



State of Ohio Environmental Protection Agency

STREET ADDRESS:

Lazarus Government Center
50 W. Town St., Suite 700
Columbus, Ohio 43215

TELE: (614) 644-3020 FAX: (614) 644-3184
www.epa.state.oh.us

MAILING ADDRESS:

P.O. Box 1049
Columbus, OH 43216-1049

CERTIFIED MAIL

February 20, 2008

RECEIVED
OHIO EPA

FEB 22 2008

SOUTHWEST DISTRICT

Mr. Jeffrey J. Robinson
Mass Realty LLC
2250 Seymour Avenue
Cincinnati, Ohio 45212

**RE: NOTICE OF VIOLATIONS/FAILURE TO REMIT RESPONSE COSTS
MASS REALTY LLC, LOCKLAND, HAMILTON COUNTY, OHIO**

Dear Mr. Robinson:

Mass Realty LLC has failed to remit payment of response costs to the Ohio Environmental Protection Agency in accordance with the Director's Final Findings and Orders (DFFOs) effective on February 12, 2001. In accordance with Section XVII (Reimbursement of Costs) of the 2001 DFFOs, Mass Realty was to have remitted a check to Ohio EPA within 30 days of receipt of the itemized accounting of the response costs incurred during the previous year.

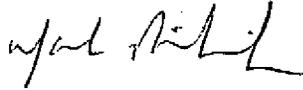
An invoice for Ohio EPA's response costs incurred in 2007 was sent to you on January 14, 2008. The total amount outstanding for the 2007 costs is \$16,583.60. This amount was due on February 15, 2008. In addition, Mass Realty has failed to remit payment for the response costs incurred prior to the effective date of the DFFOs and in each subsequent year (2001 through 2007). The total outstanding in response costs as of December 31, 2007 is **\$93,429.17**.

Failure to remit payment of response costs is a violation of the 2001 DFFOs and has resulted in interest being accrued on the amount past due, pursuant to Ohio Revised Code 131.02(D) or the Comprehensive Environmental Response, Compensation and Liability Act of 1980 (CERCLA), 42 U.S.C. §9607, as applicable. Ohio EPA has calculated interest due for failure to pay past response costs, as of March 17, 2008, to total **\$22,602.78**. Mass Realty LLC will remain in violation of the DFFOs until Ohio EPA receives payment in full for both the past costs and the interest accrued.

Ted Strickland, Governor
Lee Fisher, Lieutenant Governor
Chris Korleski, Director

If you have any questions concerning this matter, please contact us immediately at (614) 2924.

Sincerely,



Mark Rickrich
Enforcement Coordinator
Ohio EPA DERR



Terri McCloskey
Fiscal Officer
Ohio EPA DERR

c: Joe Smindak, Ohio EPA DERR SWDO
Heidi Sorin, Ohio EPA DERR CO
Mark Navarre, Ohio EPA Legal
John Cayton, Ohio Attorney General's Office
Jim Bonk, Ohio EPA DEFA

Certified Mail # 7003 1010 0004 4225 8502