

OHIO E.P.A.

**BEFORE THE
OHIO ENVIRONMENTAL PROTECTION AGENCY**

2000

ENTERED DIRECTOR'S JOURNAL

In the Matter of:

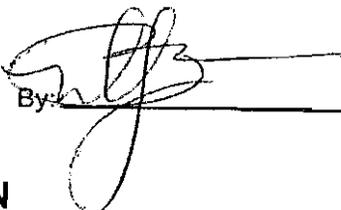
**Ford Motor Company
Cleveland Casting Plant
5600 Henry Ford Boulevard
Brook Park, Ohio**

**: Director's Final Findings
: and Orders
:
:**

I certify this to be a true and accurate copy of the official documents as filed in the records of the Ohio Environmental Protection Agency.

PREAMBLE

It is agreed by the parties hereto as follows:

By:  Date: 7.31.00

I. JURISDICTION

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

II. PARTIES

These Orders shall apply to and be binding upon Respondent and successors in interest liable under Ohio law. No change in ownership of Respondent or of the Facility (as hereinafter defined) shall alter Respondent's or Respondent's successor's obligations under these Orders.

III. DEFINITIONS

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

IV. FINDINGS

The Director of the Ohio EPA has made the following findings:

1. Respondent operates a grey iron metal casting facility ("Facility") located at 5600 Henry Ford Boulevard in Brook Park, Ohio. Specifically, Respondent manufactures cast iron engine parts.

2. ORC 3704.05(J) states, in part, that no person shall violate an applicable requirement of a Title V permit.

3. 40 CFR Part 63 Subpart EEEEE requires that all cupola metal melting furnaces at an iron foundry employ the maximum available control technology ("MACT") and meet particulate emission limits of 0.006 grains per dry standard cubic foot ("gr/dscf") or 0.0005 gr/dscf of total metal HAP, and a volatile organic HAP emission limit of 20 ppmv corrected to 10% O₂. The initial compliance date for these limits was April 23, 2007.

4. On October 31, 2006, Ohio EPA granted Respondent a one-year extension of the MACT requirements, including the emission limits noted in Finding No. 3. The extension gave Respondent until April 23, 2008 to come into compliance with the MACT requirements by replacing the existing cupolas with new cupolas and melt system control equipment, and a new G-unit baghouse to provide additional control of emissions from the no. 2 and no. 3 mold line pouring stations as well as other non-MACT sources. Respondent submitted a compliance schedule that outlined the milestones for installing the new cupolas and melt system control equipment and the new G-unit baghouse.

5. On July 13, 2007, Ohio EPA received a letter from Respondent indicating the Company's plan to cease operations in 2009 and requesting that the foundry MACT compliance extension be amended to reflect the fact that the facility would be shutting down in 2009. Respondent later amended the facility shutdown date to December 2010 due to previous supplier and work force contracts. Due to the impending shutdown of the facility, Respondent suspended construction and installation of the new cupolas and melt system control equipment and the new G-unit baghouse. At the time construction was suspended, Respondent had already made significant expenditures and actual construction progress for two new replacement cupolas and emission control systems.

6. In furtherance of an orderly decommissioning of the Cleveland Casting Plant, Respondent has ceased operation of certain permitted emissions units and has scheduled the shutdown of other permitted emissions units during 2008, as follows:

Emissions units that have been shut down as of the effective date of these Orders:

- Boiler #1 (B020)
- Boiler #2 (B021)
- Core Line No. 5 (P056)
- Core Line No.10 (P064)
- Core Line No.11 (P066)
- Core Line No. 9 (P101)
- Core Line No. 7 (P106)
- Cupola No. 7 (P907)
- Cupola No. 7 Holding Furnace (F005)
- Hot Blast (B007)
- Mold Line No.1 Holding Furnace (P110)
- Mold Line No. 1 Iron Pouring (P111)
- Mold Line No. 1 Mold Conveyor (P112)
- Mold Line No. 1 Casting Shakeout (P113)
- Mold Line No. 1 Cope & Drag Punch-up (P114)

Mold Line No. 1 Castings Hook-ups (P115)
Mold Line No. 1 Sand Reclaim (P116)
Mold Line No. 1 Mag Belt (P117)
Mold Line No. 1 New Sand Transfer (P118)
Mold Line No. 1 Return Sand (P119)
Mold Line No. 1 Sand Cooling (P120)

Emissions units that will be permanently shut down by December 31, 2008:

Cupola No. 3 (P903)
Mold Line No. 7 Iron Pouring (P291)

7. Respondent's Title V permit governs its operation of four cupola metal melting furnaces (cupolas) used for the melting of cast iron. Cupola numbers 1 (emissions unit P901), 2 (emissions unit P902), and 3 (emissions unit P903) are currently operating, and cupola number 7 (emissions unit P907) is currently idled.

8. Stack testing was most recently completed for the above four cupolas in 1997. The stack test results are listed below:

	<u>Stack test result</u>	<u>MACT limit</u>
Cupola 1	0.0502 gr/dscf	0.006 gr/dscf
Cupola 2	0.0657 gr/dscf	0.006 gr/dscf
Cupola 3	0.0535 gr/dscf	0.006 gr/dscf

Beginning on April 23, 2008, Respondent's operation of cupolas 1, 2, and 3 has been in violation of the cupola emission standards, ORC 3704.05(J), and 40 CFR Part 63 Subpart EEEEE, and will continue to be in violation of these emission standards until the cupolas cease operation in accordance with these Findings and Orders.

9. Respondent's Title V permit also governs its operation of four mold pouring stations. Pouring stations number 2 (emissions unit P141), 3 (emissions unit P171), and 7 (emissions unit P291) are currently operating, and pouring station number 1 (emissions unit P111) is shut down.

10. Compliance testing completed in September 2007 timely demonstrated that mold line 7 pouring station was in compliance with the applicable MACT requirements stated in 40 CFR Part 63 Subpart EEEEE, of 0.010 gr/dscf of particulate emissions or 0.0008 gr/dscf of total metal HAP (manganese is the only HAP of concern). Respondent believes that if emission testing were performed, emissions from mold lines 2 and 3 pouring stations could be demonstrated to be in compliance with the applicable MACT standard for iron and steel foundries, stated in 40 CFR Part 63 Subpart EEEEE, of 0.010 gr/dscf of particulate emissions or 0.0008 gr/dscf of total metal HAP.

11. Respondent has achieved compliance with the iron and steel foundry MACT standards set forth at 40 CFR Part 63 Subpart EEEEE except as noted above. Respondent's compliance with these Findings and Orders will achieve full compliance with the requirements of 40 CFR Part 63 Subpart EEEEE at the Cleveland Casting Plant, including cupolas 1, 2, and 3, and mold lines 2 and 3 pouring stations.

12. Respondent is an existing major stationary source of volatile organic compounds ("VOCs"). As such, any installation or modification that exceeds the "significant" net emissions increase threshold as defined in OAC Rules 3745-31-01(LLLLL) and (KKKKK) must either meet the requirements of OAC Chapter 3745-31, and in particular, OAC Rule 3745-31-02 and OAC Rule 3745-31-21 et seq., or obtain a netting and/or synthetic minor permit to install, per OAC Chapter 3745-31, prior to initiating construction.

13. On February 12, 1986, Ohio EPA issued a PTI authorizing the modification of emissions unit P056 (from oil core line no. 5 to cold-cure line no. 5), based on the best available estimate of emissions from the cold-cure process. Respondent installed emissions unit P056 (cold-cure core line) in 1986. Respondent submitted a PTI modification request on September 3, 2002, using new cold-cure emission factor data indicating that VOC emissions were higher than the previous estimate. After a round of revisions, the application was returned to Respondent on October 19, 2006 due to insufficient information. Respondent resubmitted the PTI application on December 21, 2006. Based on information submitted in the December 21, 2006 PTI application, the highest actual emission rate for emissions unit P056 was 69 tons VOC/year, which exceeds the 40 tons per year ("tpy") major modification threshold for VOC. Based on current emission factors, the February 12, 1986 PTI for modification of line 5 from oil to cold-cure would have required a different approach under OAC Chapter 3745-31 for obtaining the appropriate preconstruction permit prior to installation of the source. Based on the data provided, it would have been possible for Respondent to obtain a synthetic minor/netting permit for this project because there were approximately 135 tons VOC/year of emission reductions, in the contemporaneous five-year period prior to installation of these emissions units, from the shutdown of two oil core lines (P056 and P063). Nonetheless, because Respondent did not obtain a synthetic minor/netting permit or a major modification for the installation of emissions unit P056, Ohio EPA has, through its authorized representative, cited Respondent for violations of OAC Chapter 3745-31 in an April 1, 2008 Notice of Violation.

14. On November 1, 1989, Ohio EPA issued a PTI authorizing the construction of emissions unit P106 (cold-cure process line no. 7) based on the best available estimate of emissions from the cold-cure process. Respondent installed emissions unit P106 in 1990. Respondent submitted a PTI modification application on December 11, 1996. The PTI application (#13-3204) was returned to Respondent on October 19, 2006 due to insufficient information. Respondent resubmitted the application on December 21, 2006. Based on information submitted in the December 21, 2006 application, the potential emission rate for emissions unit P106 exceeds the 40 tpy major modification threshold for VOC. Based on current emission factors, the November 1, 1989 PTI for installation of P106 would have

required a different approach under OAC Chapter 3745-31 for obtaining the appropriate preconstruction permit prior to installation of the source. Since actual emissions for emissions unit P106 never exceeded 40 tpy VOC, Respondent could have obtained a synthetic minor permit at that time. Nonetheless, because Respondent did not obtain a synthetic minor/netting permit or a major modification for the installation of emissions unit P106, Ohio EPA has, through its authorized representative, cited Respondent for violations of OAC Chapter 3745-31 in an April 1, 2008 Notice of Violation.

15. On July 31, 1989, Ohio EPA issued a PTI for emissions unit P412 (cold-cure line no. 4.6L) based on the best available estimate of emissions from the cold-cure process. Respondent installed emissions unit P412 (cold-cure core line) in 1990. Respondent submitted a PTI modification on July 22, 1996, using new cold-cure emission factor data indicating that VOC emissions were higher than the previous estimate. The application was returned to Respondent on October 19, 2006 due to insufficient information. Respondent resubmitted the application on December 21, 2006. Based on information submitted in the December 21, 2006 application, the highest actual emission rate for emissions unit P412 was approximately 106 tons VOC/year, which exceeds the 40 tpy major modification threshold for VOC. Based on current emission factors, the July 31, 1989 PTI for installation of line 4.6L would have required a different approach under OAC Chapter 3745-31 for obtaining the appropriate preconstruction permit prior to installation of the source. Information recently obtained indicates that emissions unit P412 and several other existing core lines could have been assigned federally enforceable annual operating limitations that would have avoided a major VOC emission increase, through netting and synthetic minor permit restrictions. Nonetheless, because Respondent did not obtain a synthetic minor/netting permit or a major modification for the installation of emissions unit P412, Ohio EPA has, through its authorized representative, cited Respondent for violations of OAC Chapter 3745-31 in an April 1, 2008 Notice of Violation.

16. Emissions unit P412 has an annual allowable emissions limit of 53.1 tons VOC/yr in the existing PTI. Based on information submitted in the December 21, 2006 PTI application, Respondent exceeded this emissions limit for calendar years 1992 through 2005, in violation of ORC 3704.05(J). The actual emissions for each calendar year are listed below.

<u>Year</u>	<u>Emission rate (tons VOC/yr)</u>
1992	65.35
1993	63.55
1994	87.49
1995	67.80
1996	93.40
1997	105.58
1998	105.95
1999	99.93
2000	104.97
2001	89.66
2002	78.13

2003	77.30
2004	88.54
2005	74.52

17. On April 27, 1994, Ohio EPA issued a PTI authorizing the installation of emissions unit P414 (TMEP cold-cure core line) based on the best available estimate of emissions from the cold-cure process. Respondent installed emissions unit P414 (cold-cure core line) in 1995. PTI 13-3094 was issued on September 18, 1996 as a netting/synthetic minor permit that allowed the use of shutdown credits for core lines P104 and P053 for a total reduction of 125.5 tons/yr. PTI 13-3094 was modified on July 21, 1999, and an annual emission limitation of 122.4 tons VOC/rolling 12-months was added to the permit. Emissions units P104 and P053 were shut down in 1997. Based on information submitted in a December 21, 2006 PTI application, the highest actual emission rate for emissions unit P414 was approximately 162 tons VOC/year. Because actual emissions for emissions unit P414 were at a high of 162 tpy, the netting analysis for this project needs to be reevaluated to reflect any net decrease in emissions from the shutdown of emissions units P104 and P053.

18. Emissions unit P414 has an annual allowable emission limit of 122.4 tons VOC/yr in the existing PTI. Based on information submitted in the December 21, 2006 PTI application, Respondent exceeded this emissions limit for calendar years 1998 through 2000, 2003, and 2004, in violation of ORC 3704.05(J). The actual emissions for each calendar year are listed below.

<u>Year</u>	<u>Emission rate (tons VOC/yr)</u>
1998	143.19
1999	157.95
2000	161.99
2003	129.50
2004	132.60
2005	123.11

19. On December 22, 2007 Ohio EPA's NOx RACT rules (OAC Rules 3745-110-01 through 05) became effective. These rules require any affected source to comply with the presumptive NOx emission limitations specified in paragraphs (A) through (F) of OAC Rule 3745-110-04 or in the alternative submit to the Director a NOx RACT plan pursuant to OAC Rule 3745-110-03(I).

20. Respondent operates three boilers (boiler nos. 3, 4, and 5, identified as emissions units B022, B023, and B024). Emissions units B022, B023, B024, P901, P902, and P903 are affected sources subject to the requirements of OAC Rule 3745-110-03.

21. Emissions units B022, B023, B024 are sources subject to the requirements of OAC Rule 3745-110-03 (B) or (C), as applicable (i.e., boiler NOx emission standards).

22. Emissions units P901, P902, and P903 are sources subject to the

requirements of OAC Rule 3745-110-03 (I) (NOx RACT study requirements).

23. OAC Rule 3745-110-04(A)(1)(a) requires the owner or operator of an affected source to certify in writing to the Director that such affected source is in compliance with all requirements of OAC Rule 3745-110-03 by no later than 120 days after the December 22, 2007 effective date of the rule (i.e., April 20, 2008).

24. OAC Rule 3745-110-04(A)(2) requires the owner or operator of an affected source to submit a complete RACT study by no later than 1 year after the December 22, 2007 effective date of the rule (i.e., December 22, 2008).

25. Pursuant to OAC Rule 3745-110-04(B)(1)(a), compliance with the NOx emission limitations shall be achieved by not later than 2 years after approval by the Director of the NOx RACT study if combustion modifications are required to demonstrate compliance with the applicable NOx emission limitations.

26. Pursuant to OAC Rule 3745-110-04(B)(1)(b), compliance with the NOx emission limitations shall be achieved by not later than 3 years after approval by the Director of the NOx RACT study if add-on controls are required to demonstrate compliance with the applicable NOx emission limitations.

27. On April 1, 2008, the City of Cleveland Division of Air Quality issued a Notice of Violation to Respondent for the above-stated violations.

28. On April 14, 2008, the Director received written certification, as specified in OAC Rule 3745-110-04(A)(1) that emissions units B022, B023, B024 are in compliance with all applicable requirements of OAC Chapter 3745-110.

29. Because Respondent has decided to shut down all operations at the Cleveland Casting Plant subject to NOx RACT requirements by December 31, 2010, and because any implementation of the study's findings would take place after the relevant operations have been shut down, Ohio EPA has determined that it will not be necessary for Respondent to complete and submit a RACT study for emissions units P901, P902, and P903.

30. The shutdown of the cupolas and mold lines is the result of a business decision made by Respondent.

31. The following table summarizes the estimated amounts of noncomplying particulate emissions (in tons per year, calculated by Respondent) from the cupolas and the mold lines for calendar years 2008-2010:

<u>Calendar year</u>	<u>Cupolas</u>	<u>Mold Lines</u>
2008	48	3
2009	45	2
2010	46	2

If Respondent had continued to operate at its estimated 2003 production rate and complied with the MACT standards, the projected particulate emission rate for the entire facility (i.e., approximately 250 tons per year) would be approximately 50 tons per year greater than the annual emission rate Respondent is predicting for the entire facility for calendar years 2008-2010, without the full MACT controls as it heads towards shutdown.

32. Results of a modeling analysis of the manganese emissions from the cupolas and mold lines combined indicate that during the period prior to the shutdown of the facility, the manganese emissions from the facility (complying and noncomplying) will not pose a potential public health threat. USEPA's AERMOD model was used with five years of meteorological data from the Cleveland metropolitan area. The modeling predicted the annual average ambient concentrations of manganese using the actual particulate emission estimates submitted by Respondent in the 2007 fee emission reports and assuming a maximum concentration of manganese in the particulate emissions. The results of the modeling indicate that the maximum annual average ambient concentration of manganese would be 0.0099 ug/m³, which is substantially below the reference concentration for manganese of 0.05 ug/m³, as published in the USEPA Integrated Risk Information System database. Ohio EPA has reviewed the modeling procedures and assumptions and concurs with the results.

33. The Director has determined that Respondent's compliance with these Findings and Orders is the most reasonable and appropriate remedy for noncompliance with the MACT, SIP, Title V permitting, and PTI requirements addressed herein. Respondent shall identify and explain any deviations from the requirements of these Findings and Orders in the Cleveland Casting Plant Title V permit quarterly and semi-annual deviation reports and annual compliance certifications submitted for calendar years 2008, 2009, and 2010. Respondent may refer to the remedies provided in these Findings and Orders as an appropriate response to deviations from any Title V permit requirements that are addressed in these Findings and Orders in the Cleveland Casting Plant Title V permit quarterly and semi-annual deviation reports and annual compliance certifications submitted for calendar years 2008, 2009, and 2010. Any renewal of the Title V permit for the Cleveland Casting Plant shall incorporate a schedule of compliance, pursuant to OAC Rule 3745-77-07(C)(3), consistent with the provisions in these Findings and Orders.

34. 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 benefits to the people of the State to be derived from such compliance.

V. ORDERS

The Director hereby issues the following Orders:

1. Respondent shall comply with the requirements of 40 CFR Part 63, Subpart EEEEE and the Title V permit in accordance with the following schedules.

a. By not later than December 31, 2008, Respondent shall permanently shut down cupola 3 and mold line 7.

b. By not later than December 31, 2010, Respondent shall permanently shut down cupolas 1 and 2 and mold lines 2 and 3.

c. By the effective date of these Findings and Orders, Respondent shall permanently shut down cupola 7 and mold line 1.

2. Within sixty (60) days after the effective date of these Orders, Respondent shall submit a PTI modification application to establish a synthetic minor limitation for emissions unit P056 (cold-cure) of approximately 70 tpy VOC and include netting for the shutdown of oil core lines P056 and P063.

3. Within sixty (60) days after the effective date of these Orders, Respondent shall submit a PTI modification application to establish a revised synthetic minor limitation for emissions unit P412 of approximately 106 tpy VOC and include netting based upon operational restrictions for emissions units P055, P064, P066, P095, P106, and P107.

4. Within sixty (60) days after the effective date of these Orders, Respondent shall submit a PTI application to establish a synthetic minor limitation for emissions unit P106 of approximately 36 tpy VOC.

5. Within sixty (60) days after the effective date of these Orders, Respondent shall submit a PTI application to establish a synthetic minor limitation for emissions unit P414 of approximately 162 tpy VOC.

6. Within sixty (60) days after the effective date of these Orders, Respondent shall submit new fee emission reports for calendar years 1995 through 2006, in a manner prescribed by the Director, that incorporate all the new information as submitted in the December 2006 PTI application.

7. Respondent shall pay the amount of One Million Four Hundred Thousand Dollars (\$1,400,000.00) in settlement of Ohio EPA's claims for civil penalties, which may be assessed pursuant to ORC Chapter 3704. Payment shall be made by official check made payable to "Treasurer, State of Ohio" for One Million One Hundred Twenty Thousand Dollars (\$1,120,000.00) of the total amount within 30 days of the effective date of these Orders. The official check shall be submitted to Brenda Case, or her successor, together with a letter identifying the Respondent to:

Ohio EPA
Office of Fiscal Administration
50 West Town Street
Suite 700
P.O. Box 1049
Columbus, Ohio 43216-1049

8. In lieu of paying the remaining Two Hundred Eighty Thousand Dollars (\$280,000.00) of the civil penalty described in Order No. 7 of these Orders, Respondent shall fund a Supplemental Environmental Project ("SEP") by making a contribution in the amount of Two Hundred Eighty Thousand Dollars (\$280,000.00) to the Ohio EPA's Clean Diesel School Bus Program Fund (Fund 5CD0). Respondent shall tend an official check in the amount of Two Hundred Eighty Thousand Dollars (\$280,000.00) due within 30 days of the effective date of these Orders. The official check shall be submitted to Brenda Case, or her successor, together with a letter identifying the Respondent and Fund 5CD0, to the above-stated address.

9. A copy of each check shall be sent to James A. Orlemann, Assistant Chief, SIP Development and Enforcement, or his successor, at the following address:

Ohio EPA
Division of Air Pollution Control
50 West Town Street
Suite 700
P.O. Box 1049
Columbus, OH 43216 - 1049

10. Should Respondent fail to fund the SEP within the required time frames set forth in Order 8, Respondent shall immediately pay to Ohio EPA the entire amount of the civil penalty in accordance with the procedure in Order 7.

VI. TERMINATION

Respondent's obligations under these Orders shall terminate when Respondent or its successor in interest certifies in writing and demonstrates to the satisfaction of Ohio EPA that Respondent has performed all obligations under these Orders and the Chief of Ohio EPA's Division of Air Pollution Control acknowledges, in writing, the termination of these Orders. If Ohio EPA does not agree that all obligations have been performed, then Ohio EPA will notify Respondent or its successor in interest of the obligations that have not been performed, in which case Respondent shall have an opportunity to address any such deficiencies and seek termination as described above.

The certification shall contain the following attestation: "I certify, based on information and belief formed after reasonable inquiry, that the statements contained in or accompanying this certification are true, accurate and complete to the best of my knowledge."

This certification shall be submitted by Respondent or its successor in interest to Ohio EPA and shall be signed by a responsible official of Respondent. For purposes of these Orders, a responsible official is the person authorized to sign in OAC Rule 3745-35-02(B)(1) for a corporation or a duly authorized representative as that term is defined in the above-referenced rule.

VII. OTHER CLAIMS

Nothing in these Orders shall constitute or be construed as a release from any claim, cause of action or demand in law or equity against any person, firm, partnership or corporation, not a party to these Orders, for any liability arising from, or related to, the Respondent's activities at the Facility.

These Findings and Orders resolve all claims by Ohio EPA and the Cleveland Division of Air Quality with respect to the noncompliance with the applicable requirements addressed in these Findings and Orders and in the Notice of Violation issued to Respondent on April 1, 2008 by the Cleveland Division of Air Quality.

VIII. 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. These Orders do not waive or compromise the applicability and enforcement of any other statutes or regulations applicable to Respondent.

IX. MODIFICATIONS

These Orders may be modified by agreement of the parties. Modifications shall be in writing and shall be effective on the date entered in the journal of the Director of Ohio EPA.

X. NOTICE

All documents required to be submitted by Respondent pursuant to these Orders shall be addressed to:

City of Cleveland
Division of Air Quality
1925 St. Clair Avenue
Cleveland, Ohio 44114
Attn: George Baker

and to:

Ohio Environmental Protection Agency
Lazarus Government Center
Division of Air Pollution Control
50 West Town Street
Suite 700
P.O. Box 1049
Columbus, Ohio 43216-1049
Attn: Jim Orlemann

or to such persons and addresses as may hereafter be otherwise specified in writing by Ohio EPA.

XI. RESERVATION OF RIGHTS

Ohio EPA and Respondent each reserve all rights, privileges and causes of action, except as specifically waived in Section XII of these Orders.

Ohio EPA reserves its rights to pursue enforcement action under R.C. Chapter 3704 against Ford and any successors in interest and to impose additional obligations and/or penalties as Ohio EPA deems appropriate in its sole discretion should the plant resume operation after it is shut down in 2010.

XII. WAIVER

In order to resolve disputed claims, without admission of fact, violation or liability, and in lieu of further enforcement action by Ohio EPA for only the violations specifically cited in these Orders, Respondent consents to the issuance of these Orders and agrees to comply with these Orders. Compliance with these Orders shall be a full accord and satisfaction for Respondent's liability for the violations specifically cited herein.

Respondent hereby waives the right to appeal the issuance, terms and conditions, and service of these Orders, and Respondent hereby waives any and all rights Respondent may have to seek administrative or judicial review of these Orders either in law or equity.

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

XIII. EFFECTIVE DATE

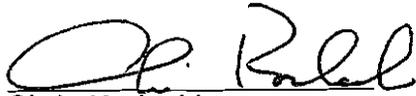
The effective date of these Orders is the date these Orders are entered into the Ohio EPA Director's journal.

XIV. SIGNATORY AUTHORITY

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

IT IS SO ORDERED AND AGREED:

Ohio Environmental Protection Agency



Chris Korleski
Director

Date

7/25/08

IT IS SO AGREED:

Ford Motor Company



Signature

Date

7/11/08

Peter J. Sherry, Jr.

Printed or Typed Name

Secretary