OhioEPA
State of Ohio Environmental Protection Agency

STREET ADDRESS:
300 WaterMark Drive
Columbus, OH 43215-1099

TELE: (614) 644-3020 FAX: (614) 644-2329

MAILING ADDRESS:
P.O. Box 1049
Columbus, OH 43216-1049

June 4, 1996

CERTIFIED MAIL

Mr. George Kircos
Ford Motor Company
Office of the General Counsel
Suite 728 - Parklane Towers East
One Parklane Boulevard
Dearborn, Michigan, 48126-2493

Re: Final Findings and Orders for the boiler start-up exemption for the Cleveland Engine Plant 1 in

Dear Mr. Kircos:

Transmitted herewith are the Final Findings and Orders ("Orders") of the Director of the Ohio EPA concerning the above-referenced matter. A public hearing to submit these Orders to the U.S. EPA for approval as a revision to the Ohio State Implementation Plan for particulate matter will be held on July 24, 1996. A copy of public notice is enclosed

Very truly yours,

Thomas G. Rigo, Manager
Field Operations & Permit Section
Division of Air Pollution Control

TGR/slc

cc: Steve Feldmann, Legal Section
Jim Orlemann, DAPC
Tom Kalman, DAPC
Ed Fasko/Greg Travassos, Cleveland
Duane Johnson, Ford Motor Company
Alex Bene, Ford Motor Co.
Bill Haak, AGO

BEFORE THE

OHIO ENVIRONMENTAL PROTECTION AGENCY

In the Matter of:

Ford Motor Company Cleveland Engine Plant 1 17601 Brookpark Road Brookpark, Ohio 44142	))))	Director's Final Findings and Orders

PREAMBLE

It is hereby agreed by and among the parties hereto as follows:

I. JURISDICTION

These Director's Final Findings and Orders ("Orders") are issued to Ford Motor Company ("Ford"), pursuant to the authority vested in the Director of the Ohio Environmental Protection Agency ("Ohio EPA") under sections 3704.03 and 3745.01 of the Ohio Revised Code ("ORC").

II. PARTIES

These Orders shall apply to and be binding upon Ford and its assigns and successors in interest.

III. DEFINITIONS

Unless otherwise stated, all terms used in these Orders shall have the same meaning as used in Chapter 3704 of the ORC and the regulations promulgated thereunder.

IV. FINDINGS OF FACT

The Director of the Ohio EPA has determined the following findings of fact:

1. Ford owns and operates the following coal-fired boilers at its Cleveland Engine Plant 1 located at the above-captioned address:

Boiler Number	Maximum Heat Input (million BTU/hr)	Ohio EPA Source Number
1	77	B020
2	122	B021
3	122	B022
4	122	B023
5	122	B024

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By: Mary Cavin Date 6-4-96

2. Source B020 through B024 each constitute an "air contaminant source" as defined by Ohio Administrative Code ("OAC") rule 3745-35-01(B)(1).

3. Particulate emissions from source B020 through B024 are controlled with separate multiclones and sidestream baghouses which are vented to a common manifold and stack.

4. Visible particulate emissions from the common stack serving sources B020 through B024 are subject to the limitations in OAC rule 3745-17-07(A)(1), except as provided in OAC rule 3745-17-07(A)(2) and (A)(3).

5. Pursuant to OAC rule 3745-17-07(A)(3)(a)(ii) and (b)(ii), sources B020 through B024 are exempted from the visible particulate emission limitations in OAC rule 3745-17-07(A)(1) for a period of not more than three hours from the moment of start-up and shutdown, respectively. Furthermore, this rule permits the Director of the Ohio EPA to incorporate a longer start-up or shutdown time period in the permit or variance for such sources provided that the source owner/operator demonstrates to the satisfaction of the Director that the longer time period is required.

6. In an appeal of the final revisions to OAC rule 3745-17-07, which was filed in June, 1991, Ford alleged, in part, that the revision of OAC rule 3745-17-07(A)(3) to reduce the time period for exemption for fuel burning equipment during start-up and shutdown periods from six to three hours would require or tend to require the operation of fuel burning equipment in a manner which would threaten safety and/or the equipment.

7. Based upon a review of the technical support submitted by Ford and of the continuous opacity monitoring results from the first quarter of 1989 through the fourth quarter of 1991 from the in-stack monitor at the facility, the Ohio EPA determined that the exemption period for start-up of sources B020 through B024, pursuant to OAC rule 3745-17-07(A)(3)(a)(ii), should be extended from three hours to six hours in order to ensure safe operation of, and prevent equipment damage to, these sources. The Ohio EPA also determined that the three-hour exemption period for shutdown of fuel burning equipment pursuant to OAC rule 3745-17-07(A)(3)(b)(ii) was adequate for sources B020 through B024.

8. On September 24, 1993, Ohio EPA issued permits to operate for sources B020 through B024 which granted an exemption from the visible particulate emission limitations in OAC rule 3745-17-07(A)(1) for a period of not more than six hours from the moment of start-up.

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9. The Director has given consideration to, and based his determination on, evidence relating to the technical feasibility and economic reasonableness of complying with the following Orders and their relation to benefits to the people of the State to be derived from such compliance.

V. ORDERS

The Director hereby makes the following Orders:

1. Pursuant to the provisions in OAC rule 3745-17-07(A)(3)(a)(ii), the start-up time exemption period for sources B020 through B024 shall be not more than six hours from the moment of start-up. Start-up shall mean the commencement of firing of fuel burning equipment from a cold, non-fired condition.

2. Ford shall record the time, date and duration of each start-up of sources B020 through B024. These records shall be maintained by Ford for a period of not less than three years and shall be made available to the Ohio EPA or its contractual representative upon request during normal business hours.

VI. 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. Nothing in these Orders shall be construed as waiving or compromising in any way the applicability and enforcement of any other statutes or regulations applicable to Ford's facility. The Ohio EPA reserves all rights and privileges except as specified herein.

VII. RESERVATION OF RIGHTS

Nothing contained herein shall be construed to prevent Ohio EPA from seeking legal or equitable relief to enforce the terms of these Orders or from taking other administrative, legal or equitable action as deemed appropriate and necessary, including penalties against Ford for noncompliance with these Orders. Nothing contained herein shall be construed to prevent Ohio EPA from exercising its lawful authority to require Ford to perform additional activities pursuant to Chapter 3704 of the ORC or any other applicable law in the future. Nothing herein shall restrict the right of Ford to raise any administrative, legal or equitable claim or defense with respect to such further actions which the Ohio EPA may seek to require of Ford.

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VIII. SIGNATORIES

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

IX. WAIVER

Ford agrees that these Orders are lawful and reasonable, and Ford agrees to comply with these Orders.

Ford hereby waives the right to appeal the issuance, terms and service of these Orders and it hereby waives any and all rights it might have to seek judicial review of these Orders either in law or equity.

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

IT IS SO ORDERED AND AGREED:

By: Donald R. Schregardus/SAP
Donald R. Schregardus
Director
Ohio Environmental Protection Agency

5/31/96
Date

IT IS AGREED:

Ford Motor Company

By Thomas DeZure
Assistant Secretary

Title

NOV 28 1995
Date

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