



State of Ohio Environmental Protection Agency

STREET ADDRESS:

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50 W. Town St., Suite 700  
Columbus, Ohio 43215

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MAILING ADDRESS:

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

**CERTIFIED MAIL**

March 6, 2007

**Re: Director's Final Findings & Orders**  
Bridgestone Firestone  
North American Tire, LLC  
US EPA ID No.: OHD 001288109

Mr. Robert W. Handlos  
Vice President  
Bridgestone Firestone  
North American Tire, LLC  
1200 Firestone Parkway  
Akron, Ohio 44317

Dear Mr. Handlos:

Here are the Director's Final Findings and Orders (Orders) issued to Bridgestone Firestone North American Tire, LLC on March 6, 2007. These Orders are effective today.

I have also enclosed an invoice for the penalty payment as required by Order No. 1. Please remember that your first payment is due no later than April 5, 2007.

If you have any questions concerning compliance with these Orders, do not hesitate to contact Kurt Princic at (330) 425-9171.

Sincerely,

Pamela S. Allen, Manager  
Regulatory and Information Services  
Division of Hazardous Waste Management

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**Attachments**

cc: Michael A. Savage, Chief, DHWM  
Harry Sarvis, Mgr., CAS, DHWM  
Elissa Miller, Legal  
Heidi Greismer, PIC  
Kurt Princic, Mgr., DHWM, NEDO  
Steven Q. Giblin, Esq., Jones Day North Point

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



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OHIO E.P.A.

MAR -6 2007

ENTERED DIRECTOR'S JOURNAL

**BEFORE THE  
OHIO ENVIRONMENTAL PROTECTION AGENCY**

In the Matter of:

**Bridgestone Firestone North  
American Tire, LLC  
1200 Firestone Parkway  
Akron, Ohio 44317**

**Director's Final  
Findings and Orders**

**Respondent**

**PREAMBLE**

It is agreed by the parties hereto as follows:

**I. JURISDICTION**

These Director's Final Findings and Orders (Orders) are issued to Bridgestone Firestone North American Tire, LLC (Respondent) pursuant to the authority vested in the Director of the Ohio Environmental Protection Agency (Ohio EPA) under Ohio Revised Code (ORC) §§ 3734.13 and 3745.01.

**II. PARTIES BOUND**

These Orders shall apply to and be binding upon Respondent and successors in interest liable under Ohio law. No change in ownership of the Respondent or of the Facility shall in any way alter Respondent's obligations under these Orders.

**III. DEFINITIONS**

Unless otherwise stated, all terms used in these Orders shall have the same meaning as defined in ORC Chapter 3734. and the rules promulgated thereunder.

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.

By: [Signature] Date: 3-6-07

#### IV. FINDINGS

The Director of Ohio EPA has determined the following findings:

1. Respondent operates a business located at 1200 Firestone Parkway, Akron, Summit County, Ohio (Facility).
2. Respondent is a "person" as defined in ORC § 3734.01(G) and OAC rule 3745-50-10(A).
3. At the Facility, Respondent generates "hazardous waste" as that term is defined by ORC § 3734.01(J) and OAC rules 3745-50-10(A) and 3745-51-03. Respondent is identified as a small quantity generator of hazardous waste.
4. Respondent notified Ohio EPA of its hazardous waste activities and was issued generator identification number OHD001288109.
5. On June 2, 2005, Respondent, acting through its independent contractor, Sunpro, Inc. (Sunpro), an environmental services provider and licensed waste transporter, caused to be transported a container of waste to Vexor Technology, Inc. located at 955 West Smith Road, Medina, Ohio (Vexor). Vexor does not hold a hazardous waste facility installation and operation permit issued in accordance with ORC Chapter 3734. After Sunpro determined through field testing that the waste in the container did not exhibit any hazardous waste characteristics, the container of waste was transported as non-hazardous waste and was accompanied by non-hazardous shipping papers.
6. Once received by Vexor, Vexor analyzed the container of waste for the hazardous waste characteristics of flashpoint and corrosivity only. Based upon Vexor's analysis, the waste was found to exhibit the hazardous waste characteristic of corrosivity (D002).
7. Vexor contacted Sunpro and informed Sunpro of the analytical results referenced in Finding No. 6 of these Orders.
8. On or about June 17, 2005, Vexor returned the container of hazardous waste to Sunpro.
9. After re-testing the waste and confirming that the waste was corrosive, Sunpro informed Respondent of the return of the waste and the circumstances behind the return. Respondent instructed Sunpro to prepare

the necessary land disposal restrictions form and hazardous waste manifest and to arrange for the disposal of the waste as a hazardous waste. On September 19, 2005, the container of waste was transported to Chemtron Corporation in Avon, Ohio (Chemtron), a facility operating under a hazardous waste facility installation and operation permit.

10. In correspondence to Ohio EPA dated August 16, 2006, Respondent submitted documentation demonstrating that the container of hazardous waste had been transported to Chemtron, a facility operating under a hazardous waste facility installation and operation permit. Respondent transported the container of waste to a permitted facility prior to enforcement activity by Ohio EPA.
11. Because Respondent transported or caused to be transported the container of hazardous waste to Vexor, a facility not operating under a hazardous waste facility installation and operation permit issued in accordance with ORC Chapter 3734., the Director has determined that Respondent violated ORC § 3734.02(F). In addition, and based upon the documentation submitted by Respondent, referenced in Finding No. 10 of these Orders, the Director has determined that no additional action is required of Respondent regarding the ORC § 3734.02(F) violation.

#### **V. ORDERS**

Respondent shall achieve compliance with Chapter 3734. of the ORC and the regulations promulgated thereunder according to the following compliance schedule:

1. Within 30 days after the effective date of these Orders, Respondent shall pay Ohio EPA the amount of \$4,400.00 in settlement of Ohio EPA's claims for civil penalties, which may be assessed pursuant to ORC Chapter 3734. and which will be deposited into the hazardous waste cleanup fund established pursuant to ORC § 3734.28. Payment shall be made by an official check made payable to "Treasurer, State of Ohio" for \$4,400.00. The official check shall be submitted to Ohio EPA, Office of Fiscal Administration, Department L-2711, Columbus, Ohio 43260-2711, together with a letter identifying Respondent and the Facility. A copy of this check shall be submitted in accordance with Section X. of these Orders.

**VI. TERMINATION**

Respondent's obligations under these Orders shall terminate upon Ohio EPA's receipt of the official check required by Section V. of these Orders.

**VII. OTHER CLAIMS**

Nothing in these Orders shall constitute or be construed as a release from any claim, cause of action or demand in law or equity against any person, firm, partnership or corporation, not a party to these Orders, for any liability arising from, or related to, the operation of Respondent's Facility.

**VIII. OTHER APPLICABLE LAWS**

All actions required to be taken pursuant to these Orders shall be undertaken in accordance with the requirements of all applicable local, state and federal laws and regulations. These Orders do not waive or compromise the applicability and enforcement of any other statutes or regulations applicable to Respondent.

**IX. MODIFICATIONS**

These Orders may be modified by agreement of the parties hereto. Modifications shall be in writing and shall be effective on the date entered in the journal of the Director of Ohio EPA.

**X. NOTICE**

All documents required to be submitted by Respondent pursuant to these Orders shall be addressed to:

Ohio Environmental Protection Agency  
Northeast District Office  
Division of Hazardous Waste Management  
Attn: DHWM Manager  
2110 E. Aurora Road  
Twinsburg, Ohio 44087

and Ohio EPA Central Office at the following address:

For mailings, use the post office box number:

Chris Korleski, Director  
Ohio Environmental Protection Agency  
Lazarus Government Center  
Division of Hazardous Waste Management  
P.O. Box 1049  
Columbus, Ohio 43216-1049  
Attn: Manager, Compliance Assurance Section

For deliveries to the building:

Chris Korleski, Director  
Ohio Environmental Protection Agency  
Lazarus Government Center  
Division of Hazardous Waste Management  
50 West Town Street, Suite 700  
Columbus, Ohio 43215  
Attn: Manager, Compliance Assurance Section

or to such persons and addresses as may hereafter be otherwise specified in writing by Ohio EPA.

#### **XI. RESERVATION OF RIGHTS**

Ohio EPA and Respondent each reserve all rights, privileges and causes of action, except as specifically waived in Section XII. of these Orders.

#### **XII. WAIVER**

In order to resolve disputed claims, without admission of fact, violation or liability, and in lieu of further enforcement action by Ohio EPA for only the violations specifically cited in these Orders, Respondent consents to the issuance of these Orders and agrees to comply with these Orders. Compliance with these Orders shall be a full accord and satisfaction for Respondent's liability for the violations specifically cited herein.

Respondent hereby waives the right to appeal the issuance, terms and conditions, and service of these Orders, and Respondent hereby waives any and all rights Respondent may have to seek administrative or judicial review of these Orders either in law or equity.

Notwithstanding the preceding, Ohio EPA and Respondent agree that if these Orders are appealed by any other party to the Environmental Review Appeals Commission, or any court, Respondent retains the right to intervene and participate in such appeal. In such an event, Respondent shall continue to comply with these Orders notwithstanding such appeal and intervention unless these Orders are stayed, vacated or modified.

**XIII. EFFECTIVE DATE**

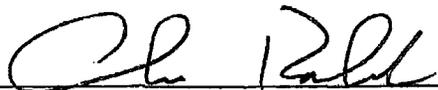
The effective date of these Orders is the date these Orders are entered into the Ohio EPA Director's journal.

**XIV. SIGNATORY AUTHORITY**

Each undersigned representative of a party to these Orders certifies that he or she is fully authorized to enter into these Orders and to legally bind such party to these Orders.

**IT IS SO ORDERED AND AGREED:**

**Ohio Environmental Protection Agency**

  
\_\_\_\_\_  
Director

MAR 06 2007  
Date

**IT IS SO AGREED:**

**Bridgestone Firestone North American Tire, LLC**

  
\_\_\_\_\_  
Signature

FEB. 6, 2007  
Date

ROBERT W. HANDLOS  
\_\_\_\_\_  
Printed or Typed Name

VICE PRESIDENT  
\_\_\_\_\_  
Title