



**Environmental  
Protection Agency**

**Robert R. Kasich, Governor**  
**Mary Taylor, Lt. Governor**  
**Scott T. Nally, Director**

January 31, 2011

Mr. Brett Soloway, Owner  
Home Depot, U.S.A, Inc.  
2455 Paces Ferry Road, Building C-20  
Atlanta, Georgia 30339

**Re: Risk Mitigation Plan Annual Reporting Requirements for Steelyard Commons Home Depot,  
Cleveland, Ohio (Project ID # 218-001588-021)**

Dear Mr. Soloway:

The Steelyard Commons Home Depot property, located at 3341 Jennings Road, Cleveland, Ohio 44109, received a Covenant Not to Sue from Ohio EPA on December 28, 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 the Risk Mitigation Plan, (RMP) that was part of the No Further Action (NFA) letter submitted to Ohio EPA for this property. This RMP also requires an annual report be submitted to Ohio EPA by December 28<sup>th</sup> of each year.

To date, Ohio EPA has not received any reports regarding the RMP for this site. 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.

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 report was due by December 28, 2010. Please note, however, Ohio EPA is changing the reporting deadline to March 1<sup>st</sup> of each year. Therefore, the report will be due on March 1, 2011 and on March 1 each year, thereafter.

If the RMP was implemented, please forward your report to us by March 1, 2011. If the RMP was not implemented during the past year, please return the enclosed form by March 1, 2011 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](mailto:Emily.Patchen@epa.state.oh.us).

50 West Town Street, Suite 700  
P.O. Box 1049  
Columbus, OH 43216-1049

614 | 644 3020  
614 | 644 3184 (fax)  
[www.epa.ohio.gov](http://www.epa.ohio.gov)

Thank you for your prompt response.

Sincerely,



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

ec: Nancy Zikmanis, Ohio EPA, DERR, NEDO  
Frank Robertson, Supervisor, Ohio EPA, DERR, CO, ACRE  
Tiffani Kavalec, Manager, Ohio EPA, DERR, CO, ACRE  
DERR Records

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

50 West Town Street, Suite 700  
P.O. Box 1049  
Columbus, OH 43216-1049

614 | 644 3020  
614 | 644 3184 (fax)  
[www.epa.ohio.gov](http://www.epa.ohio.gov)

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

Steelyard Commons, Home Depot  
3341 Jennings Road  
Cleveland, Ohio 44109

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

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Signature & Date

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Printed Name & Title

Telephone Number: \_\_\_\_\_

E-mail Address: \_\_\_\_\_

**Please return this form to Emily Patchen no later than March 1, 2011.**