



ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

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JB PRITZKER, GOVERNOR

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866/273-5488 TTY

October 4, 2023

Certified Mail # 7022 1670 0001 4382 2911
Return Receipt Requested

Koppers Inc.
Fola Fayanjuola, Environmental Engineer
3900 South Laramie Avenue
Cicero, IL 60804

**RE: Violation Notice A-2023-00162
I.D. 031300AAJ**

Dear Fola Fayanjuola:

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.

Page 2
Violation Notice A-2023-00162
Koppers Inc., I.D. 031300AAJ

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, Compliance 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

VIOLATIONS:

Based on available information:

1. Sections 9(a) and 9(b) of the Act, 35 Ill. Adm. Code 218.301, and Condition 1.1.3-1(a) of Construction Permit 02020104: Koppers Inc. caused or allowed the discharge of more than 8 lb/hr of organic material into the atmosphere from creosote blending tanks during creosote blending while the associated thermal oxidizer was not operating on July 15 and September 24, 2022, and multiple occasions from January through June 2023.
2. Sections 9(b) and 9.1(d) of the Act, 40 CFR 63.1362(b)(2), and Condition 1.1.3-1(b)(i)(A) of Construction Permit 02020104: Koppers Inc. failed to operate the thermal oxidizer controlling the creosote blending tanks in compliance with the requirements in 40 CFR 63.1362(b)(2)(ii) through (iv) on July 15 and September 24, 2022, and multiple occasions from January through June 2023.
3. 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 blending tanks and associated thermal oxidizer, including periodic inspection, routine maintenance and prompt repair of defects.
4. Sections 9(b) and 9.1(d) of the Act, 40 CFR 63.1366(b)(1)(xiii), and Condition 1.1.8(b) of Construction Permit 02020104: 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.
5. Section 9(b) of the Act and Condition 1.1.10 of Construction Permit 02020104: Koppers Inc. failed to timely notify the Illinois EPA, Bureau of Air, Compliance Section, of deviations from Construction Permit 02020104 associated with events on July 15 and September 24, 2022, and February 2, 2023.
6. 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) for the Phthalic Anhydride Reactor Trains A and B to provide permanent records of the hourly average sulfur dioxide (SO₂) emissions based upon three minute samples of air flows and SO₂ concentrations, on multiple occasions from August 2022 through June 2023.
7. Section 39.5(6)(a) of the Act and Condition 7.7.8(d)(ii) of CAAPP Permit 96030134: Koppers Inc. failed to maintain Phthalic Anhydride Reactor Trains A and B feeds at previous feed rates during failure of the CEMS and may have failed to sample and analyze the feed stock to demonstrate compliance with SO₂ emission limitations on multiple occasions from August 2022 through June 2023.

ATTACHMENT A (continued)

VIOLATIONS (continued):

8. Section 39.5(6)(a) of the Act and Condition 7.7.6(a)(i)(A) of CAAPP Permit 96030134: Koppers Inc. may have caused or allowed emissions of SO₂ to exceed 260 lb/hr on multiple occasions from August 2022 through June 2023.
9. Sections 9(b) and 9.1(d) of the Act, 40 CFR 63.2470, and Condition 3 of Construction Permit 08040005: 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 during multiple occasions from July 2022 through August 2023.
10. 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) from July 2022 through August 2023.
11. Sections 9(a) and 39.5(6)(a) of the Act, 35 Ill. Adm. Code 218.301, and Condition 7.2.3(b) of CAAPP Permit 96030134: Koppers Inc. caused or allowed the emission of more than 8 lb/hr of organic material into the atmosphere from its pitch tanks on multiple occasions from July 2022 through August 2023.
12. Section 9.1(d) of the Act and 40 CFR 63.983(a): Koppers Inc. failed to operate and maintain the closed vent systems for carbon pitch and coal tar distillation processes on multiple occasions from July 2022 through June 2023.
13. Sections 9(a) and 39.5(6)(a) of the Act, 35 Ill. Adm. Code 218.301, and Condition 7.4.3(e)(i) of CAAPP Permit 95030134: Koppers Inc. caused or allowed the discharge of more than 3.6 kg/hr (8 lb/hr) of organic material into the atmosphere from the coal tar distillation process on multiple occasions from July 2022 through September 2023.
14. Sections 9(a) and 39.5(6)(a) of the Act, 35 Ill. Adm. Code 218.966(a), and Condition 7.4.3(f)(i) CAAPP Permit 96030134: Koppers Inc. failed to comply with emission capture and control techniques which achieve overall reduction of at least 81 percent of volatile organic material (VOM) emissions from the coal tar distillation process on multiple occasions from July 2022 through September 2023.
15. Sections 9(a) and 39.5(6)(a) of the Act, 35 Ill. Adm. Code 218.991(a)(3)(A), and Condition 7.4.10 of CAAPP 96030134: Koppers Inc. failed to notify the Illinois EPA, Bureau of Air, Compliance Section, of deviations of CAAPP permit 96030134 and 35 Ill. Adm. Code 218, Subpart RR.

ATTACHMENT A (continued)

VIOLATIONS (continued):

16. Sections 9(b) and 9.1(d) of the Act, 40 CFR 63.113(a)(2), and Condition 2.1.2-1(a) of Construction Permit 14100012: Koppers Inc. failed to reduce the total organic hazardous air pollutants (HAPs) by 98 weight-percent or to a concentration of 20 parts per million by volume from process vents at the naphthalene distillation plant on January 3 and March 23, 2023.
17. Sections 9(b) and 9.1(d) of the Act, 40 CFR 60.662(a), and Condition 2.1.2-1(b) of Construction Permit 14100012: Koppers Inc. failed to reduce total organic compounds (less methane and ethane) by 98 weight-percent or a concentration of less than 20 ppmv (less methane and ethane) from the naphthalene distillation operation on January 3 and March 23, 2023.
18. Sections 9(a) and 9(b) of the Act, 35 Ill. Adm. Code 218.301, and Condition 2.1.2-2(a) of Construction Permit 14100012: Koppers Inc. caused or allowed the emission of more than 8 lb/hr of organic material into the atmosphere from the naphthalene distillation plant process vents on January 3 and March 23, 2023.
19. Sections 9(a) and 9(b) of the Act, 35 Ill. Adm. Code 218.986(a), and Condition 2.1.2-2(b) of Construction Permit 14100012: Koppers Inc. failed to control VOM emissions from the naphthalene distillation emission units to achieve an overall reduction in VOM of at least 81 percent on January 3 and March 23, 2023.
20. Section 9(b) of the Act and Condition 2.1.4(a)(ii) of Construction Permit 14100012: Koppers Inc. failed to operate the naphthalene distillation plant oxidizer to achieve a minimum 98 percent destruction efficiency for organic material on January 3 and March 23, 2023.
21. Section 9(b) of the Act and Condition 2.1.4(a)(iii) of Construction Permit 14100012: Koppers Inc. failed to maintain the combustion chamber temperature of the naphthalene distillation plant oxidizer above minimum operating temperature while the affected process vent was in operation January 3 and March 23, 2023.
22. Section 9(b) of the Act and Condition 2.1.5(a) of Construction Permit 14100012: Koppers Inc. may have exceeded emissions limits delineated in Condition 2.1.5(a) of Construction Permit 14100012 on January 3 and March 23, 2023.
23. Section 9(b) of the Act and Condition 2.3.2(a)(i)(C) of Construction Permit 14100012: Koppers Inc. may have failed to operate naphthalene distillation plant oxidizer at all times organic HAP emissions from the truck transfer rack were venting to it on January 3 and March 23, 2023.

ATTACHMENT A (continued)

VIOLATIONS (continued):

24. Sections 9(b) and 9.1(d) of the Act, 40 CFR 63.126(b)(1), and Condition 2.3.2(a)(ii) of Construction Permit 14100012: Koppers Inc. may have failed to reduce total organic HAPs by 98 weight-percent or to a concentration of 20 ppmv from the transfer rack on January 3 and March 23, 2023.
25. Section 9(b) of the Act and Condition 1.12 of Construction Permit 14100012: Koppers Inc. failed to timely notify the Illinois EPA of deviations of Construction Permit 14100012 from events occurring January 3 and March 23, 2023.

RECOMMENDATIONS:

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

1. Within 45 days of receipt of this Violation Notice, submit to the Illinois EPA, Bureau of Air, Compliance Section, a compliance plan which ensures the thermal oxidizer controlling the creosote blending tanks is in operation at all times creosote blending is occurring such that compliance with 35 Ill. Adm. Code 218.301, 40 CFR 63.1362(b)(2), and Construction Permit 02020104 is maintained. This compliance plan shall include all interim and/or permanent measures and procedures that have been taken, or will be taken, milestones, and dates by which those milestones will be achieved.
2. Within 45 days of receipt of this Violation Notice, submit to the Illinois EPA, Bureau of Air, Compliance Section, a compliance plan which ensures good operating practices for the creosote blending tanks and associated thermal oxidizer, including periodic inspection, routine maintenance and prompt repair of defects in accordance with Construction Permit 02020104. This compliance plan shall include all interim and/or permanent measures and procedures that have been taken, or will be taken, milestones, and dates by which those milestones will be achieved.
3. Within 45 days of receipt of this Violation Notice, submit to the Illinois EPA, Bureau of Air, Compliance Section, a compliance plan which ensures monitoring is performed for the closed vent system in accordance with 40 CFR 63.1366(b)(1)(xiii)(A) or (B) and Construction Permit 02020104 to ensure the vent stream was not diverted through the bypass line. This compliance plan shall include all interim and/or permanent measures and procedures that have been taken, or will be taken, milestones, and dates by which those milestones will be achieved.

ATTACHMENT A (continued)

RECOMMENDATIONS (continued):

4. Within 45 days of receipt of this Violation Notice, submit to the Illinois EPA, Bureau of Air, Compliance Section, records of monitoring of the closed vent system for the creosote blend tanks and associated thermal oxidizer from June 2022 through the present.
5. Within 45 days of receipt of this Violation Notice, submit to the Illinois EPA, Bureau of Air, Compliance Section, a compliance plan which ensures the CEMS for the Phthalic Anhydride Reactor Trains A and B are operated to provide permanent records of the hourly average SO₂ emissions based upon three minute samples of air flows and SO₂ concentrations. This compliance plan shall include all interim and/or permanent measures and procedures that have been taken, or will be taken, milestones, and dates by which those milestones will be achieved.
6. Within 45 days of receipt of this Violation Notice, submit to the Illinois EPA, Bureau of Air, Compliance Section, feed stock rates and feed stock sampling and sulfur analysis results for the Phthalic Anhydride Reactor Trains A and B for periods during August 2022 through June 2023, when the associated CEMS for the was inoperable.
7. Within 45 days of receipt of this Violation Notice, submit to the Illinois EPA, Bureau of Air, Compliance Section, average hourly SO₂ emissions from the Phthalic Anhydride Reactor Trains A and B from August 2022 through the present.
8. Within 45 days of receipt of this Violation Notice, submit to the Illinois EPA, Bureau of Air, Compliance Section, the daily, monthly and aggregate annual SO₂ emissions from the Phthalic Anhydride Reactor Trains A and B based on average hourly SO₂ emissions and the operating schedule of the Reactor Trains from January 2022 through the present.
9. Within 45 days of receipt of this Violation Notice, submit to the Illinois EPA, Bureau of Air, Compliance Section, a compliance plan which ensures the thermal oxidizer for the pitch tanks is operated in compliance with 35 Ill. Adm. Code 218.301, 40 CFR 63.2470, CAAPP Permit 96030134, and Construction Permit 08040005. This compliance plan shall include all interim and/or permanent measures and procedures that have been taken, or will be taken, milestones, and dates by which those milestones will be achieved.
10. Within 45 days of receipt of this Violation Notice, submit to the Illinois EPA, Bureau of Air, Compliance Section a compliance plan which ensures the closed vent system is operated and maintained for carbon pitch and coal tar distillation processes so as to ensure continued compliance 40 CFR 63.983(a). This compliance plan shall include all interim and/or permanent measures and procedures that have been taken, or will be taken, milestones, and dates by which those milestones will be achieved.

ATTACHMENT A (continued)

RECOMMENDATIONS (continued):

11. Within 45 days of receipt of this Violation Notice, submit to the Illinois EPA, Bureau of Air, Compliance Section, a compliance plan which ensures the thermal oxidizer for the coal tar distillation process is operated and maintained such that compliance with 35 Ill. Adm. Code 218.301, 35 Ill. Adm. Code 218.966(a), and CAAPP Permit 96030134. This compliance plan shall include all interim and/or permanent measures and procedures that have been taken, or will be taken, milestones, and dates by which those milestones will be achieved.
12. Within 45 days of receipt of this Violation Notice, submit to the Illinois EPA, Bureau of Air, Compliance Section, a compliance plan which ensures the naphthalene distillation plant thermal oxidizer is operated and maintained at all times such that compliance with 35 Ill. Adm. Code 218.301, 35 Ill. Adm. Code 218.986(a), 40 CFR 60.662(a), 40 CFR 63.113(a)(2), 40 CFR 63.126(b)(1) and Construction Permit 14100012 is maintained. This compliance plan shall include all interim and/or permanent measures and procedures that have been taken, or will be taken, milestones, and dates by which those milestones will be achieved.
13. Within 45 days of receipt of this Violation Notice, submit to the Illinois EPA, Bureau of Air, Compliance Section, records of of nitrogen oxide, carbon monoxide, VOM, SO₂, particulate matter (PM), and PM₁₀/PM_{2.5} from the Napthalene Distillation Plant Project in lbs/hour for January 3 and March 23, 2023, including calculations and supporting documentation.
14. Within 45 days of receipt of this Violation Notice, submit to the Illinois EPA, Bureau of Air, Compliance Section, an internal policy which ensures all permit required and regulatorily required deviation reports will be timely and accurately submitted to the Illinois EPA, Bureau of Air, Compliance Section.