



# ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

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JB PRITZKER, GOVERNOR

JOHN J. KIM, DIRECTOR

866/273-5488 (TTY)

August 27, 2020

Certified Mail # 7020 0090 0000 7312 6276  
Return Receipt Requested

Koppers Inc.  
Carbon Materials and Chemicals  
Jason J. Bakk, N.A. Operations Manager  
3900 South Laramie Avenue  
Cicero, IL 60804

**RE: Violation Notice A-2020-00307**  
**ID: 031300AAJ**

Dear Mr. Bakk:

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 large, stylized flourish extending to the right.

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

KEM:ykb

## ATTACHMENT A

Based on available information:

### VIOLATIONS:

1. Section 39.5(6)(a) of the Act and condition 7.7.8(d)(i) of Clean Air Act Permit Program (CAAPP) permit 96030134: Koppers Inc. failed to operate the continuous emissions monitoring system (CEMS) to monitor and record sulfur dioxide (SO<sub>2</sub>) emissions from the phthalic anhydride reactor trains to provide permanent records of the hourly average SO<sub>2</sub> emissions based upon three minute samples of air flows and SO<sub>2</sub> concentrations on multiple occasions during the July – December 2019 reporting period.
2. Section 39.5(6)(a) of the Act and condition 7.7.8(d)(ii) of CAAPP permit 96030134: Koppers Inc. failed to maintain the phthalic anhydride reactor feeds at previous feed rates on multiple occasions during the reporting period of July – December 2019 when the CEMS unit failed to monitor SO<sub>2</sub> as required.
3. Sections 9(b) and 9.1(d) of the Act, condition 3 of construction permit 08040005 and 40 CFR 63.2470 : Koppers Inc. may have 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 multiple occasions during the July – December 2019 reporting period when the thermal oxidizer operated below temperature.
4. Section 9(b) of the Act and condition 4(b) of construction permit 08040005: Koppers Inc. may have failed to operate the thermal oxidizer for the pitch tanks to achieve at least 98% destruction efficiency for VOM on multiple occasions during the July – December 2019 reporting period when the thermal oxidizer operated below temperature.
5. Section 9.1(d) of the Act and 40 CFR 63.113(a)(2): Koppers Inc. may have failed to reduce emissions of total organic hazardous air pollutants by 98 weight-percent from process vents on multiple occasions during the October 2019 – March 2020 timeframe when the naphthalene plant thermal oxidizer operated out of temperature range.
6. Section 9.1(d) of the Act and 40 CFR 63.119(e): Koppers Inc. may have failed to reduce emissions of total organic hazardous air pollutants as required for storage vessels on multiple occasions during the December 2019 and January 2020 timeframe when the tar thermal oxidizer operated out of temperature range.
7. Section 9.1(d) of the Act and 40 CFR 63.104(a): Koppers Inc. failed to timely monitor each heat exchange system used to cool process equipment in a chemical manufacturing process unit when it failed to conduct sampling of cooling tower CT-1 until March 2020.

**ATTACHMENT A (continued)**

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 operation of the CEMS on the phthalic anhydride reactor trains to monitor and record sulfur dioxide (SO<sub>2</sub>) emissions to provide permanent records of the hourly average SO<sub>2</sub> emissions based upon three minute samples of air flows and SO<sub>2</sub> concentrations, and ensures in the event the CEMS unit fails to monitor SO<sub>2</sub> as required, that reactor feed rates will be maintained. 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 develop, implement and submit to the Illinois EPA, Bureau of Air, Compliance Unit, a compliance plan which ensures that the thermal oxidizer for the pitch storage tanks is operated above the minimum compliant temperature range such that emission limits in Table 4 of 40 CFR 63 Subpart FFFF—National Emission Standards for Hazardous Air Pollutants: Miscellaneous Organic Chemical Manufacturing and permit 08040005 are met. This compliance plan should contain interim and permanent measures taken, or to be taken, and a schedule for completion.
3. 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 that the naphthalene plant thermal oxidizer is operated above the minimum compliant temperature range such that total organic hazardous air pollutants are reduced by 98 weight-percent from process vents. This compliance plan should contain interim and permanent measures taken, or to be taken, and a schedule for completion.
4. 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 the tar thermal oxidizer is operated above the minimum compliant temperature range such that emissions of total organic hazardous air pollutants are reduced as required for storage vessels. This compliance plan should contain interim and permanent measures taken, or to be taken, and a schedule for completion.
5. 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 that each heat exchange system used to cool process equipment in a chemical manufacturing process unit is timely monitored as required. This compliance plan should contain interim and permanent measures taken, or to be taken, and a schedule for completion.