ipc illinois petroleum council

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The Honorable Deanna Glosser, Chairperson
Illinois Pollution Control Board
100 W. Randolph Street, Suite 11-500
Chicago, IL 60601

Re: R14-20 - Proposed Illinois EPA "Emergency" Rules Regulating Bulk Storage Terminals for
        Petroleum Coke (Petcoke) and Coal

Dear Chairperson Glosser:

On behalf of the Illinois Petroleum Council (IPC) and our member companies we urge the Illinois
Pollution Control Board (IPCB) to reject R14-20, IEPA's proposed "emergency" rules to enact onerous
and unnecessary regulations on bulk storage terminals which handle petroleum coke and coal.   The IPC
is a trade association that represents all segments of America's technology-driven oil and gas industry.
IPC members sustain over 263,000 Illinois jobs. Our comments at this time will focus on refuting IEPA's
claim that an "emergency" rulemaking is necessitated, as well as outlining some basic facts on
petroleum coke (petcoke) and its importance to the Illinois economy

NO JUSTIFICATION FOR "EMERGENCY" RULEMAKING
IEPA argues that bulk storage terminals located in Cook County have produced complaints of fugitive
emissions from those facilities. However, the situation cited by the IEPA has been addressed since the
time of those complaints. One facility has removed all petcoke from the property. The other facility has
made significant investments in advanced emissions control equipment and is working with the U.S. EPA
to install air monitors to confirm whether the new system is providing the appropriate level of controls.
The IEPA has failed to cite ANY problems or complaints associated with bulk storage terminals located in
other parts of the State.

Current Illinois regulations are robust and include time-tested methods to manage outdoor storage of
petroleum coke. The Illinois Department of Environmental Protection restricts "visible and particulate
matter emissions" such as petroleum coke dust (35 Ill. Admin. Code § 212.301 et seq.) To that end,
existing Illinois environmental regulations contain the following requirements:

- Storage piles must be covered or sprayed with water or a surfactant "on a regular basis," unless
  the particulate matter does not cross property lines. *Id.* at § 212.304.

- Conveyor loading operations must utilize sprays, telescopic chutes, stone ladders, or other methods to control dust. *Id.* at § 212.305.

- Access roads must be paved or treated with water or dust suppressants "on a regular basis." *Id.* at § 212.306.

- Vehicles must be covered to prevent the release of particulate matter into the atmosphere. *Id.* at § 212.315.

Operators of petroleum coke facilities must also comply with an "operating program" to "significantly reduce" their fugitive emissions. *Id.* at § 212.309. Operators must submit their operating programs to the Illinois Environmental Protection Agency for review. The Operating Program requires contact information of the owner, a map or diagram showing approximate locations of storage piles and traffic patterns, a detailed description of "best management practices" for controlling dust, the frequency of dust suppressant application, and other information. *Id.* at § 212.310. Any amendments to the operating program must also be submitted to the Illinois Environmental Protection Agency for its review. **Properly implemented, these existing Illinois regulations are sufficient to prevent petroleum coke from causing a nuisance to nearby properties and people**.

PETROLEUM COKE FACTS

- Petroleum coke is a <u>solid product</u> of the refining process. We get many products from a barrel of crude oil (e.g., gasoline and diesel), and petroleum coke is another.

- Petroleum coke is a <u>valued commodity</u> in Illinois and around the world. There has been a global market for petroleum coke for decades.

- Petroleum coke is an essential fuel that is used in industrial applications and manufacturing processes including the production of steel, aluminum, and other specialty products.

- Petroleum coke is <u>produced from all types of oil</u> – including light, sweet crude oil and Canadian crude.

- MSDS sheets for petroleum coke indicate it is a <u>non-toxic</u> and <u>non-carcinogenic</u>. The EPA does not consider petroleum coke a hazardous product. Related links here and here.

- In the ordinary course of day-to-day commerce, petcoke is stored and shipped from ports around North America and the world.

- The United States Environmental Protection Agency classifies petroleum coke as a "traditional fuel" that has been historically managed as a "valuable fuel product."

- The use of petroleum coke has enabled many North American businesses to remain competitive in the global marketplace while employing thousands of people in manufacturing jobs with good wages and benefits.

Illinois is home to four large refineries with a fifth located just across the state line. All of these refineries produce petcoke and an ability to market petcoke through the terminals that would be impacted by these proposed rules is vital to their operations. The refineries contribute billions of dollars to the Illinois economy and provide some of the best-paying blue collar jobs anywhere. Illinois' citizens and businesses rely on the products these refineries produce.

There is no threat to the public interest or welfare necessitating adoption of the "emergency" rules proposed by IEPA. Therefore, we urge the Illinois Pollution Control Board (IPCB) to reject R14-20. IPC appreciates this opportunity to submit comments on the proposed rules. Thank you for your consideration.

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CC: IPC Board Members
       Ms. Carrie Zalewski
       Ms. Jennifer Burke
       Mr. Jerome D. O'Leary