

APPENDIX P

1



Dust Solutions, Inc.
 130 Bay Pines Road
 Beaufort, SC 29906
 Phone # 843-846-3700
 Fax # 843-846-3701

Order Acknowledgement

Date
10/18/2017

Bill To:

Ship To:

WATCO TRANSLOADING, LLC.
 315 W 3RD
 PITTSBURG, KS 66762
 US

WATCO TRANSLOADING, LLC
 2926 E 126TH ST
 CHICAGO, IL 60633
 US

P.O. Number	DSI Job Number	Expected Ship	Terms	Project	
4500138015	17-0580	10/18/2017	NET 60	WATCO Truck Loading	
Quantity	Item Code	Description		Unit Price	Amount
1	DSI001	DSI Dry Fog Dust Suppression System Comprised of: (1) Pump Module in NEMA 4 Enclosure, Heated and Insulated (1) Multi-function Module, Heated and Insulated (1) Distribution Module, Heated and Insulated (1) BCM-1 Electric Control Module (8) DSN-12 Fogger Assemblies (20') 3/4" Flexible PVC Conduit & Water Tubing (between DM / MFM) (120') 3/4" Flexible PVC Conduit & Water Tubing (between DM / Foggers) (20') 1" Air Hose (between DM / MFM) (1) Remote Control		32,890.00	32,890.00
1	Freight Charge	Shipping / Handling - Estimated Freight Standard Truck Delivery		800.00	800.00
Questions? Email accounting@nodust.com .				Total	\$33,690.00

APPENDIX Q

PO # 137886

2



Quotation: Q-15675.01

To: **Watco Terminal & Port Services**
 2926 East 126th Street
 Chicago, IL 60633

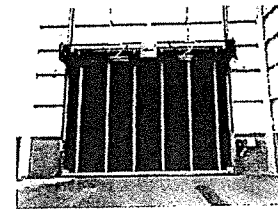
Attn: **Steve Caudle**
 Phone: 773-646-8005 Cell: 708-826-8426
 Fax: 773-646-0143
 Email: Steven.caudle@watcocompanies.com

Issued: Wednesday, September 13, 2017
 Expires: Friday, October 13, 2017
 Sales Contact: Chris Stanner
 Cell: 630-417-5973
 Email: cstanner@pautreilly.com
 Reference: West Building - East Door

Qty	Description	Price/Unit	Total
-----	-------------	------------	-------

Rytec "PowerHouse" Rubber Door

- 1 **Rytec Powerhouse High Speed Rubber Door**
 - Size: 26'10" wide x 19'6" high
 - Door Panel: Reinforced and resilient SBR rubber panel material with Ry-enforced seams.
 - Speed: Adjustable, open and close, at up to 67" per second.
 - Advanced Performance Features: Stay fast windstops for greater wind resistance. Ry-tension system for 30% stronger dynamic grip of the rubber panel. Segmented wind locks allow the panel to release cleanly when impacted from either direction. Self reset upon impact.
 - Drive System: 3 PH, variable speed AC Drive motor with dynamic braking and absolute encoder.
 - Chain hoist: provided to allow manual operation
 - Bottom Bar: Aluminum breakaway bottom bar capable of releasing in either direction. No exposed junction box on bottom bar. Vinyl loop hugs floor for a tight seal.
 - Safety: Dual cut-off switches shut off motor when bottom bar is impacted. Dual chamber, pneumatic auto-reversing soft edge reverses door upon contact. Ry-beam safety light curtain will prevent the door from closing if any object breaks the light field. Threshold LED warning lights flash amber prior to the door closing and light up solid red when the door goes into a downward motion. The provides visual indication of the status of the door
 - Wireless: Reliable two way communication between bottom bar and control eliminates the need for a coil cord.
 - Controls: System 4™ door controller features, pre-programmed menu options and self-diagnostic capabilities. These features can be accessed without opening the control panel by pressing the keypad which also acts as an open/close switch for the door. The panel comes equipped with 32- character LCD display messages. That can be view through a window in the NEMA-4 rated enclosure.
- 1 **Freight**
 - Unloading by Paul Reilly Company union installers
- 1 **Installation**
 - Price includes Paul Reilly Company union installation.
- 1 **(1) Interior Floor Loop (only side)**
 - Labor & material
 - Final termination by Watco electrician



Delivered, installed with tax \$55,843.75 \$55,843.75

NOTES

ELECTRICAL HOOK UP AT WIRING BY WATCO TERMINAL & PORT SERVICES

Lead Time

- 12 - 16 weeks (possibly January)

APPENDIX R

2

PO# 137489

Gene A. Meyers, Inc.

ELECTRICAL CONSTRUCTION AND SERVICE
7358 WEST 108TH PLACE
WORTH, ILLINOIS 60482
PHONE: 708-923-0123 FAX: 708-448-6004
genemeyers@att.net

October 16, 2017

Mr. Steve Caudle
Watco
2926 East 126th Street
Chicago, IL 60633

Building F Lighting and OHD power

Dear Mr. Caudle:

Gene A. Meyers, Inc. proposes to furnish all labor and materials to install the lighting back bone, loading lights, and power to the high speed door in Building F for the sum of **TWENTY THOUSAND FIFTY DOLLARS**. This price shall include:

Furnishing and installing six lighting circuit breakers in the existing 277 / 480 lighting panel.

Running a new 3/4 conduit up to the center of the isle on the new building, and to the center isle of the old building.

Running a new 3/4 conduit from end to end of the two isles with junction boxes located every 100 feet, with first light box at 50 feet from the ends.

Pulling three new circuits from the panel to each of the two isles to feed two or three lights each.

Running new conduit branches to the new lighting locations.

Furnishing and installing eight new 1,000 watt metal halide high bay fixtures in the truck loading area.

Furnishing and installing a new 20 amp three phase 480 volt circuit breaker and disconnect for the high speed door.

Running a new conduit from the lighting back bone to the new door location.

Pulling a 20 amp circuit from the panel to the new door location.

Making all connections and testing operation.

APPENDIX S

Steven J. Caudle

From: alerts=stevens-connect.com@mg.stevens-connect.com on behalf of Alerts <alerts@stevens-connect.com>
Sent: Tuesday, October 3, 2017 3:34 PM
To: Steven J. Caudle
Subject: Alarm triggered on Wind Station

This email originated from outside the company. Please use caution when opening attachments or clicking on links. Suspicious emails should be reported to emailthreats@watcocompanies.com

High Alarm Cleared

Station

Wind Station

Alarm Triggered At

2017-10-03 15:25:00

Parameter

Wind Speed

Reading

13.70 mph

*Followed BMP/Decision Tree:
was unloading a SIMN Barge
10 M X 3 M at the time we
were already wetting down the material
to keep dust under control. Had
only three lids (Barge) off at the
time per Decision Tree.
All Truck loading was indoor under
collector. Everything ok.*

[Modify Your Alerts](#)

Brought to you by Stevens Water

Steven J. Caudle

From: alerts=stevens-connect.com@mg.stevens-connect.com on behalf of Alerts
<alerts@stevens-connect.com>
Sent: Tuesday, October 3, 2017 2:59 PM
To: Steven J. Caudle
Subject: Alarm triggered on Wind Station

This email originated from outside the company. Please use caution when opening attachments or clicking on links. Suspicious emails should be reported to emailthreats@watcocompanies.com

High Alarm Triggered

Station

Wind Station

Alarm Triggered At

2017-10-03 14:55:00

Parameter

Wind Speed

Reading

15.60 mph

[Modify Your Alerts](#)

Brought to you by Stevens Water

APENDIX T



**Met One
Instruments**

Met One Instruments, Inc.

1600 Washington Blvd
Grants Pass, OR 97526 USA

Phone: 541-471-7111
Fax: 541-471-7116

5

Invoice:
161329

Sales Order:
123084

INVOICE

Invoice Date: 8/2/2017

Bill To:

WATCO TRANSLOADING LLC
315 W. 3RD ST
PITTSBURG, KS 66762 USA

Ship To:

WATCO TRANSLOADING LLC
2926 E 126th STREET
CHICAGO FERRO-7356
CHICAGO, IL 60633-1133 USA

PO Number	4500136311	Terms	NET 30 DAYS	OrderDate	06/22/2017
Packing Slip	130947	F.O.B.	SHIP POINT	Ship Date	08/02/2017
Ship Via	FEDEX GROUND	Sales Person	David Gilmore	Due Date	09/02/2017

Ln	Qty Ordered	Qty Shipped	Product	Description	U/M	Unit Price	Ext Price	Your Discount	Amount
1	1	1	034B	WIND SENSOR (SPEED & DIRECTION)	EA	\$585.00	\$585.00	\$29.25	\$555.75
2	1	1	3013	CABLE ASSEMBLY, WIND SENSOR -40ft	EA	\$95.00	\$95.00	\$4.75	\$90.25
3	1	1	2954	MOUNTING & ALIGNMENT ADAPTER	EA	\$40.00	\$40.00	\$2.00	\$38.00
4	1	1	191-1	CROSSARM ASSEMBLY	EA	\$150.00	\$150.00	\$7.50	\$142.50
5	1	1	580	AUTOMET DATA LOGGER, WEATHERPROOF	EA	\$1,895.00	\$1,895.00	\$94.75	\$1,800.25
6	1	1	MISC	ENGINEERING CHARGE ENGINEERING TO PROVIDE AS-BUILT DOCUMENTATION, WIRING DIAGRAM, DATA LOGGER SETUP, INTEGRATION & TEST & UP TO 1 HOUR INSTALLATION PHONE SUPPORT	EA	\$200.00	\$200.00	\$0.00	\$200.00
7	1	1	MISC	63453/ CELL NET DATA MODEM & ACCESSORIES VERIZON	EA	\$1,290.00	\$1,290.00	\$64.50	\$1,225.50
8	1	1	MISC	63454/CLOUD WEB PAGE SETUP & 1 YR. SERVICE PLAN	EA	\$1,314.00	\$1,314.00	\$65.70	\$1,248.30
9	1	1	905	TRIPOD, 10' QUICK DEPLOYMENT	EA	\$450.00	\$450.00	\$22.50	\$427.50
10	1	1	7221	LIGHTNING ROD & GROUND KIT (905)	EA	\$115.00	\$115.00	\$5.75	\$109.25

Tracking Number: 744601504537

St Carl
PO# 4500136311

Invoice Sub-total	\$5,837.30
Freight	\$194.00
Tax	\$0.00
Invoice Total	\$6,031.30

APPENDIX U

Vendon # 15103

4



HASSE CONSTRUCTION COMPANY, INC.
Over 80 Years of Experience and Leadership in Quality Construction

April 13, 2017

Via Email: steven.caudle@watcocompanies.com

Steve Caudle
Watco Companies
2926 E. 126th St.
Chicago, IL 60633

RE: Watco Companies Dock Slab Replacement (22,000 sf)
Hasso Project #7159 Revised

Mr. Caudle,

We submit our proposal for the subject project in accordance per the site visit on 3/24/17 for the replacement slab at Watco Companies located in Chicago, IL. See attached drawing for slab detail

1- Option #1 No rebar -

- a. Sawcut 12" depth for roughly 900 lf of existing concrete slab perimeter
 - b. Compact existing subbase
 - c. Drill and dowel in #5 rebar 24" o.c. into surrounding slab
 - d. Pour roughly 860 CY of 4000 psi concrete slab with a broom finish. Pad to be 12" thick
 - e. Furnish and install up to 2" sand subbase bedding (140 cy)
- Lump Sum Cost\$229,900.00

2- Option #2 With Welded Wire Fabric Sheets-

- a. Sawcut 12" depth for roughly 900 lf of existing concrete slab perimeter
 - b. Compact existing subbase
 - c. Drill and dowel in #5 rebar 24" o.c. into surrounding slab
 - d. Install one layer of 6 x 6W 2.9 x2.9 (6 gauge) Welded wire fabric reinforcement
 - e. Pour roughly 860 CY of 4000 psi concrete slab with a broom finish. Pad to be 12" thick
 - f. Furnish and install up to 2" sand subbase bedding (140 cy)
- Lump Sum Cost\$246,100.00

3- Option #3 With Single Mat Rebar-

- a. Sawcut 12" depth for roughly 900 lf of existing concrete slab perimeter
 - b. Compact existing subbase
 - c. Drill and dowel in #5 rebar 24" o.c. into surrounding slab
 - d. Install single rebar mat. #5 bar 12" oc.ew. (roughly 28.5 tons)
 - e. Pour roughly 860 CY of 4000 psi concrete slab with a broom finish. Pad to be 12" thick
 - f. Furnish and install up to 2" sand subbase bedding (140 cy)
- Lump Sum Cost\$315,000.00

4- Option #4 With Single Mat Rebar and Single Welded Wire Fabric Sheet-

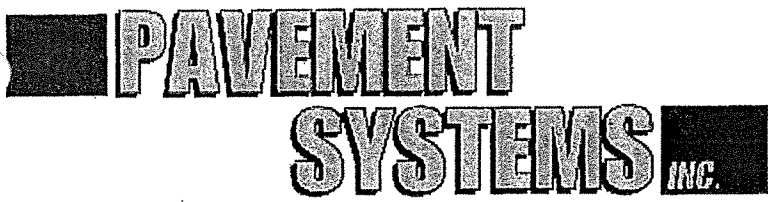
- a. Sawcut 12" depth for roughly 900 lf of existing concrete slab perimeter
 - b. Compact existing subbase 4/13/2017
 - c. Drill and dowel in #5 rebar 24" o.c. into surrounding slab
 - d. Install single rebar mat. #5 bar 12" oc.ew. (roughly 28.5 tons)
 - e. Install one layer of 6 x 6W 2.9 x2.9 (6 gauge) Welded wire fabric reinforcement
 - f. Pour roughly 860 CY of 4000 psi concrete slab with a broom finish. Pad to be 12" thick
 - g. Furnish and install up to 2" sand subbase bedding (140 cy)
- Lump Sum Cost\$331,700.00

5- Option #5 With Double Mat Rebar-

- a. Sawcut 12" depth for roughly 900 lf of existing concrete slab perimeter
 - b. Compact existing subbase
 - c. Drill and dowel in #5 rebar 24" o.c. into surrounding slab
 - d. Install top and bottom rebar mats. #5 bar 12" oc.ew. (roughly 57.5 tons)
 - e. Pour roughly 860 CY of 4000 psi concrete slab with a broom finish. Pad to be 12" thick
 - f. Furnish and install up to 2" sand subbase bedding (140 cy)
- Lump Sum Cost\$399,900.00

APPENDIX V

5



13820 S. California Avenue • Blue Island, IL 60406
(708) 396-8888 • Fax (708) 396-8893
www.PavementSystems.com

INVOICE

Invoice # 77-631-1
Date 10/17/2017
Customer PO# 137887
Contact Name Steve Caudle

SOLD TO:
Watco Companies
2926 E 126th St
Chicago, IL 60633

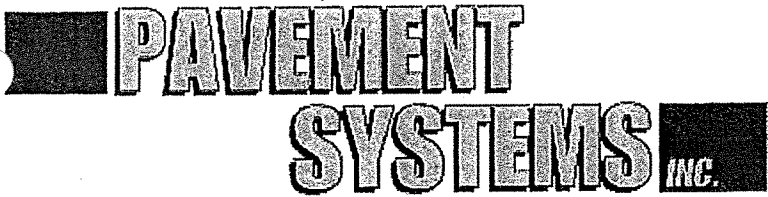
JOB SITE:
Watco Chicago - E Road
2926 E 126th St.
Chicago, IL 60633

Description	Amount
Excavate and pave 4" binder asphalt/2" surface asphalt, 14,874 sq. ft.	

Thank you for your business

InvoiceTotal \$56,961.00

5



13820 S. California Avenue • Blue Island, IL 60406
(708) 396-8888 • Fax (708) 396-8893
www.PavementSystems.com

INVOICE

Invoice # 77-632-1
Date 10/17/2017
Customer PO# 137887
Contact Name Steve Caudle

SOLD TO:
Watco Companies
2926 E 126th St
Chicago, IL 60633

JOB SITE:
Watco Chicago - Patches
2926 E 126th St
Chicago, IL 60633

Description	Amount
Remove and replace 7 areas, 4" binder asphalt/2" surface asphalt, 4,540 sq. Ft.	
Patches at dock per Steve C.	No Charge

Thank you for your business

Invoice Total \$25,866.00

APPENDIX W

3

EQUIPMENT SALES AGREEMENT

Corporate Office - Pittsburgh, PA

1000 WASHINGTON PIKE, BRIDGEVILLE, PA 15017 • 412-343-2300

-----Affiliate Locations-----



Anderson
EQUIPMENT COMPANY

www.andersonequip.com

PA		NY		NH		ME	
Clarton	814 226-4100	Albany	518 785-4500	Lancaster	603 788-5591	Bangor	207 942-0177
Cleaffeld	814 765-6311	Buffalo	716 877-1992	Manchester	603 627-7696	Gorham	207 591-6482
Somerset	814 443-2867	Endicott	807 748-3400	VT			
WV		Clean	716 372-8822	East Montpelier	802 223-9689		
Charleston	304 756-2800	Rochester	585 334-6770				
Fairmont	304 386-3075	Syracuse	315 463-8673				
		Watertown	315 788-5512				

Customer#	Agreement#	Sold Date	Est. Delivery Date	Order Branch	Cust Purchase Order#
71260	21170964 Rev:0	07/12/2017		BRIDGEVILLE, PA	4500136621

B WATCO COMPANIES, INC.
I 315 W 3RD ST
L PITTSBURG, KS 66762-4706
L
T
O

S WATCO COMPANIES, INC.
H 2926 EAST 126TH STREET
I CHICAGO, IL 60633
P
T
O

Terms:	Net 10	Ship Via:	AEC COM CARRIER
Salesperson:	MIKE RUSSO 412 860-3554	FOB:	DELIVERED

YOUNG CORP 5 CYD CLAMSHELL BUCKET \$95,787.00

- YOUNG 5 CU YD STRUCK CAPACITY DIGGING CLASS CLAMSHELL BUCKET MODEL DH500C BE
- COMPLETE WITH:
- 360 DEGREE POWER ROTATION
- BOLT ON EDGES
- CONNECTING LINK FOR PC1250MH W/YOUNG
- JUMPER HOSES
- EST. WT. 16,200 LBS.

WARRANTY: STANDARD FACTORY WARRANTY

TOTAL BEFORE TAX: \$95,787.00

0.00% SALES TAX: \$0.00

TOTAL WITH TAX: \$95,787.00

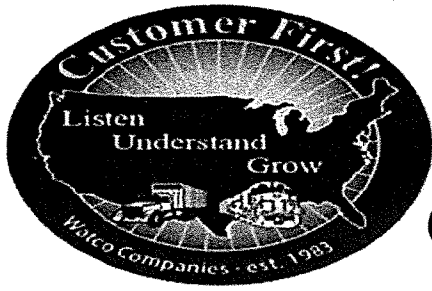
THIS IS A SPECIAL BUCKET HAT IS DESIGNED FOR DIGGING THE HEAVY PIG IRON AND FIT INTO TRUCKS.

(Page 1 of 4)

[Handwritten Signature]
 PO#

4500136621

APPENDIX X



WATCO COMPANIES

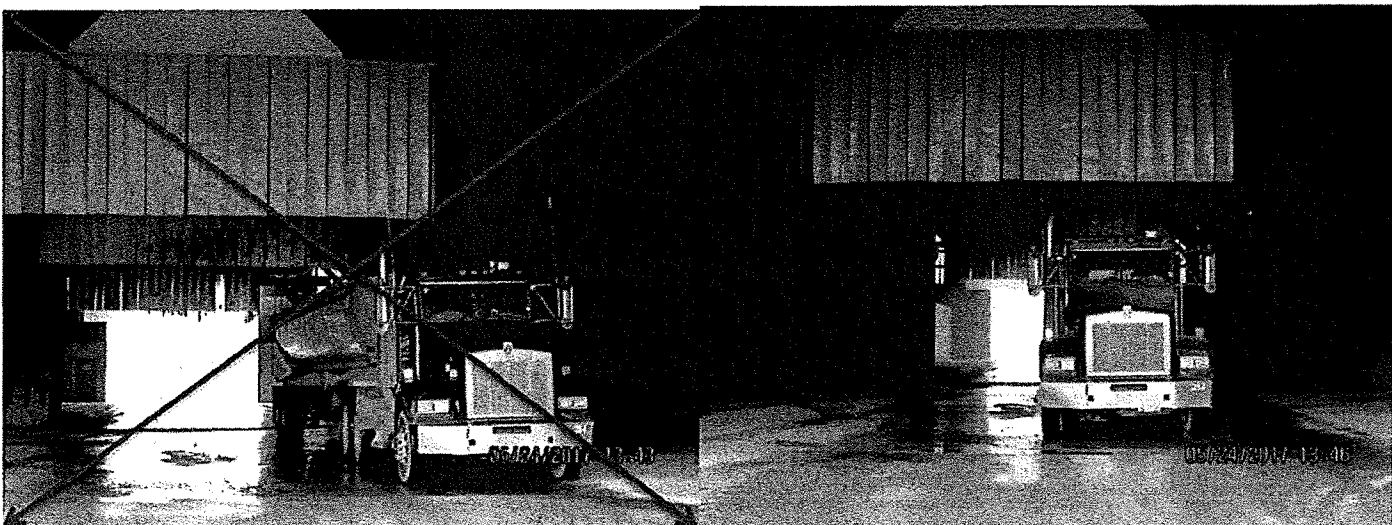
Attention Dump Truck Drivers

5.25.17

Watco Companies would like to make you aware of our ongoing efforts to stay compliant with the **Chicago Department of Public Health**. The CDPH has mandated new bulk handling regulations for many businesses along the water front. One particular item is the controlling of fugitive dust emissions associated with bulk handling. This terminal has recently spent over 2.5 Million in equipment to help reduce dust emissions. Some of the equipment recently purchased includes 5 dust collectors, 1 water truck, 1 Street sweeper, and new asphalt roads. The CDPH is still not satisfied and is asking us (Watco) to do more.

In a few weeks you will see a new concrete dock installed; the old one was badly worn and could not be swept up efficiently to help us control dust. Some new asphalt roads will be added where a slag road currently exists, this will help keep trucks on clean swept roads instead of slag roads that track material. More asphalt repairs will take place on existing road ways that are in need of repair. Additional improvements are currently being negotiated with the City as well. So to keep all are employees working and keep all truck drivers picking up loads from this facility we are asking for your help.

When picking up a bulk load of material within the breeze way of building F, we ask that you position your truck bed underneath the hood of our collectors. There are times trucks position themselves over too far to one side and the plume of dust escapes to the outside of the hood. When this occurs we have dust leave the building that the collector would have caught. Lastly please stay positioned under the hood after the last bucket is loaded for about 30 seconds before you leave the building, this will stop the trail of dust that is seen leaving your dump box as you exit the building. Please understand that we are all in this together and being monitored by the City. With your help we can continue to operate this facility in good standing with the City and surrounding neighborhoods.



Thank You

Steve Caudle

Terminal Manager

APPENDIX Y

Daily Water Truck Log

Day/Date	Driver Name	Start Time	End Time	Area/s Water Applied	Ran Unit (Y/N)	(N) Describe
Monday, August 21, 2017	Ron Phelps	7 ⁰⁰ AM	9 ³⁰ AM	Roads	Y	
Tuesday, August 22, 2017					N	RAIN ALL MORNING
Wednesday, August 23, 2017	Ron Phelps	12 PM	2 ³⁰ PM	Roads	Y	
Thursday, August 24, 2017	Ron Phelps	11:00	1:30	Roads	Y	
Friday, August 25, 2017	Ron Phelps	8:00	12:00	Roads	Y	
Saturday, August 26, 2017	Closed					
Sunday, August 27, 2017	Closed					
Monday, August 28, 2017	1				N	Rain
Tuesday, August 29, 2017	Ron Phelps	10:00	2 ³⁰ PM	Roads	Y	
Wednesday, August 30, 2017	Ron Phelps	7 ⁰⁰ AM	9 ³⁰ AM	Roads	Y	
Thursday, August 31, 2017	Ron Phelps	6 ⁰⁰ AM	8 ⁰⁰ AM	Roads	Y	
Friday, September 01, 2017	Ron Phelps	9 ³⁰ AM	1 ³⁰ PM	Roads	Y	
Saturday, September 02, 2017	Closed					
Sunday, September 03, 2017	Closed					

Daily Street Sweeper Log

Day/Date	Driver Name	Start Time	End Time	Area/s Swept	Ran Unit (Y/N)	(N) Describe
Monday, August 21, 2017	Row Phelps	1:30 PM	2:30 PM	Roads	Y	
Tuesday, August 22, 2017	Joe Harris	3:15	5:00	Roads	Y	
Wednesday, August 23, 2017	Joe Harris	3:15	5:00	Roads	Y	
Thursday, August 24, 2017	Joe Harris	6:00 AM	3:15	Roads/Buildings	Y	
Friday, August 25, 2017	Joe Harris	6:00	3:15	Roads/Buildings	Y	
Saturday, August 26, 2017	OFF					
Sunday, August 27, 2017	OFF					
Monday, August 28, 2017	Joe Harris	7:00 AM	3:15	Roads/Buildings	Y	
Tuesday, August 29, 2017	Joe Harris	7:00	3:15	Roads/Buildings	Y	
Wednesday, August 30, 2017	Joe Harris	6:00	3:00	Roads/Buildings	Y	
Thursday, August 31, 2017	Joe Harris	8:00	3:00	Roads/Buildings	Y	
Friday, September 01, 2017	Joe Harris	1:00 PM	3:00 PM	Roads/Buildings	Y	Down this morning maintenance
Saturday, September 02, 2017	OFF					
Sunday, September 03, 2017	OFF					

APPENDIX Z



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5
77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

REPLY TO THE ATTENTION OF:

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

James M. Langbehn, Terminal Manager
S.H. Bell Company
10218 South Avenue O
Chicago, Illinois 60617

Re: Notice of Violation
S.H. Bell Company
Chicago, Illinois

Dear Mr. Langbehn:

The U.S. Environmental Protection Agency is issuing the enclosed Notice of Violation (NOV) to S.H. Bell Company (you) under Section 113(a)(1) of the Clean Air Act, 42 U.S.C. § 7413(a)(1). We find that you are violating the Illinois State Implementation Plan at your Chicago, Illinois facility.

Section 113 of the Clean Air Act gives us several enforcement options. These options include issuing an administrative compliance order, issuing an administrative penalty order and bringing a judicial civil or criminal action.

We are offering you an opportunity to confer with us about the violations alleged in the NOV. The conference will give you an opportunity to present information on the specific findings of violation, any efforts you have taken to comply and the steps you will take to prevent future violations. In addition, in order to make the conference more productive, we encourage you to submit to us information responsive to the NOV prior to the conference date.

Please plan for your facility's technical and management personnel to attend the conference to discuss compliance measures and commitments. You may have an attorney represent you at this conference.

The EPA contact in this matter is Molly Smith. You may call her at (312) 353-8773 to request a conference. You should make the request within 10 calendar days following receipt of this letter. We should hold any conference within 30 calendar days following receipt of this letter.

Sincerely,



Edward Nam
Director
Air and Radiation Division

Enclosure

cc: Scott R. Dismukes, Esquire
Eckert, Seamans, Cherin, and Mellott, LLC
600 Grant Street, 44th Floor
Pittsburgh, Pennsylvania 15219

Yasmine Keppner-Bauman
Compliance Unit
Bureau of Air
Illinois Environmental Protection Agency
1021 North Grand Avenue East
Springfield, Illinois 62794

Mort Ames
City of Chicago Law Department
Assistant Corporation Counsel Supervisor
30 N. La Salle Street, Suite 1400
Chicago, Illinois 60602

Dave Graham
Chicago Department of Public Health
Assistant Commissioner
333 S. State Street, Room 200
Chicago, Illinois 60604

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5

IN THE MATTER OF:)	
)	
S.H. Bell Company)	NOTICE OF VIOLATION
Chicago, Illinois)	
)	EPA-5-17-IL-10
Proceedings Pursuant to)	
Section 113(a)(1) of the)	
Clean Air Act, 42 U.S.C.)	
§ 7413(a)(1))	

NOTICE OF VIOLATION

The U.S. Environmental Protection Agency (EPA) is issuing this Notice of Violation under Section 113(a)(1) of the Clean Air Act, 42 U.S.C. § 7413(a)(1). EPA finds that S.H. Bell Company (S.H. Bell), is violating the Illinois State Implementation Plan (SIP), as follows:

Statutory and Regulatory Background

1. The CAA, 42 U.S.C §§ 7401, *et seq.*, and the regulations promulgated thereunder, establish a statutory and regulatory scheme designed to protect and enhance the quality of the nation's air so as to promote the public health and welfare and the productive capacity of its population.
2. On May 31, 1972, EPA approved Illinois Pollution Control Board (IPCB) Rules 101 and 102 as part of the federally enforceable SIP for the State of Illinois. 37 Fed. Reg. 10842. IPCB Rule 101 has been recodified at 35 Illinois Administrative Code (Ill. Admin. Code) § 201.102. IPCB Rule 102 has been recodified at 35 Ill. Admin. Code § 201.141.
3. The Illinois SIP at 35 Ill. Admin. Code § 201.141 provides, in pertinent part, that no person shall cause or threaten or allow the discharge or emission of any contaminant into the environment in any State so as, either alone or in combination with contaminants from other sources, to cause or tend to cause air pollution in Illinois or so as to prevent the attainment or maintenance of any applicable ambient air quality standard.
4. The Illinois SIP at 35 Ill. Admin. Code § 201.102 defines "Ambient Air Quality Standard" as those standards promulgated from time to time by the IPCB pursuant to authority contained in the Illinois Environmental Protection Act and found at 35 Ill. Adm. Code 243, or by the U.S. Environmental Protection Agency pursuant to authority contained in 42 U.S.C. 7401 *et seq.* as amended from time to time.
5. The Illinois SIP at 35 Ill. Admin. Code § 201.102 defines "Air Pollution" as the presence in the atmosphere of one or more air contaminants in sufficient quantities and of such characteristics and duration as to be injurious to human, plant, or animal life, to health, or to property, or to unreasonably interfere with the enjoyment of life or property.

Findings of Fact

6. S.H. Bell is a bulk material storage handling facility located at 10218 South Avenue O, Chicago, Illinois (the facility).
7. S.H. Bell performs crushing, screening, loading and unloading operations of various materials, including materials that contain manganese.
8. The Agency for Toxic Substances and Disease Registry (ATSDR) has identified the inhalation minimal risk level (MRL) for chronic exposure to manganese to be $0.3 \mu\text{g}/\text{m}^3$, and was used by EPA for the Risk and Technology Review for the National Emission Standards for Hazardous Air Pollutants: Ferroalloys Production at <https://www.gpo.gov/fdsys/pkg/FR-2014-10-06/html/2014-23266.htm>. An MRL is an estimate of the daily human exposure to a hazardous substance that is likely to be without appreciable risk of adverse non-cancer health effects over a specified duration of exposure.
9. On August 22, 2016, ATSDR published a report, Health Consultation: Review of Analysis of Particulate Matter and Metal Exposure in the Air KCBX (AKA, "Chicago Petroleum Coke" sites) Chicago, Cook County, Illinois. This report identifies non-cancer health risks to the community "driven by potential manganese exposure – a pollutant handled in large quantities at a facility directly across the river, east and east-southeast from the North Terminal [the S.H. Bell Facility]." The report concluded there is an elevated non-cancer risk to the community from the exposure to metals in the ambient air, including manganese dust coming from the S.H. Bell Facility. The ATSDR report can be found at: https://www.atsdr.cdc.gov/hac/pha/KCBXPetroleumCoke/KCBX_Petroleum%20Coke_HC_508.pdf.
10. EPA issued a Section 114 Information Request to S.H. Bell ("114 Request") on March 4, 2015. The 114 Request requires S.H. Bell to install, operate, and maintain continuous PM_{10} air monitors, referred to as Federal Equivalent Method ("FEM") monitors, and PM_{10} filter-based air monitors, referred to as Federal Reference Method ("FRM") monitors, at the Facility.
11. On July 15, 2015, EPA sent S.H. Bell a letter explaining the need for the monitors and EPA's position that S.H. Bell was in violation of Section 114 of the CAA for failing to install the required monitors pursuant to the Section 114 Request.
12. On August 9, 2016, Civil Action Number 16-7955, a complaint, was filed in federal court for, among other claims, S.H. Bell failing to install air monitors as required by the March 4, 2015 114 Request.
13. On December 5, 2016, a Stipulated Settlement and Final Consent Order (Consent Order) was entered in federal court. The Consent Order required S.H. Bell to install four FEM continuous PM_{10} air monitors and one FRM filter-based air monitor.

14. All air monitors were installed and operating at the S.H. Bell facility on March 1, 2017. The Consent Order requires data to be submitted to EPA on a monthly basis.
15. As of August 1, 2017, four months of PM10 metals air monitoring data has been received from the S.H. Bell facility for the time period March 1, 2017, through June 30, 2017. The four months of data show an average concentration of 0.32 $\mu\text{g}/\text{m}^3$ of manganese for the months of March through July 2017.

Violations

16. EPA has found manganese levels that exceed the health-based standard screening level at the S.H. Bell facility in Chicago.
17. S.H. Bell is causing emissions of manganese into the air, so as, either alone or in combination with contaminants from other sources, to cause or tend to cause, Air Pollution in Illinois in violation of the Illinois SIP at 35 Ill. Admin. Code § 201.141.

Environmental Impact of Violations

18. These violations have caused or can cause excess emissions of manganese. Manganese is a neurotoxin at certain concentrations that can cause neuromotor and neuropsychological deficits. Inhaled manganese may be transported to the brain before it is metabolized by the liver. Exposure to elevated concentrations of manganese in the air may lead to a permanent neurological disorder known as manganism, the symptoms of which include tremors, difficulty walking, facial muscle spasms, negative cognitive effects, and mood changes. It may also lead to lung inflammation and impaired lung function. In children, exposure to elevated levels of manganese may result in effects on brain development, including changes in behavior and decreases in learning and memory capacities.

Date

8/7/17

Edward Nam

Director

Air and Radiation Division