



State of Ohio Environmental Protection Agency

OHIO E.P.A.

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JAN 14 2010

P.O. Box 1049
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ENTERED DIRECTOR'S JOURNAL

JAN 14 2010

I certify this to be a true and accurate copy of the official documents as filed in the records of the Ohio Environmental Protection Agency.

Mark E. Whitmore
Manager, Remediation
The Goodyear Tire and Rubber Company
1144 East Market Street
Akron, Ohio 44316

By: Angela Cassiter Date: 1-14-10

**RE: Wingfoot Lake Shooting Range, Portage County
Ohio Administrative Code (OAC) Rule 3745-27-13 Authorization**

Dear Mr. Whitmore:

On October 7, 2009, the Ohio Environmental Protection Agency (Ohio EPA) received a request titled "Request for Authorization, Filling and Grading Pursuant to OAC 3745-27-13 For Former Wingfoot Lake Shooting Range, 1221 Wingfoot Lake Road, Suffield Township, Portage County, Ohio." The document was submitted pursuant to Ohio Administrative Code (OAC) Rule 3745-27-13 and was prepared and submitted by Brownfield Restoration Group, LLC on behalf of The Goodyear Tire and Rubber Company (Goodyear) for the former Wingfoot Lake Shooting Range located in Portage County, Ohio. The document requests authorization to conduct filling and grading at the former Wingfoot Lake Shooting Range in order to mitigate direct contact exposures to surficial soil contamination located within the limits of waste placement of a closed tire monofill (Facility) located on the site.

Based upon a review of the request submitted October 7, 2009, I have determined, pursuant to OAC Rule 3745-27-13, that the proposed activities, if conducted in accordance with the request and the following conditions, will not result in a violation of applicable laws or regulations, will not create a nuisance, and are unlikely to adversely affect the public safety or health or the environment. Therefore, Goodyear is hereby authorized to perform the activities outlined in this letter in accordance with the submitted plans, specifications, and information. This approval is subject to the following conditions:

CONDITIONS

1. This approval grants authorization to conduct filling and grading of clean soils at the Facility in accordance with the request titled "Request for Authorization, Filling and Grading Pursuant to OAC 3745-27-13 For Former Wingfoot lake Shooting Range, 1221 Wingfoot Lake Road, Suffield Township, Portage County, Ohio" dated October 6, 2009, only. All activities shall be conducted in strict accordance with the plans,

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

specifications, and information submitted as part of this request. There may be no deviation from the approved plans without prior written authorization from Ohio EPA. Any future activities may require additional Ohio EPA approval.

2. Not later than seventy-two (72) hours prior to the start of activities associated with this authorization, Goodyear shall submit written notification which specifies the anticipated date of work commencement to Ohio EPA, DSIWM, NEDO and the Portage County Health Department.
3. All on-site activities shall be performed in a manner that prevents migration of leachate, explosive gas, or toxic gas from the Facility.
4. All activities undertaken shall not create a nuisance and shall not adversely affect the public safety or health or the environment.
5. Should solid and/or hazardous waste be removed from the Facility it shall be containerized and securely stored until these materials are properly characterized and disposed of in accordance with Ohio Revised Code (ORC) Chapter 3734 and the regulations promulgated thereunder.
6. All liquids, semi-solids, industrial wastes, and other wastes regulated by ORC Chapter 6111 that are removed during intrusive activities shall be containerized and securely stored until these materials are properly characterized and disposed of in accordance with ORC Chapter 6111 and the regulations promulgated thereunder.
7. Prior to any removal of waste or contaminated soil from the Facility, Goodyear shall submit copies of sample analysis results, the treatment or disposal method selected, and a letter of acceptance from the treatment or disposal facility to Ohio EPA, DSIWM, NEDO pursuant to OAC Rule 3745-27-13(H)(4).
8. Not later than sixty (60) days after completing the activities authorized by this approval, Goodyear shall submit to Ohio EPA, DSIWM, NEDO a certification report in accordance with OAC Rule 3745-27-13(H)(10).
9. All on-site activities shall be accomplished in compliance with all applicable state and federal laws and regulations pertaining to environmental protection, including but not limited to the control of air pollution, leachate, surface water run-on and runoff, and protection of ground water.
10. Goodyear shall take measures to control fugitive dust and other air emissions that may result from activities authorized by this action.

11. Any portions of the landfill where the final cover system is removed or damaged by activities conducted pursuant to this approval shall have the final cover system re-established in accordance with 3745-27-13(H)(9).
12. Activities authorized under this letter have not been examined for compliance with Ohio's Voluntary Action Program (VAP). If such a review is desired, Goodyear may seek technical assistance through Ohio EPA's Division of Emergency and Remedial Response (DERR).
13. In accordance with OAC Rule 3745-27-13(M), this authorization shall terminate three (3) years after its effective date if Goodyear has not begun the activities authorized herein.
14. The Director may revoke this authorization if Goodyear violates, or is likely to violate, any applicable law or if continued implementation of the approved plans may cause a threat to human health or safety or the environment.
15. Nothing in this letter shall be construed to authorize any waiver from any requirements of applicable states solid waste laws or regulations. This authorization shall not be interpreted to release Goodyear or others from responsibility under ORC Chapters 3704, 3714, 3734, or 6111; under the Federal Clean Water Act, the Resource Conservation and Recovery Act, the Toxic Substances Control Act, or the Comprehensive Environmental Response, Compensation, and Liability Act; or from other applicable requirements for remedying conditions resulting from any release of contaminants to the environment.

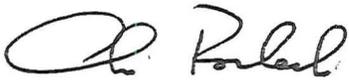
You are hereby notified that this action of the Director of Ohio EPA (Director) is final and may be appealed to the Environmental Review Appeals Commission pursuant to Ohio Revised Code Section 3745.04. The appeal must be in writing and set forth the action complained of and the grounds upon which the appeal is based. The appeal must be filed with the Commission within thirty (30) days after notice of the Director's action. The appeal must be accompanied by filing fee of \$70.00 which the Commission, in its discretion, may reduce if by affidavit you demonstrate that payment of the full amount of the fee would cause extreme hardship. Notice of the filing of the appeal shall be filed with the Director within three (3) days of filing with the Commission. Ohio EPA request that a copy of the appeal be served upon the Ohio Attorney General's Office, Environmental Enforcement Section. An appeal may be filed with the Environmental Review Appeals Commission at the following address:

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Environmental Review Appeals Commission
309 South Fourth Street
Room 222
Columbus, Ohio 43215

If you have any questions concerning this authorization, please contact Karen Naples of Ohio EPA, NEDO at (330) 963-1244.

Sincerely,



Chris Korleski
Director

Cc: Scott Hester, DSIWM-CO
Lynn Sowers, DSIWM-NEDO
Adam Harris, Portage County Health Department
Paul Kuonen, Brownfield Restoration Group, LLC