



**Environmental
Protection Agency**

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

June 23, 2011

Mr. Aaron Gavlak
AMECO USA
4600 West 160th Street
Cleveland, Ohio 43135

**RE: Notice of Non-Compliance of Operation and Maintenance Agreement
Former Westinghouse Repair Facility (Project # 218-002321-003,05OM052,
04NFA194)**

Dear Mr. Gavlak:

AMECO has failed to submit the annual O&M report as required under the Operation and Maintenance Agreement (OMA) entered into by the Former Westinghouse Repair Facility and the Ohio Environmental Protection Agency (Ohio EPA) on November 22, 2005. This failure is a violation of the OMA, and in accordance with Section 8 of that OMA, a failure to comply with the OMA may constitute a failure to maintain an applicable standard in accordance with Ohio Revised Code (ORC) Section 3746-12(B).

In order that AMECO may return to compliance with the OMA as quickly as possible, AMECO must submit the annual O&M report to Ohio EPA within 30 days of receipt of this letter.

The annual Operation and Maintenance report was due by January 15, 2011. Please note however, **Ohio EPA is changing the reporting deadline to March 1st of each year.** Therefore, the report will be due within 30 days of receipt of this letter, and on March 1st each year thereafter.

Ohio EPA has made this change in order to more efficiently track the submittal of Operation and Maintenance reports. This change will allow for proficient review of reports that have been submitted and ensure that the CNS property continues to be protective of human health, safety, and the environment.

Please be aware that the time Ohio EPA staff have spent on addressing this violation of your OMA and anytime that may be spent in the future by Ohio EPA, will be billed to your Voluntary Action Program account.

If you have any questions concerning this matter, please contact me at (614) 728-5441, or via email at Emily.Patchen@epa.state.oh.us.

Sincerely,

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

Emily Patchen
ACRE Compliance Coordinator
Division of Environmental Response & Revitalization
Central Office

cc: CO/NEDO Files (04NFA194, 05OM052)
ec: Tiffani Kavalec, Manager, DERR-CO
Frank Robertson, Supervisor, DERR-CO
Andrew Kocher, Site Coordinator, DERR-NEDO