



July 11, 2014

**Via Email**

Chicago Department of Public Health  
Attn: Environmental Permitting and Inspections  
333 South State Street, Room 200  
Chicago, IL 60604  
[EnvComments@cityofchicago.org](mailto:EnvComments@cityofchicago.org)

**Re: For a Variance from the City of Chicago Rules and Regulations Pertaining to the Handling and Storage of Bulk Material Piles**

To whom this may concern:

On behalf of the Chemical Industry Council of Illinois (CICI), we urge the Department of Public Health of the City of Chicago to grant a variance in the above entitled matter on behalf of Kinder Morgan Arrow Terminal (Kinder Morgan).

As reflected in Kinder Morgan's variance request, Kinder Morgan does not handle coal or petcoke at its terminal. Almost all of the products handled at the terminal are stored indoors and do not create a risk for fugitive dust emissions. The primary product stored outdoors is pig iron, which poses a very small risk of fugitive dust emissions.

Kinder Morgan has demonstrated that it has taken and continues to take steps to come into compliance with the Department's regulations. Kinder Morgan's Fugitive Dust Emissions Plan is comprehensive in scope and substance. Kinder Morgan has expended a considerable sum of money, both before and after the regulations went into effect, to control fugitive emissions. Kinder Morgan has also made a strong commitment on a going forward basis to continue to control fugitive dust emissions.

The limited issues for which Kinder Morgan is seeking a variance are reasonable. Notably, Kinder Morgan is not asking to avoid compliance. Rather, Kinder Morgan is offering alternative measures to control fugitive emissions. Kinder Morgan has also demonstrated reasonable grounds – in terms of both technical feasibility and economic reasonableness – to support its variance requests. Kinder Morgan rightly explained, for example, that there are technical limitations based on the types of products handled at the terminal and the configuration of the loading and unloading points.

Kinder Morgan maintains a clean facility, is a strong employer in the Lake Calumet area, and is a good and solid corporate citizen. CICI believes that Kinder Morgan's Variance Application should be approved.

The chemical industry in Illinois is the 3rd largest manufacturing sector in the state. Illinois is also the 4th largest chemical producing state in the nation. The industry directly employs almost 45,000 Illinoisans at an average wage of \$97,000 a year. In addition, 299,242 Illinois jobs are supported by the business of chemistry. In all, the business of chemistry in Illinois generated \$40 billion

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worth of products, and exported \$7.9 billion, making the industry the second largest exporter in the state. Further, in July, 2012 Chemical Week reported that the Chicago-Joliet-Naperville area was listed as the top metro area in the U.S. for chemical manufacturing employment.

Thank you for your time and consideration. If you or your staff has any questions or comments, please do not hesitate to contact me in the Springfield office at (217) 522-5805.

Sincerely,

A handwritten signature in black ink, appearing to read "Mark Biel", with a stylized flourish at the end.

Mark Biel  
Executive Director