



January 19, 2014

Mr. John Therriault, Clerk
Illinois Pollution Control Board
100 W. Randolph Street, Suite 11-500
Chicago, IL 60601

RE: Case R2014-20: IEPA decision to seek emergency rules under Section 27c of the Illinois Environmental Protection Act

Dear Mr. Therriault:

Knight Hawk Coal appreciates the opportunity to provide comments with respect to the recent request for emergency regulations filed by the Illinois Environmental Protection Agency.

We respectfully urge the Illinois Pollution Control Board (IPCB) to reject the Illinois Environmental Protection Agency's request for emergency regulations so that all parties can utilize the normal rulemaking process.

Our reasons are as follows:

There is No Emergency – Section 27c of the Environmental Protection Act clearly states that the IPCB may only permit administrative emergency rule making when an emergency situation exists. It is our understanding the Chicago facilities that were at the source of this action have been cooperating with City officials for months addressing concerns and have already spent millions of dollars in efforts to mitigate any site specific issues.

There is a Process for Rule Making – Due to the fact that an emergency does not exist, particularly at any of our operations; we request that the normal rule making process be utilized to rationally address the alleged issue.

Knight Hawk's Track Record – Fugitive dust regulations already exist and have been followed by Knight Hawk since our inception. We are not aware of a situation where we have been cited for not following regulations. Specifically, there is no threat to public interest, safety or welfare to any citizens.

Unreasonable / Unnecessary Economic Costs – The proposed rules would clearly result in a significant economic burden on Knight Hawk. Coal markets are extremely challenging and additional unnecessary costs will only increase the probability that Illinois coal sales will be lost to out of state competition. This could result in closure of some or all of our operations affecting the employment of Illinois citizens at a time of uncertain economic stability.

As stated, we respectfully request that the IPCB reject the emergency rules. It is clear that an emergency situation does not exist and while we do not believe additional regulations are required, the rule making process should follow the normal course of action.

Sincerely,

A handwritten signature in black ink, appearing to read "Steve Carter". The signature is written in a cursive style and is positioned above the printed name.

Steve Carter

President – Knight Hawk Coal, LLC

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