



**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: Notice of Non-Compliance of Operation and Maintenance Agreement
Chesapeake Lofts Property (Project # 322-001646-008, 06NFA234)**

To Whom It May Concern:

Chesapeake Lofts has failed to submit the annual O&M report as required under the Operation and Maintenance Agreement (OMA) entered into by the City of Sandusky and Mid-States Bayfront Rentals and the Ohio Environmental Protection Agency (Ohio EPA) on December 21, 2007. 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 Chesapeake Lofts may return to compliance with the OMA as quickly as possible, you 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 March 30th. Please note however, **Ohio EPA is changing the reporting deadline to March 1st of each year**, with a monitoring period from January 1st through December 31st. Therefore, the report will be due within 30 days of receipt of this letter, and on March 1st each year thereafter.

Additionally, please submit all annual reports to Ohio EPA as both the original paper report and an electronic disk copy of the report. The electronic disk copy should be in pdf format.

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,



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

cc: Mr. Dan Brown
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ec: Frank Robertson, Supervisor, DERR-CO
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CO/NEDO Files (06NFA234)