



**Environmental
Protection Agency**

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

March 12, 2012

91 7108 2133 3932 0808 2408

Mr. Bill DeCicco
CASTLO Community Improvement Corp.
100 South Bridge Street
Struthers, Ohio 44471

**Re: Notice of Violation of Risk Mitigation Plan Annual Reporting Requirements
for CASTLO Material Storage, Struthers, Ohio (Project ID # 250-002128-006,
09OM031)**

Dear Mr. DeCicco:

The CASTLO Material Storage property, located at 100 South Bridge Street, Struthers, Ohio 44471, received a Covenant Not to Sue from Ohio EPA on November 17, 2008. 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 the Risk Mitigation Plan (RMP) within the Operation and Maintenance Agreement (O&M) that was part of the No Further Action (NFA) letter submitted to Ohio EPA for this property. The RMP portion of the agreement requires an annual report be submitted to Ohio EPA by March 1st of each year.

To date, Ohio EPA has not received the 2011 report regarding the RMP for this site that was due by March 1, 2012. If the RMP was implemented during the past 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

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 past year, please return the enclosed form within 30 days of receipt of this letter, 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,

A handwritten signature in cursive script that reads "Emily Patchen".

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

ec: Nancy Zikmanis, Supervisor, DERR, NEDO
Tim Wilson, Site Coordinator, DERR, NEDO
Frank Robertson, Supervisor, DERR, CO,
DERR Records

**Ohio EPA Voluntary Action Program
Notice that RMP was NOT implemented
CASTLO Material Storage**

Directions:

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

Ohio EPA
50 W. Town St., Suite 700
P.O. Box 1049
Columbus, Ohio 43215

_____ No activities were conducted at this property during the reporting period 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 within 30 days if receipt.