



**Environmental
Protection Agency**

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

August 26, 2011

Adam Fishman
Flats East Development LLC
c/o Don Frantz
Metro Consulting
12429 Cedar Rd Ste 19
Cleveland Hts, OH 44106

**Re: Return to Compliance – Receipt of 2009 Hazardous Waste Annual Report
FLATS EAST BANK DEVELOPMENT LLC, CLEVELAND - OHR000148114**

Dear Adam Fishman:

I am writing to notify you that I received the 2009 Hazardous Waste Annual Report for your site on August 25, 2011. This report was requested by me in a letter dated July 13, 2011, indicating that Flats East Bank had not submitted a report for hazardous wastes generated during 2009. The report has been processed and entered into Ohio EPA's Annual Report database, and the violation has been abated.

I recommend you file this letter with your Annual Report records in case there are any questions during an inspection. Feel free to contact me in the future at (614) 644-2891 or maryann.silagy@epa.state.oh.us.

Sincerely,

Mary Ann Silagy, Environmental Specialist 2
Environmental Research and Information Services
Ohio EPA - Division of Materials and Waste Management
614-644-2891
maryann.silagy@epa.state.oh.us

cc: Stephen Tompkins, URS
Central File
DMWM, NEDO

NOTICE:

Ohio EPA's failure to list specific deficiencies or violations in this letter does not relieve your company from having to comply with all applicable regulations.