



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5
77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

REPLY TO THE ATTENTION OF:

April 13, 2000

C-14J

Via Federal Express and U.S. Mail

Ameri-Con, Inc. and Ameri-Con Copley Ltd.
Attn: Jeffrey C. Simler
23611 Chagrin Boulevard
P.O. Box 221289
Beachwood, Ohio 44122

Re: Comfort Letter for the Former O' Shux Golf Course Site

Dear Mr. Simler:

The United States Environmental Protection Agency has reviewed your report titled *Site Investigation, Risk Assessment and Ecological Evaluation of the Former O'Shux Golf Course* (Site Investigation Report). U.S. EPA has determined that the tasks performed by your environmental Consultant were done in compliance with the previously-approved Quality Assurance Project Plan (QAPP). Your Site Investigation Report indicates that the development of the former O'Shux site into a residential community will not result in an unacceptable risk to human health or the environment. By issuance of this comfort letter, the QAPP and Site Investigation Report and hereby deemed final.

In accordance with the QAPP and Site Investigation Report, development of the site shall not begin until a deed restriction is filed with the Recorder of Deeds for Summit County, Ohio, which prohibits the use of groundwater at the site without prior consent from U.S. EPA, or until such time as U.S. EPA determines that groundwater meets acceptable standards for a potable water supply. The deed restriction shall run with the land and shall be enforceable by U.S. EPA and Ohio EPA in addition to the declarant of the deed restriction.

This letter is based upon the facts presently known to the U.S. EPA and is provided solely for informational purposes. U.S. EPA took actions at the former O'Shux Golf Course to the extent that it took samples to characterize contaminants in the groundwater which - flows beneath the site. U.S. EPA anticipates no need to take Superfund enforcement, investigatory, cost recovery, or clean up action at this site unless new information comes to light warranting such activities.

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This comfort letter may be provided to any interested person, but no person receiving this comfort letter may regard this letter as an endorsement by U.S. EPA of the Meadows of Copley project. This comfort letter is provided at the request of the developer of the Meadows of Copley in accordance with the policy of U.S. EPA to promote the productive use of land where it has been shown that it can be safely improved to enhance the economical well being of a community, without creating any unacceptable risk to human health and the environment.

Sincerely,



Kathleen Kelly Schnieders
Assistant Regional Counsel

cc: T. Roundtree, OSC
F. Zizila, USDOJ
C. Puohalski, ORC