

REV_4

Department:

Subdepartment:

DERR

NULL

DERR

<NONE>

Program:

SA

DERR - SA

Office Location:

Medium:

NWDO

LAND

NWDO

LAND

Doc Type:

Doc Subtype:

NOV

NULL

NOV

<NONE>

Facility County:

Facility ID:

22

322001646008

22 - ERIE

322001646008

Date:

20130108

1/8/2013

Facility/Site/Location/Regulated Entity Name:

CHESAPEAKE_LOFTS,_SANDUSKY

Chesapeake Lofts, Sandusky

THIS BARCODE CONTAINS INVALID CHARACTERS...PLEASE REVIEW AND REENTER.

Facility Address 1:

NULL

Your input is 0 characters long (Max 40).

Facility Address 2:

NULL

Your input is 0 characters long (Max 40).

Facility City:

NULL

Facility State:

Facility ZIP: (00000 or 00000-0000)

NULL

NULL

<NONE>

Mailing Name:

NULL

Your input is 0 characters long (Max 40).

Mailing Address 1:

NULL

Your input is 0 characters long (Max 40).

Mailing Address 2:

NULL

Your input is 0 characters long (Max 40).

Mailing City:

NULL

Mailing State/Province:

Mailing ZIP: (00000 or 00000-0000 or X0X0X0)

NULL

NULL

<NONE>

Project Name:

Project Type:

NULL

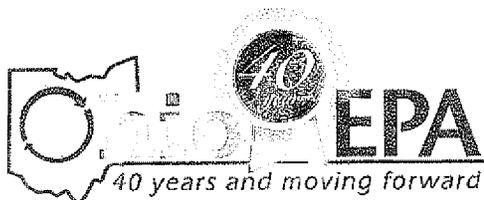
NULL

Latitude:

Longitude:

NULL

NULL



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

January 8, 2013

Mr. Todd Roth
Director of Engineering Services
City of Sandusky
222 Meigs Street
Sandusky, Ohio 44870

RE: Notice of Violation of Operation and Maintenance Agreement, and Receipt of the 2012 Operation and Maintenance Plan Report for the Chesapeake Lofts Condominiums Property.

Dear Mr. Roth:

The purpose of this letter is to notify you of a violation of the Operation and Maintenance Agreement (OMA), The Chesapeake Lofts Condominiums Property located at 401 West Shoreline Drive, Sandusky, Ohio. On April 12, 2012, Ohio EPA received the 2012 Operations and Maintenance (O&M) plan report developed for the Chesapeake Lofts Condominiums. The report was submitted pursuant to the proposed reporting requirements set forth in the Voluntary Action Program (VAP) O&M Plan. Both the annual O&M report and the Risk Mitigation Plan (RMP) report were due by March 1st, 2012. As noted above, only the O&M report was received on April 12, 2012. Ohio EPA has not received a report detailing how the RMP was implemented or a signed notice stating that the RMP was not implemented during the reporting period. A copy of the notice was provided to you via certified mail on March 12, 2012. The failure to submit a RMP report as required under the OMA entered into by the City of Sandusky and Ohio EPA is a violation of the OMA. According to Section 8 of that OMA, a failure to comply with the terms of the OMA may constitute a failure to maintain an applicable standard in accordance with Ohio Revised Code (ORC) Section 3746-12(B).

Based upon a review of the O&M report, it appears that only one of the required semi-annual inspections was completed. Ohio EPA conducted a review of the document to determine if the report was consistent with the requirements of the approved O&M Plan and to identify any concerns with the engineering controls. Several cracks in the parking lot cover were noted in the O&M report. Continued maintenance of the cracks in the parking lot is required to ensure compliance with the terms of the covenant. Please be advised that the O&M Plan and OMA require that two inspection forms, one for each semi-annual inspection, are required in the annual O&M report.

In order that Chesapeake Lofts may return to compliance as quickly as possible, you must submit copies of all required semi-annual inspections as well as a statement indicating whether or not the RMP was implemented within 30 days of receipt of this letter. 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 (CNS) for the site could be revoked.

Mr. Todd Roth
January 8, 2013
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Please submit all future annual reports to Ohio EPA as both the original paper report along with an electronic disk copy of the report in pdf format to each of the following addresses:

Ohio Environmental Protection Agency
Division of Environmental Response & Revitalization
50 West Town Street, Suite 700
P.O. Box 1049
Columbus, Ohio 43216-1049
Attn: Emily Patchen

AND

Ohio Environmental Protection Agency
Northwest District Office
Division of Environmental Response & Revitalization
347 North Dunbridge Road
Bowling Green, Ohio 43402
Attn: VAP Project Coordinator

Should you have any questions regarding this letter, please contact me at (419) 373-3133.

Sincerely,



Brian Patterson
Ohio EPA Northwest District Office
Division of Environmental Response and Revitalization

/cg

pc: Mr. Bryan Baugh
Chesapeake Lofts O&M NWDO VAP file

ec: Frank Robertson, Supervisor, DERR CO
Emily Patchen, DERR CO
Mike Czeczele, Manager DERR NWDO
Michael Terpinski, DERR NWDO
Archie Lunsey, DERR NWDO