



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

866/273-5488 (TTY)

July 15, 2021

Certified Mail # 7020 0640 0000 9515 2320
Return Receipt Requested

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

RE: Violation Notice A-2021-00217
ID: 031300AAJ

Dear Mr. Herring:

This constitutes a Violation Notice pursuant to Section 31(a)(1) of the Illinois Environmental Protection Act (“Act”), 415 ILCS 5/31(a)(1), and is based upon a review of available information and an investigation by representatives of the Illinois Environmental Protection Agency (“Illinois EPA”).

The Illinois EPA hereby provides notice of alleged violations of environmental laws, regulations, or permits as set forth in Attachment A to this letter. Attachment A includes an explanation of the activities that the Illinois EPA believes may resolve the specified alleged violations, including an estimate of a reasonable time period to complete the necessary activities. Due to the nature and seriousness of the alleged violations, please be advised that resolution of the violations may also require the involvement of a prosecutorial authority for purposes that may include, among others, the imposition of statutory penalties.

A written response, which may include a request for a meeting with representatives of the Illinois EPA, must be submitted via certified mail to the Illinois EPA within 45 days of receipt of this letter. If a meeting is requested, it shall be held within 60 days of receipt of this notice. The response must include information in rebuttal, explanation, or justification of each alleged violation and a statement indicating whether or not the source wishes to enter into a Compliance Commitment Agreement (“CCA”) pursuant to Section 31(a) of the Act. If the source wishes to enter into a CCA, the written response must also include proposed terms for the CCA that contains dates for achieving each commitment and may also include a statement that compliance has been achieved for some or all of the alleged violations. In order to increase the likelihood of the Illinois EPA accepting such terms, the written response should specifically propose them in a manner that can be formalized into an enforceable agreement between the Illinois EPA and the source. As such, proposed conditions should be as detailed as possible, including steps to be taken to achieve compliance, the manner of compliance, interim and completion dates, etc.

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The Illinois EPA will review the proposed terms for a CCA provided by the source and, within 30 days of receipt, will respond with either a proposed CCA or a notice that no CCA will be issued by the Illinois EPA. If the Illinois EPA sends a proposed CCA, the source must respond in writing by either agreeing to and signing the proposed CCA or by notifying the Illinois EPA that the source rejects the terms of the proposed CCA.

If a timely written response to this Violation Notice is not provided, it shall be considered a waiver of the opportunity to respond and meet, and the Illinois EPA may proceed with referral to the prosecutorial authority.

Written communications should be directed to Yasmine Keppner-Bauman, Illinois EPA, Bureau of Air, Field Operations Section, P.O. Box 19276, Springfield, Illinois 62794-9276. All communications must include reference to the Violation Notice number in this matter.

Questions regarding this matter should be directed to Yasmine Keppner-Bauman at 217/524-0908.

Sincerely,

A handwritten signature in blue ink, appearing to read "Kent E. Mohr Jr.", with a stylized flourish at the end.

Kent E. Mohr Jr., Manager
Compliance Section
Bureau of Air

KEM:ykb

ATTACHMENT A

Based on available information:

VIOLATIONS:

1. Sections 9(a) and 9(b) of the Act, 35 Ill. Adm. Code 212.123(a), and condition 2(a) of construction permit 11100041: Koppers, Inc. caused or allowed smoke or other PM from Tube Heater #2 for Tar Distillation System #2, with an opacity greater than 30 percent as the result of a fire on December 26, 2020.
2. Section 9(b) of the Act and condition 4(c) of construction permit 11100041: Koppers, Inc. failed to operate and maintain Tar Distillation System #2 with Tube Heater #2 in accordance with written procedures to provide good air pollution control practices to minimize emissions.
3. Sections 9(a) and 39.5(6)(a) of the Act, 35 Ill. Adm. Code 212.123(a) and condition 5.2.2(b) of Clean Air Act Permit Program (CAAPP) permit 96030134: Koppers, Inc. caused or allowed smoke or other PM from Tar Distillation System #2, with an opacity greater than 30 percent as the result of a fire on March 20, 2021.
4. Section 39.5(6)(a) of the Act and condition 7.4.5(b) of CAAPP permit 96030134: Koppers, Inc. failed to follow good operating practices for the Tar Distillation System #2 and Tube Heater #2 resulting in fires with associated excess opacity on December 26, 2020, and March 20, 2021.

RECOMMENDATIONS:

The Illinois EPA suggests that Koppers Inc. take the following actions to address the violations stated above:

1. Within 45 days of receipt of this Violation Notice develop, implement and submit to the Illinois EPA, Bureau of Air, Compliance Unit, a compliance plan which ensures Tar Distillation System #2, including Tube Heater #2, is operated in accordance with written procedures to provide good operating and air pollution control practices to minimize emissions. This compliance plan should contain interim and permanent measures taken, or to be taken, and a schedule for completion.
2. Within 45 days of receipt of this Violation Notice, submit to the Illinois EPA, Bureau of Air, Compliance Section, records for periodic inspection of the Tube Heater #2, with date, individual performing the inspection, and nature of inspection from January 2020, forward.

ATTACHMENT A

RECOMMENDATIONS (continued):

3. Within 45 days of receipt of this Violation Notice, submit to the Illinois EPA, Bureau of Air, Compliance Section, records for prompt repair of defects for Tube Heater #2, with identification and description of defect, effect on emissions, date identified, date repaired, and nature of repair from January 2020, forward.
4. Within 45 days of receipt of this Violation Notice, submit to the Illinois EPA, Bureau of Air, Compliance Section maintenance and repair log records for Tube Heater #2, listing each activity performed with date from January 2020, forward.
5. Within 45 days of receipt of this Violation Notice, submit to the Illinois EPA, Bureau of Air, Compliance Section, emissions of each criteria pollutant, including hazardous air pollutants, from the fire events on December 26, 2020, and March 20, 2021, including detailed calculations.