



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)

November 9, 2021

Certified Mail # 7020 1810 0000 2830 2468

Return Receipt Requested

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

RE: Violation Notice A-2021-00492
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(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.

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 Section, a compliance plan which ensures that the thermal oxidizer for the pitch tanks is operated to achieve at least 98% destruction efficiency for VOM and 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 at all times the pitch tanks are in operation and venting to the thermal oxidizer as required. 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 Section, a compliance plan which ensures organic HAP from the creosote blend tanks are controlled and the closed vent system is operated in accordance with 40 CFR 63 Subpart MMM – National Emission Standards for Hazardous Air Pollutants for Pesticide Active Ingredient Production. 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, submit to the Illinois EPA, Bureau of Air, Compliance Section, all records required to be maintained pursuant to Conditions 1.1.9(a) – (c) of Construction Permit 02020104 and 40 CFR 63.1367(f)(3) for time period of January 2020 through the present.
4. Within 45 days of receipt of this Violation Notice, submit to the Illinois EPA, Bureau of Air, Compliance Section, all records required to be maintained pursuant to Condition 5(b) of Construction Permit 08040005 for the time period of January 2020 through the present.