document</u>	<u>Date of Document</u>	<u>Submitted To</u>
VAP Phase 1 Property Assessment report	7/30/02	[name of CertifiedProfessional]
UST System Closure Report / Hazardous Waste Generator Closure Report	9/31/02	[name of CertifiedProfessional]
Declaration of Use Restrictions, recorded	10/05/02	[name of CertifiedProfessional]

Revised 10/02

Examples of Para. 5 inserts:

<u>Document</u>	<u>Date of Document</u>	<u>Submitted To</u>
Description of Scope of Services for Sufficient Evidence demonstration	10/22/02	Director of Ohio EPA
Request for an Urban Setting Designation	1/02/03	Director of Ohio EPA

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Examples of Para. 4 inserts:

<u>Document</u>	<u>Date of Document</u>	<u>Submitted To</u>
Modeling report	12/22/02	[name of Certified Professional]
Risk Assessment report	1/15/03	[name of Certified Professional]

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9. The NFA Letter, the completed NFA Form for the Property and any other information, data, documents and reports submitted with the NFA Letter and the NFA Form are true, accurate and complete.
10. The NFA Letter, the completed NFA Form and all supporting information, data, documents and reports, are a true, accurate and complete characterization of conditions at the Property, including the presence or absence of hazardous substances and petroleum.

Further affiant sayeth naught.

Signature of Affiant

Sworn to before me this ____ day of _____, _____.

Notary Public

7. I have read the standards of conduct contained in OAC 3745-300-05(F), and maintained full compliance with these standards regarding the NFA Letter, as amended by the **[and addendum / addenda]**, and while rendering professional services to the Volunteer regarding the Property.
8. The Property is eligible for the Voluntary Action Program pursuant to ORC 3746.02 and OAC 3745-300-02.
9. The voluntary action has been conducted and the NFA Letter, as amended by the **[addendum / addenda]**, has been issued in accordance with the ORC Chapter 3746 and OAC Chapter 3745-300.
10. The Property meets the applicable standards contained in ORC Chapter 3746 and OAC Chapter 3745-300.
11. The voluntary action at the Property was conducted in compliance with all applicable federal, state and local laws and regulations.
12. The NFA Letter, as amended by the **[addendum / addenda]**, the completed NFA Form for the Property and any other information, data, documents and reports submitted with the NFA Letter and the NFA Form are true, accurate and complete.
13. The NFA Letter, as amended by the **[addendum / addenda]**, the completed NFA Form and all supporting information, data, documents and reports, are a true, accurate and complete characterization of conditions at the Property, including the presence or absence of hazardous substances and petroleum.

Further affiant sayeth naught.

Signature of Affiant

Sworn to before me this _____ day of _____, _____.

Notary Public