

1 BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

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3 In the Matter of:)

4)

5 PETITION OF FORD MOTOR)

6 COMPANY (CHICAGO ASSEMBLY)

7 PLANT) FOR AN ADJUSTED) AS 02-3

8 STANDARD FROM 35 ILL. ADM.) (Adjusted

9 CODE 218.986) Standard-Air)

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11 TRANSCRIPT OF PROCEEDINGS held in the
12 hearing of above-entitled matter, taken
13 stenographically by Francine Buonavolanto, CSR,
14 before BRADLEY P. HALLORAN, Hearing Officer,
15 100 West Randolph, Room 11-512, Chicago,
16 Illinois, on the 15th day of August, A.D.,
17 2002, at the hour of 1:30.

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1 APPEARANCES:

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3 HEARING TAKEN BEFORE:

4 Illinois Pollution Control Board,
100 West Randolph Street
5 Room 11-512
Chicago, Illinois 60601
6 Phone: (312) 814-4825
BY: MR. BRADLEY P. HALLORAN, Hearing
7 Officer,

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ILLINOIS POLLUTION CONTROL MEMBERS

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10 ILLINOIS ENVIRONMENTAL PROTECTION AGENCY
1021 North Grand Avenue East, P.O. Box 19276
Springfield, Illinois, 62794
11 Phone: (217) 782-5544

12 BY: MR. CHARLES E. MATOESIAN

13

SCHIFF, HARDIN & WAITE
14 6600 Sears Tower
Chicago, Illinois 60606
15 Phone: (312) 258-5500
BY: MS. JANE E. MONTGOMERY

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1 HEARING OFFICER BRADLEY: Good
2 afternoon. My name is Bradley Halloran. I'm a
3 Hearing Officer with the Illinois Pollution
4 Control Board. I've been assigned to preside
5 over this matter.

6 This is the matter of petition of a
7 Ford Motor Company, Chicago Assembly Plant, for
8 an adjusted standard from 35 Illinois
9 Administrative Code 218.286 documented by the
10 Board as an adjusted standard 02-003.

11 Today's Thursday, August 15, 2002.
12 It's approximately 1:30. I note aside from the
13 parties and the representatives, there does not
14 appear to be any members of the public here.

15 The hearing was scheduled and noticed
16 pursuant to Section 104.400 subpart D and the
17 Board's procedural rules will be governed in
18 accordance with Section 101.600 of the Board's
19 Procedural Rules.

20 I also want to note that this hearing
21 is intended to develop a record for review by
22 the seven members of the Illinois Pollution
23 Control Board.

24 I will not be making the ultimate

1 decision in the case. The seven members will
2 do that. They will review the transcript of
3 this proceeding and the remainder of the record
4 and will render a decision.

5 My job is to ensure an orderly
6 hearing and a clear record and to rule on any
7 evidentiary matters that may arise.

8 After the hearing, the parties have
9 an opportunity to submit post-hearing briefs
10 and I also will hold a public comment period.

11 With that said, would the petitioner
12 like to introduce herself, please?

13 MS. MONTGOMERY: Jane Montgomery from
14 Ford Motor Company.

15 MR. MATOESIAN: Charles Matoesian for
16 the Illinois Environmental Protection Agency.

17 HEARING OFFICER BRADLEY: Thank you.
18 Ms. Montgomery has indicated prior to the
19 hearing that she will not be calling any
20 witnesses; is that correct?

21 MS. MONTGOMERY: Yes, that's correct.

22 HEARING OFFICER BRADLEY: So I'll
23 announce to -- she will make a statement which
24 amounts to an opening and closing and then

1 Mr. Matoesian will have a chance to respond if
2 he so chooses. So, Ms. Montgomery?

3 MS. MONTGOMERY: Thank you. Again,
4 I'm Jane Montgomery representing the petitioner
5 Ford Motor Company.

6 Ford is here today concerning the
7 Chicago Assembly Plant's Petition for an
8 Adjusted Standard from the Volatile Organic
9 Material regulations set forth at 35 Illinois
10 Administrative Code Section 218.986.

11 The Assembly Plant first began
12 operations in 1924 at its Torrence Avenue
13 location on the south side of the City of
14 Chicago.

15 The facility employs approximately
16 2,700 people. At the facility, cars are ahead
17 from parts manufactured at other locations.

18 Final assembly operations include
19 cleaning and painting, operations that require
20 the use of solvents and paints.

21 Dirt, grease and paint overspray are
22 introduced at various places throughout the
23 assembly process. The cleanup operations that
24 are the subject of this petition include wiping

1 grease and paint from cars and cleaning the
2 paint equipment.

3 The cleanup operation are critical to
4 providing a quality finish on each and every
5 car Ford produces.

6 The adjusted standard requested here
7 continues to address the following cleanup
8 processes within the Ford's facility: Paint
9 booth wall cleaning; booth grate cleaning and
10 floor cleaning; cleaning in the manually
11 operated paint hoses; cleaning of equipment in
12 the automated paint section; the paint purge
13 system; filter cleaning; the closed loop paint
14 supply system; vehicle body cleaning; and the
15 purge reclaim tank.

16 Subtract part TT of the VOM rules,
17 the subpart that is the subject of this
18 petition is a catchall VOM reduction
19 requirement, that is, it applies to other
20 emission sources than the standard set forth
21 for specific industries in Subpart A through
22 Subpart RR.

23 The specific regulations, Section
24 218.986 provides than uncontrolled emissions

1 shall be reduced by 81 percent by control
2 mechanisms, that is no emission cap is
3 required, or that coating operations shall not
4 exceed 3.5 pounds of VOM per gallon of coating.

5 After study, Ford determined that the
6 reductions as set forth in the rule were
7 neither technically possible nor economically
8 reasonable.

9 In October, 1999, Ford petitioned
10 the Board for an Adjusted Standard and the
11 petition was granted in 2000.

12 Because the emissions covered by this
13 rule are not equipment specific Ford developed
14 alternate means to achieve reductions.

15 The mechanisms by which Ford has
16 achieved a lower VOM emission rate are numerous
17 and are set out in detail in the Petition.

18 In sum, though, the adjusted standard
19 granted in 2000 sets forth a VOM emission cap
20 of 390 tons per year on a rolling average for
21 the cleanup operations.

22 Ford developed a site-specific
23 emission limitation by considering the many
24 possible sources of emissions and ways to

1 reduce the VOM emitted by those sources and
2 masking agents used to minimize the need for
3 cleaning.

4 Ford achieved and exceeded the
5 adjusted standard by many changes in work place
6 practices as well as changes in the types of
7 chemicals used for the cleaning.

8 Significantly, the adjusted standard
9 imposes a cap on Ford's emissions while Section
10 218.986 imposes no such limitation.

11 Today Ford is showing its good
12 neighbor commitment by asking for a voluntary
13 reduction in its emission cap, a reduction of
14 50 tons per year on a rolling average to 340
15 tons per years on a rolling average.

16 The full text of the adjusted
17 standard is detailed and we refer the hearing
18 officer and the Board to the language found at
19 pages 7 through 9 in the petition.

20 The request for a reduction shows
21 Ford's continuing commitment to try to improve
22 the environment by implementing new practices
23 that further reduce its annual VOM emissions.

24 The changes in the cleanup operations

1 grew out of U.S. EPA's dissatisfaction in the
2 early 1990s with Ford's efforts to reduce this
3 type of VOM emission.

4 Through a long and sometimes
5 contentious process, Ford developed a dialog
6 with its employees and area residents and
7 developed, under the supervision of U.S. EPA,
8 many practices to reduce the VOM emissions.

9 While the process was not conceived
10 as a cooperative one, the end result has been
11 increased cooperation throughout the plant and
12 with regulators and ultimate reduction in the
13 volume of VOM used for cleanup operations.

14 For the Board to grant Ford's
15 petition according to 415 ILCS Chapter 5
16 Section 28.1(c), Ford must show the following
17 four things; that the general standard set by
18 the Board was based on factors significantly
19 different than those presented by Ford's
20 processes; the existence of the difference
21 justifies an adjusted standard; that the
22 requested adjusted standard will not result in
23 harm to health or the environment; and that the
24 standard is consistent with federal law.

1 Ford has shown that the criteria
2 considered by the Board in promulgating Section
3 218.986 were not applicable to this situation.
4 IEPA testified in the hearing with respect to
5 the first-adjusted standard that operations
6 such as Ford's were not considered when setting
7 the catch-all standards found in Section
8 218.986.

9 The emission cap used by Ford results
10 in more verifiable emission reductions than the
11 percentage reductions called for in the
12 regulation.

13 Significantly, Ford cannot simply
14 increase production and maintain 81 percent
15 control as can the rest of the facilities that
16 fit within this category.

17 The emission cap, now lower than the
18 first adjusted standard, will further aid
19 Chicago's efforts to improve air quality and
20 reach attainment.

21 This standard is consistent with
22 federal law since it reduces an overall
23 emissions cap and lowers total emissions of VOM
24 in Chicago.

1 This hearing satisfies the
2 requirement of Section 28.1 of the Act for
3 incorporation of the adjusted standard in to
4 the State Implementation Plan.

5 In addition, we note that U.S. EPA
6 supports granting the adjusted standard and has
7 written a letter, found at Exhibit B to the
8 Petition, that specifically requests that Ford
9 obtain this reduction.

10 Because Ford has shown that it
11 satisfies the criteria for granting an
12 adjusted standard, we request that the Hearing
13 Officer find that the adjusted standard is
14 warranted and make such a recommendation to the
15 Board.

16 On behalf of Ford, I appreciate the
17 opportunity to be here today to present this
18 petition. Thank you.

19 HEARING OFFICER BRADLEY: Thank
20 you,

21 Ms. Montgomery.

22 Mr. Matoesian?

23 MR. MATOESIAN: Good day. Again,
24 Charles Matoesian for the Illinois

1 Environmental Protection Agency. We had filed
2 a brief on April 18, 2002 recommended the
3 granting of the adjusted standard and at this
4 time, we will just stand on our brief.

5 HEARING OFFICER BRADLEY: Terrific.
6 For formality, I believe it was filed April 22,
7 at least the office received it April 22.

8 MR. MATOESIAN: Okay.
9 Is there anything further?

10 MS. MONTGOMERY: No.

11 MR. MATOESIAN: No.

12 HEARING OFFICER BRADLEY: We'll go
13 off the record briefly and discuss post-hearing
14 briefs, if any. Thank you.

15 (Discussion held off the record.)

16 HEARING OFFICER BRADLEY: We're back
17 on the record. The petitioner and the interest
18 of party of the agency have decided to waive
19 their post-hearing briefs and stand on what has
20 been filed.

21 We've discussed it and I believe the
22 record will be ready on August 27, 2002. I'll
23 set public comment period, cut-off date
24 September 16 and that's the date the record

1 closes.

2 Before I forget -- well, I don't have
3 to, there are no witness so I don't have to
4 make a credibility of determination.

5 With that said, I think that's it and
6 I appreciate everybody being here and have a
7 safe trip home.

8 MS. MONTGOMERY: Thank you.

9 MR. MATOESIAN: Thank you.

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1 STATE OF ILLINOIS)
2) SS:
3 COUNTY OF C O O K)
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5 FRANCINE BUONAVOLANTO being first
6 duly sworn, on oath says that she is a court
7 reporter doing business in the City of Chicago;
8 and that she reported in shorthand the
9 proceedings of said hearing, and that the
10 foregoing is a true and correct transcript of
11 her shorthand notes so taken as aforesaid, and
12 contains the proceedings given at said hearing.

13
14 _____
15 Certified Shorthand Reporter

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17 SUBSCRIBED AND SWORN TO
18 before me this _____ day
19 of _____, 2002.

20
21
22 _____
23 Notary Public

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