NATIONAL ASSOCIATION OF Manufacturers

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

RE: R2014-20, Emergency Rulemaking Regarding Regulations of Coke/Bulk Terminals; 35 Ill. Adm. Code Part 213

The National Association of Manufacturers (NAM), the largest manufacturing association in the United States, representing small and large manufacturers in every industrial sector and in all 50 states, submits the following comments on the emergency rulemaking filed by the Illinois Environmental Protection Agency (IEPA) on the storage and transport of coke and other bulk materials. The NAM strongly supports the comments filed to the above-referenced docket by our allied state group, the Illinois Manufacturers Association (IMA). The NAM suggests that the IEPA proceed with extreme caution with respect to how it approaches coke, a valuable and essential commercial product that is used directly in a wide range of manufacturing applications.

Metallurgical coke, or met coke, a product derived from coal, is used extensively by the iron and steel industry. Met coke is used in products where a high quality, tough, resilient carbon is required. Met coke, limestone, and iron ore are mixed together in high temperature furnaces where extreme heat causes the chemical properties to bond, forming iron and steel.

Petroleum coke, or petcoke, is produced at more than 140 refineries around the world, and has been produced in the United States since the 1930s. Calcined petcoke is absolutely essential to the aluminum industry. It is the only product that can be used to make anodes for smelting and the use of anodes is the only commercially viable method to produce aluminum. Aluminum is used for everything from beverage cans, airplane and automobile components, packaging, window/door frames, baseball bats, and ladders to kitchen pots. Calcined petcoke is also used in the production of titanium dioxide (TiO2), a mineral that is used as a substitute for lead in paint. TiO2 is also used as a pigment in sunscreen, plastic and food coloring and whitening of paper. Petcoke is a partial replacement for coal as a feedstock for coke oven batteries in the production of foundry coke, and can be gasified to produce ammonia and urea ammonium nitrate, which is then used in fertilizer production. Petcoke is also used by brick, glass, cement, lime and steel industries.

The United States Environmental Protection Agency (USEPA) classifies petcoke as highly stable and non-reactive at ambient conditions. Three months ago, the Congressional Research Service (CRS) performed a detailed report to Congress on the environmental impacts of petcoke. CRS concluded:

> "If released to the environment, petcoke would not be expected to undergo many of the environmental fate pathways which could lead to environmental risks. Depending on the particle size and density of the material, terrestrial releases of petcoke become incorporated into the soil or transported via wind or surface water flow. If released to the aquatic environment, petcoke incorporates into sediment or floats on the surface, depending on the particle size and density in relation to water. Chemically, petcoke is essentially inert. That is, petcoke does not vaporize into the atmosphere, does not react chemically in the presence of water, and does not react chemically in the presence of light. Furthermore, it is not biodegradable, nor does it bio-accumulate substances—such as toxic chemicals—into its structure."[1]

The emergency rulemaking proposed by IEPA could have a broad, national impact on manufacturers. To the extent that these new regulations make coke substantially more expensive or limit its supply in the U.S., manufacturers could face a competitive disadvantage against their foreign counterparts. This is a product manufacturers need and that in many cases cannot be easily replaced. Environmental regulation should be done in a balanced, reasonable way that protects manufacturers and the economy.

Sincerely,

Ross Eisenberg

[1] Congressional Research Service, *Petroleum Coke: Industry and Environmental Issues*, Oct. 29, 2013, available at https://www.hsdl.org/?view&did=746955.