



ORIGINAL

R14-20

Therriault, John

From: Glosser, Deanna
Sent: Friday, January 17, 2014 2:22 PM
To: Tipsord, Marie; Therriault, John
Subject: FW: AFPM Letter regarding IEPA decision to seek emergency rules
Attachments: Letter to Illinois Pollution Control Board.pdf

PC#2

I just received this comment on the emergency rules. I do not know if they were submitted to the Clerk's Office, but know these need to be entered in COOL.

From: Charlie Drevna [mailto:CDrevna@afpm.org]
Sent: Friday, January 17, 2014 2:15 PM
To: Glosser, Deanna
Subject: AFPM Letter regarding IEPA decision to seek emergency rules

Chairman Glosser,

Attached, please find a letter from Charlie Drevna, President, AFPM, regarding IEPA's decision to seek emergency rules under Section under Section 27 (c) of the Illinois Environmental Protection Act.

We appreciate your consideration of this important matter. Please contact us with any questions.

Sincerely,
Rebbie Riley on behalf of Charles T. Drevna, President

Rebbie J. Riley
Executive Assistant

**American
Fuel & Petrochemical
Manufacturers**
1667 K Street NW
Suite 700
Washington, DC 20006
202.457.0480 office
202.552.8465 direct
202.457.0486 fax

rriley@afpm.org
Learn more about AFPM at afpm.org.

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Charles T. Drevna
President

American
Fuel & Petrochemical
Manufacturers

1667 K Street, NW
Suite 700
Washington, DC
20006

202.457.0480 office
202.552.8457 direct
202.457.0486 fax
Cdrevna@afpm.org

January 17, 2014

The Honorable Deana Glosser
Chairman
Illinois Pollution Control Board
100 West Randolph Street, Suite 11-500
Chicago, Illinois 60601

RE: Consideration of IEPA decision to seek emergency rules under Section under Section 27 (c) of the Illinois Environmental Protection Act

Chairman Glosser:

The American Fuel & Petrochemical Manufacturers Association (AFPM) represents high-tech manufacturers of virtually the entire U.S. supply of gasoline, diesel, jet fuel, other fuels and home heating oil, as well as the petrochemicals used as building blocks for thousands of products. Many of our members also use crude oil to produce petroleum coke, a non-toxic, non-hazardous, highly valued source of cost-effective energy and as a source of carbon for industrial applications.

Recent public discourse about the storage of petroleum coke near the Calumet River in Illinois set off condemnation in a series of “gotcha” journalism and by opportunistic environmental activists unsurprisingly indifferent to the facts. We are, however, disturbed that some state and local officials, and most recently Governor Quinn, have shown contempt for the lawful regulatory process by choosing to publicly charge, try and convict petroleum coke without merit.

The Illinois Environmental Protection Agency (IEPA) has proposed a rulemaking to address perceived problems with the storage and handling of petroleum coke. By law, IEPA cannot finalize a rule without a public comment period of 45 days and without a review of the legislative Joint Committee on Administrative Rules, neither of which has been completed. Yet, Governor Quinn in a rush to judgment has circumvented what should be an unbiased rulemaking process by directing the IEPA to reclassify the proposed rules as emergency administrative rules and to submit to the Illinois Pollution Control Board (IPCB) for final approval.

AFPM urges the IPCB to reject what could set a dangerous precedent by using administrative emergency rules to impose regulations for non-emergency environmental issues. Section 27 (c) of the Illinois Environmental Protection Act sets a strict criteria by which the IPCB may permit administrative emergency rulemaking, none of which apply to petroleum coke, which has been safely produced, processed and transported since the 1930s and which extensive testing prove no



health risks to humans. We support a deliberate, fact-based analysis of petroleum coke before rules are finalized, and hope that policymakers will see beyond what has become a politically-charged issue.

Sincerely,

A handwritten signature in black ink, appearing to read "C. Drevna". The signature is fluid and cursive, with a long, sweeping tail that extends to the right.

Charles T. Drevna