



**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 2008 Hazardous Waste Annual Report  
FLATS EAST BANK DEVELOPMENT LLC, CLEVELAND - OHR000148114**

Dear Adam Fishman:

I am writing to notify you that I received the 2008 Hazardous Waste Annual Report for your site on August 25, 2011. This report was requested by me in a letter dated September 21, 2009, indicating that Flats East Bank had not submitted a report for hazardous wastes generated during 2008. A second notice of violation for 2008 was sent with the 2009 violation on July 13, 2011. This 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](mailto:maryann.silagy@epa.state.oh.us).

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](mailto: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.