



**Environmental
Protection Agency**

Richard Cordell, Governor
Les Riffe, Lt. Governor
Dana Williams, Director

August 9, 2010

CERTIFIED MAIL

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

**RE: WINGFOOT LAKE SHOOTING RANGE
PORTAGE COUNTY
OAC 3745-27-13 AUTHORIZATION
NOTICE OF VIOLATION (NOV)**

Dear Mr. Whitmore:

On August 6, 2010, Ohio Environmental Protection Agency (Ohio EPA) Northeast District Office (NEDO) received a letter from Brownfield Restoration Group, LLC notifying Ohio EPA that filling and grading activities in accordance with the Ohio Administrative Code (OAC) 3745-27-13 (Rule 13) authorization issued on January 14, 2010, to the Goodyear Tire and Rubber Company (Goodyear) commenced on or about July 21, 2010.

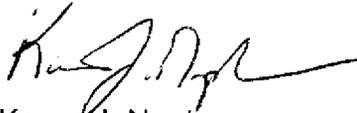
Condition No. 2 of the January 14, 2010, Rule 13 authorization, states, "Not later than seventy-two (72) hours prior to the start of activities associated with this authorization, Goodyear shall submit written notification which specifies the anticipated date of work commencement to Ohio EPA, DSIWM, NEDO and the Portage County Health Department." Although work had commenced on or about July 21, 2010, Ohio EPA did not receive a notification until August 6, 2010. Therefore, Goodyear's failure to submit written notification at least seventy-two (72) hours prior to commencement of work is a violation of Condition No. 2 of the January 14, 2010, Rule 13 authorization.

Nothing in this letter shall be construed to authorize any waiver from any requirements of applicable state solid waste laws or regulations. This letter 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, 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.

Mark Whitmore
The Goodyear Tire and Rubber Company
August 9, 2010
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If you have any questions regarding this letter, please do not hesitate to contact me at (330) 963-1244.

Sincerely,



Karen J. Naples
Environmental Specialist
Division of Solid and Infectious Waste Management

KJN/cl

pc: Jarnal Singh, DSIWM, NEDO
Adam Harris, Portage County Health Department
Paul Kuonen, Brownsfield Restoration Group, LLC
File: [SOWERS/COUN/WINGFOOT LAKE/COR/67]

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Sent To *Mark E Whitmore*
 Street, Apt. No., or PO Box No. *Goodyear Tire & Rubber*
 City, State, ZIP+4

PS Form 3800, August 2006 See Reverse for Instructions

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1. Article Addressed to:

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

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