

ILLINOIS POLLUTION CONTROL BOARD

February 21, 2002

IN THE MATTER OF:)
)
PETITION OF FORD MOTOR COMPANY) AS 02-3
(CHICAGO ASSEMBLY PLANT) FOR) (Adjusted Standard - Air)
AN ADJUSTED STANDARD FROM)
35 ILL. ADM. CODE 218.986)

ORDER OF THE BOARD (by S.T. Lawton, Jr.):

On February 4, 2002, Ford Motor Company, Inc. (Ford) filed with the Board a petition for an adjusted standard pursuant to Sections 27 and 28.1 of the Environmental Protection Act (Act) (415 ILCS 5/27, 28.1 (2000)) and 35 Ill. Adm. Code Part 104. Ford also requested in its petition that the Board waive a hearing on this matter.

Ford requests that the Board revise its former adjusted standard, which adopted an adjusted volatile organic material (VOM) emission limitation for the solvent cleanup operations at Ford's Chicago Assembly Plant (plant) under 35 Ill. Adm. Code Part 218, Subpart TT, entitled "Other Emission Units." *See* Petition of Ford Motor Company for an Adjusted Standard from 35 Ill. Adm. Code 218.986, AS 00-06 (Apr. 6, 2000). Specifically, Ford requests the Board to grant an adjusted standard from 35 Ill. Adm. Code 218.986 for a 50-ton reduction in their emissions, lowering the 390 tons VOM per rolling 12 month total to a 340 tons VOM per rolling 12 month total. Ford's petition states that this request for reduced VOM emissions is a result of discussions with the United States Environmental Protection Agency Region V, community members, and environmental groups as a part of the plant's Good Neighbor Group Dialogue.

NOTICE AND HEARING

Section 28.1 of the Act (415 ILCS 5/28.1 (2000)) and 35 Ill. Adm. Code 104.408 require publication of notice of an adjusted standard proceeding in a newspaper of general circulation in the area affected by the petitioner's activity. The notice must be published within 14 days of filing a petition for an adjusted standard with the Board. *See* 35 Ill. Adm. Code 104.408(a). As required by 35 Ill. Adm. Code 104.410, Ford filed a certificate of publication with the Board on February 15, 2002, indicating that notice of the petition was published in the *Chicago Tribune*, a Chicago newspaper, on February 7, 2002. The Board finds that the notice meets the requirements of Section 28.1 of the Act (415 ILCS 5/28.1 (2000)) and 35 Ill. Adm. Code 104.408 and 104.410.

PROOF AND INFORMATIONAL SUFFICIENCY

For the Board to grant an adjusted standard, the petitioner must satisfy requirements for adequate proof under Section 28.1(c) of the Act (415 ILCS 5/28.1(c) (2000)), and sufficient information under 35 Ill. Adm. Code 104.406, 104.426 and 720.131(c). The Board finds that the petition meets the Board's informational requirements for granting an adjusted standard.

HEARING WAIVER

In its petition, Ford states that "unless the Board deems it necessary, Ford waives a hearing on this petition." Pet. at 11. At this point in the proceedings, the Board finds that Ford waived a hearing for its adjusted standard. Accordingly, the Board will not schedule a hearing in this matter.

However, the Board reminds Ford that a hearing is usually held in an adjusted standard concerning Clean Air Act (CAA) requirements because granting this relief could affect the State Implementation Plan (SIP). Section 110(l) of the CAA (42 U.S.C. §7410(l) (2001)) requires any revisions to the SIP submitted by a State to be adopted by that State after reasonable notice and a public hearing. In this case, revising the SIP may not be necessary because the adjusted standard would lower the emissions limit. In this context, a SIP revision would be needed only if the State intends to claim the reduction as a part of its ongoing efforts to meet the National Ambient Air Quality Standards for ozone.

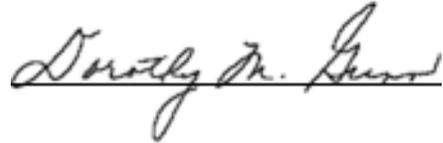
The Board directs the Illinois Environmental Protection Agency (Agency) to address the issue of whether a hearing is necessary in this matter in its recommendation. Ford may wish to request a hearing in light of the Agency's statements. If Ford finds it desires a hearing in this matter, it may request a hearing within 30 days of the date that the Agency files its recommendation with the Board.

CONCLUSION

The Board finds that the petition adequately satisfies the proof requirements under Section 28.1(c) of the Act (415 ILCS 5/28.1(c) (2000)), and information sufficiency requirements in Board regulations at 35 Ill. Adm. Code 104.406, 104.426 and 720.131(c). The Board also finds that Ford waives its right to a hearing unless the Board finds it necessary to hold one. The Board directs the Agency to address whether a hearing is necessary in its recommendation. Ford may request a hearing in response to the Agency recommendation within 30 days of the date that the Agency files the recommendation with the Board.

IT IS SO ORDERED.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, certify that the Board adopted the above order on February 21, 2002, by a vote of 7-0.

A handwritten signature in cursive script, reading "Dorothy M. Gunn", written over a horizontal line.

Dorothy M. Gunn, Clerk
Illinois Pollution Control Board