



DEPARTMENT OF PUBLIC HEALTH
CITY OF CHICAGO

January 22, 2014

John Therriault, Clerk
Illinois Pollution Control Board
James R. Thompson Center
100 W. Randolph St., Suite 11-500
Chicago, IL 60601-3218

Re: City of Chicago's Public Comment on IEPA Proposed Emergency Petcoke/Coal Regulations (IPBC Docket No. R14-20)

Dear Mr. Therriault:

The City of Chicago submits the following public comment to the Illinois Pollution Control Board concerning the Illinois Environmental Protection Agency's proposed emergency petcoke/coal regulations, Docket No. R14-20, and to advise the Board regarding local actions to address bulk solid material dust issues:

Windborne dust from bulk solid material storage and handling facilities in southeast Chicago, including petcoke and coal dust, has been identified as a major public health and environmental concern by the City of Chicago. The City is pleased to see that the Agency shares our concerns and has decided to take action on the issue. We are encouraged that the Agency's proposal contains many of the same tough requirements contained in the City's draft bulk solid material regulations, discussed below.

The significant negative impacts of this dust are evidenced by inspections performed by the Chicago Department of Public Health finding violations of the Municipal Code of Chicago's dust and debris provisions, citizen complaints to the City and alderman's office, and local community forums. The windborne dust from bulk solid material storage and handling facilities is of special concern to the City due to the location of those facilities in a densely populated area of Chicago along the Calumet River, in close proximity to residential and other sensitive uses. As many local residents have reported, dust from the facilities in their neighborhoods has impacted their homes and properties and negatively impacted their quality of life.

In response, this past fall the City developed a deliberate three-pronged strategy involving enforcement litigation, stepped-up inspections of bulk solid material handling and storage facilities, and established stringent regulations for the handling and storage of bulk solid

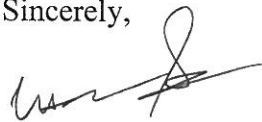
material piles. The City has been implementing all elements of its enforcement strategy. The joint complaint filed by the City with the State of Illinois resulted in one facility agreeing to remove all material from its site. City inspectors are performing very frequent inspections of bulk solid materials facilities, and the City has issued draft regulations for the storage and handling of bulk solid material piles.

These draft regulations were developed by the Chicago Department of Public Health in close consultation with state and federal regulators, and specify in detail how bulk solid material storage and handling facilities must conduct business to protect public health and the environment. A copy of the draft regulations is available at www.cityofchicago.org/petcoke. The draft regulations were put out for public comment on December 19, 2013; in response to community and industry requests, the public comment period was recently extended by two weeks to February 7, 2014. Comments can be submitted online to petcokecomments@cityofchicago.org or by mail to Chicago Department of Public Health, Attn: Environmental Permitting and Inspections, 333 South State St., Room 200, Chicago, IL 60604.

Recognizing that these regulations address an important public health and environmental issue, the City is seeing to move quickly in finalizing its regulations while at the same time engaging and listening to all relevant stakeholders with information on this complex issue. The City has held a public hearing on the proposed comments in the affected community, which provided the opportunity for considerable feedback regarding the City's proposal. Moreover, the City has offered to host smaller stakeholder meetings when requested, which will be summarized in detail for the public record. All of the comments received are being closely reviewed by the City as it develops its final draft of the proposed regulations, and will be addressed in a responsiveness document that the City will make publicly available. The City intends for its final regulations to be in place by early spring, when it is anticipated that the regulated facilities will be increasingly active and associated windborne dust consequently a greater risk.

The City will continue to keep the Board apprised of developments relating to local regulation of bulk solid materials as appropriate. Please contact us for any additional information you may require.

Sincerely,



Bechara Choucair, M.D.
Commissioner
Chicago Department of Public Health

cc: Service list for public comments (electronically)