35 Ill. Adm. Code 211.2490

ILLINOIS ADMINISTRATIVE CODE

*** THIS DOCUMENT IS CURRENT THROUGH MARCH 11, 2011 ***

TITLE 35. ENVIRONMENTAL PROTECTION
SUBTITLE B. AIR POLLUTION
CHAPTER I. POLLUTION CONTROL BOARD
SUBCHAPTER c. EMISSION STANDARDS AND LIMITATIONS FOR STATIONARY SOURCES
PART 211. DEFINITIONS AND GENERAL PROVISIONS
SUBPART B. DEFINITIONS

35 Ill. Adm. Code 211.2490 (2011)

§ 211.2490 Fugitive Particulate Matter.

"Fugitive particulate matter" means any particulate matter emitted into the atmosphere other than through a stack, provided that nothing in this definition or in 35 Ill. Adm. Code 212, Subpart K shall exempt any emission unit from compliance with other provisions of 35 Ill. Adm. Code 212 otherwise applicable merely because of the absence of a stack.

SOURCE: Added at 17 Ill. Reg. 16504, effective September 27, 1993.

BOARD NOTE: This Part implements the Illinois Environmental Protection Act as of July 1, 1994.

..In this Part, superscript numbers or letters are denoted by parentheses; subscript are denoted by brackets.

Authority & General Source

Service: **Get by LEXSTAT®**
TOC: Illinois Administrative Code > / . . . / > SUBPART B. DEFINITIONS > **§ 211.2490 Fugitive Particulate Matter.**
Citation: **35 Illinois Administrative code 211.2490**

35 Ill. Adm. Code 212.302

ILLINOIS ADMINISTRATIVE CODE

*** THIS DOCUMENT IS CURRENT THROUGH MARCH 11, 2011 ***

TITLE 35. ENVIRONMENTAL PROTECTION
SUBTITLE B. AIR POLLUTION
CHAPTER I. POLLUTION CONTROL BOARD
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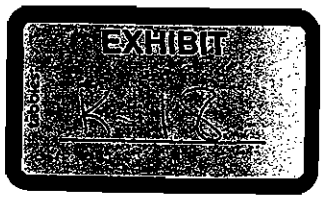
PART 212. VISIBLE AND PARTICULATE MATTER EMISSIONS
SUBPART K. FUGITIVE PARTICULATE MATTER

35 Ill. Adm. Code 212.302 (2011)

§ 212.302 Geographical Areas of Application.

a) Sections 212.304 through 212.310 and 212.312 of this Subpart shall apply to all mining operations (SIC major groups 10 through 14), manufacturing operations (SIC major groups 20 through 39 except for those operations subject to Subpart S of this Part (Grain-Handling and Grain-Drying Operations) that are outside the areas defined in Section 212.324(a)(1) of this Part), and electric generating operations (SIC group 491), which are located in the areas defined by the boundaries of the following townships, notwithstanding any political subdivisions contained therein, as the township boundaries were defined on October 1, 1979, in the following counties:

Cook:	All townships
Lake:	Shields, Waukegan, Warren
DuPage:	Addison, Winfield, York
Will:	DuPage, Plainfield, Lockport, Channahon, Peotone, Florence, Joliet
Peoria:	Richwoods, Limestone, Hollis, Peoria, City of Peoria
Tazewell:	Fondulac, Pekin, Cincinnati, Groveland, Washington
Macon:	Decatur, Hickory Point
Rock Island:	Blackhawk, Coal Valley, Hampton, Moline, South Moline, Rock Island, South Rock Island
LaSalle:	LaSalle, Utica
Madison:	Alton, Chouteau, Collinsville, Edwardsville, Fort Russell, Godfrey, Granite City, Nameoki, Venice, Wood River
St. Clair:	Canteen, Caseyville, Centerville, St. Clair, Stites, Stookey, Sugar Loaf, Millstadt.



b) In the geographical areas defined in Section 212.324(a)(1) of this Part, Sections 212.304 through 212.310, 212.312, and 212.316 of this Subpart shall apply to all emission units identified in subsection (a) of this Section, and shall further apply to the following operations: grain-handling and grain-drying (Subpart S of this Part), transportation, communications, electric, gas, and sanitary services (SIC major groups 40 through 49). Additionally, Sections 212.304 through 212.310, 212.312, and 212.316 of this Subpart shall apply to wholesale trade-farm supplies (SIC Industry No. 5191) located in the vicinity of Granite City, as defined in Section 212.324(a)(1)(C) of this Part.

c) Emission units must comply with subsection (b) of this Section by May 11, 1993, or upon initial start-up, whichever occurs later.

SOURCE:
Amended at 16 Ill. Reg. 7880, effective May 11, 1992.
Amended at 20 Ill. Reg. 7605, effective May 22, 1996.

Authority & General Source

35 Ill. Adm. Code 212.304

ILLINOIS ADMINISTRATIVE CODE

*** THIS DOCUMENT IS CURRENT THROUGH MARCH 11, 2011 ***

TITLE 35. ENVIRONMENTAL PROTECTION
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PART 212. VISIBLE AND PARTICULATE MATTER EMISSIONS
SUBPART K. FUGITIVE PARTICULATE MATTER

35 Ill. Adm. Code 212.304 (2011)

§ 212.304 Storage Piles.

a) All storage piles of materials with uncontrolled emissions of fugitive particulate matter in excess of 45.4 Mg per year (50 T/yr) which are located within a source whose potential particulate emissions from all emission units exceed 90.8 Mg/yr (100 T/yr) shall be protected by a cover or sprayed with a surfactant solution or water on a regular basis, as needed, or treated by an equivalent method, in accordance with the operating program required by Sections 212.309, 212.310 and 212.312 of this Subpart.

b) Subsection (a) of this Section shall not apply to a specific storage pile if the owner or operator of that pile proves to the Agency that fugitive particulate emissions from that pile do not cross the property line either by direct wind action or reentrainment.

SOURCE:
Amended at 3 Ill. Reg. 45, p. 100, effective October 26, 1979.
Amended at 20 Ill. Reg. 7605, effective May 22, 1996.

Authority & General Source

35 Ill. Adm. Code 212.305

ILLINOIS ADMINISTRATIVE CODE

*** THIS DOCUMENT IS CURRENT THROUGH MARCH 11, 2011 ***

TITLE 35. ENVIRONMENTAL PROTECTION
SUBTITLE B. AIR POLLUTION
CHAPTER I. POLLUTION CONTROL BOARD
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PART 212. VISIBLE AND PARTICULATE MATTER EMISSIONS
SUBPART K. FUGITIVE PARTICULATE MATTER

35 Ill. Adm. Code 212.305 (2011)

§ 212.305 Conveyor Loading Operations.

All conveyor loading operations to storage piles specified in Section 212.304 of this Subpart shall utilize spray systems, telescopic chutes, stone ladders or other equivalent methods in accordance with the operating program required by Sections 212.309, 212.310 and 212.312 of this Subpart.

SOURCE:
1. Amended at 3 Ill. Reg. 45, p. 100, effective October 26, 1979.
2. Amended at 20 Ill. Reg. 7605, effective May 22, 1996.

Authority & General Source

35 Ill. Adm. Code 212.306

ILLINOIS ADMINISTRATIVE CODE

*** THIS DOCUMENT IS CURRENT THROUGH MARCH 11, 2011 ***

TITLE 35. ENVIRONMENTAL PROTECTION
SUBTITLE B. AIR POLLUTION
CHAPTER I. POLLUTION CONTROL BOARD
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PART 212. VISIBLE AND PARTICULATE MATTER EMISSIONS
SUBPART K. FUGITIVE PARTICULATE MATTER

35 Ill. Adm. Code 212.306 (2011)

§ 212.306 Traffic Areas.

All normal traffic pattern access areas surrounding storage piles specified in Section 212.304 of this Subpart and all normal traffic pattern roads and parking facilities which are located on mining or manufacturing property shall be paved or treated with water, oils or chemical dust suppressants. All paved areas shall be cleaned on a regular basis. All areas treated with water, oils or chemical dust suppressants shall have the treatment applied on a regular basis, as needed, in accordance with the operating program required by Sections 212.309, 212.310 and 212.312 of this Subpart.

SOURCE:
1. Amended at 3 Ill. Reg. 45, p. 100, effective October 26, 1979.
2. Amended at 20 Ill. Reg. 7605, effective May 22, 1996.

Authority & General Source

35 Ill. Adm. Code 212.307

ILLINOIS ADMINISTRATIVE CODE

*** THIS DOCUMENT IS CURRENT THROUGH MARCH 11, 2011 ***

TITLE 35. ENVIRONMENTAL PROTECTION
SUBTITLE B. AIR POLLUTION
CHAPTER I. POLLUTION CONTROL BOARD
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PART 212. VISIBLE AND PARTICULATE MATTER EMISSIONS
SUBPART K. FUGITIVE PARTICULATE MATTER

35 Ill. Adm. Code 212.307 (2011)

§ 212.307 Materials Collected by Pollution Control Equipment.

All unloading and transporting operations of materials collected by pollution control equipment shall be enclosed or shall utilize spraying, pelletizing, screw conveying or other equivalent methods.

SOURCE: Amended at 3 Ill. Reg. 45, p. 100, effective October 26, 1979.

Authority & General Source

35 Ill. Adm. Code 212.308

ILLINOIS ADMINISTRATIVE CODE

*** THIS DOCUMENT IS CURRENT THROUGH MARCH 11, 2011 ***

TITLE 35. ENVIRONMENTAL PROTECTION
SUBTITLE B. AIR POLLUTION
CHAPTER I. POLLUTION CONTROL BOARD
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PART 212. VISIBLE AND PARTICULATE MATTER EMISSIONS
SUBPART K. FUGITIVE PARTICULATE MATTER

35 Ill. Adm. Code 212.308 (2011)

§ 212.308 Spraying or Choke-Feeding Required.

Crushers, grinding mills, screening operations, bucket elevators, conveyor transfer points, conveyors, bagging operations, storage bins and fine product truck and railcar loading operations shall be sprayed with water or a surfactant solution, utilize choke-feeding or be treated by an equivalent method in accordance with an operating program.

SOURCE: Amended at 3 Ill. Reg. 45, p. 100, effective October 26, 1979.

Authority & General Source

35 Ill. Adm. Code 212.309

ILLINOIS ADMINISTRATIVE CODE

*** THIS DOCUMENT IS CURRENT THROUGH MARCH 11, 2011 ***

TITLE 35. ENVIRONMENTAL PROTECTION
SUBTITLE B. AIR POLLUTION
CHAPTER I. POLLUTION CONTROL BOARD
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PART 212. VISIBLE AND PARTICULATE MATTER EMISSIONS
SUBPART K. FUGITIVE PARTICULATE MATTER

35 Ill. Adm. Code 212.309 (2011)

§ 212.309 Operating Program.

a) The emission units described in Sections 212.304 through 212.308 and Section 212.316 of this Subpart shall be operated under the provisions of an operating program, consistent with the requirements set forth in Sections 212.310 and 212.312 of this Subpart, and prepared by the owner or operator and submitted to the Agency for its review. Such operating program shall be designed to significantly reduce fugitive particulate matter emissions.

b) The amendment to this Section incorporating the applicability of Section 212.316 shall apply by May 11, 1993, or upon initial start-up, whichever occurs later.

SOURCE:
1. Amended at 16 Ill. Reg. 7880, effective May 11, 1992.
2. Amended at 20 Ill. Reg. 7605, effective May 22, 1996.

Authority & General Source

35 Ill. Adm. Code 212.310

ILLINOIS ADMINISTRATIVE CODE

*** THIS DOCUMENT IS CURRENT THROUGH MARCH 11, 2011 ***

TITLE 35. ENVIRONMENTAL PROTECTION
SUBTITLE B. AIR POLLUTION
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PART 212. VISIBLE AND PARTICULATE MATTER EMISSIONS
SUBPART K. FUGITIVE PARTICULATE MATTER

35 Ill. Adm. Code 212.310 (2011)

§ 212.310 Minimum Operating Program.

As a minimum the operating program shall include the following:

a) The name and address of the source;

b) The name and address of the owner or operator responsible for execution of the operating program;

c) A map or diagram of the source showing approximate locations of storage piles, conveyor loading operations, normal traffic pattern access areas surrounding storage piles and all normal traffic patterns within the source;

d) Location of unloading and transporting operations with pollution control equipment;

e) A detailed description of the best management practices utilized to achieve compliance with this Subpart, including an engineering specification of particulate collection equipment, application systems for water, oil chemicals and dust suppressants utilized and equivalent methods utilized;

f) Estimated frequency of application of dust suppressants by location of materials; and

g) Such other information as may be necessary to facilitate the Agency's review of the operating program.

SOURCE:
1. Amended at 3 Ill. Reg. 45, p. 100, effective October 26, 1979.
2. Amended at 20 Ill. Reg. 7605, effective May 22, 1996.

Authority & General Source

§ 212.310 Minimum Operating Program.

View: Full
Date/Time: Monday, April 11, 2011 - 10:35 AM EDT

In

35 Ill. Adm. Code 212.316

ILLINOIS ADMINISTRATIVE CODE

*** THIS DOCUMENT IS CURRENT THROUGH MARCH 11, 2011 ***

TITLE 35. ENVIRONMENTAL PROTECTION
SUBTITLE B. AIR POLLUTION
CHAPTER I. POLLUTION CONTROL BOARD
SUBCHAPTER c. EMISSION STANDARDS AND LIMITATIONS FOR STATIONARY SOURCES
PART 212. VISIBLE AND PARTICULATE MATTER EMISSIONS
SUBPART K. FUGITIVE PARTICULATE MATTER

35 Ill. Adm. Code 212.316 (2011)

§ 212.316 Emissions Limitations for Emission Units in Certain Areas.

a) Applicability. This Section shall apply to those operations specified in Section 212.302 of this Subpart and that are located in areas defined in Section 212.324(a)(1) of this Part.

b) Emission Limitation for Crushing and Screening Operations. No person shall cause or allow fugitive particulate matter emissions generated by the crushing or screening of slag, stone, coke or coal to exceed an opacity of 10 percent.

c) Emission Limitations for Roadways or Parking Areas. No person shall cause or allow fugitive particulate matter emissions from any roadway or parking area to exceed an opacity of 10 percent, except that the opacity shall not exceed 5 percent at quarries with a capacity to produce more than 1 million T/yr of aggregate.

d) Emission Limitations for Storage Piles. No person shall cause or allow fugitive particulate matter emissions from any storage pile to exceed an opacity of 10 percent, to be measured four ft from the pile surface.

e) Additional Emissions Limitations for the Granite City Vicinity as Defined in Section 212.324(a)(1)(C) of this Part.

1) Emissions Limitations for Roadways or Parking Areas Located at Slag Processing Facilities or Integrated Iron and Steel Manufacturing Plants. No person shall cause or allow fugitive particulate matter emissions from any roadway or parking area located at a slag processing facility or integrated iron and steel manufacturing plant to exceed an opacity of 5 percent.

2) Emissions Limitations for Marine Terminals:

A) No person shall cause or allow fugitive particulate matter emissions from any loading spouts for truck or railcar to exceed an opacity of 10 percent; and

B) No person shall cause or allow fugitive particulate matter emissions generated at barge unloading, dump pits, or conveyor transfer points including, but not limited to, transfer onto and off of a conveyor to exceed an opacity of 5 percent.

f) Emission Limitation for All Other Emission Units. Unless an emission unit has been assigned a particulate matter, PM-10, or fugitive particulate matter emissions limitation elsewhere in this Section or in Subparts R or S of this Part, no person shall cause or allow fugitive particulate matter emissions from any emission unit to exceed an opacity of 20 percent.

g) Recordkeeping and Reporting

1) The owner or operator of any fugitive particulate matter emission unit subject to this Section shall keep written records of the application of control measures as may be needed for compliance with the opacity limitations of this.Section and shall submit to the Agency an annual report containing a summary of such information.

2) The records required under this subsection shall include at least the following:

A) The name and address of the source;

B) The name and address of the owner and/or operator of the source;

C) A map or diagram showing the location of all emission units controlled, including the location, identification, length, and width of roadways;

D) For each application of water or chemical solution to roadways by truck: the name and location of the roadway controlled, application rate of each truck, frequency of each application, width of each application, identification of each truck used, total quantity of water or chemical used for each application and, for each application of chemical solution, the concentration and identity of the chemical;

E) For application of physical or chemical control agents: the name of the agent, application rate and frequency, and total quantity of agent, and, if diluted, percent of concentration, used each day; and

F) A log recording incidents when control measures were not used and a statement of explanation.

3) Copies of all records required by this Section shall be submitted to the Agency within ten (10) working days after a written request by the Agency and shall be transmitted to the Agency by a company-designated person with authority to release such records.

4) The records required under this Section shall be kept and maintained for at least three (3) years and shall be available for inspection and copying by Agency representatives during working hours.

5) A quarterly report shall be submitted to the Agency stating the following: the dates any necessary control measures were not implemented, a listing of those control measures, the reasons that the control measures were not implemented, and any corrective actions taken. This information includes, but is not limited to, those dates when controls were not applied based on a belief that application of such control measures would have been unreasonable given prevailing atmospheric conditions, which shall constitute a defense to the requirements of this Section. This report shall be submitted to the Agency thirty (30) calendar days from the end of a quarter. Quarters end March 31, June 30, September 30, and December 31.

h) Compliance Date. Emission units shall comply with the emissions limitations and recordkeeping and reporting requirements of this Section by May 11, 1993, or upon initial start-up, whichever occurs later.

SOURCE:
1. Added at 16 Ill. Reg. 7880, effective May 11, 1992.
2. Amended at 20 Ill. Reg. 7605, effective May 22, 1996.
3. Editorial correction September 27, 1996.

Authority & General Source

Source: **Legal > / . . . / > IL - Illinois Administrative Code**
TOC: Illinois Administrative Code > / . . . / > SUBPART K. FUGITIVE PARTICULATE MATTER > **§ 212.316 Emissions Limitations for Emission Units in Certain Areas.**
View: Full
Date/Time: Monday, April 11, 2011 - 10:32 AM EDT

In

March 6, 2003

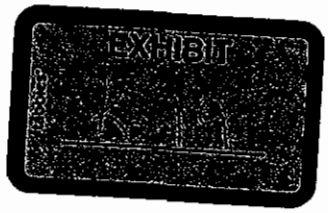
(A-18J)

Janet McCabe, Assistant Commissioner
Office of Air Quality
Indiana Department of Environmental Management
100 North Senate Avenue
P.O. Box 6015
Indianapolis, Indiana 46206-6015

Dear Ms. McCabe:

In discussions with United States Environmental Protection Agency (EPA) Region 5, State permitting authorities have requested clarification on our fugitive emissions policy. Specifically, the States have asked EPA to clarify to what extent, and from which emission units, are fugitive emissions counted towards major source applicability for Title V, nonattainment new source review (NSR), and prevention of significant deterioration (PSD). Various EPA letters and memoranda provide guidance on when you count fugitive emissions to determine whether a source is a major stationary source subject to Title V, NSR, or PSD, but there is no one guidance document which addresses the various scenarios which arise.

In the enclosed analysis, we are providing some examples that should help you understand when to include fugitive emissions in determining whether a source is major for purposes of Title V, NSR, or PSD. However, no part of this document, including the following examples, create any new legally binding obligations. Rather, the purpose of this document is to help you understand the statutory provisions and regulations which govern when fugitive emissions are included in major source determinations and EPA's interpretation of these provisions and regulations.



This response has been coordinated with staff in EPA's Office of Air Quality Planning and Standards, Office of Enforcement and Compliance Assurance, and Office of General Counsel in order to help assure completeness and accuracy.

If you have any questions regarding this letter, please contact Sam Portanova, of my staff, at (312) 886-3189.

Sincerely yours,

/s/ (Stephen Rothblatt for)

Cheryl L. Newton, Acting Director
Air and Radiation Division

Enclosure

ANALYSIS

What Effect Did the November 27, 2001, Title V Rulemaking Have on the Counting of Fugitive Emissions?

On November 27, 2001 (66 FR 59161), EPA published a rule, "Change to Definition of Major Source," that requires or clarifies the following for Title V:

- An owner or operator of a source must include the fugitive emissions of all pollutants regulated under the Clean Air Act in determining whether the source is a major stationary source under Title V if the source falls within one of the source categories listed through a rulemaking pursuant to section 302(j) of the Act ("listed source categories").[1] Included as listed source categories are source categories regulated by a section 111 or 112 standard on or before August 7, 1980.

- An owner or operator of a source that falls within a listed source category that was regulated by a section 111 or 112 standard on or before August 7, 1980, must include the fugitive emissions of all air pollutants regulated under the Act, not just those pollutants regulated by the section 111 or 112 standard, in determining whether the source is a major stationary source under Title V.

- An owner or operator of a source must include the fugitive emissions of all hazardous air pollutants ("HAPs") listed under section 112(b) of the Act in determining whether the source is a major source for purposes of section 112 and Title V, regardless of whether the source falls within a listed source category. See National Mining Ass'n v. EPA, 59 F.3d 1351 (D.C. Cir. 1995).

What Are Some Examples of When You Count Fugitive Emissions to Determine Whether Your Source is Major?

Below are several scenarios that illustrate how to consider fugitive emissions in determining whether a source is a major stationary source.[2] You should note that the examples below rely

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[1] For the purposes of this document, "listed source categories" refer to the source categories identified in 40 CFR §§ 51.165(a)(1)(iv)(C), 51.166(b)(1)(iii), 52.21(b)(1)(iii), 52.24(f)(4)(iii), and the second definition of "major source" in 40 CFR 70.2 and 71.2.

[2] Consistent with a voluntary remand in a case regarding the question of when is a source of fugitive emissions major for purposes of Title V, EPA has rescinded its interpretation of what the collocation language of 40 CFR part 70 requires with respect to unlisted sources of fugitive emissions. As explained in a memorandum from

on certain assumptions regarding the complex industrial facilities described. The question of what is the primary activity at such a source or what emission units are properly considered to be a part of the source can be difficult to answer in any given case. The assumptions underlying these examples are not intended to shortcut the very fact intensive inquiry that such questions may require.

Scenarios
The first 3 scenarios below apply to the counting of fugitive emissions of regulated pollutants. The last scenario applies to the counting of fugitive emissions of any HAP listed under section 112(b) of the Act.

1. A stationary source in a listed source category. If the primary activity of a stationary source falls within a listed source category, then fugitive emissions are included from all emissions units at the source. The stationary source encompasses not only all emission units within the same SIC code at the facility, but also emission units at support facilities that are part of the source.

Examples:

- A petroleum refinery. Petroleum refineries are a listed source category. You include fugitive emissions from the refinery to determine whether it is a major stationary source.

- A steel mill with an onsite slag handling operation. The primary activity of the source, in this case, is the production of steel, and steel mills are a listed source category. Although slag handling is not a listed source category, the onsite slag handling operation here is a support facility for the steel mill. You include fugitive emissions from the steel mill (a listed source category and the primary activity at this source) as well as the fugitive emissions from the slag handling operation (an unlisted source category, but one which supports the primary activity here) to determine if the source is a major stationary

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EPA, States have discretion in interpreting what the part 70 rule's collocation language requires with respect to unlisted sources of fugitive emissions. Memorandum from Lydia Wegman to Regional Air Director (June 2, 1995) (http://www.epa.gov/Region7/programs/artd/air/title5/t5memos/amcguide.pdf). Please refer to this memorandum for an explanation of the scope of the voluntary remand. As a result of this voluntary remand, the first two scenarios discussed below may, or may not, be applicable to the implementation of part 70 in your State, depending on your State's exercise of its discretion.

source.

- A fossil-fuel-fired steam electric plant of more than 250 million BTUs per hour heat input located a short distance away from a coal mine that supplies all of its coal to the steam electric plant. The primary activity of the source, in this case, is the generation of steam and electricity, and steam electric plants as described above are a listed source category. You include fugitive emissions from the steam electric plant (a listed source category and the primary activity at this source) as well as the fugitive emissions from the coal mine (an unlisted source category and the support facility at this source) to determine if the source is a major stationary source.

2. A stationary source in an unlisted source category. If the primary activity of a stationary source falls within a source category that is not listed, then as a general matter fugitive emissions from the emissions units at the source are not included in determining whether the source is a major stationary source. However, if the source also contains emission units which *do* fall within a listed source category (or categories), then you include fugitive emissions from these listed emissions units to determine if the source is a major stationary source.

Examples:

- A food processing plant that has several petroleum liquid storage tanks subject to the NSPS in 40 CFR part 60, subpart Ka. The primary activity of the source, in this case, is the processing of food, and food processing plants are not a listed source category. The storage tanks, however, fall within a listed source category as this source category was regulated by subpart Ka as of August 7, 1980. You include fugitive emissions only from the storage tanks to determine if the source is a major stationary source.

- A coal mine with an onsite coal cleaning plant with a thermal dryer. The primary activity of the source, in this example, is the mining of coal, and coal mines are not a listed source category. The coal cleaning plant, however, does fall within a listed source category. You include fugitive emissions only from the coal cleaning plant to determine if the source is a major stationary source.

3. A stationary source in one of the source categories regulated by a section 111 new source performance standard (NSPS) on or

before August 7, 1980, that contains emissions units that are grandfathered from the NSPS requirements (e.g., constructed before the applicability date of the NSPS) or that are not regulated as "affected facilities" under the NSPS. You include fugitive emissions from all emission units at the source to determine if it is a major stationary source because the source falls within a listed source category. The decision to include fugitive emissions from a stationary source is not influenced by whether specific emissions units are subject to regulation.

Examples:

- A grain elevator of the type covered by the NSPS in 40 CFR part 60, subpart DD, but which is grandfathered from the requirements of this NSPS. Since subpart DD was promulgated prior to August 7, 1980, the grain elevator falls within a listed source category. You include fugitive emissions from the grain elevator to determine if the source is a major stationary source.

- A coal prep plant of the type covered by the NSPS in 40 CFR part 60, subpart Y. The coal prep plant falls within a listed source category as this source category was regulated by subpart Y as of August 7, 1980. The coal prep plant includes emissions units that are not regulated as "affected facilities" under the NSPS. You include fugitive emissions from all emission units at the coal prep plant to determine if the source is a major stationary source, including fugitive emissions from the units that are not regulated as "affected facilities" under the NSPS.

4. A source which emits fugitive emissions of any HAP listed under section 112(b) of the Act.[3] You include fugitive HAP emissions from all emissions units at a source to determine if the source is a major source without regard to whether the source falls within a listed source category. Although most emissions of HAPs are nonfugitive due to advancing technology, some likely emitters of fugitive HAPs as of the date of this letter are pumps, valves, compressors, or flanges found at petroleum refineries, chemical processing plants, tank farms (i.e., facilities which have a collection of storage tanks), and crude oil and natural gas production facilities.

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[3] This scenario is relevant for determining whether a source is a major source for purposes of section 112 and therefore Title V. (See first definition of "major source" in 40 CFR 70.2 and 71.2). The inclusion of fugitive emissions of HAPs in major source determinations is generally not relevant for PSD. The requirements of the PSD program do not apply to pollutants listed as HAPs under section 112(b) of the Act. See 42 U.S.C. § 7412(b)(6).

****

In reading this document, please remember that it is not a regulation and does not substitute for the applicable regulations. The Clean Air Act and EPA's regulations governing NSR, PSD, and Title V contain legally binding requirements. In contrast, the statements made in this document do not create legal rights or impose legally binding requirements on EPA, the States, or the regulated community. Rather, the purpose of this document, including the scenarios above, is to help you understand the statutory provisions and regulations which govern when fugitive emissions are included in major source determinations and EPA's interpretation of these provisions and regulations. It is important to note that any decisions regarding a particular facility will be made based on the statute and regulations.

This discussion of various possible scenarios is not exhaustive. In deciding whether to include fugitive emissions from a stationary source in determining major source applicability, you may find the following sources of information useful in addition to those mentioned above:

- "Requirements for Preparation, Adoption, and Submittal of Implementation Plans; Approval and Promulgation of Implementation Plans," 45 Fed. Reg. 52676, 52695 (August 7, 1980)
- "Requirements for Implementation Plans: Surface Coal Mines and Fugitive Emissions; Approval and Promulgation of Implementation Plans," 54 Fed. Reg. 48870, 48881-48882 (Nov. 28, 1989)
- "New Source Performance Standards (NSPS) - Applicability of Standards of Performance for Coal Preparation Plants to Coal Unloading Operations," 63 Fed. Reg. 53288, 53290 (October 5, 1998)
- Letter from Edward J. Lillis to Thomas C. O'Connor (Oct. 14, 1994) (http://www.epa.gov/rgytgrnj/programs/artd/air/title5/t5memos/fugitive.pdf)
- Letter from Robert G. Kellam to Donald P. Gabrielson (March 1, 1996) (http://www.epa.gov/rgytgrnj/programs/artd/air/title5/t5memos/donaldpg.pdf)

KCBX TERMINALS COMPANY

February 03, 2010

CERTIFIED MAIL

Edwin C. Bakowski, P.E.
Manager, Permit Section
Illinois Environmental Protection Agency
Division of Air Pollution Control – MC #11
1021 North Grand Avenue East
PO Box 19276
Springfield, IL 67297-9276

Re: Construction Permit Application
Receipt and Handling of Fluid Coke
KCBX Terminals Company, Chicago, Illinois
I.D. Number 031600AHI

Dear Mr. Bakowski,

This construction permit application is prepared in response to the December 9, 2009 Notice of Incompleteness ("Notice") from the Illinois Environmental Protection Agency ("Illinois EPA" or "Agency") related to KCBX Terminals Company's ("KCBX") Request for Revisions to the Revised Construction Permit for 2 Conveyors at a Bulk Solid Materials Terminal issued on October 17, 2008 (see Application Number 07100090). By way of background, after consultations with legal representatives of the Illinois EPA, KCBX submitted its Request, on November 23, 2009, in order to allow a trial receipt of three railcars of fluid petroleum coke ("Fluid Coke"). KCBX currently receives petroleum coke and has an opportunity to receive Fluid Coke, a low moisture material, from a different supplier. However, based on the Agency's Notice, KCBX now understands that the simplest and most expedient means to address the receipt of Fluid Coke is to apply for and obtain a separate construction permit for this activity.

As you will recall from the initial request, KCBX had a narrow window of opportunity to conduct the trial before winterizing control systems that use water. Even though the systems are now winterized and the preferred timing of this opportunity has past, KCBX is continuing to work toward realizing the value of this opportunity in 2010 and greatly appreciates your expedient review of this application. Because of the shift in timing, KCBX is withdrawing its request to conduct the trial of three railcars in favor of this application. Specifically, KCBX requests a construction permit that deletes Special Condition 6 of the Revised Construction Permit issued on October 17, 2008, renumbers Special Condition 7 to Special Condition 6, adds a new Special Condition 7, and revises Condition 11.a, with proposed language as follows:

7a. The Permittee shall utilize water sprays on the material handling operations (e.g., material transfer, screening and crushing) as needed to:

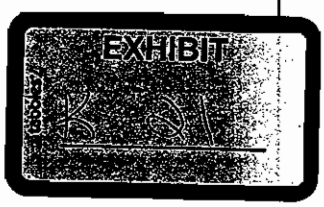

EXHIBIT A

i. *Reduce particulate matter emissions and to maintain compliance with the applicable visible emissions standards for each affected material handling operation, and*
ii. *Maintain compliance with the emission limits of 6a.i and 6.a.ii.*

7b. *The Permittee shall record the moisture contents that are provided by the suppliers of the bulk solid materials received. These moisture data shall be used to calculate emissions using the method specified in Condition 6.a.iii. The Permittee may test the moisture content of a bulk solid material at any time with the results of such tests substituted for the moisture content provided by the supplier of the specific bulk solid material.*

7c. *If the Permittee receives bulk solid materials with a moisture content of 1.3% or less as provided by the supplier, then the Permittee shall utilize water application equipment or blend the lower moisture materials with higher moisture material(s) prior to loading for outbound shipment or stockpiling. For stockpiled material, the facility shall collect samples of the wetted or blended materials within 24 hours of first stockpiling these bulk materials and analyze for moisture to demonstrate moisture contents are greater than 1.3%.*

7.d *When using water application to demonstrate compliance with handling the bulk solid materials with a moisture content of 1.3% or less in Condition 7.c, the Permittee shall:*
i. *Keep daily records of the volume of water applied at the point of bulk material receipt (i.e., within the Railcar Unload Building, barge unloading area, or truck unloading area) using a flow metering device or other means of recording water volume, and*
ii. *Inspect the water application equipment in Condition 7.d.i for conditions that impair the operation of the equipment as designed (e.g., excessive leakage, inadequate flow, clogged flow lines, etc.) at least once each calendar week.*

11a. *The Permittee shall maintain records of the following items so as to demonstrate compliance with the conditions of this permit:*

i. *If the Permittee is using water application to demonstrate compliance with Condition 7.c, the Permittee shall maintain operating logs for the water application equipment, including dates and hours of usage, total amount of water applied each month, malfunctions (types, dates, and measures to correct), dates of rainfall during the preceding 24 hours, and daily observations of bulk material conditions (wet or dry) and/or other controls as may be present (e.g., coverage by snow or ice);*

ii. *Records of the moisture content of bulk solid materials as provided by the suppliers of bulk solid materials, unless such records are superseded by moisture analyses from samples collected at the facility;*

iii. *Records of moisture analyses from samples collected at the facility;*

iv. *Name of each bulk material (e.g., coal, petroleum coke, etc.) and total amount of each bulk material handled (i.e., crushed, screened and transferred), in tons/month and tons/year; and*

v. *Monthly and annual emissions of PM and PM10 from the material handling operations at this source, with supporting calculations, in tons/month and tons/year.*

KCBX has selected 1.3% moisture content as a threshold level of concern because this is the upper bound of a "dry" material as cited in footnote b of AP-42 Table 11.19.2-2, which includes crushing, screening and conveying. This value is conservative because the same discussion in footnote b of AP-42 Table 11.19.2-2 also describes a wetted material as having 0.55% moisture or more. Additionally, Equation 1 from AP-42 13.2.4, approved by the Agency and used by KCBX for compliance demonstration and emissions reporting, was developed by testing on materials with a moisture content range of 0.25% to 4.8%.

Condition 6.b.i of the Revised Construction Permit issued on October 17, 2008 requires the facility to track the volume of water applied when receiving low moisture material as one means of demonstrating compliance. The permit revision proposed by KCBX retains this demonstration option when receiving low moisture material, but expands the means of measurement to include measurement techniques other than metering, such as counting the number of water truck volumes applied if the water truck is used to deliver water for particulate control.

In support of this application, KCBX has prepared Form APC628 (enclosed), Form 197-FEE (enclosed), a check for $2000 (enclosed) and provides the following information consistent with the sequence of questions on Form APC628.

APC628-36. N/A. Application does not involve construction.

APC628-37. The requested permit would eliminate the current moisture restriction of Special Condition 6 in the Permit, which only affects fugitive particulate emissions. Ample fugitive particulate limits and controls are provided by existing Special Conditions 2a through 2e (opacity), Special Conditions 2f through 2g (process rate), Special Conditions 2h and 5b through 5f (contingency measures), Special Condition 7 (mass limits and emission calculation), and Special Conditions 8 and 9 (testing). KCBX has an opportunity to receive low-moisture bulk solid fuel, in this case Fluid Coke, blend it with higher-moisture bulk solid fuels during initial transfer of the material, store the blended material as needed, and ship the blended material to customers by vessel, rail or truck. The Fluid Coke and blended material will be handled on existing equipment using existing control systems. KCBX will visually monitor transfer and storage operations for opacity and apply controls as necessary in accordance with the Permit. Emissions will be calculated using the approved formula of Special Condition 7 and material moisture data from suppliers or from samples of the bulk solid materials collected at the facility. An MSDS for Fluid Coke is enclosed.

APC628-38. There are no new emission units or air pollution control equipment proposed in this application. Equipment added since Federally Enforceable State Operating Permit was last issued as a revision on April 8, 2004, include one box hopper added in 2004 (Application No. 04050036), and one 125-ft conveyor (Permit Application No. 07100090). All material handling equipment and pollution control equipment existing at the time of this application will continue to be operated as before, with the possible exception of more frequent application of water.

APC628-39. A simple process flow diagram is enclosed. The only change in operating procedures are the control of the Fluid Coke unloading rate and the addition of higher-moisture bulk solid fuel to the Fluid Coke on the collector conveyor using existing equipment. Bulk solid materials are currently added to the collector conveyor as a means to transfer them to the shiploader. Consequently, this does not represent a different mode of equipment operation.

APC628-40. N/A. Facility has a Bureau of Air permit.

APC628-41. Information relevant to this application is included in Form APC628 and the narrative of this correspondence.

APC628-42. Relevant state emission standards, federal New Source Performance Standards (NSPS), and federal Hazardous Air Pollutant (HAP) standards are addressed in the Permit. NSPS Subpart Y is not relevant because the subject bulk solid material is not coal. Additionally, the facility has only very minor emissions of HAP from fuel combustion and from trace constituents that may be associated with Fluid Coke.

APC628-43. The application does not represent a major Prevention of Significant Deterioration (PSD) project because no emission increases are requested above those authorized in the Permit.

KCBX calculates emissions from 19 bulk material handling scenarios, two stockpile scenarios (active and inactive) and three ancillary sources (combustion in large and small engines and road dust from vehicle traffic). Within the 19 bulk material handling scenarios, equipment configurations may result in one to 18 discrete bulk material transfers. KCBX proposes that receipt of dry, wettable bulk product be treated as a separate handling scenario, using the product moisture associated with that scenario in the emission calculations, until the material is blended. Blended material and all other material handling would continue to use the average moisture content from material receipts for the month as the Agency has previously approved. The attached table is included as an example of how such calculations would be completed. Note that any representation of moisture content, product throughput, or product transfers are purely examples and do not reflect any actual caps or limits.

APC628-44. Types of pollutants for which the project could be a major PSD project are not relevant (see response to APC628-43).

APC628-45. The application does not represent a major project for Nonattainment New Source Review (NNSR) because no emission increases are requested above those authorized in the Permit (see response to APC628-43).

APC628-46. Types of pollutants for which the project could be a major NNSR project are not relevant (see response to APC628-45).

APC628-47. The facility is not a major source of HAP (see response to APC628-42).

APC628-48. The facility is not a major source of HAP (see response to APC628-42).

APC628-49. N/A. Facility is not a major source, and is not proposing a major modification for purposes of PSD, NNSR, or HAP (see responses to APC628-42, APC628-43, and APC628-45).

APC628-50. N/A. Project does not involve an increase in emissions from new or modified emission units.

APC628-51. N/A. Project does not involve an increase in emissions from new or modified emission units.

APC628-52. Emissions will be calculated as specified in Special Condition 7a of the Permit.

APC628-53. The expiration date of the FESOP was June 22, 2005. KCBX has been operating on a timely application for renewal of the FESOP as modified by a Revised Construction Permit issued on October 17, 2007. This application is consistent with most recent language proposed for the renewed FESOP submitted to the Agency on August 7, 2009.

APC628-54. N/A. Facility is not claiming any information as confidential or a trade secret.

APC628-55. N/A. Facility is located in Cook County.

APC628-56. Facility is located in Cook County and has enclosed three copies of the application.

APC628-57. Form 197-FEE is enclosed

APC628-58. A check for $2000 is enclosed.

As previously stated, KCBX appreciates the efforts of the Agency to expedite review of this application. If you have any questions about this application and/or need any additional information, please contact our Environment, Health and Safety Manager, Mr. Christopher Bailey at 773.978.8518. Finally, we would appreciate the opportunity to review the requested construction permit prior to issuance.

Very Truly Yours,

Jim Simmons, Terminal Manager

cc: Mr. Robert W. Bernoteit
Mr. Terry Steinert
Thomas G. Safley, Esq.
Katherine D. Hodge, Esq.

Illinois Environmental Protection Agency
Division Of Air Pollution Control -- Permit Section
P.O. Box 19506
Springfield, Illinois 62794-9506

Construction Permit Application For a FESOP Source (FORM APC628)	For Illinois EPA use only
	BOA ID No.:
	Application No.:
	Date Received:

This form is to be used to supply information to obtain a construction permit for a proposed project involving a Federally Enforceable State Operating Permit (FESOP) or Synthetic Minor source, including construction of a new FESOP source. Other necessary information must accompany this form as discussed in the "General Instructions For Permit Applications," Form APC-201.

Proposed Project

1. Working Name of Proposed Project:
   Removal of restrictions on bulk material moisture
2. Is the project occurring at a source that already has a permit from the Bureau of Air (BOA)?
   ☐ No ☒ Yes If Yes, provide BOA ID Number: 031600AHI
3. Does this application request a revision to an existing construction permit issued by the BOA?
   ☐ No ☒ Yes If Yes, provide Permit Number: 07100090
4. Does this application request that the new/modified emission units be incorporated into an existing FESOP issued by the BOA?
   ☐ No ☒ Yes If Yes, provide Permit Number: 95050167

Source Information

5. Source name:*
   KCBX Terminals Company
6. Source street address:*
   3259 East 100th Street

7. City:	8. County:	9. Zip code:
Chicago	Cook	60617

ONLY COMPLETE THE FOLLOWING FOR A SOURCE WITHOUT AN ID NUMBER.

10. Is the source located within city limits? ☐ Yes ☐ No
    If no, provide Township Name:

11. Description of source and product(s) produced:	12. Primary Classification Code of source: SIC: _____ or NAICS: _____
13. Latitude (DD:MM:SS.SSSS):	14. Longitude (DD:MM:SS.SSSS):

* If this information different than previous information, then complete a new Form 200-CAAPP to change the source name in initial FESOP application for the source or Form APC-620 for Air Permit Name and/or Ownership Change if the FESOP has been previously issued.

Applicant Information

15. Who is the applicant?	16. All correspondence to: (check one)
☒ Owner ☐ Operator	☒ Owner ☐ Operator ☐ Source
17. Applicant's FEIN: 48-1082551	18. Attention name and/or title for written correspondence: Christopher Bailey, EHS Manager

This Agency is authorized to require and you must disclose this information under 415 ILCS 5/39. Failure to do so could result in the application being denied and penalties under 415 ILCS 5 et seq. It is not necessary to use this form in providing this information. This form has been approved by the forms management center.

Owner Information*		
19. Name: KCBX Terminals Company		
20. Address: 3259 East 100th Street		
21. City: Chicago	22. State: IL	23. Zip code: 60617

* If this information different than previous information, then complete Form 272-CAAPP for a Request for Ownership Change for CAAPP Permit for an initial FESOP application for the source or Form APC-620 for Air Permit Name and/or Ownership Change if the FESOP has been previously issued.

Operator Information (If Different from Owner)*		
24. Name SAME		
25. Address:		
26. City:	27. State:	28. Zip code:

* If this information different than previous information, then complete a new Form 200-CAAPP to change the source name in initial FESOP application for the source or Form APC-620 for Air Permit Name and/or Ownership Change if the FESOP has been previously issued.

Technical Contacts for Application	
29. Preferred technical contact: (check one) ☒ Applicant's contact ☐ Consultant	
30. Applicant's technical contact person for application: Christopher Bailey	
31. Contact person's telephone number 773-978-8518	32. Contact person's email address: Bailey4C@kochind.com
33. Applicant's consultant for application: N/A	
34. Consultant's telephone number:	35. Consultant's email address:

Review Of Contents of the Application		
36. Is the emission unit covered by this application already constructed? If "yes", provide the date construction was completed:	☐ Yes	☒ No
Note: The Illinois EPA is unable to issue a construction permit for a emission unit that has already been constructed.		
37. Does the application include a narrative description of the proposed project?	☒ Yes	☐ No
38. Does the application contain a list or summary that clearly identifies the emission units and air pollution control equipment that are part of the project?	☒ Yes	☐ No
39. Does the application include process flow diagram(s) for the project showing new and modified emission units and control equipment and related existing equipment and their relationships?	☒ Yes	☐ No
40. If the project is at a source that has not previously received a permit from the BOA, does the application include a source description, plot plan and site map?	☐ Yes	☒ No

Review Of Contents of the Application (continued)	
41. Does the application include relevant information for the proposed project as requested on Illinois EPA, BOA application forms (or otherwise contain all the relevant information)?	☒ Yes ☐ No
42. Does the application identify and address all applicable or potentially applicable emissions standards, including: a. State emission standards (35 IAC Chapter I, Subtitle B); b. Federal New Source Performance Standards (40 CFR Part 60); c. Federal standards for HAPs (40 CFR Parts 61 and 63)?	☒ Yes ☐ No
43. Does the application address whether the proposed project or the source could be a major project for Prevention of Significant Deterioration (PSD), 40 CFR 52.21?	☒ Yes ☐ No ☐ N/A
44. Does the application address for which pollutant(s) the proposed project or the source could be a major project for PSD, 40 CFR 52.21?	☒ Yes ☐ No ☐ N/A
45. Does the application address whether the proposed project or the source could be a major project for "Nonattainment New Source Review," (NA NSR), 35 IAC Part 203?	☒ Yes ☐ No ☐ N/A
46. Does the application address for which pollutant(s) the proposed project or the source could be a major project for NA NSR, 35 IAC Part 203?	☒ Yes ☐ No ☐ N/A
47. Does the application address whether the proposed project or the source could potentially be subject to federal Maximum Achievable Control Technology (MACT) standard under 40 CFR Part 63 for Hazardous Air Pollutants (HAP) and identify the standard that could be applicable?	☐ Yes ☐ No ☒ N/A* * Source not major ☒ Project not major ☒
48. Does the application identify the HAP(s) from the proposed project or the source that would trigger the applicability of a MACT standard under 40 CFR Part 63?	☐ Yes ☐ No ☒ N/A
49. Does the application include a summary of the current and the future potential emissions of the source after the proposed project has been completed for each criteria air pollutant and/or HAP (tons/year)?	☐ Yes ☐ No ☒ N/A* * Applicability of PSD, NA NSR or 40 CFR 63 not applicable to the source's emissions.
50. Does the application include a summary of the requested permitted annual emissions of the proposed project for the new and modified emission units (tons/year)?	☐ Yes ☐ No ☒ N/A* * Project does not involve an increase in emissions from new or modified emission units.
51. Does the application include a summary of the requested permitted production, throughput, fuel, or raw material usage limits that correspond to the annual emissions limits of the proposed project for the new and modified emission units?	☐ Yes ☐ No ☒ N/A* * Project does not involve an increase in emissions from new or modified emission units.
52. Does the application include sample calculations or methodology for the emission estimations and the requested emission limits?	☒ Yes ☐ No
53. Does the application address the relationships with and implications of the proposed project for the source's FESOP?	☒ Yes ☐ No ☐ N/A* *FESOP not yet issued.
54. If the application contains information that is considered a TRADE SECRET, has such information been properly marked and claimed and other requirements to perfect such a claim been satisfied in accordance with 35 IAC Part 130?	☐ Yes ☐ No ☒ N/A* * No information in the application is claimed to be a TRADE SECRET
Note: "Claimed information will not be legally protected from disclosure to the public if it is not properly claimed or does not qualify as trade secret information.	

Review Of Contents of the Application (continued)		
55. If the source is located in a county other than Cook County, are two separate copies of this application being submitted?	☐ Yes	☒ No
56. If the source is located in Cook County, are three separate copies of this application being submitted?	☒ Yes	☐ No
57. Does the application include a completed "FEE DETERMINATION FOR CONSTRUCTION PERMIT APPLICATION," Form 197-FEE, for the emission units and control equipment for which a permit for construction or modification is being sought?	☒ Yes	☐ No
58. Does the application include a check in the proper amount for payment of the Construction permit fee?	☒ Yes	☐ No

Note: Answering "No" to items 36 through 58 may result in the application being deemed incomplete.

Signature Block

Pursuant to 35 IAC 201.159, all applications and supplements thereto shall be signed by the owner and operator of the source, or their authorized agent, and shall be accompanied by evidence of authority to sign the application. Applications without a signed certification will be deemed incomplete.

59. Authorized Signature:

I certify under penalty of law that, based on information and belief formed after reasonable inquiry, the statements and information contained in this application are true, accurate and complete and that I am a responsible official for the source, as defined by Section 39.5(1) of the Environmental Protection Act. In addition, the technical contact person identified above is authorized to submit (by hard copy and/or by electronic copy) any supplemental information related to this application that may be requested by the Illinois EPA.

BY: _____ Terminal Manager

AUTHORIZED SIGNATURE — TITLE OF SIGNATORY

Jim Simmons — 2 4 10

TYPED OR PRINTED NAME OF SIGNATORY — DATE

Illinois Environmental Protection Agency
Division Of Air Pollution Control -- Permit Section
P.O. Box 19506
Springfield, Illinois 62794-9506

Construction Permit Application For a FESOP Source (FORM APC628)	For Illinois EPA use only
	BOA ID No.:
	Application No.:
	Date Received:

This form is to be used to supply information to obtain a construction permit for a proposed project involving a Federally Enforceable State Operating Permit (FESOP) or Synthetic Minor source, including construction of a new FESOP source. Other necessary information must accompany this form as discussed in the "General Instructions For Permit Applications," Form APC-201.

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   Removal of restrictions on bulk material moisture
2. Is the project occurring at a source that already has a permit from the Bureau of Air (BOA)?
   ☐ No ☒ Yes If Yes, provide BOA ID Number: 031600AHI
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   ☐ No ☒ Yes If Yes, provide Permit Number: 07100090
4. Does this application request that the new/modified emission units be incorporated into an existing FESOP issued by the BOA?
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6. Source street address:*
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ONLY COMPLETE THE FOLLOWING FOR A SOURCE WITHOUT AN ID NUMBER.

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11. Description of source and product(s) produced:	12. Primary Classification Code of source: SIC: _____ or NAICS: _____
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48-1062551	Christopher Bailey, EHS Manager

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Review Of Contents of the Application		
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38. Does the application contain a list or summary that clearly identifies the emission units and air pollution control equipment that are part of the project?	☒ Yes	☐ No
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Review Of Contents of the Application (continued)	
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44. Does the application address for which pollutant(s) the proposed project or the source could be a major project for PSD, 40 CFR 52.21?	☒ Yes ☐ No ☐ N/A
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51. Does the application include a summary of the requested permitted production, throughput, fuel, or raw material usage limits that correspond to the annual emissions limits of the proposed project for the new and modified emission units?	☐ Yes ☐ No ☒ N/A* * Project does not involve an increase in emissions from new or modified emission units.
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Review Of Contents of the Application (continued)		
55. If the source is located in a county other than Cook County, are two separate copies of this application being submitted?	☐ Yes	☒ No
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Note: Answering "No" to items 36 through 58 may result in the application being deemed incomplete.

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59. Authorized Signature:

I certify under penalty of law that, based on information and belief formed after reasonable inquiry, the statements and information contained in this application are true, accurate and complete and that I am a responsible official for the source, as defined by Section 39.5(1) of the Environmental Protection Act. In addition, the technical contact person identified above is authorized to submit (by hard copy and/or by electronic copy) any supplemental information related to this application that may be requested by the Illinois EPA.

BY: _____ Terminal Manager

AUTHORIZED SIGNATURE — TITLE OF SIGNATORY

Jim Simmons — 2 / 04 / 10

TYPED OR PRINTED NAME OF SIGNATORY — DATE

Illinois Environmental Protection Agency
Division Of Air Pollution Control – Permit Section
P.O. Box 19506
Springfield, Illinois 62794-9506

Construction Permit Application For a FESOP Source (FORM APC628)

For Illinois EPA use only
BOA ID No.:
Application No.:
Date Received:

This form is to be used to supply information to obtain a construction permit for a proposed project involving a Federally Enforceable State Operating Permit (FESOP) or Synthetic Minor source, including construction of a new FESOP source. Other necessary information must accompany this form as discussed in the "General Instructions For Permit Applications," Form APC-201.

Proposed Project

1. Working Name of Proposed Project:
   Removal of restrictions on bulk material moisture
2. Is the project occurring at a source that already has a permit from the Bureau of Air (BOA)?
   ☐ No ☒ Yes If Yes, provide BOA ID Number: 031600AHI
3. Does this application request a revision to an existing construction permit issued by the BOA?
   ☐ No ☒ Yes If Yes, provide Permit Number: 07100090
4. Does this application request that the new/modified emission units be incorporated into an existing FESOP issued by the BOA?
   ☐ No ☒ Yes If Yes, provide Permit Number: 95050167

Source Information

5. Source name:*
   KCBX Terminals Company
6. Source street address:*
   3259 East 100th Street

7. City:	8. County:	9. Zip code:
Chicago	Cook	60617

ONLY COMPLETE THE FOLLOWING FOR A SOURCE WITHOUT AN ID NUMBER.

10. Is the source located within city limits? ☐ Yes ☐ No
    If no, provide Township Name:

11. Description of source and product(s) produced:	12. Primary Classification Code of source: SIC: _____ or NAICS: _____
13. Latitude (DD:MM:SS.SSSS):	14. Longitude (DD:MM:SS.SSSS):

* If this information different than previous information, then complete a new Form 200-CAAPP to change the source name in initial FESOP application for the source or Form APC-620 for Air Permit Name and/or Ownership Change if the FESOP has been previously issued.

Applicant Information

15. Who is the applicant?	16. All correspondence to: (check one)
☒ Owner ☐ Operator	☒ Owner ☐ Operator ☐ Source
17. Applicant's FEIN: 48-1082551	18. Attention name and/or title for written correspondence: Christopher Bailey, EHS Manager

This Agency is authorized to require and you must disclose this information under 415 ILCS 5/39. Failure to do so could result in the application being denied and penalties under 415 ILCS 5 et seq. It is not necessary to use this form in providing this information. This form has been approved by the forms management center.

Owner Information*		
19. Name: KCBX Terminals Company		
20. Address: 3259 East 100th Street		
21. City: Chicago	22. State: IL	23. Zip code: 60617

* If this information different than previous information, then complete Form 272-CAAPP for a Request for Ownership Change for CAAPP Permit for an initial FESOP application for the source or Form APC-620 for Air Permit Name and/or Ownership Change if the FESOP has been previously issued.

Operator Information (If Different from Owner)*		
24. Name SAME		
25. Address:		
26. City:	27. State:	28. Zip code:

* If this information different than previous information, then complete a new Form 200-CAAPP to change the source name in initial FESOP application for the source or Form APC-620 for Air Permit Name and/or Ownership Change if the FESOP has been previously issued.

Technical Contacts for Application	
29. Preferred technical contact: (check one) ☒ Applicant's contact ☐ Consultant	
30. Applicant's technical contact person for application: Christopher Bailey	
31. Contact person's telephone number 773-978-8518	32. Contact person's email address: Bailey4C@kochind.com
33. Applicant's consultant for application: N/A	
34. Consultant's telephone number:	35. Consultant's email address:

Review Of Contents of the Application		
36. Is the emission unit covered by this application already constructed? If "yes", provide the date construction was completed: Note: The Illinois EPA is unable to issue a construction permit for a emission unit that has already been constructed.	☐ Yes	☒ No
37. Does the application include a narrative description of the proposed project?	☒ Yes	☐ No
38. Does the application contain a list or summary that clearly identifies the emission units and air pollution control equipment that are part of the project?	☒ Yes	☐ No
39. Does the application include process flow diagram(s) for the project showing new and modified emission units and control equipment and related existing equipment and their relationships?	☒ Yes	☐ No
40. If the project is at a source that has not previously received a permit from the BOA, does the application include a source description, plot plan and site map?	☐ Yes	☒ No

Review Of Contents of the Application (continued)	
41. Does the application include relevant information for the proposed project as requested on Illinois EPA, BOA application forms (or otherwise contain all the relevant information)?	☒ Yes ☐ No
42. Does the application identify and address all applicable or potentially applicable emissions standards, including: a. State emission standards (35 IAC Chapter I, Subtitle B); b. Federal New Source Performance Standards (40 CFR Part 60); c. Federal standards for HAPs (40 CFR Parts 61 and 63)?	☒ Yes ☐ No
43. Does the application address whether the proposed project or the source could be a major project for Prevention of Significant Deterioration (PSD), 40 CFR 52.21?	☒ Yes ☐ No ☐ N/A
44. Does the application address for which pollutant(s) the proposed project or the source could be a major project for PSD, 40 CFR 52.21?	☒ Yes ☐ No ☐ N/A
45. Does the application address whether the proposed project or the source could be a major project for "Nonattainment New Source Review," (NA NSR), 35 IAC Part 203?	☒ Yes ☐ No ☐ N/A
46. Does the application address for which pollutant(s) the proposed project or the source could be a major project for NA NSR, 35 IAC Part 203?	☒ Yes ☐ No ☐ N/A
47. Does the application address whether the proposed project or the source could potentially be subject to federal Maximum Achievable Control Technology (MACT) standard under 40 CFR Part 63 for Hazardous Air Pollutants (HAP) and identify the standard that could be applicable?	☐ Yes ☐ No ☒ N/A* * Source not major ☒ Project not major ☒
48. Does the application identify the HAP(s) from the proposed project or the source that would trigger the applicability of a MACT standard under 40 CFR Part 63?	☐ Yes ☐ No ☒ N/A
49. Does the application include a summary of the current and the future potential emissions of the source after the proposed project has been completed for each criteria air pollutant and/or HAP (tons/year)?	☐ Yes ☐ No ☒ N/A* * Applicability of PSD, NA NSR or 40 CFR 63 not applicable to the source's emissions.
50. Does the application include a summary of the requested permitted annual emissions of the proposed project for the new and modified emission units (tons/year)?	☐ Yes ☐ No ☒ N/A* * Project does not involve an increase in emissions from new or modified emission units.
51. Does the application include a summary of the requested permitted production, throughput, fuel, or raw material usage limits that correspond to the annual emissions limits of the proposed project for the new and modified emission units?	☐ Yes ☐ No ☒ N/A* * Project does not involve an increase in emissions from new or modified emission units.
52. Does the application include sample calculations or methodology for the emission estimations and the requested emission limits?	☒ Yes ☐ No
53. Does the application address the relationships with and implications of the proposed project for the source's FESOP?	☒ Yes ☐ No ☐ N/A* *FESOP not yet issued.
54. If the application contains information that is considered a TRADE SECRET, has such information been properly marked and claimed and other requirements to perfect such a claim been satisfied in accordance with 35 IAC Part 130? Note: *Claimed information will not be legally protected from disclosure to the public if it is not properly claimed or does not qualify as trade secret information.	☐ Yes ☐ No ☒ N/A* * No information in the application is claimed to be a TRADE SECRET

Review Of Contents of the Application (continued)		
55. If the source is located in a county other than Cook County, are two separate copies of this application being submitted?	☐ Yes	☒ No
56. If the source is located in Cook County, are three separate copies of this application being submitted?	☒ Yes	☐ No
57. Does the application include a completed "FEE DETERMINATION FOR CONSTRUCTION PERMIT APPLICATION," Form 197-FEE, for the emission units and control equipment for which a permit for construction or modification is being sought?	☒ Yes	☐ No
58. Does the application include a check in the proper amount for payment of the Construction permit fee?	☒ Yes	☐ No

Note: Answering "No" to items 36 through 58 may result in the application being deemed incomplete.

Signature Block

Pursuant to 35 IAC 201.159, all applications and supplements thereto shall be signed by the owner and operator of the source, or their authorized agent, and shall be accompanied by evidence of authority to sign the application. Applications without a signed certification will be deemed incomplete.

59. Authorized Signature:

I certify under penalty of law that, based on information and belief formed after reasonable inquiry, the statements and information contained in this application are true, accurate and complete and that I am a responsible official for the source, as defined by Section 39.5(1) of the Environmental Protection Act. In addition, the technical contact person identified above is authorized to submit (by hard copy and/or by electronic copy) any supplemental information related to this application that may be requested by the Illinois EPA.

BY: _____ Terminal Manager

AUTHORIZED SIGNATURE — TITLE OF SIGNATORY

Jim Simmons — 2 / 04 / 10

TYPED OR PRINTED NAME OF SIGNATORY — DATE

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY
DIVISION OF AIR POLLUTION CONTROL -- PERMIT SECTION
P.O. BOX 19506
SPRINGFIELD, ILLINOIS 62794-9506

FEE DETERMINATION FOR CONSTRUCTION PERMIT APPLICATION

FOR AGENCY USE ONLY	
ID NUMBER:	
PERMIT #:	
COMPLETE ☐ INCOMPLETE ☐	DATE COMPLETE:
CHECK #:	ACCOUNT NAME:

THIS FORM IS TO BE USED BY ALL SOURCES TO SUPPLY FEE INFORMATION THAT MUST ACCOMPANY ALL CONSTRUCTION PERMIT APPLICATIONS. ***THIS APPLICATION MUST INCLUDE PAYMENT IN FULL TO BE DEEMED COMPLETE.*** MAKE CHECK OR MONEY ORDER PAYABLE TO THE ILLINOIS ENVIRONMENTAL PROTECTION AGENCY. SEND TO THE ADDRESS ABOVE. DO NOT SEND CASH. REFER TO INSTRUCTIONS (197-INST) FOR ASSISTANCE.

SOURCE INFORMATION

1) SOURCE NAME: KCBX Terminals Company	
2) PROJECT NAME: moist. restriction removal	3) SOURCE ID NO. (IF APPLICABLE): 031600AHI
4) CONTACT NAME: Christopher Bailey	5) CONTACT PHONE NUMBER: (773) 978-8518

FEE DETERMINATION

6) FILL IN THE FOLLOWING THREE BOXES AS DETERMINED IN SECTIONS 1 THROUGH 4 BELOW:

$ 0	+	$ 2,000	=	$ 2,000
SECTION 1 SUBTOTAL		SECTION 2, 3 OR 4 SUBTOTAL		GRAND TOTAL

SECTION 1: STATUS OF SOURCE/PURPOSE OF SUBMITTAL

7) YOUR APPLICATION WILL FALL UNDER ONLY ONE OF THE FOLLOWING SIX CATEGORIES DESCRIBED BELOW. CHECK THE BOX THAT APPLIES, ENTER THE CORRESPONDING FEE IN THE BOX TO THE RIGHT AND COPY THIS FEE INTO THE SECTION 1 SUBTOTAL BOX ABOVE. PROCEED TO APPLICABLE SECTIONS.

FOR PURPOSES OF THIS FORM:

- ***MAJOR SOURCE*** IS A SOURCE THAT IS REQUIRED TO OBTAIN A CAAPP PERMIT.
- ***SYNTHETIC MINOR*** SOURCE IS A SOURCE THAT HAS TAKEN LIMITS ON POTENTIAL TO EMIT IN A PERMIT TO AVOID CAAPP PERMIT REQUIREMENTS (E.G., FESOP).
- ***NON-MAJOR*** SOURCE IS A SOURCE THAT IS NOT A MAJOR OR SYNTHETIC MINOR SOURCE.

☒ EXISTING SOURCE WITHOUT STATUS CHANGE OR WITH STATUS CHANGE FROM SYNTHETIC MINOR TO MAJOR SOURCE OR VICE VERSA. ENTER $0 AND PROCEED TO SECTION 2.	$ 0 SECTION 1 SUBTOTAL
☐ EXISTING NON-MAJOR SOURCE THAT WILL BECOME SYNTHETIC MINOR OR MAJOR SOURCE. ENTER $5,000 AND PROCEED TO SECTION 4.	
☐ EXISTING MAJOR OR SYNTHETIC MINOR SOURCE THAT WILL BECOME NON-MAJOR SOURCE. ENTER $4,000 AND PROCEED TO SECTION 3.	
☐ NEW MAJOR OR SYNTHETIC MINOR SOURCE. ENTER $5,000 AND PROCEED TO SECTION 4.	
☐ NEW NON-MAJOR SOURCE. ENTER $500 AND PROCEED TO SECTION 3.	
☐ AGENCY ERROR. IF THIS IS A TIMELY REQUEST TO CORRECT AN ISSUED PERMIT THAT INVOLVES ONLY AN AGENCY ERROR AND IF THE REQUEST IS RECEIVED WITHIN THE DEADLINE FOR A PERMIT APPEAL TO THE POLLUTION CONTROL BOARD, THEN ENTER $0. SKIP SECTIONS 2, 3 AND 4. PROCEED DIRECTLY TO SECTION 5.	

SECTION 2: SPECIAL CASE FILING FEE

8) FILING FEE. IF THE APPLICATION ONLY ADDRESSES ONE OR MORE OF THE FOLLOWING, CHECK THE APPROPRIATE BOXES, ENTER $500 IN THE SECOND BOX UNDER FEE DETERMINATION ABOVE, SKIP SECTIONS 3 AND 4 AND PROCEED DIRECTLY TO SECTION 5. OTHERWISE, PROCEED TO SECTION 3 OR 4, AS APPROPRIATE.

- ☐ ADDITION OR REPLACEMENT OF CONTROL DEVICES ON PERMITTED UNITS
- ☐ PILOT PROJECTS/TRIAL BURNS BY A PERMITTED UNIT
- ☐ APPLICATIONS ONLY INVOLVING INSIGNIFICANT ACTIVITIES UNDER 35 IAC 201.210 (MAJOR SOURCES ONLY)
- ☐ LAND REMEDIATION PROJECTS
- ☐ REVISIONS RELATED TO METHODOLOGY OR TIMING FOR EMISSION TESTING
- ☐ MINOR ADMINISTRATIVE-TYPE CHANGE TO A PERMIT

THIS AGENCY IS AUTHORIZED TO REQUIRE AND YOU MUST DISCLOSE THIS INFORMATION UNDER 415 ILCS 5/39. FAILURE TO DO SO COULD RESULT IN THE APPLICATION BEING DENIED AND PENALTIES UNDER 415 ILCS 5 ET SEQ. IT IS NOT NECESSARY TO USE THIS FORM IN PROVIDING THIS INFORMATION. THIS FORM HAS BEEN APPROVED BY THE FORMS MANAGEMENT CENTER.

SECTION 3: FEES FOR CURRENT OR PROJECTED NON-MAJOR SOURCES		
9) IF THIS APPLICATION CONSISTS OF A SINGLE NEW EMISSION UNIT OR NO MORE THAN TWO MODIFIED EMISSION UNITS, ENTER $500.	9)	
10) IF THIS APPLICATION CONSISTS OF MORE THAN ONE NEW EMISSION UNIT OR MORE THAN TWO MODIFIED UNITS, ENTER $1,000.	10)	
11) IF THIS APPLICATION CONSISTS OF A NEW SOURCE OR EMISSION UNIT SUBJECT TO SECTION 39.2 OF THE ACT (I.E., LOCAL SITING REVIEW); A COMMERCIAL INCINERATOR OR A MUNICIPAL WASTE, HAZARDOUS WASTE, OR WASTE TIRE INCINERATOR; A COMMERCIAL POWER GENERATOR; OR AN EMISSION UNIT DESIGNATED AS A COMPLEX SOURCE BY AGENCY RULEMAKING, ENTER $15,000.	11)	
12) IF A PUBLIC HEARING IS HELD (SEE INSTRUCTIONS), ENTER $10,000.	12)	
13) SECTION 3 SUBTOTAL (ADD LINES 9 THROUGH 12) TO BE ENTERED ON PAGE 1.	13)	

SECTION 4: FEES FOR CURRENT OR PROJECTED MAJOR OR SYNTHETIC MINOR SOURCES				
Application Contains Modified Emission Units Only	14) FOR THE FIRST MODIFIED EMISSION UNIT, ENTER $2,000.	14)	2000	
	15) NUMBER OF ADDITIONAL MODIFIED EMISSION UNITS = _____ X $1,000.	15)		
	16) LINE 14 PLUS LINE 15, OR $5,000, WHICHEVER IS LESS.			16) 2000
Application Contains New And/Or Modified Emission Units	17) FOR THE FIRST NEW EMISSION UNIT, ENTER $4,000.	17)		
	18) NUMBER OF ADDITIONAL NEW AND/OR MODIFIED EMISSION UNITS = _____ X $1,000.	18)		
	19) LINE 17 PLUS LINE 18, OR $10,000, WHICHEVER IS LESS.			19) 0
Application Contains Netting Exercise	20) NUMBER OF INDIVIDUAL POLLUTANTS THAT RELY ON A NETTING EXERCISE OR CONTEMPORANEOUS EMISSIONS DECREASE TO AVOID APPLICATION OF PSD OR NONATTAINMENT NSR = _____ X $3,000.			20) 0
Additional Supplemental Fees	21) IF THE NEW SOURCE OR EMISSION UNIT IS SUBJECT TO SECTION 39.2 OF THE ACT (I.E., SITING); A COMMERCIAL INCINERATOR OR OTHER MUNICIPAL WASTE, HAZARDOUS WASTE, OR WASTE TIRE INCINERATOR; A COMMERCIAL POWER GENERATOR; OR ONE OR MORE OTHER EMISSION UNITS DESIGNATED AS A COMPLEX SOURCE BY AGENCY RULEMAKING, ENTER $26,000.			21) 0
	22) IF THE SOURCE IS A NEW MAJOR SOURCE SUBJECT TO PSD, ENTER $12,000.			22) 0
	23) IF THE PROJECT IS A MAJOR MODIFICATION SUBJECT TO PSD, ENTER $6,000.			23) 0
	24) IF THIS IS A NEW MAJOR SOURCE SUBJECT TO NONATTAINMENT (NAA) NSR, ENTER $20,000.			24) 0
	25) IF THIS IS A MAJOR MODIFICATION SUBJECT TO NAA NSR, ENTER $12,000.			25) 0
	26) IF APPLICATION INVOLVES A DETERMINATION OF CLEAN UNIT STATUS AND THEREFORE IS NOT SUBJECT TO BACT OR LAER, ENTER $5,000 PER UNIT FOR WHICH A DETERMINATION IS REQUESTED OR OTHERWISE REQUIRED. _____ X $5,000.			26) 0
	27) IF APPLICATION INVOLVES A DETERMINATION OF MACT FOR A POLLUTANT AND THE PROJECT IS NOT SUBJECT TO BACT OR LAER FOR THE RELATED POLLUTANT UNDER PSD OR NSR (E.G., VOM FOR ORGANIC HAP), ENTER $5,000 PER UNIT FOR WHICH A DETERMINATION IS REQUESTED OR OTHERWISE REQUIRED. ____ X $5,000.			27) 0
	28) IF A PUBLIC HEARING IS HELD (SEE INSTRUCTIONS), ENTER $10,000.			28) 0
29) SECTION 4 SUBTOTAL (ADD LINES 16 AND LINES 19 THROUGH 28) TO BE ENTERED ON PAGE 1.				29) 2000

SECTION 5: CERTIFICATION

NOTE: APPLICATIONS WITHOUT A SIGNED CERTIFICATION WILL BE DEEMED INCOMPLETE.

30) I CERTIFY UNDER PENALTY OF LAW THAT, BASED ON INFORMATION AND BELIEF FORMED AFTER REASONABLE INQUIRY, THE INFORMATION CONTAINED IN THIS FEE APPLICATION FORM IS TRUE, ACCURATE AND COMPLETE.

BY: _____ Terminal Manager

SIGNATURE — TITLE OF SIGNATORY

Jim Simmons — 2, 04, 10

TYPED OR PRINTED NAME OF SIGNATORY — DATE

APPLICATION PAGE 2.00

Printed on Recycled Paper
197-FEE

Potential Annual PM and PM_{10} Emission Rates
KCBX Terminals Company - Chicago, IL

NOTE: The purpose of this calculation is only to demonstrate that the site can operate as a minor source. It IS NOT intended to establish limits on any parameters or modes of operation. Variables in this spreadsheet (including drop points, drop point throughputs, moisture content, emission factors, operating hours, and all other variables) are not intended to establish limits and are subject to change based on actual operations and as new or better information become available. Although the details in this spreadsheet may change over time, the basic concepts of emission estimating methodology will be retained.

Operating Mode: Wetted & Blended Material Handling				PM		PM_{10}		
7.50	% Minimum Moisture (example only)	Annual		Emission	Annual	Emission	Annual	
17.25	MMtons/year Annual Throughput (example)	Throughput	No. of	Factor	Emissions	Factor	Emissions	
Worst Cases of 19 Material Handling Scenarios[1]		ton/yr	drops	lb/drop	ton/yr	lb/drop	ton/yr	Emission Factor Source
Scenario 4	Material Transfer	17,250,000	18	0.000916	142	0.000433	67.29	AP-42, Chapter 13.2.4, Aggregate Handling and Storage Piles (uncontrolled) (11/06)
Scenario 15	Screening (300 tph capacity)[2]	2,628,000	1	0.0022	2.89	0.00074	0.97	AP-42, Chapter 11.19.2, Crushed Stone Processing (controlled with water) (8/04)
Scenario 16	Crushing (150 tph capacity)[2]	1,314,000	1	0.0012	0.79	0.00054	0.35	AP-42, Chapter 11.19.2, Crushed Stone Processing (controlled with water) (8/04)
	Subtotal from Wetted & Blended Material Handling =				145.98		68.62	

Operating Mode: Dry Material Receiving				PM		PM_{10}		
0.50	% Minimum Moisture (example only)	Annual		Emission	Annual	Emission	Annual	
0.30	MMtons/year Annual Throughput (example)	Throughput	No. of	Factor	Emissions	Factor	Emissions	
Worst Cases of 19 Material Handling Scenarios[1]		ton/yr	drops	lb/drop	ton/yr	lb/drop	ton/yr	Emission Factor Source
Scenario 4	Material Transfer	300,000	2	0.0406	12	0.0192	5.76	AP-42, Chapter 13.2.4, Aggregate Handling and Storage Piles (uncontrolled) (11/06)
	Subtotal from Dry Material Handling =				12.18		5.76	

Operating Mode: Storage Piles				PM		PM_{10}		
				Emission	Annual	Emission	Annual	
			Months	Factor	Emissions	Factor	Emissions	
Worst Case Scenarios		Acres	per year	lb/acre-mon	ton/yr	lb/acre-mon	ton/yr	Emission Factor Source
Scenario 20	Active storage pile	3.5	12	1,000	21.00	480	10.08	AP-42, Chapter 11.9, Western Surface Coal Mining (controlled with water) (07/98)
Scenario 21	Inactive storage piles	35	12	16	3.36	7.5	1.58	AP-42, Chapter 11.9, Western Surface Coal Mining (controlled with water) (07/98)
	Subtotal from Storage Piles =				24.36		11.66	

Operating Mode: Combustion Sources			Total	PM		PM_{10}		
Note the 396 kW Generator was removed from service		Annual	Generator	Emission	Annual	Emission	Annual	
		Fuel Use	Operation	Factor	Emissions	Factor	Emissions	
Worst Case Emissions Limited by NOx Emissions[3]		Gal/yr	Hr/Yr	lb/hr or lb/gal	ton/yr	lb/hp-hr	ton/yr	Emission Factor Source
Scenario 24	2 x 760 Hp Generators[3]		5,250	0.53	1.39	0.44	1.16	AP-42, Chapter 3.4, Large Diesel Engines (10/96)
	Gasoline engines (non-mobile)	50,000		0.013	0.33	0.013	0.33	AP-42, Chapter 3.3, Gasoline and Diesel Industrial Engines (10/96)
	Other diesel and kerosene fired sources[4]	50,000		0.042	1.05	0.042	1.05	AP-42, Chapter 3.3, Gasoline and Diesel Industrial Engines (10/96)
	Subtotal from Combustion =				2.77		2.53	

Operating Mode: Vehicle Traffic				PM		PM_{10}		
			Trip	Emission	Annual	Emission	Annual	
		Trips	Distance	Factor	Emission	Factor	Emission	
Worst Case Scenarios[5]		per year	mile/trip	lb/vmt	ton/yr	lb/vmt	ton/yr	Emission Factor Source
Scenario 22	Fugitive dust from vehicles	30,000	0.60	2.7	24.30	0.70	6.30	AP-42, Chapter 13.2.2, Unpaved Roads (Controlled with water) (11/06)
	Subtotal from Vehicles =				24.30		6.30	

Totals[5]				209.6		94.9	

Notes and Assumptions:

[1] Material Handling throughput is calculated based on the 95 ton PM_{10}/year facility wide limit. Actual material handling may be more or less based on the number of transfer points and actual moisture content.

[2] Vehicle Traffic emissions and emissions from crushing and screening assume water is routinely applied to roads and bulk material

[3] Generators are limited to 5,250 hours of operation per year because at that level, NO_x emissions = 100 tpy when combined with other combustion sources.

[4] Emissions from "Other diesel and kerosene fired sources" are based on 50,000 gal/yr of fuel burned. Note that some small diesel and kerosene combustion units are external combustion units (i.e. space heaters). The emission factor for external combustion units, 2 lb PM/1,000 gallon (or 0.002 lb/gal), is much less than the one used here (see AP-42 Table 1.3-1).

[5] Limit requested in FESOP condition 10.a = 95 ton PM_{10} per year

Imperial Oil

MATERIAL SAFETY DATA SHEET

SECTION 1 PRODUCT AND COMPANY IDENTIFICATION

PRODUCT

Product Name: Petroleum Coke
Product Description: Petroleum Coke
MSDS Number: 5313
Intended Use: Fuel

COMPANY IDENTIFICATION

Supplier: Imperial Oil Products Division
240 4th Avenue
Calgary, ALBERTA. T2P 3M9 Canada

24 Hour Environmental / Health Emergency Telephone	519-339-2145
Transportation Emergency Phone Number	519-339-2145
Product Technical Information	1-800-268-3183
Supplier General Contact	1-800-567-3776

SECTION 2 COMPOSITION / INFORMATION ON INGREDIENTS

No Reportable Hazardous Substance(s) or Complex Substance(s).

SECTION 3 HAZARDS IDENTIFICATION

This material is not considered to be hazardous according to regulatory guidelines see Section 15.

PHYSICAL/CHEMICAL EFFECTS

High dust levels may create potential for explosion. Material can accumulate static charges which may cause an incendiary electrical discharge.

HEALTH EFFECTS

Low order of toxicity. Dust may be irritating to eyes and respiratory tract. Under normal conditions of intended use, this material does not pose a risk to health.

NFPA Hazard ID:	Health: 1	Flammability: 1	Reactivity: 0
HMIS Hazard ID:	Health: 1	Flammability: 1	Reactivity: 0

Note: This material should not be used for any other purpose then the intended use in Section 1 without expert advice. Health studies have shown that chemical exposure may cause potential human health risks which may vary from person to person.

SECTION 4 FIRST AID MEASURES

INHALATION

Remove from further exposure. For those providing assistance, avoid exposure to yourself or others. Use adequate respiratory protection. If respiratory irritation, dizziness, nausea, or unconsciousness occurs, seek immediate medical assistance. If breathing has stopped, assist ventilation with a mechanical device or use

Esso Imperial Oil

mouth-to-mouth resuscitation.

SKIN CONTACT
Wash contact areas with soap and water. Remove contaminated clothing. Launder contaminated clothing before reuse.

EYE CONTACT
Flush thoroughly with water. If irritation occurs, get medical assistance.

INGESTION
First aid is normally not required. Seek medical attention if discomfort occurs.

SECTION 5 FIRE FIGHTING MEASURES

EXTINGUISHING MEDIA
Appropriate Extinguishing Media: Use water fog, foam, dry chemical or carbon dioxide (CO_2) to extinguish flames.

Inappropriate Extinguishing Media: Straight streams of water

FIRE FIGHTING
Fire Fighting Instructions: Evacuate area. Prevent run-off from fire control or dilution from entering streams, sewers or drinking water supply. Fire-fighters should use standard protective equipment and in enclosed spaces, self-contained breathing apparatus (SCBA). Use water spray to cool fire exposed surfaces and to protect personnel.

Unusual Fire Hazards: High dust levels may create potential for explosion.

Hazardous Combustion Products: Oxides of carbon, Aldehydes, Sulphur Oxides, Smoke, Fume, Incomplete combustion products

FLAMMABILITY PROPERTIES
Flash Point [Method]: >93C (200F) [Open Cup]
Flammable Limits (Approximate volume % in air): LEL: N/A UEL: N/A
Autoignition Temperature: N/D

SECTION 6 ACCIDENTAL RELEASE MEASURES

NOTIFICATION PROCEDURES
In the event of a spill or accidental release, notify relevant authorities in accordance with all applicable regulations.

SPILL MANAGEMENT
Land Spill: Use clean non-sparking tools to collect material and place it into loosely covered plastic containers for later disposal. Prevent dust cloud.

Water Spill: Stop leak if you can do so without risk. Material will sink. Consult an expert. No immediate

action required.

Water spill and land spill recommendations are based on the most likely spill scenario for this material; however, geographic conditions, wind, temperature, (and in the case of a water spill) wave and current direction and speed may greatly influence the appropriate action to be taken. For this reason, local experts should be consulted. Note: Local regulations may prescribe or limit action to be taken.

ENVIRONMENTAL PRECAUTIONS

Prevent entry into waterways, sewers, basements or confined areas. For Large Spills: Cover spill with plastic sheet or tarpaulin to minimise spreading.

SECTION 7 HANDLING AND STORAGE

HANDLING

Avoid conditions which create dust. Avoid breathing material. Eliminate all ignition sources (no smoking, flares, sparks or flames in immediate area). Avoid contact with eyes. Use non-sparking tools and explosion-proof equipment. Prevent small spills and leakage to avoid slip hazard. Material can accumulate static charges which may cause an electrical spark (ignition source).

Static Accumulator: This material is a static accumulator.

Storage

Store in a cool, dry place with adequate ventilation. Keep away from incompatible materials, open flames and high temperatures. Do not store in open or unlabelled containers.

SECTION 8 EXPOSURE CONTROLS / PERSONAL PROTECTION

Substance Name	Form	Limit/Standard			Note	Source
COKE (PETROLEUM) [as V2O5]		TWA	0.05 mg/m3			Supplier
COKE (PETROLEUM)	Respirable fraction.	TWA	2 mg/m3			Supplier

NOTE: Limits/standards shown for guidance only. Follow applicable regulations.

ENGINEERING CONTROLS

The level of protection and types of controls necessary will vary depending upon potential exposure conditions. Control measures to consider:

Ventilate as needed to control airborne dust. Use explosion proof ventilation equipment if airborne dust levels are high.

PERSONAL PROTECTION

Personal protective equipment selections vary based on potential exposure conditions such as applications, handling practices, concentration and ventilation. Information on the selection of protective equipment for use with this material, as provided below, is based upon intended, normal usage.

Respiratory Protection: If engineering controls do not maintain airborne contaminant concentrations at a level which is adequate to protect worker health, an approved respirator may be appropriate. Respirator selection, use, and maintenance must be in accordance with regulatory requirements, if applicable. Types of respirators to be considered for this material include:

Particulate air-purifying respirator approved for dust or oil mist is recommended.

For high airborne concentrations, use an approved supplied-air respirator, operated in positive pressure mode. Supplied air respirators with an escape bottle may be appropriate when oxygen levels are inadequate, gas/vapour warning properties are poor, or if air purifying filter capacity/rating may be exceeded.

Hand Protection: Any specific glove information provided is based on published literature and glove manufacturer data. Glove suitability and breakthrough time will differ depending on the specific use conditions. Contact the glove manufacturer for specific advice on glove selection and breakthrough times for your use conditions. Inspect and replace worn or damaged gloves. The types of gloves to be considered for this material include:

If prolonged or repeated contact is likely, chemical-resistant gloves are recommended. If contact with forearms is likely, wear gauntlet-style gloves.

Eye Protection: If contact is likely, safety glasses with side shields are recommended. If dusty conditions exist, chemical goggles are recommended.

Skin and Body Protection: Any specific clothing information provided is based on published literature or manufacturer data. The types of clothing to be considered for this material include:

If prolonged or repeated contact is likely, chemical, and oil resistant clothing is recommended.

Specific Hygiene Measures: Always observe good personal hygiene measures, such as washing after handling the material and before eating, drinking, and/or smoking. Routinely wash work clothing and protective equipment to remove contaminants. Discard contaminated clothing and footwear that cannot be cleaned. Practise good housekeeping.

ENVIRONMENTAL CONTROLS

See Sections 6, 7, 12, 13.

SECTION 9 PHYSICAL AND CHEMICAL PROPERTIES

Typical physical and chemical properties are given below. Consult the Supplier in Section 1 for additional data.

GENERAL INFORMATION

Physical State: Solid
Colour: black
Odour: Characteristic
Odour Threshold: N/D

IMPORTANT HEALTH, SAFETY, AND ENVIRONMENTAL INFORMATION

Relative Density (at 15 C): 1.5
Flash Point [Method]: >93C (200F) [Open Cup]
Flammable Limits (Approximate volume % in air): LEL: N/A UEL: N/A
Autoignition Temperature: N/D
Boiling Point / Range: N/A
Vapour Density (Air = 1): N/D
Vapour Pressure: < 0.013 kPa (0.1 mm Hg) at 20°C

Esso :Imperial Oil

Evaporation Rate (N-Butyl Acetate = 1): N/D
pH: N/A
Log Pow (n-Octanol/Water Partition Coefficient): > 6
Solubility in Water: Negligible
Viscosity: N/A
Oxidizing properties: See Sections 3, 15, 16.

OTHER INFORMATION
Freezing Point: N/A
Melting Point: N/A

SECTION 10 STABILITY AND REACTIVITY

STABILITY: Materia is stable under normal conditions.

CONDITIONS TO AVOID: Excessive heat. High dust concentrations., Heat, sparks, flame, and build up of static electricity.

MATERIALS TO AVOID: Strong oxidizers

HAZARDOUS DECOMPOSITION PRODUCTS: Material does not decompose at ambient temperatures.

HAZARDOUS POLYMERIZATION: Will not occur.

SECTION 11 TOXICOLOGICAL INFORMATION

Acute Toxicity

Route of Exposure	Conclusion / Remarks
INHALATION	
Toxicity (Rat): LC50 > 5000 mg/m³	Minimally Toxic. Based on test data for structurally similar materials.
Irritation: No end point data.	Negligible hazard at ambient/normal handling temperatures.
INGESTION	
Toxicity (Rat): LD50 > 2000 mg/kg	Minimally Toxic. Based on test data for structurally similar materials.
Skin	
Toxicity (Rabbit): LD50 > 3160 mg/kg	Minimally Toxic. Based on test data for structurally similar materials.
Irritation: No end point data.	Negligible irritation to skin at ambient temperatures.
Eye	
Irritation: No end point data.	May cause mild, short-lasting discomfort to eyes.

CHRONIC/OTHER EFFECTS
For the product itself:
Coke dust: Not carcinogenic in inhalation and dermal animal tests. Two year animal inhalation studies at high concentrations of coke dust showed accumulation of particles in lungs and inflammatory changes. Did not cause mutations in-vitro.

Additional information is available by request.

Esso : ImperialOil

CMR Status: None.

--REGULATORY LISTS SEARCHED--

1 = IARC 1
2 = IARC 2A
3 = IARC 2B
4 = ACGIH ALL
5 = ACGIH A1
6 = ACGIH A2

SECTION 12 ECOLOGICAL INFORMATION

The information given is based on data available for the material, the components of the material, and similar materials.

ECOTOXICITY

Material -- Not expected to be harmful to aquatic organisms.
Material -- Not expected to demonstrate chronic toxicity to aquatic organisms.

MOBILITY

Material -- Low water solubility, expected to sink and migrate into the sediment. Expected to partition to sediment and wastewater solids.

PERSISTENCE AND DEGRADABILITY

Biodegradation:

Material -- Expected to be persistent.

BIOACCUMULATION POTENTIAL

Material -- Has the potential to bioaccumulate, however metabolism or physical properties may reduce the bioconcentration or limit bioavailability.

SECTION 13 DISPOSAL CONSIDERATIONS

Disposal recommendations based on material as supplied. Disposal must be in accordance with current applicable laws and regulations, and material characteristics at time of disposal.

DISPOSAL RECOMMENDATIONS

Dispose of waste at an appropriate treatment and disposal facility in accordance with applicable laws and regulations, and product characteristics at time of disposal.

REGULATORY DISPOSAL INFORMATION

Empty Container Warning Empty Container Warning (where applicable): Empty containers may contain residue and can be dangerous. Do not attempt to refill or clean containers without proper instructions. Empty drums should be completely drained and safely stored until appropriately reconditioned or disposed. Empty containers should be taken for recycling, recovery, or disposal through suitably qualified or licensed contractor and in accordance with governmental regulations. DO NOT PRESSURISE, CUT, WELD, BRAZE, SOLDER, DRILL, GRIND, OR EXPOSE SUCH CONTAINERS TO HEAT, FLAME, SPARKS, STATIC ELECTRICITY, OR OTHER SOURCES OF IGNITION. THEY MAY EXPLODE AND CAUSE INJURY OR DEATH.

SECTION 14 TRANSPORT INFORMATION

LAND (TDG) : Not Regulated for Land Transport

Imperial Oil

LAND (DOT) : Not Regulated for Land Transport

SEA (IMDG) : Not Regulated for Sea Transport according to IMDG-Code

AIR (IATA) : Not Regulated for Air Transport

SECTION 15 REGULATORY INFORMATION

WHMIS Classification: Not controlled

This product has been classified in accordance with hazard criteria of the Controlled Products Regulations and the (M)SDS contains all the information required by the Controlled Products Regulations.

CEPA: All components of this material are either on the Canadian Domestic Substances List (DSL), exempt, or have been notified under CEPA.

NATIONAL CHEMICAL INVENTORY LISTING: DSL, TSCA

The Following Ingredients are Cited on the Lists Below: None.

--REGULATORY LISTS SEARCHED--

1 = TSCA 4	3 = TSCA 5e	5 = TSCA 12b
2 = TSCA 5a2	4 = TSCA 6	6 = NPRI

SECTION 16 OTHER INFORMATION

N/D = Not determined, N/A = Not applicable

THIS SAFETY DATA SHEET CONTAINS THE FOLLOWING REVISIONS:
No revision information is available.

WHMIS Classification: Not controlled

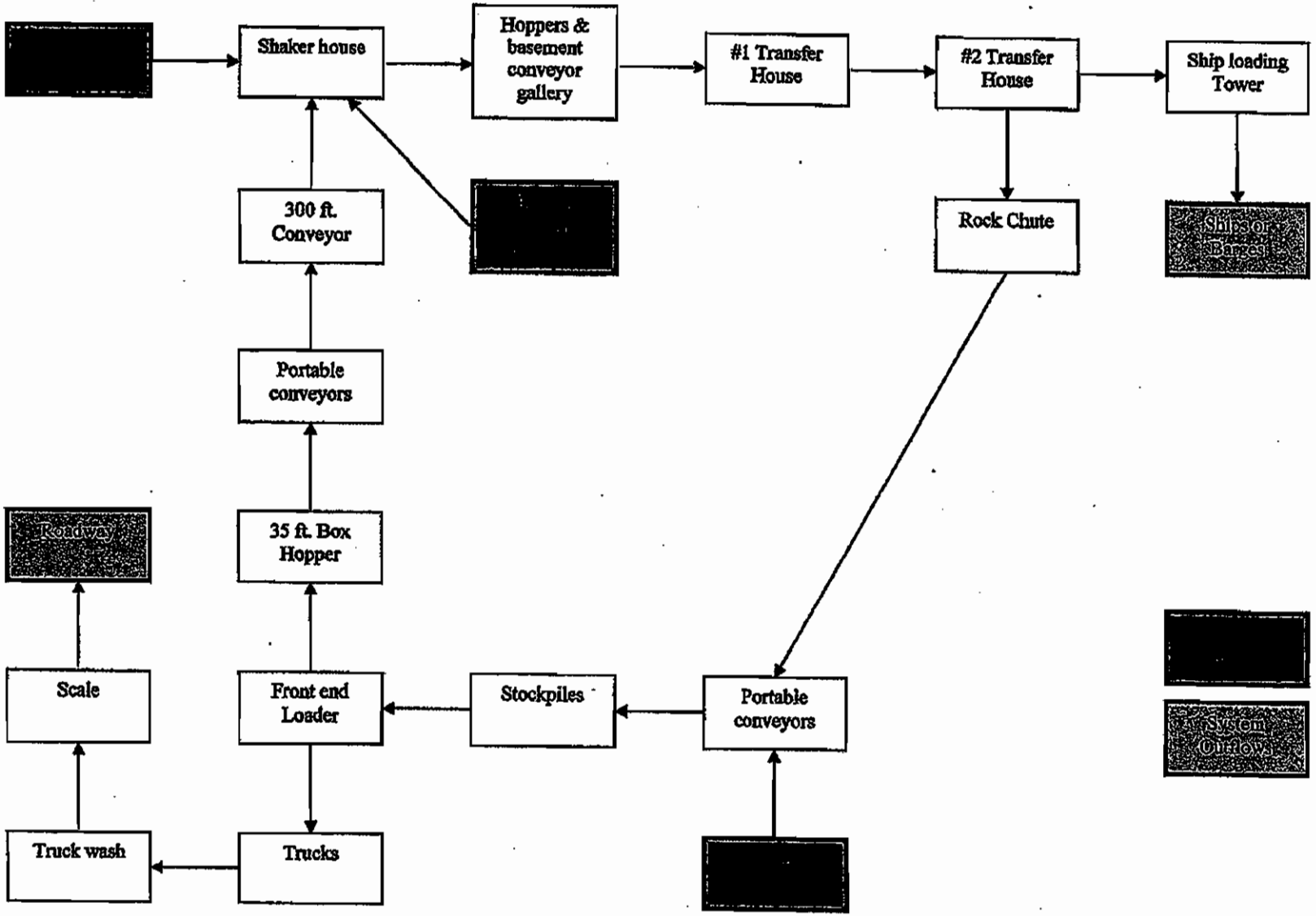
Imperial Oil

DGN: 5005366 (10:2916)

Prepared By: Imperial Oil Limited, IH and Product Safety

KCBX TERMINALS CO.

INBOUND RAIL Process Flow Chart



KCBX000160

KOCH MINERALS, LLC
P O Box 2219
Wichita, KS 67201-2219
1-316-828-7408

Vendor No. -16964 | Check Total USD$2,000.00 | Check No. 102870 | Check Date 2/5/2010

Invoice Number	Date	Gross Amount	Discount	Net Amount	Encl	Description
020410KCBX	2/4/2010	USD$2,000.00	USD$0.00	USD$2,000.00	*	

DETACH AND RETAIN THIS STATEMENT AS YOUR RECORD OF PAYMENT

SECURITY WARNING: THE FACE OF THIS DOCUMENT FEATURES A COLORED BACKGROUND AND MICROPRINT BORDERS. THE REVERSE SIDE FEATURES ARTIFICIAL WATERMARKS

VOID VOID VOID

KOCH MINERALS, LLC
P O Box 2219
Wichita, KS 67201-2219
1-316-828-7408

JP Morgan Chase Bank
Syracuse, NY 13206

1-937
213

Check No.
102870

Friday,February 05,2010

VOID VOID VOID

EXACTLY $2,000.00 TWO ZERO ZERO CTS CTS

USD$2,000.00

To The Order Of
Illinois Environmental Protection Agency
Division of Air Pollution Control - Permit Section
P O Box 19506
Springfield, IL 62794-9506

KOCH MINERALS, LLC
VOID 120 DAYS AFTER DATE OF CHECK

PER Daniel W. Sloane

PER John F. Hydrick

VOID VOID VOID

⑈0102870⑈ ⑆021309379⑆ 601⑈8⑈48195⑈

KCBX000161

COMPLIANCE DOCUMENT QUALITY ASSURANCE REVIEW FORM

1

Document Name: Response to Notice of Incompleteness for a construction permit application

Document Level: ☒ A ☐ B ☐ C

Reason for Submittal: to potentially handle fluid coke or other low-moisture bulk solid products

Due Date: Feb 1, 2010

2

Responsible Official: Jim Simmons

R.O. Authorized: ☒ Yes ☐ No By: Pat Baldwin Date: 2005-06-01

3

Document Preparer: Terry Steinert Sign: Date: 1-27-2010

Document Owner: Chris Bailey Sign: Date: 2-4-10
(Owner signs if different from Preparer)

Qualified Reviewers *(may be more than one)*:

☒ Legal (A)	Name: Tom Safley	Sign:	Date: 2/2/10
☐ Compliance Director (A)	Name:	Sign:	Date:
☒ Compliance Manager (A, B)	Name: Terry Steinert	Sign:	Date: 2010-01-27
☐ Other Employee (C)	Name:	Sign:	Date:
☐ Third Party	Name:	Sign:	Date:
☐ VP / Business Leader	Name:	Sign:	Date:
☐ Other	Name:	Sign:	Date:

4

Non-compliance, reportable or anomaly: ☐ Yes ☒ No If no, then skip to Section 5

Agency Notified: ☐ Yes ☐ No Agency:

Describe:

LYNX Tracking No.

5

Document, supporting information and QA Form filed to:

Facility Files: ☒ Yes ☐ No

Stellent: ☒ Yes ☐ No

Retention Code: EHS95

6

Remarks:

KCBX TERMINALS COMPANY

May 07, 2010

CERTIFIED MAIL

Edwin C. Bakowski, P.E.
Manager, Permit Section
Illinois Environmental Protection Agency
Division of Air Pollution Control – MC #11
1021 North Grand Avenue East
PO Box 19276
Springfield, IL 67297-9276

Re: Construction Permit Application – Receipt and Handling of Fluid Coke
Response to Agency Request for Information
KCBX Terminals Company, Chicago, Illinois
I.D. Number 031600AHI

Dear Mr. Bakowski,

On May 5, 2010, Counsel for KCBX Terminals Company ("KCBX") received a request from the Illinois Environmental Protection Agency ("Illinois EPA" or "Agency") for additional information concerning the construction permit application submitted to the Agency on February 3, 2010. The construction permit application was submitted to allow KCBX to receive fluid petroleum coke ("Fluid Coke"), a low-moisture bulk solid fuel, and either use water application or blend the Fluid Coke with a higher-moisture bulk solid fuel currently handled by KCBX. This application was submitted following receipt of a Notice of Incompleteness from the Agency after KCBX had proposed a three railcar trial receipt of Fluid Coke in a request dated November 20, 2009.

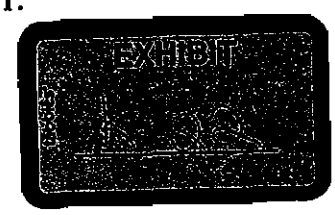
Questions Concerning Proposed Condition 7b

The Agency has requested that proposed Condition 7b be expanded to address:

1. Mechanisms that would trigger testing;
2. The records of testing that would be maintained; and
3. The ASTM method used for analysis.

In response to this inquiry, KCBX offers the following respective comments:

1. If the material is being stockpiled, it must be sampled if the moisture content is 1.3% or less as provided by the supplier (from proposed Condition 7c). Beyond that requirement, moisture testing is at the discretion of KCBX and may be conducted for quality control, customer specification, or internal compliance purposes;
2. The records of testing that will be maintained are addressed in proposed Condition 11.a.iii.; and
3. The ASTM methods used for petroleum coke analysis are D3172 and D4931.



To reflect this information in proposed Conditions 7.b and 11.a.iii, KCBX proposes these Conditions be worded as:

7b. The Permittee shall record the moisture contents that are provided by the suppliers of the bulk solid materials received. These moisture data shall be used to calculate emissions using the method specified in Condition 6.a.iii. The Permittee may test and re-test the moisture content of a bulk solid material at any time, using ASTM Method D3172 or D4931 when the bulk solid material is petroleum coke. The results of such tests or re-tests will be used for calculating emissions from subsequent material handling using the method specified in Condition 6.a.iii.

11.a The Permittee shall maintain the following records to demonstrate compliance with the conditions of this permit:

iii. Results of moisture analyses from samples collected at the facility;

Questions Concerning Proposed Condition 7c

The Agency has requested that proposed Condition 7c be expanded to address:

1. The equipment used to accomplish blending;
2. A description of the blending activity; and
3. The emissions that would occur from blending.

In response to this inquiry, KCBX offers the following respective comments:

1. Blending will be accomplished as proposed in the initial request to conduct blending trials submitted on November 20, 2009. Essentially this involves using existing equipment to:

   a. unload the Fluid Coke from railcars into a hopper that feeds a belt conveyor in the Railcar Unloading Building using engineered systems and practices to control dust generation such as feed rate, hopper extensions, and water addition;

   b. combine a higher-moisture bulk solid fuel with the Fluid Coke on the conveyor belt inside the Railcar Unloading Building by introducing the higher-moisture material directly onto the Fluid Coke as it is moving on the conveyor; and

   c. manage the blend using existing equipment with normal handling procedures. Handling procedures may be adjusted based on operational experience.

2. The blending activity is described in the above response; and

3. Emissions will be calculated using the equation in Condition 6.a.iii (as required by proposed Condition 7.b – see above). For receipt of the Fluid Coke, the moisture content provided by the supplier would be used to calculate emissions from railcar unloading.

When blending, the moisture content of the material being added to the Fluid Coke would be used for calculating emissions from the material drop onto the Fluid Coke. For material drops downstream of the blend point, the moisture content from analysis of the blended product would be used.

KCBX appreciates the efforts of the Agency to expedite review of this application and requests the opportunity to review the draft construction permit prior to issuance. If you have any questions about this application and/or need any additional information, please contact our Environment, Health and Safety Manager, Mr. Christopher Bailey at 773.978.8518.

Very Truly Yours,

Jim Simmons, Terminal Manager

cc: Mr. Robert W. Bernoteit
Mr. Terry Steinert
Thomas G. Safley, Esq.
Katherine D. Hodge, Esq.

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

P.O. BOX 19506, SPRINGFIELD, ILLINOIS 62794-9506

RENEE CIPRIANO, DIRECTOR

217/782-2113

FEDERALLY ENFORCEABLE STATE OPERATING PERMIT -- REVISED

PERMITTEE

KCBX Terminals Co.
Attn: Michael Gibson
3259 East 100th Street
Chicago, Illinois 60617

FESOP

Application No.: 95050167
Applicant's Designation: REV02/10/04
Subject: Bulk Materials Terminal
Date Issued: April 8, 2004
Location: 3259 East 100th Street, Chicago, 60617

I.D. No.: 031600AHT
Date Received: November 4, 2002
Expiration Date: June 22, 2005

This permit is hereby granted to the above-designated Permittee to OPERATE emission source(s) and/or air pollution control equipment consisting of a bulk materials terminal, three diesel generators and fuel combustion units pursuant to the above-referenced application. This Permit is subject to standard conditions attached hereto and the following special condition(s):

1a. This federally enforceable state operating permit is issued to limit the emissions of air pollutants from the source to less than major source thresholds (i.e., 100 tons/year for particulate matter with an aerodynamic diameter less than or equal to 10 micrometers (PM_{10}), 100 tons/year for nitrogen oxides (NO_x), and 100 tons/year for sulfur dioxide (SO_2)). As a result, the source is excluded from the requirements to obtain a Clean Air Act Permit Program (CAAPP) permit. The maximum emissions of this source, as limited by the conditions of this permit are described in Attachment A.

b. Prior to issuance, a draft of this permit has undergone a public notice and comment period.

c. This permit supersedes all operating permit(s) for this location.

2a. No person shall cause or allow any visible emissions of fugitive particulate matter from any process, including any material handling or storage activity, that is visible by an observer beyond the property line of the emission source, pursuant to 35 Ill. Adm. Code 212.301.

b. Pursuant to 35 Ill. Adm. Code 212.304(a), all storage piles of materials with uncontrolled emissions of fugitive particulate matter in excess of 50 tons/year shall be protected by a cover or sprayed with a surfactant solution or water on a regular basis, as needed, or treated by an equivalent method, in accordance with the operating program required by 35 Ill. Adm. Code 212.309, 212.310, and 212.312.

EXHIBIT 283

c. Pursuant to 35 Ill. Adm. Code 212.305, all conveyor loading operations to storage piles specified in 35 Ill. Adm. Code 212.304 shall utilize spray systems, telescopic chutes, stone ladders or equivalent methods in accordance with the operating program required by 35 Ill. Adm. Code 212.309, 212.310, and 212.312.

d. Pursuant to 35 Ill. Adm. Code 212.306, all normal traffic pattern access areas surrounding storage piles specified in 35 Ill. Adm. Code 212.304 shall be paved or treated with water, oils or chemical dust suppressants. All paved areas shall be cleaned on a regular basis. All areas treated with water, oils or chemical dust suppressants shall have the treatment applied on a regular basis, as needed, in accordance with the operating program required by 35 Ill. Adm. Code 212.309, 212.310, and 212.312.

e. Pursuant to 35 Ill. Adm. Code 212.307, all unloading and transporting operations of materials collected by pollution control equipment shall be enclosed or shall utilize spraying, pelletizing, screw conveying or other equivalent methods.

f. Pursuant to 35 Ill. Adm. Code 212.308, crushers, grinding mills, screening operations, bucket elevators, conveyor transfer points, conveyors, storage bins and fine product truck and railcar loading operations shall be sprayed with water or a surfactant solution, utilize choke-feeding or be treated by an equivalent method in accordance with an operating program.

   i. Conveyor loadout to trucks and railcars shall be conducted with sleeves extending to at least 6 inches below the sides and the receiving vehicle, except for topping off.

   ii. Conveyor loadout sleeves shall be inspected for proper operation while such loadout to trucks or railcars is occurring, at least once each week when such loadout to trucks or railcars is performed.

g. If particulate collection equipment is operated to control bucket elevators, conveyor transfer points, conveyors, storage bins and fine product truck and railcar loading operations, emissions from such equipment shall not exceed 0.03 gr/dscf, pursuant to 35 Ill. Adm. Code 212.313.

h. No person shall cause or allow fugitive particulate matter emissions generated from crushing, screening, roadways, parking areas or storage piles to exceed an opacity of 10 percent, pursuant to 35 Ill. Adm. Code 212.316(b), (c), and (d).

i. No person shall cause or allow fugitive particulate matter emissions from any other emission unit to exceed an opacity of 20 percent, pursuant to 35 Ill. Adm. Code 212.316(f).

3. Pursuant to 35 Ill. Adm. Code 212.324(b), emissions of particulate matter with an aerodynamic diameter less than or equal to 10 micrometers (PM_{10}) from any process emission unit shall not exceed 0.03 gr/scf during any one hour period.

4. Pursuant to 35 Ill Adm. Code 212.324(f), the Permittee shall maintain and repair all air pollution control equipment in a manner that assures that the emission limits and standards shall be met at all times. Proper maintenance shall include the following minimum requirements:

   a. Visual inspections of air pollution control equipment;

   b. Maintenance of an adequate inventory of spare parts; and

   c. Expeditious repairs, unless the source is shutdown.

5. Pursuant to 35 Ill Adm. Code 212.324(g), the Permittee shall maintain recordkeeping of maintenance and repair that includes the following minimum requirements:

   a. Written records of inventory and documentation of inspections, maintenance, and repairs of all air pollution control equipment shall be kept in accordance with 35 Ill Adm. Code 212.324(f).

   b. The Permittee shall document any period during which any process emission source was in operation when the air pollution control equipment was not in operation or was malfunctioning, so as to cause an emissions level in excess of the emissions limitation. These records shall include documentation of the causes for pollution control equipment not operating or malfunctioning, and shall state what corrective actions were taken and what repairs were made.

   c. Copies of all records required by this Permit shall be submitted to the Illinois EPA within ten (10) working days of a written request by the Illinois EPA.

   d. The records required under this Section shall be kept and maintained for at least three (3) years and shall be available for inspection and copying by Illinois EPA representatives during working hours.

   e. Upon written request by the Illinois EPA, a report shall be submitted to the Illinois EPA for any period specified in the request stating the following: the dates during which any process emissions source was in operation when the air pollution control equipment was not in operation or was not operating properly, documentation of causes for pollution control equipment not operating or not operating properly, and a statement of what corrective actions were taken and what repairs were made.

K:00417

6a. The Permittee shall maintain contingency measure plans reflecting the PM_{10} emission reductions set forth in 35 Ill. Adm. Code 212.703. Updates to the PM_{10} contingency plans shall be submitted to the Illinois EPA, as necessary.

b. Sources having operational changes subject to 35 Ill. Adm. Codes 212.304, 212.305, 212.306, 212.308, 212.316(a) through (e), 212.424 or 212.464 which require either a new permit or a revision to an existing permit shall, within 30 days after such changes, submit a request to modify its permit in order to include a new, appropriate contingency measure plan. Such new plan shall be subject to the requirements of 35 Ill. Adm. Code 212, Subpart U.

7. The contingency measure plan shall contain two levels of control measures:

a. Level I measures are measures that will reduce total source-wide fugitive emissions of PM-10 subject to control under 35 Ill. Adm. Codes 212.304, 212.305, 212.306, 212.308, 212.316(a) through (e), 212.424 or 212.464 by at least 15%.

b. Level II measures are measures that will reduce total source-wide fugitive emissions of PM-10 subject to control under 35 Ill. Adm. Codes 212.304, 212.305, 212.306, 212.308, 212.316(a) through (e), 212.424 or 212.464 by at least 25%.

8. If the review of monitoring data reveals an exceedance of the 24-hour ambient air quality standard for PM-10 found at 35 Ill. Adm. Code 243.120, the Illinois EPA may take whatever steps are necessary to determine which source or sources are culpable for the exceedance, including, but not limited to reviewing operating records of the source or sources identified to determine whether any source or sources experienced a malfunction or breakdown or violated any term or condition of its operating permit which contributed to the exceedance.

9a. The Permittee shall implement Level I or Level II measures within ninety (90) days after receipt of a notification from the Illinois EPA that the Permittee has been identified as a source that may likely to be causing or contributing to a PM_{10} exceedance detected by monitoring.

b. The Permittee shall implement Level I or Level II measures corresponding to fugitive emissions within ninety (90) days, and shall implement such measures corresponding to any non-fugitive emissions according to the approved schedule set forth in the Permittee's alternative control plan, after receipt of a notification from the Illinois EPA that the Permittee is identified of likely to be causing or contributing to one or more of the exceedances leading to a violation of the ambient air quality standard for PM_{10}.

c. Upon the finding of a failure to attain the PM_{10} standard by the Administrator of USEPA, the Permittee shall, within sixty (60) days after receipt of such notification, implement any Level II measures

corresponding to fugitive emissions subject to control under 35 Ill. Adm. Codes 212.304, 212.305, 212.306, 212.308, 212.316(a) through (e), 212.424 or 212.464.

10a. Operation and emissions of particulate matter (PM) from the following activities shall not exceed the following limits:

Annual Throughput (Tons/Year)	Particulate Matter Emissions (Tons/Mo)	(Tons/Yr)
13,000,000	9.52	95.2

b. i. The monthly throughput and number of drop points for each operating scenario shall be recorded each month. Particulate matter emissions shall be calculated by multiplying the monthly actual throughput times the number of drop points times the emission factor for that operating scenario. Such calculations shall follow the example spreadsheet provided in the permit application.

ii. The average moisture content of all inbound material shall not be lower than 7.5% on a weighted basis.

iii. Permittee shall determine compliance with the average moisture content limit on a monthly basis using a block monthly averaging period and industry standard test methods.

c. The monthly emissions shall be totaled from all operating scenarios that month. This shall include the diesel generators.

d. Each month the annual limits shall be determined from a running total of the previous 12 months of data.

e. These limits are based upon the maximum annual throughput of material, the minimum efficiencies of air pollution control equipment, and standard emission factors.

f. Note that there is a "nested" limit on the emissions of PM_{10} as a result of the limit on PM emissions. PM_{10} emitted is of a lesser quantity than PM, and therefore limiting PM emissions also limits PM_{10} emissions.

11a. The sulfur content of the diesel fuel for the generators shall not exceed 2.0%.

b. Emissions of nitrogen oxides shall not exceed 99.0 tons per year.

c. Emissions of sulfur dioxides shall not exceed 66.8 tons per year.

d. Emissions of PM_{10} from the generators shall not exceed 5.0 tons per year.

K:00419

e. Each month these limits shall be determined from the operating hours of the generators:

H1 = Total hours of operation for the two 760-HP generators
H2 = Hours of operation of the 505-HP generator

NO_x Emissions = ((16.8 x H1) + (12.4 x H2))/2000
SO_2 Emissions = ((11.34 x H1) + (0.82 x H2))/2000
PM_{10} Emissions = ((0.49 x H1) + (0.88 x H2))/2000

These limits are based on standard emission factors (AP-42). Compliance with the annual limits shall be determined on a monthly basis from the preceding 12 months of data.

f. Emissions of other fuel combustion units shall be added to determine compliance with these limits.

12a. Within 90 days of a written request from the Illinois EPA, pursuant to 35 Ill. Adm. Code 201.282, the emissions from any emission unit(s) shall be measured by an approved testing service, during conditions which are representative of the maximum performance. The Illinois EPA may provide additional time for the performance of this testing upon request from the Permittee which shows that it is not feasible to perform representative testing within 90 days.

b. i. The following methods and procedures shall be used for testing of emissions. Refer to 40 CFR 60, Appendix A for USEPA test methods.

Location of Sample Points	USEPA Method 1
Gas Flow and Velocity	USEPA Method 2
Flue Gas Weight	USEPA Method 3
Moisture	USEPA Method 4
Particulate Matter	USEPA Method 5
Opacity	USEPA Method 9

ii. A test shall consist of three separate runs each at least 60 minutes in duration. Compliance shall be determined from the average of the runs provided that the Illinois EPA may accept the arithmetic mean of the two runs in circumstances described in 40 CFR 60.8(f).

c. Testing shall be performed by a qualified independent testing service.

d. At least 30 days prior to the actual date of testing a written test plan shall be submitted to the Illinois EPA for review and approval. A copy shall also be submitted to the USEPA. The plan shall describe the specific procedures for testing, including:

i. The person(s) who will be performing sampling and analysis and their experience with similar tests.

ii. The conditions under which testing will be performed, including a discussion of why these conditions will be representative of the maximum operating rate, the levels of operating parameters at or within which compliance is intended to be shown, if applicable, and the means by which the operating parameters for the processes and any control equipment will be determined.

e. The Illinois EPA shall be notified prior to these tests to enable the Illinois EPA to observe these tests. Notification for the expected date of testing shall be submitted a minimum of thirty (30) days prior to the expected date. Notification of the actual date and expected time of testing shall be submitted a minimum of five (5) working days prior to the actual date of the tests.

13a. The Final Report(s) for all tests shall be submitted within 180 days after the date of the test. The Final Report shall include as a minimum:

i. General information describing the test, including the name and identification of the emission source which was tested, date of test, name of personnel performing the tests, and Illinois EPA observers, if any;

ii. A summary of results;

iii. Description of test procedures, including description of test equipment, and test schedule;

iv. Data and calculations, including copies of all raw data sheets and records of laboratory analyses, sample calculations, and data on equipment calibration.

b. Submittals of information shall be made as follows:

i. Notices of Test - one copy to the Compliance Section and one copy to the Regional Office.

ii. Final Report - one copy to the Compliance Section, one copy to the Regional Office, and one copy to the Permit Section.

Illinois Environmental Protection Agency
Division of Air Pollution Control - Regional Office
9511 West Harrison
Des Plaines, Illinois 60016

Illinois Environmental Protection Agency
Division of Air Pollution Control
Compliance Section (#40)
P.O. Box 19276
Springfield, Illinois 62794-9276

IL:00421

14a. The Permittee shall maintain records of the following items for the source:

i. Total amount of materials processed in each operating scenario, tons/month and tons/year (running total);

ii. Operating hours of each generator, hours/month and hours/year (running total);

iii. Records for the inspections required by Condition 2(f)(ii), with date, time and observations;

iv. Moisture content of all inbound materials and monthly average moisture content; and

v. Emissions of PM, NO_x and SO_2 (tons/month and tons/year).

b. All records and logs required by this permit shall be retained at a readily accessible location at the source for at least three years from the date of entry and shall be made available for inspection and copying by the Illinois EPA and USEPA upon request. Any records retained in an electronic format (e.g., computer) shall be capable of being retrieved and printed on paper during normal source office hours so as to be able to respond to an Illinois EPA request for records during the course of a source inspection.

15. If there is an exceedance of the requirements of this permit as determined by the records required by this permit, the Permittee shall submit a report to the Illinois EPA's Compliance Section in Springfield, Illinois within 30 days after the exceedance. The report shall include the emissions released in accordance with the recordkeeping requirements, a copy of the relevant records, and a description of the exceedances or violation and efforts to reduce emissions and future occurrences.

16. Two (2) copies of required reports and notifications concerning equipment operation or repairs, performance testing or a continuous monitoring system shall be sent to:

Illinois Environmental Protection Agency
Division of Air Pollution Control
Compliance Section (#40)
P.O. Box 19276
Springfield, Illinois 62794-9276

and one (1) copy shall be sent to the Illinois EPA's regional office at the following address unless otherwise indicated:

Illinois Environmental Protection Agency
Division of Air Pollution Control
9511 West Harrison
Des Plaines, Illinois 60016

K:00422

17a. The Permittee shall submit the following additional information with the Annual Emissions Report, due May 1st of each year:

i. Total amount of materials processed in each operating scenario, tons/year; and

ii. Operating hours of each generator, hour/year.

b. If there have been no exceedances during the prior calendar year, the Annual Emission Report shall include a statement to that effect.

Please note that this permit is revised to correct the maximum horsepower rating in Condition 11(e), and the moisture content in Conditions 10(b) and 14(a).

If you have any questions on this permit, please call John Blazis at 217/782-2113.

DES

Donald E. Sutton, P. E.
Manager, Permit Section
Division of Air Pollution Control

DES:JPB:jar JPB 4/5/04 BWS 4/8/2004

cc: Illinois EPA, FOS Region 1
Illinois EPA, Compliance Section
Lotus Notes

COPY
Original Signed by
Donald E. Sutton, P.E.

K:00423

Attachment A

This attachment provides a summary of the maximum emissions from the source operating in compliance with the requirements of this federally enforceable permit. In preparing this summary, the Illinois EPA used the annual operating scenario which results in maximum emissions from the source. The resulting maximum emissions are well below the levels, (e.g., 100 tons/year for particulate matter with an aerodynamic diameter less than or equal to 10 micrometers (PM_{10}) and particulate matter (PM)) at which this source would be considered a major source for purposes of the Clean Air Act Permit Program. Actual emissions from this source will be less than predicted in this summary to the extent that control measures are more effective than required in this permit.

1a. Emissions of particulate matter (PM):

Annual Throughput (Tons/Year)	Particulate Matter Emissions (Tons/Mo)	(Tons/Yr)
13,000,000	9.52	95.2

b. Note that there is a "nested" limit on the emissions of PM_{10} as a result of the limit on PM emissions. PM_{10} emitted is of a lesser quantity of PM, and therefore limiting PM emissions also limits PM_{10} emissions.

2. Emissions of nitrogen oxides shall not exceed 99.0 tons per year.

3. Emissions of sulfur dioxides shall not exceed 66.8 tons per year.

4. Emissions of PM_{10} from the generators and other fuel combustion units shall not exceed 5.0 tons per year (Included in 1a).

JPB:jar

IC 100424

STATE OF ILLINOIS
ENVIRONMENTAL PROTECTION AGENCY
DIVISION OF AIR POLLUTION CONTROL
P.O. BOX 19506
SPRINGFIELD, ILLINOIS 62794-9506

STANDARD CONDITIONS FOR OPERATING PERMITS

May, 1993

The Illinois Environmental Protection Act (Illinois Revised Statutes, Chapter 111-1/2, Section 1039) grants the Environmental Protection Agency authority to impose conditions on permits which it issues.

The following conditions are applicable unless superseded by special permit conditions(s).

1. The issuance of this permit does not release the Permittee from compliance with state and federal regulations which are part of the Illinois State Implementation Plan, as well as with other applicable statues and regulations of the United States or the State of Illinois or with applicable local laws, ordinances and regulations.

2. The Illinois EPA has issued this permit based upon the information submitted by the Permittee in the permit application. Any misinformation, false statement or misrepresentation in the application shall be ground for revocation under 35 Ill. Adm. Code 201.166.

3. a. The Permittee shall not authorize, cause, direct or allow any modification, as defined in 35 Ill. Adm. Code 201.102, of equipment, operations or practices which are reflected in the permit application as submitted unless a new application or request for revision of the existing permit is filed with the Illinois EPA and unless a new permit or revision of the existing permit(s) is issued for such modification.

   b. This permit only covers emission sources and control equipment while physically present at the indicated plant location(s). Unless the permit specifically provides for equipment relocation, this permit is void for an item of equipment on the day it is removed from the permitted location(s) or if all equipment is removed, notwithstanding the expiration date specified on the permit.

4. The Permittee ~~shall allow any~~ duly authorized agent of the Illinois EPA, upon the presentation of credentials, at reasonable times:

   a. To enter the Permittee's property where actual or potential effluent, emission or noise sources are located or where any activity is to be conducted pursuant to this permit;

   b. To have access to and to copy any records required to be kept under the terms and conditions of this permit;

   c. To inspect, including during any hours of operation of equipment constructed or operated under this permit, such equipment and any equipment required to be kept, used, operated, calibrated and maintained under this permit;

   d. To obtain and remove samples of any discharge or emission of pollutants; and

   e. To enter and utilize any photographic, recording, testing, monitoring or other equipment for the purpose of preserving, testing, monitoring or recording any activity, discharge or emission authorized by this permit.

5. The issuance of this permit:

   a. Shall not be considered as in any manner affecting the title of the premises upon which the permitted facilities are located;

CALCULATION SHEET

Facility: KCBX Terminals Co. **ID:** 031600AHI

Anal. Eng.: JPB **Date:** 04/07/2004 **P.N.:** 95050167

Rev. Eng.: **Date:** **Date Rec.:** 11-04-02 & 02-11-04

This application is for revision of the FESOP permit at a bulk materials terminal.

NO -QRPT, LEGAL, Flag, CROPA, NSPS, NESHAP, FUG, TOX

NAA - (PM-10 and VOM)

Facility - bulk material terminal Used mainly for coal, coke and salt.

11-04-2002 request – This request asks that the size of the generators be corrected, and that the insignificant activities be exempt. I spoke to D. Crane – KOCH and explained the permit needs to include all emissions from the source for those pollutants that have a potential to be major. Language was added to the permit to indicate compliance is based on other fuel combustion emissions being considered in the source emission totals.

02-11-2004 request – This request is to allow a minimum monthly average moisture content of materials stored to be 7.5%, This is to allow the emission factor to be reduced so that the monthly emission limit is not exceeded.

Equipment - numerous material handling operations, as well as active and inactive storage piles at the site.

PTE: PM-10 potential is >> than 100 tpy because there could be hundreds of millions of tons transferred at this terminal. NOx and SO2 from the three generators could be >> than 100 tpy if all three generators ran continuously.

Maximum Facility throughput: 13,000,000 ton/year (based on information of expectations from the company)

The emissions of the facility will be calculated monthly from each of the materials processed, stored and transferred. Emissions of PM-10 will be limited to 9.52 tpm and 95.2 tpy.

3) Records of the inspections of conveyor loadout sleeves

4) control equipment operation, per 212.324(g)

5) fugitive dust control activities

6) Moisture content of the materials stored

6) PM-10, NOx and SO2 emissions (tpm and tpy)

Recommend: **GRANT - revised FESOP** permit

CAERS - to be reviewed by AQPS

IC: 00429

~~Region Copy~~

JOHN BLAZIS @ 217-524-5023

FROM: DARYL CRANE

PAGES: 2

KCBX Terminals Company

RECEIVED
MAR 16 2004
IEPA-DAPC-SPFLD.

February 10, 2004

Mr. John Blazis
Illinois Environmental Protection Agency
Division of Air Pollution Control
1340 North 9th Street
Springfield, IL 62702

Subject: Revised Request for Minor Modification to Update and Change Emission Factor
KCBX Terminals Company, Chicago, Illinois
ID No. 031 600 AHI, Application No. 95050167

Dear Mr. Blazis:

As we discussed this afternoon, KCBX wishes to slightly revise its request of December 19, 2003. In that request KCBX had calculated a new emission factor based on site-specific moisture content data (8.172%) and asked the IEPA to approve that new factor for transfer points. During recent discussions you stated that a lower limit for moisture along with a recordkeeping requirement would be necessary to approve that request and amend the site's FESOP accordingly.

Although KCBX was comfortable with the annual weighted average moisture content of 8.17%, it is possible under rare occasions that the value could be less than 8.17% on a monthly basis. Therefore, based on future throughput modeling of a variety of anticipated business opportunities, KCBX is confident today that the weighted average moisture content of all inbound products would never be lower than 7.5%. Using this value the calculated emission factor for transfer points would be 0.00096 lbs/ton at each transfer point. To demonstrate compliance with this limit, KCBX will obtain an average moisture content of all inbound products, using industry standard test methods, and calculate weighted average moisture content on a monthly basis.

KCBX proposes the following language be included in its FESOP:

Amend section 10b to state:

(ii) The average moisture content of all inbound material shall not be lower than 7.5% on a weighted basis.

(iii) Permittee shall determine compliance with the average moisture content limit on a monthly basis using a block monthly averaging period and industry standard test methods.

K:00430

Mr. John Blazis
Illinois Environmental Protection Agency
Date
Page 2

Amend section 14a to include:

(v) Moisture content of all inbound materials used to calculate the average monthly moisture content.

Based on this new information KCBX formally requests that the Illinois Environmental Protection Agency (IEPA) approve this change in the transfer point emission factor as a minor modification to its FESOP. We look forward to working to resolve this issue with IEPA and to ultimately strengthen our emission calculating methods and permit. If you have any questions regarding this minor modification, please contact me at (316) 828-7812 or 316-841-5739 (cell).

Sincerely

Daryl Crane
Environmental Manager
Koch Carbon LLC

cc: Michael Gibson, Terminal Manager, KCBX

K:0043

KCBX Terminals Company

February 10, 2004

Mr. John Blazis
Illinois Environmental Protection Agency
Division of Air Pollution Control
1340 North 9th Street
Springfield, IL 62702

Subject: Revised Request for Minor Modification to Update and Change Emission Factor
KCBX Terminals Company, Chicago, Illinois
ID No. 031 600 AHI, Application No. 95050167

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KCBX proposes the following language be included in its FESOP:

Amend section 10b to state:

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(iii) Permittee shall determine compliance with the average moisture content limit on a monthly basis using a block monthly averaging period and industry standard test methods.

K: 00439

Amend section 14a to include:

(v) Moisture content of all inbound materials used to calculate the average monthly moisture content.

Based on this new information KCBX formally requests that the Illinois Environmental Protection Agency (IEPA) approve this change in the transfer point emission factor as a minor modification to its FESOP. We look forward to working to resolve this issue with IEPA and to ultimately strengthen our emission calculating methods and permit. If you have any questions regarding this minor modification, please contact me at (316) 828-7812 or 316-841-5739 (cell).

Sincerely

Daryl A. Crane

Daryl Crane
Environmental Manager
Koch Carbon LLC

cc: Michael Gibson, Terminal Manager, KCBX

KCBX TERMINALS COMPANY

December 19,2003

Mr. John Blazis
Illinois Environmental Protection Agency
Division of Air Pollution Control
1340 North 9th Street
Springfield, IL 62702

Subject: **Request for Minor Modification to Update and Change Emission Factor**
KCBX Terminals Company, Chicago, Illinois
ID No. 031 600 AHI, Application No. 95050167

Dear Mr. Blazis:

KCBX was issued a Federally Enforceable State Operating Permit (FESOP) on June 22, 2000. As part of the application materials for the FESOP in 1995, KCBX provided an example spreadsheet for calculating emissions for a number of operating scenarios for its dry-bulk handling operations. A requirement to use this spreadsheet to calculate emissions was written into the permit as Special Condition 10b.

During a recent routine limited self-assessment of its emission estimating methods, KCBX discovered that the emission factor currently used for transfer points [0.001779 pounds per ton (lbs./ton)] was developed in 1994/5 using an empirical expression from the 4th Ed. AP-42, section 11.2.3-1 (*Aggregate Handling and Storage Piles,* 9/88).[1] In developing this emission factor originally, an average moisture content of 4.8% was used. KCBX was not able to verify the origin of that value and has recently reviewed moisture values for each of the products it handles on site. Then, using the 2003 throughput tons for each product, arrived at a weighted average moisture content of 8.172% and subsequently, a recalculated emission factor of 0.000855 lbs./ton.

Based on this new information, KCBX formally requests that the Illinois Environmental Protection Agency (IEPA) approve this change in the transfer point emission factor as a minor modification to its FESOP. We look forward to working to resolve this issue with IEPA and to ultimately strengthen our emission calculating methods and permit. If you have any questions regarding this minor modification, please contact Daryl Crane at (316) 828-7812 or 316-841-5739 (cell).

Sincerely

Michael Gibson
Terminal Manager, KCBX

cc: Daryl Crane, Koch Carbon LLC

[1] USEPA updated and relocated this section with its release of the 5th Ed. in January 1995 (section 13.2.4 *Aggregate Handling and Storage Piles*).

225R East 130th Street - Chicago, IL 60633

IBD 7/21/95 → A. Desa.

B.C.

N

KCBX TERMINALS COMPANY

DATE 11-01-2002

Mr. John Blazis
Illinois Environmental Protection Agency
Division of Air Pollution Control
1340 North 9th Street
Springfield, IL 62702

031600 AHI
95050167
11/4/02

Subject: **Request to Correct and Clarify Operating Permit**
KCBX Terminals Company, Chicago, Illinois
ID No. 031 600 AHI
Application No. 95050167

Dear Mr. Blazis:

KCBX was issued a Federally Enforceable State Operating Permit on June 22, 2000. In order to ensure facility-wide emissions do not exceed Title V major source thresholds, KCBX accepted a bulk material annual throughput limit and limits on the hours of operation of three electric generators operated at the site. During a recent limited self-assessment audit of its air permit status, KCBX discovered that the listed horsepower of the three units is incorrectly identified in the FESOP (condition 11e) as 700 (for two units) and 400 Hp (for one unit). The correct capacities of the three existing diesel-fired generators are two units at 760 horsepower (Hp) and one at 505 Hp. This submittal is in part to correct that inaccuracy.

GENERATOR EMISSION CALCULATIONS

Emissions are calculated for the equipment using appropriate emission factors published in AP-42 and listed in the FESOP (Attachment A). Sulfur dioxide (SO_2) emissions are calculated assuming the sulfur concentration in the fuel is less than 0.05% by weight (the ExxonMobil specification for diesel fuel). Calculations based on total hours of operation of the three generators in 2001, at the identified larger Hp, demonstrate that KCBX did not exceed itspermit limits for any pollutant.

Originally, 2001 emissions were estimated at:

- 39.94 tons of NOx
- 6.48 tons of SOx
- 9.11 tons of CO

Calculating emissions for the same units and hours at the increased Hp shows estimated actual emissions for 2001 at:

- 43.82 tons of NOx, an increase of 9.7%
- 7.07 tons of SOx, an increase of 9.1%
- 10.0 tons of CO, an increase of 9.8%

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NOV 04 2002
IEPA - DAPC - SPFLD

KCBX will be submitting an amended Annual Emission Report to IEPA reflecting these small increases in emissions.

K 10/31/95

INSIGNIFICANT EMISSION SOURCES

During the self-assessment discussed above, a question was raised as to the permitting applicability under the FESOP program for numerous small pieces of combustion equipment used primarily for maintenance activities. *See* Table 1 (attached) (Current List of Insignificant Combustion Sources). Some of this equipment is diesel fired, and some is fired by gasoline, resulting in certain emissions. While each individual piece of equipment is exempted from state permit requirements pursuant to Section 201.146, it is not clear that the emissions from this equipment are exempt from the facility's FESOP emissions cap. KCBX has calculated the actual hours of operation and corresponding annual emissions for these insignificant sources as follows:

Hours of Operation[1] : 2230
Calculated Emissions:

- < 6 ton/yr. NOx
- < 2 ton/yr. SOx
- < 12 ton/yr. CO

In order to clarify the status of these insignificant sources in its FESOP, KCBX proposes the following language be included in Attachment A:

"Emissions from insignificant sources of combustion at the facility are exempt from permitting under Section 201.146 and from the emissions reporting requirements of Section 254.120."

KCBX also understands the timing for IEPA to resolve this change may require a public notice period. KCBX will comply with the terms and limits of its current permit and this letter until such time as an amended permit is issued. A copy of the amended monthly tracking form used to calculate emissions for all scenarios, including the large generators, is included as Attachment B.
We look forward to working to resolve these issues with IEPA and to ultimately strengthen our permit. If you have any questions regarding the application, please contact Daryl Crane at (316) 828-7812 or 316-841-5739 (cell).

1 Actual emissions were calculated based on estimated total hours of operations for this group of equipment.

K:00436

Sincerely

Gary Hosack
Terminal Manager, KCBX

Enclosures:

Attachment A - FESOP 031600AHI
Attachment B – Example Monthly Emissions Tracking Sheet
Table 1 – Insignificant Equipment List

cc: Daryl Crane, Koch Carbon LLC

KCBX Terminals Company - Chicago, Illinois
MONTHLY
Actual Particulate Matter Emissions:

Month (e.g. 4/1/97 = Apr-97): Jul-02

			Actual Throughput (tons)	No. of drop pts.	Emission Factor per drop point	Particulate Matter Emissions (tons)
Scenario 1	Rail to water		0	3	0.001779	
			0	4	0.001779	0.00
			0	5	0.001779	0.00
			0	6	0.001779	0.00
			0	7	0.001779	0.00
		Total:	0	0		0.00
Scenario 2	Dry, non-wettable bulk rail to water		0	1	0.040000	0.00
			0	2	0.040000	0.00
			0	5	0.040000	0.00
		Total:	0	0		0.00
Scenario 3	Rail to truck		0	1	0.001779	0.00
			0	2	0.001779	0.00
			0	3	0.001779	0.00
		Total:	0	0		0.00
Scenario 4	Rail to main pad		0	6	0.001779	0.00
			0	7	0.001779	0.00
			0	8	0.001779	0.00
			0	9	0.001779	0.00
			22,052	11	0.001779	0.22
			66,673	13	0.001779	0.77
			6,164	14	0.001779	0.08
		Total:	94,889	12.60016		1.06
Scenario 5	Pad to water (main)		0	7	0.001779	0.00
			68,774	9	0.001779	0.55
	mixed		100,938	10	0.001779	0.90
			0	12	0.001779	0.00
			0	13	0.001779	0.00
			0	15	0.001779	0.00
			0	18	0.001779	0.00
		Total:	169,712	9.594762		1.45
Scenario 6	Pad to truck (main)		26,175	1	0.001779	0.02
			0	2	0.001779	0.00
			0	3	0.001779	0.00
		Total:	26,175	1		0.02
Scenario 7	Pad to barge (excavator)		0	1	0.001779	0.00
			0	2	0.001779	0.00
			0	3	0.001779	0.00
			0	4	0.001779	0.00
		Total:	0	0		0.00
Scenario 8	Pad to rail (main)		0	1	0.001779	0.00
			0	2	0.001779	0.00
			0	3	0.001779	0.00
		Total:	0	0		0.00
Scenario 9	Truck to pad		15,657	1	0.001779	0.01
			0	2	0.001779	0.00
			0	3	0.001779	0.00
		Total:	15,657	1		0.01
Scenario 10	Barge to pad		0	3	0.001779	0.00
			0	4	0.001779	0.00
			3,331	5	0.001779	0.01
			0	6	0.001779	0.00
			0	7	0.001779	0.00
			0	8	0.001779	0.00
			0	9	0.001779	0.00
		Total:	3,331	5		0.01

			Actual Throughput (tons)	No. of drop pts.	Emission Factor per drop point	Particulate Matter Emissions (tons)	
Scenario 11	Barge to vessel		0	5	0.001779	0.00	
			0	6	0.001779	0.00	
			0	7	0.001779	0.00	
			0	8	0.001779	0.00	
			0	9	0.001779	0.00	
			0	10	0.001779	0.00	
			0	11	0.001779	0.00	
		Total:	0	0		0.00	
Scenario 12	Barge to slippad		77,701	1	0.001779	0.07	
			0	2	0.001779	0.00	
			0	3	0.001779	0.00	
		Total:	77,701	1		0.07	
Scenario 13	Slippad to water		0	7	0.001779	0.00	
			0	8	0.001779	0.00	
			0	9	0.001779	0.00	
			0	10	0.001779	0.00	
			0	11	0.001779	0.00	
			62,291	13	0.001779	0.72	
			32,305	19	0.001779	0.55	
		Total:	94,596	15.04905		1.27	
Scenario 14	Vessel to barge		0	1	0.001779	0.00	
			0	2	0.001779	0.00	
			0	3	0.001779	0.00	
		Total:	0	0		0.00	
Scenario 15	Screening		0	1	0.048000	0.00	375 hours @ 300 TPH each
			0	2	0.048000	0.00	
			0	3	0.048000	0.00	
		Total:	0	0		0.00	
Scenario 16	Crushing		0	1	0.018000	0.00	500 hours @ 150 TPH each
			0	2	0.018000	0.00	
			0	3	0.018000	0.00	
		Total:	0	0		0.00	
Scenario 17	Other		0	1	0.005714	0.00	
			0	2	0.005714	0.00	
			0	9	0.005714	0.00	
		Total:	0	0		0.00	
Scenario 18	Shaker Building		0	-	-	0.00	Included in above scenarios
Scenario 19	Baghouses on North system		0	-	-	0.00	Hrs
			Acres				
Scenario 20	Active storage piles		15	119	lb/ac	0.90	
Scenario 21	Inactive storage piles		11	32	lb/ac	0.17	
			Loads				
Scenario 22	Fugitives from wheel dust trucks		1,901	1.40	lb/vmt	0.33	
Scenario 23	Fugitives from wheel dust FEL					1.33	
MISCELLANEOUS SCENARIOS (DROP PTS.)			0	1	0.001779	0.00	
			0	2	0.001779	0.00	
			0	3	0.001779	0.00	
			0	4	0.001779	0.00	
			0	5	0.001779	0.00	
			0	6	0.001779	0.00	
			0	7	0.001779	0.00	
			0	8	0.001779	0.00	
		Total:	0	0		0.00	

Combustion:		Monthly Hours of Operation	NOx Emissions (tons	PM Emissions (tons)	SO2 Emissions (tons)
Scenario 24	396 kW Generator	1	0.01	0.00	0.00
	2 x 567 kW Generator	191	1.60	0.05	1.08
	396 kW = 505 HP	505	1.61	0.03	1.08
	567 kW = 760 HP	760			
	MONTHLY GEN NOx TOTALS:			1.61	
	MONTHLY GEN SO2 TOTALS:			1.08	
	MONTHLY PLANT PARTICULATE TOTALS:			6.68	

KCBX Chicago - Insignificant Combustion Equipment

Internal/External Combustion Equipment

Process Area	Equipment Name	Manufacturer	Capacity		Fuel Type	Equipment Tag # (Optional)	Equipment Unit Group (S, M or P)	Description of Use	Permitting Exemption
Diesel Shop	Battery Starter	Multiquip	10	Hp	diesel		P	Starting Equipment	Section 201.146(nn)
Diesel Shop	Battery Starter	Multiquip	10	Hp	diesel		P	Starting Equipment	Section 201.146(nn)
Coal/Coke Pad	Water Pump	Wacker 8"	30	Hp	diesel		P	Pumping Drainage Ditch	Section 201.146(i)
Diesel Shop	WD-5 Welder	Miller	64	Hp	diesel		P	Welding	Section 201.146(y)
Mech Truck	Miller Weld Mach	Miller	64	Hp	diesel		P	Use in the Field	Section 201.146(y)
Diesel Shop	Power Washer	Landa	0.33	MMBtu/hr	diesel	4831	P	Power Washer Burner	Section 201.146(nn)
Diesel Shop	Power Washer	MTM	0.54	MMBtu/hr	diesel	5034	P	Power Washer Burner	Section 201.146(nn)
Hourly Lunch Room	Oil Burner Furnace	Armstrong	0.450	MMBtu/hr	fuel oil		S	Building Heat	Section 201.146(d)
Diesel Shop	Oil Burner Furnace	Armstrong	0.284	MMBtu/hr	fuel oil		S	Building Heat	Section 201.146(d)
Hourly Wash House	Oil Burner Furnace	Weil McLain	0.298	MMBtu/hr	fuel oil		S	Building Heat	Section 201.146(d)
Wash House	Hot Water Heaters	Bock SN 91063029MC Model 71E	0.138	MMBtu/hr	# 1 fuel oil		S	70 Gal Hot Water Heater	Section 201.146(d)
Wash House	Hot Water Heaters	Bock SN 91063029MC Model 71E	0.138	MMBtu/hr	# 1 fuel oil		S	70 Gal Hot Water Heater	Section 201.146(d)
Wash House	Hot Water Heaters	Bock SN 91063029MC Model 71E	0.138	MMBtu/hr	# 1 fuel oil		S	70 Gal Hot Water Heater	Section 201.146(d)
Coal/Coke Pad	Water Pump	Briggs & Straton	3	Hp	gasoline		P	Pumping Water	Section 201.146(i)
Weld Shop	Dayton Generator	Dayton	8	Hp	gasoline		P	Use in the Field	Section 201.146(i)
Mech Truck	Air Compressor	Kohler	12	Hp	gasoline		P	Use in the Field	Section 201.146(i)
Weld Shop	Trash Pump Teal	Honda	9	Hp	gasoline		P	Use in the Field	Section 201.146(i)
Weld Shop	Trash Pump Teal	Honda	9	Hp	gasoline		P	Use in the Field	Section 201.146(i)
Electric Truck	Welding Machine	Miller/Honda	9	Hp	gasoline		P	Welding & AC Power	Section 201.146(y)
Coal/Coke Pad	Trash Pump	Briggs & Straton	16	Hp	gasoline		P	Pumping Drainage Ditch	Section 201.146(i)
Diesel Shop	Power Washer	MTM	16	Hp	gasoline	5034	P	Washer Pump/Motor	Section 201.146(nn)

V. 01/12

Equipment Unit Group Definitions

S=Stationary, Equipment not moveable
M=Mobile, Equipment able to move (i.e.loaders, dozers, etc)
P=Portable, Equipment which can be moved (i.e. pumps, welders, etc.)

From: Bailey, Christopher
Sent: Friday, February 20, 2009 3:54 PM
To: 'George.Kennedy@illinois.gov'
Cc: Safley, Tom (Koch Legal); Steinert, Terry; 'khodge@hdzlaw.com'
Subject: Gnerator Information

Mr. Kennedy;

In reference to the questions adressed to Kathy Hodge regarding diesel generators operated at KCBX in Chicago, please see the following information.

Diesel Generator #1 760 HP or 567 KW began operation 10/98
Diesel Generator # 2 750 HP or 560 KW began operation 5/96

We no longer have the smaller generator referenced in the 2005 version. If you have any additional questions regarding this matter feel free to address them to me . I am the site EHS Manager

Chris Bailey

EHS Manager
KCBX Chicago

SEH

March 28, 2008

John Blazis
Illinois Environmental Protection Agency
1021 North Grand Avenue
Springfield, IL 62702

RE: Air Construction/Operation Permit Application
Two Conveyors at KCBX Terminals Company
ID No 031600AHI

Dear Mr. Blazis:

Thank you for the phone call on March 24, 2008 regarding the draft joint construction/operation permit application for two conveyors at the KCBX Terminals Company (KCBX) plant located in Chicago, Illinois. The initial application was submitted on October 14, 2007 and a letter with supplemental information was submitted on February 21, 2008.

Based on our conversation, I understand that you would like to include in the permit a method for calculating monthly emissions of particulate matter (PM). KCBX proposes the following equation for calculating monthly PM emissions.

Particulate Matter Emission Calculations

$$PM = [(T \times F) + (S \times 0.0022) + (C \times 0.0012) + (A \times 1{,}000) + (I \times 16) + (G \times 0.53) + (D \times 0.042) + (E \times 0.013) + (K \times 0.042) + (VMT \times 2.7)]/2000$$

Where:

PM = Total PM Emissions, ton/month
T = tons of bulk material Transferred, tons/month
F = $(0.002368 * N) * ((U/5)^{1.3}) / ((M/2)^{1.4})$
U = mean wind speed, miles/hour
M = material moisture content, %
N = Number of material drop points
S = tons of bulk material Screened, tons/month
C = tons of bulk material Crushed, tons/month
A = acres of active bulk material Storage Piles, acres/month
I = acres of inactive bulk material Storage Piles, acres/month
G = hours of operation of the 760 Hp Generators, hours/month
D = gallons of diesel burned in small (< 500 hp) non-mobile diesel engines, gallons/month
E = gallons of gasoline burned in small (<500 hp) non-mobile gasoline engines, gallons/month
K = gallons of kerosene burned in portable space heaters, gallons/month
VMT = total on-site Vehicle Miles Traveled, miles/month

EXHIBIT
tabbies
K-28

Short Elliott Hendrickson Inc., 809 North 8th Street, Suite 205, Sheboygan, WI 53081-4032
SEH is an equal opportunity employer | www.sehinc.com | 920.452.6603 | 920.452.6035 fax

In the emission equation for particulate matter less than 10 microns in diameter (PM_{10}) which was included in the February 21, 2008 letter, we have substituted the AP-42 equation for calculating emissions from material drops in place of a fixed emission factor, because a fixed emission factor cannot be calculated as emissions depend on four variables: tons of material, number of drops, wind speed and material moisture content. In addition, we identified some transcription errors in the emission equation for PM_{10} where AP-42 emission factors for PM were listed instead of PM_{10} emission factors. An error was also made in calculating the emission factor used for vehicle traffic emissions. The corrected equation and proposed permit language are shown here:

10.a Permittee shall limit facility-wide PM_{10} emissions to 95 tpy.

10.b Each month, PM_{10} emissions shall be calculated and recorded using the equation:

$$PM_{10} = [(T \times F) + (S \times 0.00074) + (C \times 0.00054) + (A \times 480) + (I \times 7.5) + (G \times 0.44) + (D \times 0.042) + (E \times 0.013) + (K \times 0.042) + (VMT \times 0.70)]/2000$$

Where:

PM_{10} = *Total PM_{10} emissions, tons/month*
T = *tons of bulk material Transferred, tons/month*
F = $(0.002368 * N) * ((U/5)^{1.3}) / ((M/2)^{1.4})$
  U = *mean wind speed, miles/hour*
  M = *material moisture content, %*
  N = *Number of material drop points*
S = *tons of bulk material Screened, tons/month*
C = *tons of bulk material Crushed, tons/month*
A = *acres of active bulk material Storage Piles, acres/month*
I = *acres of inactive bulk material Storage Piles, acres/month*
G = *hours of operation of the 760 Hp Generators, hours/month*
D = *gallons of diesel burned in small (< 500 hp) non-mobile diesel engines, gallons/month*
E = *gallons of gasoline burned in small (<500 hp) non-mobile gasoline engines, gallons/month*
K = *gallons of kerosene burned in portable space heaters, gallons/month*
VMT = *total on-site Vehicle Miles Traveled, miles/month*

10.c Permittee shall determine the average moisture content on a monthly basis using a block monthly averaging period and industry standard test methods.

10.d Permittee shall record the monthly throughput, number of drop points utilized for each operating scenario and the average moisture content of inbound bulk material.

10.e Annual PM_{10} emissions shall be determined once each month from a running total of the previous 12 months of data.

10.f Emission calculations are based on the minimum efficiencies of air pollution control equipment and standard emission factors.

Because PM and PM_{10} emissions are calculated from multiple sources and multiple variables, limits on any individual source or variable are not necessary because KCBX has the ability to adjust any source or variable in order to meet the overall PM_{10} limit. To allow for this operational flexibility, the most appropriate demonstration of compliance with the 95 tpy PM_{10} limit is to use emission calculations because such an approach incorporates all PM_{10} sources, (e.g., material transfers, vehicle traffic, acres of material storage, screening, crushing, and fuel combustion) and all of the variables within those sources (e.g., throughput, number of material transfers, moisture content, wind speed, fuel type, etc.).

Thank you for your thorough consideration of this Application. Please contact Mr. David Bever at the KCBX Terminals Company plant (773-978-8516) or me at 920-452-6603 if you have any questions regarding the application.

Sincerely,

SHORT ELLIOTT HENDRICKSON INC.

Thomas A. Henning, PE, CHMM
Senior Professional Engineer

cc: Mr. David Bever, Operations Manager, KCBX
Terry Steinert, Environmental Compliance Manager, KCBX
Chris Bailey, EHS Manager, KCBX