



**Environmental  
Protection Agency**

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

August 22, 2011

Chesapeake Lofts Condominium Association  
c/o Northcoast Property Management Company, Ltd.  
129 Madison Street  
Port Clinton, Ohio 43452

**Re: Risk Mitigation Plan Annual Reporting Requirements Notice of Non-Compliance for Chesapeake Lofts Property (Project # 322-001646-009, 06NFA234)**

To Whom It May Concern:

The Chesapeake Lofts property, located at 611 West Shoreline Drive, Sandusky, Ohio received a Covenant Not to Sue from Ohio EPA on December 21, 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. The RMP requires an annual report be submitted to Ohio EPA by the end 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.

Examples of 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 at the end of the year, 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 within 30 days of receipt of this letter, and on March 1<sup>st</sup> each year, thereafter.

If the RMP was implemented, please forward your report to us within 30 days of receipt of this letter. If the RMP was not implemented during the past year, please return the

enclosed form 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).

Thank you for your prompt response.

Sincerely,



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

Enclosure

cc: Mr. Dan Brown  
Partners Environmental Consulting, Inc.  
31100 Solon Road, Suite G  
Solon, Ohio 44139

ec Frank Robertson, Supervisor, DERR-CO  
Brian Patterson, Site Coordinator, DERR-NWDO  
Archie Lunsey, Manager, DERR-NWDO  
DERR Records, CO & DO (06NFA234)

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

**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

\_\_\_\_\_ No activities were conducted at this property during the reporting period 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 within 30 days if receipt.**