

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5

IN THE MATTER OF:

KCBX Terminals Company
3259 East 100th Street
Chicago, Illinois 60617

ATTENTION:

Brandon Walker
Environmental Health and Safety Manager

Request to Provide Information Pursuant to the Clean Air Act

The U.S. Environmental Protection Agency is requiring KCBX Terminals Company (KCBX or you) to submit certain information about its facilities at 3259 East 100th Street (the North Plant) and 10740 South Burley Avenue (the South Plant) in Chicago, Illinois. This Request amends the Request for information EPA issued to you on November 15, 2013. Appendix A provides the instructions needed to answer this information request, including instructions for electronic submissions. Appendix B specifies the information that you must submit. You must send this information to us according to the schedule in Appendix B.

We are issuing this information request under Section 114(a) of the Clean Air Act (the CAA), 42 U.S.C. § 7414(a). Section 114(a) authorizes the Administrator of EPA to require the submission of information. The Administrator has delegated this authority to the Director of the Air and Radiation Division, Region 5.

KCBX owns and operates emission sources at both Chicago, Illinois, facilities. We are requesting this information to determine whether your emission source is complying with the Clean Air Act, including but not limited to the Illinois State Implementation Plan.

We may use any information submitted in response to this request in an administrative, civil or criminal action.

Failure to comply fully with this information request may subject KCBX to an enforcement action under Section 113 of the CAA, 42 U.S.C. § 7413.

You should direct any questions about this information request to Bonnie Bush at 312.353.6684.

Date

9/14/14


George T. Czerniak
Director
Air and Radiation Division

Appendix A

When providing the information requested in Appendix B, use the following instructions and definitions.

Instructions

1. Provide a separate narrative response to each question and subpart of a question set forth in Appendix B.
2. Precede each answer with the number of the question to which it corresponds and at the end of each answer, identify the person(s) who provided information used or considered in responding to that question, as well as each person consulted in the preparation of that response.
3. Indicate on each document produced, or in some other reasonable manner, the number of the question to which it corresponds.
4. When a response is provided in the form of a number, specify the units of measure of the number in a precise manner.
5. Where information or documents necessary for a response are neither in your possession nor available to you, indicate in your response why the information or documents are not available or in your possession, and identify any source that either possesses or is likely to possess the documents or information.
6. If information not known or not available to you as of the date of submission later becomes known or available to you, you must supplement your response. Moreover, should you find at any time after the submission of your response that any portion of the submitted information is false or incorrect, you must notify EPA as soon as possible.

Electronic Submissions

To aid in our electronic recordkeeping efforts, we request that you provide all documents responsive to this information request in an electronic format according to paragraphs 1 through 6, below. These submissions are in lieu of hard copy.

1. Provide all responsive documents in Portable Document Format (PDF) or similar format, unless otherwise requested in specific questions. If the PDFs are scanned images, perform at least Optical Character Recognition (OCR) for "image over text" to allow the document to be searchable. Submitters providing secured PDFs should also provide unsecured versions for EPA use in repurposing text.
2. When specific questions request data in electronic spreadsheet form, provide the data and corresponding information in editable Excel or Lotus format, and not in image format. If Excel or Lotus formats are not available, then the format should

Appendix B

The following request amends certain recordkeeping frequency and reporting deadline requirements specified in the November 15, 2013 Request for Information (November 2013 Request) issued by EPA to KCBX, as follows:

1. Monitoring data from the nine continuous Federal Equivalent Method (FEM) real-time PM₁₀ monitors and two meteorological monitoring sites at the KCBX North and South Plants shall be submitted to EPA on a weekly basis. Data from the two Federal Reference Method (FRM) PM₁₀ filter-based monitors shall continue to be collected, recorded, and reported as specified in the November 2013 Request.
2. KCBX shall keep a daily log and weekly reports of the following information:
 - a. Each site visit and operator activities;
 - b. any monitoring system downtime (date, time, duration, and reason) along with any corrective actions taken;
 - c. any possible interferences observed by the operator such as nearby construction or demolition; and
 - d. any calibration data provided by the manufacturer or performed by KCBX.
3. Hourly data from each FEM monitor and meteorological monitoring site shall be downloaded as ASCII comma-delimited files and provided to EPA on CD or by email every week. Hourly data from each FRM monitor shall be downloaded as ASCII comma-delimited files and provided to EPA on CD or by email every month. The files should have a single "header" row, with all following rows being individual records, and all columns being a single variable according to the header row. All filter analysis data, including any speciation data, shall also be provided.
4. All reports specified in items 2 and 3 above shall be submitted to EPA and IEPA for a period of one year. For the weekly reports, each report is due within 5 business days of the end of the week being reported. For the monthly reports, each report is due within 20 business days of the end of the month being reported. At the end of the one year time frame, EPA will re-evaluate and adjust, if necessary, the Section 114(a) request. KCBX shall submit these reports to:

Attn: Compliance Tracker, AE-17J
Air Enforcement and Compliance Assurance Branch
U.S. Environmental Protection Agency
Region 5
77 West Jackson Boulevard
Chicago, Illinois 60604

Appendix C

Confidential Business and Personal Privacy Information

Assertion Requirements

You may assert a business confidentiality claim covering any parts of the information requested in the attached Appendix B, as provided in 40 C.F.R. § 2.203(b).

Emission data provided under Section 114 of the CAA, 42 U.S.C. § 7414, is not entitled to confidential treatment under 40 C.F.R. Part 2.

“Emission data” means, with reference to any source of emissions of any substance into the air:

Information necessary to determine the identity, amount, frequency, concentration or other characteristics (to the extent related to air quality) of any emission which has been emitted by the source (or of any pollutant resulting from any emission by the source), or any combination of the foregoing;

Information necessary to determine the identity, amount, frequency, concentration or other characteristics (to the extent related to air quality) of the emissions which, under an applicable standard or limitation, the source was authorized to emit (including to the extent necessary for such purposes, a description of the manner and rate of operation of the source); and

A general description of the location and/or nature of the source to the extent necessary to identify the source and to distinguish it from other sources (including, to the extent necessary for such purposes, a description of the device, installation, or operation constituting the source).

40 C.F.R. § 2.301(a)(2)(i)(A), (B) and (C).

To make a confidentiality claim, submit the requested information and indicate that you are making a claim of confidentiality. Any document for which you make a claim of confidentiality should be marked by attaching a cover sheet stamped or typed with a caption or other suitable form of notice to indicate the intent to claim confidentiality. The stamped or typed caption or other suitable form of notice should employ language such as “trade secret” or “proprietary” or “company confidential” and indicate a date, if any, when the information should no longer be treated as confidential. Information covered by such a claim will be disclosed by EPA only to the extent permitted and by means of the procedures set forth at Section 114(c) of the CAA and 40 C.F.R. Part 2. Allegedly confidential portions of otherwise non-confidential documents should be clearly identified. EPA will construe the failure to furnish a confidentiality claim with your response to the Request to Provide Information as a waiver of that claim, and the information may be made available to the public without further notice to you.

7. Do you assert that the information is submitted on a voluntary or a mandatory basis? Please explain the reason for your assertion. If you assert that the information is voluntarily submitted information, explain whether and why disclosure of the information would tend to lessen the availability to EPA of similar information in the future.
8. Is there any other information you deem relevant to EPA's determination regarding your claim of business confidentiality?

If you receive a request for a substantiation letter from the EPA, **you bear the burden of substantiating your confidentiality claim.** Conclusory allegations will be given little or no weight in the determination. In substantiating your CBI claim(s), you must bracket all text so claimed and mark it "CBI." Information so designated will be disclosed by EPA only to the extent allowed by and by means of the procedures set forth in 40 C.F.R. Part 2, Subpart B. If you fail to claim the information as confidential, it may be made available to the public without further notice to you.

Personal Privacy Information

Please segregate any personnel, medical and similar files from your responses and include that information on a separate sheet(s) marked as "Personal Privacy Information." Disclosure of such information to the general public may constitute an invasion of privacy.

CERTIFICATE OF MAILING

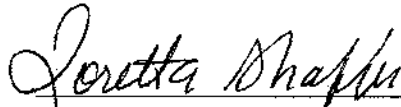
I, Loretta Shaffer certify that I sent a Request to Provide Information Pursuant to the Clean Air Act by Certified Mail, Return Receipt Requested, to:

Brandon Walker, EHS Manager
KCBX Terminals Company
3259 East 100th Street
Chicago, Illinois 60617

I also certify that I sent a copy of the Request to Provide Information Pursuant to the Clean Air Act by First-Class Mail to:

Ray Pilapil, Manager
Compliance Section
Bureau of Air
Illinois Environmental Protection Agency
1021 North Grand Avenue East
Springfield, Illinois 62794-9276

On the 14 day of April 2014.



Loretta Shaffer
AECAB, Planning and Administration Section

CERTIFIED MAIL RECEIPT NUMBER: 7009 1680 0000 7676 2656