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February 7, 2014

Dr. Bechara Choucair, Commissioner  
Chicago Department of Public Health  
Attn: Environmental Permitting and Inspections  
333 South State Street, Room 200  
Chicago, IL 60604

**RE: Air Pollution Control Proposed Rules and Regulations for the Handling and Storage of Bulk Material Piles**

Dear Commissioner Choucair:

On behalf of The American Coal Company (TACC), thank you for the opportunity to provide comments on the proposed regulations described above. TACC operates two coal mines and a coal preparation facility in the state of Illinois that employs 985 workers and produces 10,000,000 clean tons annually. Approximately 60% of that coal is shipped through trans-loading facilities located in Illinois on the Ohio River. TACC strongly opposes the inclusion of coal in the City of Chicago's proposed regulations for the following reasons.

TACC understands that the proposed rules were drafted in response to a single incident that occurred in August 2013 and involved a petcoke bulk terminal site in the City of Chicago. Although petcoke and coal are completely different commodities, the proposed rules seek to regulate both "coke and coal bulk terminals" in the same way. Bulk terminals are used in the transport of TACC's coal, and TACC must oppose policies that limit the manner in which its coal gets to market.

Coal bulk terminals in Illinois are already subject to extensive state and federal laws, regulations and permit requirements. These requirements regulate operations and impose monitoring requirements in connection with the storage and transloading of coal. At TACC, we have had zero incidents regarding fugitive dust, and we have been operating for over fifteen years.

The City of Chicago's proposed rulemaking would result in a significant economic burden to TACC and other companies across Illinois that have not created or contributed to any public health or disaster-related emergency. First, TACC would be forced to expend significant financial resources to comply with the proposed rules. Coal trans-loading facilities that we

utilize will be forced to expend significant financial resources, which in turn will significantly increase our cost of doing business and thereby make TACC significantly less competitive in the current market place. This will likely result in layoffs or even the closing of TACC. Second, the proposed timeline is patently unreasonable; indeed, according to TACC's initial analysis, it will not be physically possible to comply with the indicated timeline.

Accordingly, on behalf of TACC, I respectfully request that the City of Chicago remove references to coal in its proposed rules and regulations for the handling and storage of bulk material piles.

Thank you for your consideration.

Sincerely,

A handwritten signature in blue ink that reads "Michael McKown". The signature is written in a cursive, flowing style.

Michael McKown

Vice President and General Counsel