

FILED

Sep 19, 2025

11:39 am

U.S. EPA REGION 5
HEARING CLERK

UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY
REGION 5

IN THE MATTER OF:	)	Docket No.: RCRA-05-2025-0028
	)	
	)	
Goodyear Tire & Rubber Company	)	
1485 East Archwood Avenue	)	EXPEDITED SETTLEMENT
Akron, Ohio 44306	)	AGREEMENT AND
EPA ID. No. OHD982068488	)	FINAL ORDER
	)	
Respondent	)	
_____	)	

EXPEDITED SETTLEMENT AGREEMENT

1. The Director, Enforcement and Compliance Assurance Division, U.S. Environmental Protection Agency ("EPA"), Region 5 ("Complainant"), and Goodyear Tire & Rubber Company ("Respondent") enter into this Resource Conservation and Recovery Act ("RCRA") Expedited Settlement Agreement ("Agreement") to settle the civil violations set forth in this Agreement for a penalty of (\$8,750).
2. EPA inspected Respondent's facility on March 29, 2023, and/or reviewed information Respondent provided on April 16 and May 21, 2025. Complainant has determined Respondent violated the following sections of RCRA, and the Ohio hazardous waste management program¹ Ohio Administrative Code, at Respondent's facility located at East 1485 Archwood Avenue, Akron, Ohio 44306 (the "Facility"):
 - a. Section 3005 of RCRA, 42 U.S.C. § 6925(a), and the regulations at 40 C.F.R. Part 270 and Ohio Admin. Code § 3745-50 prohibit the treatment, storage, or disposal of hazardous waste without a permit or interim status. A generator may, however, accumulate hazardous waste on-site in tanks for 90 days or less without a permit or interim status, provided that the generator complies with all applicable conditions set forth in Ohio Admin. Code § 3745-52-34(A)(1)(b), including, but not limited to, design and installation of new tank system components, containment and detection of releases, and inspections. See Ohio Admin. Code §§ 3745-66-90 to 3745-66-101. On March 29, 2023,

¹ See Ohio Admin. Code §§ 3745-50 through 3745-279. EPA is enforcing Ohio hazardous waste management program requirements as approved and authorized by the United States on June 30, 1989 (see 54 FR 27170) and the revisions to the hazardous waste program as approved and authorized by the United States through September 26, 2019 (see 84 FR 50766).

Respondent stated that hazardous rubber cement waste has been stored in the Cement Transfer Tank (100-gallons) outside of Building 133 without complying with the hazardous waste tank regulations, and Respondent had not obtained a permit or interim status. Respondent stored hazardous waste without a permit or without interim status in violation of Section 3005 of RCRA, 42 U.S.C. § 6925(a), and the requirements of Ohio Admin. Code § 3745-52-34(A) because it failed to comply with the hazardous waste tank requirements during storage of hazardous waste in Cement Transfer Tank.

- b. Failure to comply with any of the conditions of Ohio Admin. Code § 3745-52-34(A), subjects the generator of hazardous waste to the requirements of Ohio Admin. Code §§ 3745-65-52 (C) and 3745-65- 53(B). Under Ohio Admin. Code §§ 3745-65-52 (C) and 3745-65- 53(B), description of arrangements agreed to with local emergency authorities must be included in the Facility's Contingency Plan and updated copies of the Facility's Contingency Plan must be shared with local authorities. On March 29, 2023, Respondent failed to include a description of arrangements agreed to with local emergency authorities in the Facility's Contingency Plan and failed to provide an updated copy of the Facility's Contingency Plan to local authorities, Respondent's failure to include a description of arrangements agreed to with local emergency authorities in the Facility's Contingency Plan and failure to provide updated copy of the Facility's Contingency Plan to local authorities violated Ohio Admin. Code §§ 3745-65-52 (C) and 3745-65- 53(B).
- c. Under 40 C.F.R. § 265.1050(a) – (b), organic emissions standards apply to equipment that contains or contacts hazardous waste with organic concentration of at least 10 percent by weight that are managed in a unit that is exempt from permitting under the provisions of 40 CFR 262.17 (i.e., a "90-day" tank or container) and is not a recycling unit under provisions of 40 CFR § 261.6. On May 29, 2023, Respondent failed to determine applicability of Subpart BB requirements to equipment that is part of the Tank T-3000 system. Respondent's failure to determine applicability of Subpart BB for Tank T-3000 equipment (valves, pumps, fittings, caps) violated applicable sections of 40 CFR Part 265 Subpart BB.
- d. Under 40 C.F.R. § 265.1080(a), organic emission standards apply to facilities that treat, store, or dispose of hazardous waste in tanks, surface impoundments, or containers subject to either subpart I, J, K of Part 265. On March 29, 2023, Respondent failed to determine applicability of Subpart CC requirements to hazardous waste Tank T-3000 and hazardous waste storage containers. Respondent's failure to determine applicability of Subpart CC for Tank T-3000 and storage containers violated applicable sections of 40 CFR Part 265 Subpart CC.

3. The EPA and Respondent agree that settlement of this matter for a civil penalty of eight thousand seven hundred fifty dollars (\$8,750) is in the public interest.
4. EPA is authorized to enter into this Agreement pursuant to Section 3008(a) of RCRA, 42 U.S.C. § 6928(a), and 40 C.F.R. §§ 22.13(b), and 22.18(b)(2) and (b)(3).
5. EPA provided notice of commencement of this action to the state of Ohio pursuant to Section 3008(a)(2) of RCRA, 42 U.S.C. § 6928(a)(2).
6. In signing this Agreement, Respondent: (1) admits that Respondent is subject to RCRA and its implementing regulations; (2) admits that EPA has jurisdiction over Respondent and Respondent's conduct as alleged herein, (3) neither admits nor denies the factual allegations contained herein; (4) consents to the assessment of this penalty; (5) waives the opportunity for a hearing as provided at 40 C.F.R. § 22.15(c); (6) waives any right to contest the allegations in this Expedited Settlement Agreement and Final Order and its right to appeal this Expedited Settlement Agreement and Final Order; and (7) waives any rights or defenses that Respondent has or may have for this matter to be resolved in federal court, including but not limited to any right to a jury trial, and waives any right to challenge the lawfulness of the final order accompanying the ESA.
7. By its signature below Respondent certifies, subject to civil and criminal penalties for making a false submission to the United States Government, that: (1) the alleged violations have been corrected, and (2) Respondent has paid the civil penalty in accordance with paragraph 8.
8. Respondent shall have paid a civil penalty of eight thousand seven hundred fifty dollars (\$8,750) within 30 days of its receipt of the letter setting forth the opportunity for expedited settlement. Respondent shall pay the penalty using any method, or combination of appropriate methods, as provided on the EPA website: <https://www.epa.gov/financial/makepayment>. For additional instructions see: <https://www.epa.gov/financial/additional-instructions-making-payments-epa>.
9. Respondent shall have sent a notice of payment that states Respondent's name, complete address, and the case docket number to EPA at the following addresses, when it has paid the penalty:

Regional Hearing Clerk
U.S. EPA, Region 5
r5hearingclerk@epa.gov

Derrick Samaranski
Land Enforcement and Compliance Assurance Branch
U.S. EPA, Region 5
Samaranski.derrick@epa.gov and
R5LEcab@epa.gov

Nicole Wood
Office of Regional Counsel
U.S. EPA, Region 5
Wood.Nicole@epa.gov

U.S. Environmental Protection Agency
Cincinnati Finance Center
CINWD_AcctReceiveable@epa.gov

10. The civil penalty is not deductible for federal tax purposes.
11. This Agreement resolves only Respondent's liability for federal civil penalties under Section 3008(a) of RCRA, 42 U.S.C. § 6928(a), for the violations alleged in the Agreement.
12. EPA reserves all of its rights to take enforcement action for any other past, present, or future violations by Respondent of RCRA, any other federal statute or regulation, or this Agreement.
13. Each party shall bear its own costs and fees, if any.
14. This Agreement is binding on the parties signing below, and in accordance with 40 C.F.R. § 22.31(b), is effective upon filing.
15. In accordance with 40 C.F.R. § 22.6, the parties consent to service of this Agreement by e-mail at the following valid e-mail addresses: Wood.Nicole@epa.gov (for Complainant), and Travis_Cobb@goodyear.com (for Respondent).
16. Respondent understands that the ESA will become publicly available upon filing.

IT IS SO AGREED,

Paula Christ

Name (print)

Associate General Counsel -- Litigation & Head of Legal Operations and Administration

Title (print)

Paula Christ

Signature

09/09/2025

Date

APPROVED BY EPA:

Michael D. Harris

Division Director

U.S. EPA Region 5 Enforcement and Compliance Assurance Division

In the Matter of:

The Goodyear Tire & Rubber Company

Docket No.: RCRA-05-2025-0028

FINAL ORDER

This Expedited Settlement Agreement and Final Order, as agreed to by the parties, shall become effective immediately upon filing with the Regional Hearing Clerk. This Expedited Settlement Agreement and Final Order concludes this proceeding pursuant to 40 C.F.R. §§ 22.18 and 22.31.

IT IS SO ORDERED:

Ann L. Coyle
Regional Judicial Officer
United States Environmental Protection Agency
Region 5