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SEP 10 2001

STATE OF ILLINOIS  
Pollution Control Board

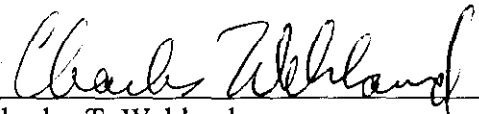
**BEFORE THE ILLINOIS POLLUTION  
CONTROL BOARD**

<b>Bridgestone/Firestone</b>	)	
<b>Off-Road Tire Company,</b>	)	<b>PCB <u>02-31</u></b>
	)	<b>(Permit Appeal - Air)</b>
<b>Petitioner,</b>	)	
	)	
<b>v.</b>	)	
	)	
<b>Illinois Environmental</b>	)	
<b>Protection Agency,</b>	)	
	)	
<b>Respondent.</b>	)	

**NOTICE OF FILING**

PLEASE TAKE NOTICE that I have today filed with the office of the Clerk of the Pollution Control Board the Petition for Administrative Review and Stay of Effectiveness of Bridgestone/Firestone Off-Road Tire Company and the Notice of Appearance of Charles T. Wehland and Eacata Gregory, copies of which are hereby served upon you.

Date: September 7, 2001

  
 \_\_\_\_\_  
 Charles T. Wehland  
 JONES, DAY, REAVIS & POGUE  
 77 West Wacker  
 Chicago, Illinois 60601  
 (312) 782-3939

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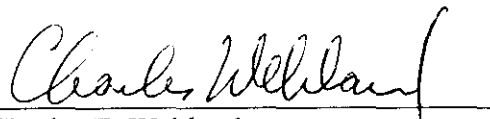
**BEFORE THE ILLINOIS POLLUTION  
CONTROL BOARD**

STATE OF ILLINOIS  
*Pollution Control Board*

<b>Bridgestone/Firestone</b>	)	
<b>Off-Road Tire Company,</b>	)	<b>PCB <u>02 - 31</u></b>
	)	<b>(Permit Appeal - Air)</b>
<b>Petitioner,</b>	)	
	)	
<b>v.</b>	)	
	)	
<b>Illinois Environmental</b>	)	
<b>Protection Agency,</b>	)	
	)	
<b>Respondent.</b>	)	

**NOTICE OF APPEARANCE**

Charles T. Wehland and Eacata Gregory, of JONES, DAY, REAVIS & POGUE, hereby enter an appearance in this proceeding on behalf of Bridgestone/Firestone Off-Road Tire Company.



Charles T. Wehland  
One of the Attorneys for  
Bridgestone/Firestone  
Off-Road Tire Company  
JONES, DAY, REAVIS & POGUE  
77 West Wacker  
Chicago, Illinois 60601  
(312) 782-3939

September 7, 2001

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STATE OF ILLINOIS  
Pollution Control Board

**BEFORE THE ILLINOIS POLLUTION  
CONTROL BOARD**

<b>Bridgestone/Firestone</b>	)	
<b>Off-Road Tire Company,</b>	)	<b>PCB <u>02-31</u></b>
	)	<b>(Permit Appeal - Air)</b>
<b>Petitioner,</b>	)	
	)	
<b>v.</b>	)	
	)	
<b>Illinois Environmental</b>	)	
<b>Protection Agency,</b>	)	
	)	
<b>Respondent.</b>	)	

**PETITION FOR ADMINISTRATIVE REVIEW  
AND STAY OF EFFECTIVENESS**

Pursuant to 415 ILCS 5/40.2 and 35 Illinois Administrative Code 105.300, Bridgestone/Firestone Off-Road Tire Company ("BFS") hereby files this petition for administrative review and request for stay of effectiveness for the Title V Permit 95120125 issued August 6, 2001. BFS is an off-road rubber tire manufacturer located at Veterans Parkway and Fort Jesse Road, Bloomington, Illinois, and is the applicant of the above-referenced permit. In the interest of obtaining a factual and legal permit, BFS submits this petition and stay request to address the unreasonable grouping requirements imposed on the facility's tire assembly machines ("TAMs").

The Bloomington facility contains 36 TAMs, which are used to prepare green tires for further curing and finishing operations. Permit Condition 7.3.6 Emission Limitations separates the TAMs into separate groups, each with different emission limits. This is in spite of the fact that the Illinois Environmental Protection Agency ("IEPA") had previously stated that it would

impose a single group emission limit for all of the TAMs. IEPA made this statement in issuing the construction permit for the newest TAMs at the facility. Moreover, the IEPA had rolled the emissions for all tire assembly operations and cement/solvent usage into a single operating permit with a single group emission limit prior to the issuance of the most recent construction permits.

BFS does not believe that separate group limits are necessary. Contrary to the Agency's assertion, there were no limitations placed on the 15 designated TAMs at construction pursuant to the PSD program to avoid its applicability. Instead, the net emissions increase from the modification of the TAMs was found to be insignificant. In fact, none of the contemporaneous VOM emission changes due to new and retired TAMs at the facility have, to date, been significant so as to qualify as a major modification.

All of the TAMs perform the same function and are subject to the same regulatory requirements. A single group emission limit is not only legally appropriate and consistent with EPA guidance, but also reflects and supports the reality of plant operations. Because the separate grouping requirement is based on the Agency's erroneous assumption, the IEPA acted arbitrarily in imposing this condition. BFS, therefore, requests that Section 7.3.6 be rewritten to provide an appropriate emission limit for all of the TAMs as a single group.

BFS also requests that this challenged condition be stayed pending resolution. The petition shows that BFS is likely to succeed on the merits. BFS would be harmed if it has to begin to implement requirements that are not legally supportable. Moreover, the challenged condition would necessitate redundant and unnecessary record keeping at each group of TAMs of production and cement usage -- record keeping that would be highly prone to oversight, human error, and unnecessary expense. In contrast, the IEPA and the public would not be

harmd in any way if a stay is granted because the applicable overall emission limits will not be affected.

For the reasons stated above, BFS requests that this Petition for Review be granted and the contested condition be stayed pending resolution.

Respectfully submitted,



Charles T. Wehland  
Eacata Gregory  
Jones, Day, Reavis & Pogue  
77 W. Wacker Drive  
Chicago, IL 60601  
(312) 782-3939 (phone)  
(312) 782-8585 (fax)

**CERTIFICATE OF SERVICE**

Charles T. Wehland, an attorney, hereby certifies that he served a copy of the attached Petition for Administrative Review and Stay of Effectiveness of Bridgestone/Firestone Off-Road Tire Company and the Notice of Appearance by Charles T. Wehland and Eacata Gregory upon the person(s) listed below via U.S. mail on September 7, 2001.

Division of Legal Counsel  
Illinois Environmental Protection Agency  
1021 N. Grand Avenue East  
P.O. Box 19276  
Springfield, IL 62794-9276



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Charles T. Wehland  
JONES, DAY, REAVIS & POGUE  
77 West Wacker  
Chicago, Illinois 60601  
(312) 782-3939