



ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

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April 26, 2022

Certified Mail # 7021 0350 0001 4992 7781
Return Receipt Requested

Koppers Inc
L. Seth Herring, Plant Manager
3900 South Laramie Avenue
Cicero, IL 60804

**RE: Notice of Intent to Pursue Legal Action
Violation Notice A-2021-00492
I.D. 031300AAJ**

Dear Mr. Herring:

This Notice of Intent to Pursue Legal Action is provided pursuant to Section 31(b) of the Illinois Environmental Protection Act ("Act"), 415 ILCS 5/31(b)(2020).

The Illinois Environmental Protection Agency ("Illinois EPA") is providing this notice to inform Koppers Inc of its intention to pursue legal action for the violations of environmental laws and regulations specified in Attachment A. This Notice of Intent to Pursue Legal Action provides Koppers Inc an opportunity to schedule a meeting with representatives of the Illinois EPA in an effort to resolve the violations prior to the filing of a formal complaint. If a meeting is requested, it must be held within thirty (30) days of receipt of this notice unless an extension of time is agreed to by the Illinois EPA.

If you wish to schedule a meeting with representatives of the Illinois EPA or have any questions, please contact Maureen Wozniak, the attorney assigned to this matter at 217/524-3157, at the earliest possible convenience.

Sincerely,

Sally Carter
Acting Deputy General Counsel
Division of Legal Counsel

SC:MW:kk

Attachment

ATTACHMENT A

Based on available information:

VIOLATIONS:

1. Sections 9(b) and 9.1(d) of the Act, Condition 3 of Construction Permit 08040005 and 40 CFR 63.2470: Koppers Inc failed to meet each emission limit in Table 4 of 40 CFR 63 Subpart FFFF—National Emission Standards for Hazardous Air Pollutants: Miscellaneous Organic Chemical Manufacturing for its pitch storage tanks on June 7, 2021.
2. Section 9(b) of the Act and Condition 4(b) of Construction Permit 08040005: Koppers Inc failed to operate the thermal oxidizer for the pitch tanks to achieve at least 98% destruction efficiency for volatile organic material (VOM) on June 7, 2021.
3. Sections 9(b) and 9.1(d) of the Act, Condition 1.1.3-1(b)(i)(A) of Construction Permit 02020104 and 40 CFR 63.1362(b)(2): Koppers Inc failed to control organic hazardous air pollutants (HAP) from the creosote blend tanks in accordance with 40 CFR 63 Subpart MMM – National Emission Standards for Hazardous Air Pollutants for Pesticide Active Ingredient Production for multiple periods during the February 2021 through June 2021 timeframe.
4. Sections 9(b) and 9.1(d) of the Act, Condition 1.1.3-1(b)(i)(C) of Construction Permit 02020104 and 40 CFR 63.1362(j): Koppers Inc failed to comply with the requirements of Table 3 and section 63.1362(j) of 40 CFR 63 Subpart MMM – National Emission Standards for Hazardous Air Pollutants for Pesticide Active Ingredient Production, for its closed vent system with bypass line for its creosote blend tanks for multiple periods during the February 2021 through June 2021 timeframe.
5. Section 9(b) of the Act and condition 1.1.5(b) of Construction Permit 02020104: Koppers Inc failed to follow good operating practices for the creosote blend tanks and associated closed vent system.
6. Sections 9(b) and 9.1(d) of the Act, Condition 1.1.8(b) of Construction Permit 02020104 and 40 CFR 63.1366(b)(1)(xiii): Koppers Inc may have failed to perform monitoring for the closed vent system in accordance with 40 CFR 63.1366(b)(1)(xiii)(A) or (B) to ensure the vent stream was not diverted through the bypass line.

bcc: Maureen Wozniak
Sally Carter
VN File
Meredith Kelley, DLC
Ron Robeen (Email)
MW Chron
KK