

**ARCHIVE:** Archived because this document no longer provides current guidance. Refer to VA30013.03.001 for the updated document.

**TITLE:** Issuing NFAs for non-contiguous parcels

**KEYWORDS:** non-contiguous, parcels

**QUESTION:** Do non-contiguous parcels require more than one NFA under the Voluntary Action Program?

**ANSWER:** If a property is bisected by a railroad spur, roadway, right-of-way or another area which has been “carved out” of the property, it is Ohio EPA’s interpretation that the Property is still one area and can be submitted under a single NFA for the entire VAP Property. These parcels, however, MUST be within close proximity of each other such that the “carved out” portion is the only reason the parcels are separated. The NFA MUST indicate the reason for the non-contiguous parcels and state why the portion was “carved out”. The NFA must also evaluate whether the area carved out is impacting the Property. The evaluation may require sampling to demonstrate that run-off from the “carved out” area is not impacting the site and causing an exceedance of VAP applicable standards.

**SUMMARY:** A VAP Property bisected by a “carved out” piece of the Property may be submitted under a single NFA, as long as the reason for it being non-contiguous is the “carved out” portion and the parcels are in close proximity to each other. The NFA MUST indicate the reason for the non-contiguous parcels under the submittal and note why this portion was carved out of the property. The carved out area must also be evaluated and sampling may be required of the carved out area.

**OHIO EPA CONTACT:** For any questions concerning this issue, please contact the VAP central office at (614)644-2924