



ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

1021 NORTH GRAND AVENUE EAST, P.O. BOX 19276, SPRINGFIELD, ILLINOIS 62794-9276 • (217)782-3397

JB PRITZKER, GOVERNOR

JOHN J. KIM, DIRECTOR

MEMORANDUM

DATE: March 10, 2022

TO: Maureen Wozniak, Eric Jones, Kent Mohr,
Ron Robeen and Bill Marr

FROM: Yasmine Keppner-Bauman, Compliance Unit

RE: Proposed Compliance Commitment Agreement from
Koppers Inc
Violation Notice A-2021-00492
I.D. 031300AAJ

COMMENTS DUE TO Compliance Unit BY March 17, 2022

Please find attached a proposed Compliance Commitment Agreement (CCA) received from the facility in response to the above-referenced Violation Notice dated November 9, 2021.

Please provide your recommendations on whether we should send a proposed CCA or reject the proposed terms and send a Notice of Non-Issuance of a CCA.

NOTE: In your response to the Compliance Unit analyst, please indicate the following:

- If your recommendation is to send a proposed CCA, include whether you believe the company's proposed terms are acceptable and if you have any suggested conditions for the proposed CCA.
- If your recommendation is to send a Notice of Non-Issuance of a CCA, include a recommendation for the next action (e.g., NITPL/refer, drop, track, etc.). This information will be discussed at the next CDG meeting.

Once a decision is reached on the response, the Compliance Unit will either send a proposed CCA or Notice of Non-Issuance of a CCA.

Rockford • 4302 N. Main St., Rockford, IL 61103 • (815) 987-7760
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Marion • 2309 W. Main St., Suite 116, Marion, IL 62959 • (618) 993-7200

March 8, 2022

Via E-mail and Certified U.S. Mail

Yasmine Keppner-Bauman
Illinois Environmental Protection Agency
Bureau of Air/Filed Operations Section
1021 North Grand Ave. East
P.O. Box 19276
Springfield, IL 62794-9276
Yasmine.Keppner-Bauman@Illinois.gov

RECEIVED
STATE OF ILLINOIS

MAR 09 2022

ENVIRONMENTAL PROTECTION AGENCY
BUREAU OF AIR

**Re: Violation Notice A-2021-00492
ID: 031300AAJ**

Dear Ms. Keppner-Bauman:

Koppers Inc. (“Koppers”) thanks the Illinois Environmental Protection Agency (“IEPA”) for virtually meeting on February 15, 2022 to discuss Violation Notice A-2021-00492 and for its consideration of this supplemental, post-meeting response to the Violation Notice.

During our meeting on February 15, 2022, IEPA requested certain, additional information with respect to Koppers’ initial response to the Violation Notice. Below, Koppers provides its supplemental response, which should be read in connection with its January 13, 2022 initial response, incorporated herein by reference.

Koppers, initially, recognizes and appreciates that it must do more to correct any currently-held perceptions by IEPA that Koppers’ self-reported violations identified in the Violation Notice are the result of systemic operational, maintenance or noncompliance issues at the Stickney facility. That is demonstrably not the case. As Koppers has previously communicated to IEPA, safety, health and environmental (“SHE”) stewardship has been, and remains, a crucial principle at Koppers and the company has established a comprehensive set of management systems, processes and procedures that clearly outline its SHE policy, expectations, roles and responsibilities, starting with the basic premise that full compliance with all applicable legal requirements is the minimum level of performance. Koppers understands, and takes seriously, its obligations to ensure continuous improvement of its safety, health, environmental, and security systems and performance.

Reflecting its SHE policy and commitment, Koppers, over the past several years has undertaken a number of substantial capital improvement projects at the Stickney facility that were designed for, and are providing for, improved compliance and increased pollution prevention in order to preserve the environment for the health, productivity and enjoyment of future generations. Those projects include:

- Improved tank emission controls, replaced tanks with controls that resulted in emission reductions
- PAA Stack Extension
- TAR Stack Extension
- Sub panel upgrade Tar thermal oxidizer
- A project has begun to bring the Stickney Plant into MON 2023 compliance

Total capital investment by Koppers for the foregoing projects was approximately \$25 million.

Additionally, and further reflecting its SHE policy and commitment, Koppers, as explained in its January 13, 2022 initial response, took immediate corrective actions upon discovery of the deviations reported to IEPA that resulted in the Violation Notice. Those corrective actions included repairs, additional preventative maintenance and process improvements, review of existing policies and procedures, implementation of new policies and procedures, and corrective action with the involved employees including training. Koppers believes that these measures will help ensure that the self-reported deviations that resulted in the Violation Notice do not occur in the future.

Violations 1 and 2

As Koppers has explained, the reported deviation that resulted in alleged violations 1 and 2 was due, in part, to a faulty flame sensor. With replacement of the flame sensor, the issue was resolved and no further maintenance was required. The deviation was also due, in part, to operator error resulting from recent personnel turnover at the facility. Proper training was provided to the operator. However, there was failure of communication during the night of the incident in question. The procedure has been changed, and retraining has occurred, to reinforce that the operator (and not just the shift supervisor) has the authority and responsibility to shut down the process.

IEPA, during the February 15, 2022 virtual meeting, inquired as to whether there are additional automated instrumentation and controls, such as interlocks, that Koppers can install to guard against human error allowing operations to continue to produce hard carbon pitch when the Pitch TO shuts down. The facility's design, equipment, and limited process instrumentation control infrastructure make such automation not currently practicable. Automatic shutdown of pitch production will require installation of additional capacity to communicate between the control system and the equipment in the field. It will also require installation of process instrumentation control equipment in the field because the current equipment that was installed decades ago can only be controlled by an operator in the field; it cannot take commands from the control system. As such, automation is currently not feasible and would hinder the facility's flexibility to adapt to future needs.

While additional automated controls for incidents of Pitch TO shut down may not be feasible at this time, Koppers is considering additional near-term, preventative solutions. These may include:

- Periodic inspection, cleaning and repair or replacement of parts or systems that have not previously been included in plant PM procedures (Koppers has already scheduled the first periodic cleaning for Fall 2022), and
- Installation of instrumentation on the plant wireless network that is adequate for monitoring, but not automation, in order to allow operators to take corrective action before the TO shuts down.

Violations 3 through 6


Violations 3 through 6 are interrelated. As clarified during the February 15, 2022 virtual meeting, Koppers believes that it is performing all required monitoring, recordkeeping and reporting with respect to the applicable regulatory provisions identified by the Violation Notice. These alleged violations were, instead, a function of the process operator not responding appropriately to the Thermal Oxidizer offline status. Koppers, as explained in its January 13, 2022 initial response, has taken steps to avoid future deviations. These steps included: (1) conducting additional work practice training and applying corrective action to personnel; and (2) adding a “Shutdown All Transfers” notification on the alarm annunciator to visually instruct the operator to cease creosote transfers when the TO is down or bypassed.

Again, this incident was largely a function of operator error due to recent personnel turnover at the facility. Proper training was previously provided to the operators and shift supervisors and, subsequently, was reinforced through additional training. The notification change to the alarm annunciator, which now provides a visual instruction to the operator, should help ensure that creosote transfers do not occur in the future when the TO is down. Additional automation is, for the same reasons above, not currently feasible.

Koppers is hopeful that the foregoing, supplemental information requested by IEPA is helpful to the agency as it considers resolution of the alleged violations. As previously relayed, it remains Koppers’s desire to cooperatively participate in the Section 31 enforcement process and, if determined to be necessary, to work with IEPA toward a mutually-acceptable Compliance Commitment Agreement.

Thank you for considering this supplemental response to the Violation Notice. Please contact me at (708) 556-9984, or by e-mail HerringLS@koppers.com, if you would like to discuss Koppers response or require any additional information. We look forward to receiving IEPA’s written response and working towards a satisfactory resolution of these matters.

Sincerely,


Seth Herring
Plant Manager