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Ohio EPA Seeks Comments on Urban Setting Designation for City of Cleveland

Ohio EPA is considering a request from the city of Cleveland to grant an Urban Setting Designation (USD) city-wide. The Agency is seeking public comments before making a final decision.

Under Ohio EPA's Voluntary Action Program (VAP), contaminated ground water must be treated if it poses a risk to the community or environment. However, if there is no current or anticipated future use of that ground water (for drinking, bathing, cooking), a USD may be requested.

A USD recognizes that cleaning up the ground water to drinking water standards is not necessary because no one will be drinking the ground water. Other possible exposures to contaminated ground water (such as exposures to wildlife or streams in the area) still must be addressed even when a USD is granted.

Granting a USD would reduce ground water cleanup requirements, lower costs and promote economic redevelopment while still protecting public health and the environment. Ohio EPA's director can approve the USD if a state-certified environmental professional verifies that USD requirements are met and existing or future ground water uses have been evaluated.

Under VAP, a volunteer may clean up contaminated property in Ohio without the risk of state civil liability. A certified professional must review the cleanup to verify that it meets VAP standards before Ohio EPA issues a covenant not to sue. Ohio EPA has access to cleaned-up properties and documents and audits at least one-fourth of the properties to confirm that cleanup standards are met.

Written comments concerning Cleveland's USD application may be sent to Susan Netzly-Watkins, Ohio EPA Northeast District Office, 2110 East Aurora Road, Twinsburg, Ohio 44087 or to susan.netzly@epa.state.oh.us. Public comments received by November 16, 2010, will be considered before a final decision is made.

The USD application is available for review by first calling (330) 963-1200.