



**Environmental
Protection Agency**

John R. Kasich, Governor
Mary Taylor, Lt. Governor
Scott J. Nally, Director

Certified Mail

January 19, 2012

Mr. Mike Hughes
CMHA
8120 Kinsman Avenue
Cleveland, Ohio 44101

Re: Second Notice: Risk Mitigation Plan Annual Reporting Requirements Notice of Violation for The Cuyahoga Metropolitan Housing Authority Administration and Service Property (former Hemisphere Industrial Park Property)

Dear Mr. Hughes:

This letter is the second notice that you have received regarding failure to report annually on the Risk Mitigation Plan (RMP) for the former Hemisphere Industrial Park, the initial letter was dated October 25, 2011 and sent to your attention. The former Hemisphere Industrial Park property, located at East 80th Street and Kinsman Road, Cleveland, Ohio received a Covenant Not to Sue from Ohio EPA on July 2, 2007. This Covenant requires certain risk mitigation measures be taken to minimize contact with soil, sediment, or ground water that may exceed the cleanup standards for the property. These risk mitigation measures are contained in RMP that was part of the No Further Action (NFA) letter submitted to Ohio EPA for this property. The RMP requires an annual report be submitted to Ohio EPA by the end of each year, regardless of whether or not the RMP was implemented.

Ohio EPA has not received either of the 2010 or 2011 annual reports regarding the RMP for this site. If the RMP was implemented during the 2010 and/or the 2011 calendar year, please provide a written report to Ohio EPA as required by the RMP. This information is needed so that Ohio EPA can ensure that the cleanup standards continue to be met at the property. If applicable standards are not maintained, the Covenant Not to Sue could be revoked.

Examples of Actions that may cause an RMP to be implemented:

- Excavations of greater than 2 feet in depth.
- Landscaping activities
- Installation or repair of utility lines
- Road repair or road construction

The RMP reports were due at the end of each year; please note, however, **Ohio EPA is changing the reporting deadline to March 1st of each year. Therefore, the report will be due within 30 days of receipt of this letter, and on March 1st each year, thereafter.**

If the RMP was implemented, please forward your report to us within 30 days of receipt of this letter. If the RMP was not implemented during the 2010 calendar year, or within this past year, please return the enclosed forms, one for each year, indicating no activities were conducted that caused you to implement the RMP. Please also take the opportunity to update your contact information.

The RMP typically indicates what information to include in this report if the RMP is implemented. If your RMP does not contain this information or you have questions regarding this letter please contact me at (614) 728-5441 or e-mail me at Emily.Patchen@epa.state.oh.us.

Thank you for your prompt response.

Sincerely,



Emily Patchen, Compliance Coordinator
Assessment, Cleanup & Reuse Section
Division of Environmental Response and Revitalization
Central Office

cc: Mr. Dan Brown, CP #127
Partners Environmental Consulting, Inc.
31100 Solon Road, Suite G
Solon, Ohio 44139

ec: Frank Robertson, Supervisor, DERR-CO
Nancy Zikmanis, Supervisor, DERR-NEDO
Sue Netzly-Watkins, Site Coordinator, DERR-NEDO
Rod Beals, Manager, DERR-NEDO
DERR Records, CO & DO (RMP#218-002019-006)

**Ohio EPA Voluntary Action Program
Notice that RMP was NOT implemented in 2010**

Directions:

Please sign and date this form. Provide any necessary corrections to the contact information. Return this form to:

Ohio Environmental Protection Agency
Division of Environmental Response and Revitalization
Central Office
50 West Town Street
P.O. Box 1049
Columbus, Ohio 43216-1049

Cuyahoga Metropolitan Housing Authority Administration (former Hemisphere Industrial Park Property), East 80th Street and Kinsman Road, Cleveland, Ohio

_____ No activities were conducted at this property during the reporting period of 2010 that caused an implementation of the Risk Mitigation Plan.

Signature & Date

Printed Name & Title

Telephone Number: _____

E-mail Address: _____

Please return this form to Emily Patchen no later than 30 days of receipt of this letter.

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