Response to comments received during the public comment period for the KCBX FESOP renewal

1. **The IEPA's decision to permit the facility as a "minor source" of criteria air pollutants is based on a faulty and incomplete analysis of the facility's potential-to-emit; correcting these errors will likely show that the KCBX Terminals Company ("KCBX") facility is a major source and subject to Prevention of Significant Deterioration ("PSD") rules and the Clean Air Act Permit Program ("CAAPP").**

The Illinois EPA does not dispute that the potential to emit (PTE) for the facility is above the major source level for the Title V permit program. The FESOP program was established so that facilities' whose PTE is above the major source level could take limits in their permits to restrict facility emissions to non-major levels. KCBX's permit contains conditions that limit its emissions to below major source levels. KCBX applied for a federally enforceable state operating permit (FESOP) in May of 1995 because the PTE for particulate matter less than 10 microns (PM_{10}) and nitrogen oxides (NO_x) both exceed Title V major source thresholds of 100 tons/year. Emissions of PM_{10} and NO_x have been limited to less than 100 tons/year since KCBX's first FESOP was issued in June of 2000.

In regard to PSD applicability, the terminal facility began operations around 1950 with the north rail dump and shiploader system. Around 1954, the south rail dump and shiploader system were constructed. Startup of operation of this equipment pre-dates the PSD rules by more than twenty years and it does not appear that this equipment was ever modified after the PSD rules became effective in 1975. In the last ten years, just two air pollution control construction permits have been issued to the KCBX facility. Construction permit 04050036 was issued on May 28, 2004 for the addition of a box hopper and construction permit 07100090 was last issued on May 25, 2010 for two conveyors. Neither of these permits triggered PSD review.

While PM emissions are not a regulated pollutant subject to Clean Air Act Permit Program (CAAPP) permitting, the FESOP limited PM emissions from the source to levels well below the applicability of PSD. The FESOP limits the source's PTE to below the major source thresholds for both CAAPP permitting and for PSD. Furthermore, the Illinois EPA revised the permit and provided additional explanation for the approach taken in the issued FESOP based on the comments received. Thus, instances where it was previously unclear as to how potential emissions were calculated should be better explained and minor errors in the issued permit corrected. For instance, the Illinois EPA revised the equation in Condition 10(a).

2. **The draft FESOP's potential-to-emit calculations for the KCBX coal terminal fail to accurately quantify emissions from a number of sources including:**
    - **Particulate matter from diesel emissions from generators and mobile equipment associated with the site;**
    - **Particulate matter emissions from coal handling;**
    - **Fugitive road dust particulate matter emissions from trucking and transport of coal; and**
    - **NO_x emissions from mobile equipment associated with the site.**

Emissions of PM from the generators are combined with the material handling activities in the overall 225 tons/year limit. The PTE for PM and PM_{10} from the generators, engines, and heaters is 5.9 tons/year and 3.9 tons/year, respectively. The only fugitive PM and PM_{10} emissions accounted for in the FESOP are those associated with the coal screening plant, which is subject to the New Source Performance Standards (NSPS) for Coal Preparation Plants, 40 CFR 60 Subpart Y. No other fugitives are included for purposes of CAAPP permitting.

Emissions from mobile equipment are not counted for purposes of CAAPP applicability. The Illinois EPA does not regulate emissions from motor vehicles in permits for stationary sources.

3. **We believe that KCBX is unable to limit their emissions, especially that of particulate matter and has been allowed over the years to violate state and federal air quality regulations.**

KCBX is able to limit their NO_x and PM_{10} emissions to below the major source thresholds for CAAPP permitting as evidenced by numerous conditions in the issued FESOP. The Illinois EPA regularly inspects the KCBX facility to determine its compliance with applicable laws and regulations, as well as permit conditions. If and when Illinois EPA determines that a compliance issue exists, it will take all steps necessary (up to and including enforcement) to ensure that KCBX returns to compliance.

4. **How will the Illinois EPA know that the facility is a non-major source.**

KCBX will submit annual emission reports and will also calculate and maintain records of their emissions on a monthly basis. In addition, should KCBX's emissions exceed the permitted limit, they must submit a report to the Illinois EPA's Compliance Section within 30 days of the exceedance of the permit limit.

5. **A limit on production or operation is practically enforceable only if the permit also includes recordkeeping requirements that allow the permitting agency to verify the source's compliance with its limits on at most a monthly basis.**

The FESOP for KCBX Terminals Company does require extensive recordkeeping to allow the Illinois EPA to verify compliance with the limits on a monthly basis. These recordkeeping requirements can be found in Special Condition No. 18(a) and specifies that records of the following information be kept:

- Records of the use of wet suppression equipment (dates and hours of usage, amount of water applied each month, malfunctions, records of inspections of the wet suppression equipment, dates of rainfall, and daily observations the condition of the bulk solid material (wet or dry and whether covered by snow or ice);
- Records for the moisture content analysis of the bulk solid materials by the suppliers of the materials;
- Records of the moisture analysis conducted at the facility;
- Name and total amount of each bulk solid material transferred;
- Operating hours of the large diesel-powered generators;
- Fuel usage for all other stationary engines, generators and heaters at the facility;
- Monthly and annual emissions of carbon monoxide (CO), NO_x, PM, PM_{10}, sulfur dioxide (SO_2), and volatile organic material (VOM) from this source with supporting calculations

In addition, the issued FESOP includes the requirement for recordkeeping of the following:

- Name and total amount of each bulk solid material (e.g., coal, petroleum coke, etc.) transferred in unenclosed areas, (tons/month and tons/year);
- Name and total amount of each bulk solid material (e.g., coal, petroleum coke, etc.) material transferred in enclosed areas, (tons/month and tons/year); and
- Name and total amount of each bulk solid material (e.g., coal, petroleum coke, etc.) screened, (tons/month and tons/year);

6. **The draft FESOP includes unenforceable blanket emissions limits. USEPA issued guidance on limiting a source's PTE clearly establishes that "blanket" emissions limitations are not federally or practically enforceable if they are not coupled with other enforceable limits on operation or production, and therefore do not satisfy the legal requirements of the Clean Air Act. As a practical matter, enforceability requires permit conditions that restrict operations or production; unless an emissions source is subject to a continuous emissions monitoring system ("CEMS"), blanket emission limits do not suffice. In order to be practically enforceable, emissions limitations must be set for each unique process or emissions source.**

According to USEPA's January 31, 1996 memorandum "'Effective' Limits on Potential to Emit: Issues and Options" the definition of "enforceable as a practical matter" would require limitations to:

- be permanent;
- contain a legal obligation for the source to adhere to the terms and conditions;
- not allow a relaxation of a SIP requirement;
- be technically accurate and quantifiable;
- identify an averaging time that allows at least monthly checks on compliance (that is, monthly or shorter averages are encouraged; where this is unreasonable, longer averages
- would be required to be accounted for on a rolling monthly basis); and
- require a level of recordkeeping, reporting, and monitoring sufficient to demonstrate compliance with the limit.

and according to the USEPA's January 25, 1995 memorandum "Options for Limiting the Potential to Emit (PTE) of a Stationary Source Under Section 112 and Title V of the Clean Air Act (Act)" states:

> "There is no single "one size fits all" mechanism that would be appropriate for creating federally-enforceable limitations on potential emissions for all sources in all situations. The spectrum of available mechanisms should, however, ensure that State and local agencies can create federally-enforceable limitations without undue administrative burden to sources or the agency. With this in mind, EPA views the following types of programs, if submitted to and approved by EPA, as available to agencies seeking to establish federally-enforceable potential to emit limits:
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> 1. Federally-enforceable State operating permit programs (FESOPs) (non-title V). For complex sources with numerous and varying emission points, case-by-case permitting is generally needed for the establishment of limitations on the source's potential to emit. Such case-by-case permitting is often accomplished through a non-title V federally-enforceable State operating permit program. This type of permit program, and its basic elements, are described in guidance published in the Federal Register on June 28, 1989 (54 FR 27274). In short, the program must: (a) be approved into the SIP, (b) impose legal obligations to conform to the permit limitations, (c) provide for limits that are enforceable as a practical matter, (d) be issued in a process that provides for review and an opportunity for comment by the public and by EPA, and (e) ensure that there is no relaxation of otherwise applicable Federal requirements. The EPA

> believes that these type of programs can be used for both criteria pollutants and hazardous air pollutants, as described in the memorandum, "Approaches to Creating Federally-Enforceable Emissions Limits," November 3, 1993.

Further, USEPA's January 25, 1995 memorandum "Options for Limiting the Potential to Emit (PTE) of a Stationary Source Under Section 112 and Title V of the Clean Air Act (Act)" states:

> "Practicable Enforceability
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> If limitations--whether imposed by SIP rules or through individual or general permits--are incomplete or vague or unsupported by appropriate compliance records, enforcement by the States, citizens and EPA would not be effective. Consequently, in all cases, limitations and restrictions must be of sufficient quality and quantity to ensure accountability (see 54 FR 27283). The EPA has issued several guidance documents explaining the requirements of practicable enforceability (e.g., "Guidance on Limiting Potential to Emit in New Source Permitting," June 13, 1989; memorandum from John Rasnic entitled "Policy Determination on Limiting Potential to Emit for Koch Refining Company's Clean Fuels Project," March 13, 1992). In general, practicable enforceability for a source-specific permit means that the permit's provisions must specify: (1) A technically-accurate limitation and the portions of the source subject to the limitation; (2) the time period for the limitation (hourly, daily, monthly, and annual limits such as rolling annual limits); and (3) the method to determine compliance including appropriate monitoring, recordkeeping, and reporting."

The Illinois EPA believes that the issued FESOP complies with the abovementioned guidance addressing practical enforceability. The establishment of production or throughput limits on the individual bulk solid material handling operations would not be technically accurate and quantifiable due to the high number of different operating scenarios and the variability of the moisture content of the bulk materials handled.

Specifically, throughput limitations for particular hoppers, conveyors, belts, chutes, trippers, stackers and bins are infeasible as they would defeat the purpose of the terminal handling a variety of different solid materials. The bulk solid material terminal consists of over twenty conveyors. These conveyors would also transfer a variety of products. The annual throughput for a particular product will depend on the market demand and terminal capacity. In addition, the terminal may also need to reconfigure the operations in as many as twenty different operating scenarios. Given the need for variability in the operation of these conveyors, an overall limit for the bulk solid material handling

operations, as opposed to individual limits for particular hoppers, conveyors, belts, chutes, trippers, stackers and bins, is warranted.

Since a CEM is not feasible for monitoring the PM emissions from emission units without stacks or vents, the permit must require a continuous assessment of emissions that is at least as reliable as a CEM. Compliance would instead be determined daily based on the moisture content of the material (if less than 3.0% by weight), use of wet suppression equipment, recordkeeping of the monthly throughput of materials transferred in unenclosed and enclosed areas, the amount of bulk solid material screened, the operating hours for the large diesel-powered generators and the fuel usage for all other stationary engines, generators, and heaters. Illinois EPA believes that monitoring of the moisture content of the bulk solid material received at the facility will be adequate to determine compliance.

7. **The draft FESOP relies entirely on AP-42 emission factors to calculate its potential to emit criteria air pollutants and for its conclusion that the limits contained in the permit lower KCBX's PTE criteria pollutants to below major source thresholds. The EPA has clearly stated that, since the AP-42 emissions factors are industry-wide averages that do not represent the maximum emissions a particular source can emit, they are not appropriate for establishing source-specific emission limits. In particular, fugitive emissions originating from the coal handling processes, which account for the bulk of the potential emissions of particulate matter for the KCBX coal terminal, are calculated using emission factors developed for Crushed Stone Processing and Pulverized Mineral Processing.**

The use of AP-42 emission factors to calculate the emissions from the KCBX terminal is appropriate. There are no emission factors specifically developed for the materials handled at KCBX. AP-42 represents the best available data and methods to estimate emissions from the bulk solid material terminal. Emission estimates from storage piles of screened coal, while not specifically using factors developed for such material, are conservative because they assume no control from watering, even though watering is an enforceable condition of the issued FESOP. Emissions from vehicle traffic hauling screened coal use the standard calculation equation in Chapter 13.2.2 of AP-42 for unpaved roads with silt content assumed from plant roads at western surface coal mines, which is believed to be the closest approximation of roads at KCBX.

The emission factors used to calculate material handling, fuel combustion and screening emissions for the KCBX facility were rated "C" or better for PM, and PM_{10}. The PM and PM_{10} emissions are mostly derived from the equation for material transfers in Chapter 13.2.4 of AP-42, which utilizes product moisture and wind speed to calculate emissions, rather than an average of measurements from individual pieces of equipment. Regarding the remaining emissions not covered by the equation, there is no reasonably available alternative to using these emission factors because direct measurement is impractical.

8. As it is currently drafted, there is no connection between the emissions factors and calculation, practically enforceable process limitations, and the individual process units.

The FESOP specifies that the emission factors and the equation contained in Special Condition No. 10 are to be used to quantify emissions for the purposes of determining compliance with the emission limits and maintaining records of the facility's emissions.

9. The draft FESOP requires little to no monitoring of actual emissions from each source identified, and neither the application nor the draft FESOP provides enough information on the handling process for the EPA, the state, or the public to verify whether emissions are being calculated correctly.

The FESOP requires monitoring the moisture content of the bulk solid material and the usage of the wet suppression equipment. There is no other air pollution control equipment at the facility that may be monitored and a continuous emission monitor (CEM) is not feasible for monitoring the PM emissions from emission units without stacks or vents.

10. The draft FESOP fails to accurately calculate potential emissions of NO_x from all sources at KCBX. All trucks, loaders, rail engines, tugs or other mobile emissions points must be included in the facility-wide emissions estimate in Condition 9b in order to insure that KCBX becomes a minor source.

The FESOP accounts for all stationary engines, all stationary gasoline and diesel-powered generators, and all diesel/kerosene-fired heaters at KCBX's bulk solids materials terminal. Motor vehicles are not required to be counted for purposes of determining CAAPP applicability. The Illinois EPA does not regulate emissions from motor vehicles in permits for stationary sources.

11. There is no justification as to why KCBX's estimated 175 tons per year of emissions will be effectively limited to 92 tons per year of less of NO_x.

The 175 tons/year figure is the potential emissions of NO_x, if the source's stationary fuel-fired emission units were to operate at full capacity for 8,760 hours/year (24 hours/day and 365 days/year). KCBX does not operate 8760 hours per year and the limit proposed by KCBX in their FESOP application, 92 tons/year, would excluded the facility from the requirement to obtain a CAAPP permit

12. USEPA has promulgated a National Ambient Air Quality Standard for $PM_{2.5}$. As such, the IEPA must directly assess and regulate $PM_{2.5}$ emissions from the KCBX coal terminal.

Due to comments received, the Illinois EPA required KCBX to provide estimates of their PTE for $PM_{2.5}$. KCBX calculated that the source-wide PTE for $PM_{2.5}$ (filterable) was 70 tons/year, which is less than the 100 tons/year threshold for CAAPP permitting.

13. The Chicago area is designated as nonattainment for the $PM_{2.5}$ National Ambient Air Quality Standard, and the KCBX coal terminal is a major source of $PM_{2.5}$.

The major source threshold for CAAPP applicability is 100 tons/year. KCBX's source-wide PTE for $PM_{2.5}$ (filterable) is 70 tons/year. KCBX is not a major source for emissions of $PM_{2.5}$.

14. The IEPA may not use PM_{10} as a surrogate for $PM_{2.5}$. The use of PM_{10} as a surrogate for $PM_{2.5}$ is unacceptable as a matter of law and is not technically justified.

Neither PM_{10} nor PM is being used as a surrogate for $PM_{2.5}$. $PM_{2.5}$ emissions were calculated separately using emissions factors for $PM_{2.5}$ emissions found in AP-42. As previously discussed, AP-42 represents the best available data for estimating emissions from KCBX's bulk solid material terminal.

15. The emissions of PM_{10} are based on the AP-42 factor for total PM. This method of estimation fails to include condensable particulate matter as required under Illinois Law. This is significant because the condensable phase is a significant portion of diesel emissions.

AP-42 emission factors are the only available data to estimate PM_{10} emissions from KCBX's bulk solid material terminal. There are no emission factors or data to support or calculate emissions of condensable PM from KCBX's bulk solid material terminal. According to Table 3.4-2 of AP-42, condensable PM from the large engines and generators would only be 7.7% of total PM, therefore PTE for condensable PM would be approximately 0.45 tons/year. The total PTE for $PM_{2.5}$ (filterable plus condensable) will remain approximately 71 tons/year, which is less than the 100 tons/year major source threshold.

16. The draft FESOP includes errors in calculation that grossly underestimate particulate matter emissions. There is a disturbing mismatch between IEPA's proposed method of emissions verification, the KCBX's emissions estimations, and the list of equipment proposed to be addressed by the draft FESOP.

KCBX's emissions estimates in the FESOP application represent their PTE and are based on the equipment operating at its maximum capacity at continuous operation (8,760 hours/year). In reality, this equipment will not always operate at its full capacity nor will it operate for 24 hours/day and 365 days/year. Therefore, the permit restricts the equipment emissions based on lower utilization and as a result the emissions are much below the facility's potential. In addition, the source may operate in as many as twenty different scenarios and process or handle materials with different amounts of moisture. These considerations are factored in the consideration of the limits in the FESOP.

With regard to the alleged underestimation of emissions, the emission factors used for the transfer of materials in enclosed areas appear to be the metric emission factors from Table 11.19.2-1 of AP-42, but instead are the properly used English emission factors from Table 11.19.2-2 of AP-42 that are reduced by 50% to account for capture of emissions by the enclosures. In addition the equation in Condition 10(a) left out the calculation of fugitive emissions from the screening active storage piles and the fugitive emissions associated with vehicle traffic associated with the coal screening operation. The issued FESOP revised this equation to include fugitive emissions from the screening active storage piles and the fugitive emissions associated with vehicle traffic associated with the coal screening operation.

17. The Illinois EPA should not renew the FESOP for KCBX Terminals. We believe that KCBX and the draft FESOP fails to comply with state and federal air quality regulations.

The Illinois EPA may only deny an air pollution control operating permit if there is evidence that they source is not in compliance with state and federal air pollution control rules of regulations. The Illinois EPA is currently unaware of any outstanding compliance issues at KCBX's bulk solid material terminal. All state and federal air pollution control regulations that are currently applicable to KCBX's bulk solid material terminal have been addressed in the permit. In addition, the permit addresses the non-applicability of certain rules or regulations in Special Conditions 5 and 6.

18. KCBX Terminals Company must submit an amended application that fulfills the requirements of the CAAPP and the Illinois EPA must redraft substantially the permit terms and conditions to comply with major source requirements, renotice the revised draft permit, and provide the public with a meaningful opportunity to comment on the revised draft permit.

Because KCBX is seeking to restrict the emissions from the bulk solid material terminal below the major source thresholds, any such major source requirements are not applicable. The current application meets the criteria for a FESOP. The permit has been issued through a SIP approved permitting program, the permit contains emission limits that meet the definition of "enforceable as a practical matter," and a draft of the permit has gone through a public notice and comment period. During this public notice and comment period, numerous public comments were received.

19. We urge the IEPA to deny the draft FESOP or, in the alternative, issue a revised draft permit that complies with the requirements for the CAAPP for public review and comment.

The Illinois EPA has no evidence that KCBX is not in compliance with any state or federal air pollution control rules or regulations. Therefore the permit may not be denied. There is no need for KCBX to obtain a CAAPP permit for the bulk solid material terminal because their emissions are limited to below the thresholds for CAAPP permitting by the FESOP.

20. The coal piles are uncovered and result in coal dust blowing offsite across the entire community. Residents living adjacent to the coal yard and in the Vet's Park community that their property is constantly covered with coal dust and that their children come in after playing in their backyards with hands and clothing dirtied with coal dust. This prevents neighbors from enjoying their property

KCBX is required to adhere to an operating program for fugitive emission as well as a PM_{10} contingency plan. For instance and in addition to the water cannons discussed earlier, KCBX regularly sweeps the streets within six blocks of their facility when trucks are running at the bulk solid material terminal.

The Illinois EPA has received few complaints concerning KCBX. For the Illinois EPA to take enforcement action against a company based on fugitive dust emissions blowing off site, complaints need to be received by our office. Complaints should be made when the condition is being experienced so that an inspector may investigate. Complaints may be submitted online at http://epa.state.il.us/pollution-complaint/ or by contacting the Des Plaines Regional Office directly at 847/294-4000.

35 IAC 212.314 provides an exception of the fugitive dust regulations during periods when wind speed exceeds 25 mph, However, KCBX has indicated that its dust management plan calls for operators to observe dust or if dust is reported to the facility, the facility takes action, which may include manually activating the water cannon system, using a water truck to apply water to piles and roads, or even temporally halting operations. KCBX indicated that it has in the past stopped operations on high wind days when there is a concern that operations could result in dust emissions and that there are two situations in which actions are tied directly to wind speed. First, the cannon system automatically activates a cycle every time wind speed exceeds a set point, currently 10 mph. Second, when wind speed exceeds 40 mph, an anemometer on the shiploader alarms and a process is triggered that can stop shiploading operations.

21. The coal piles that KCBX Terminals is responsible for maintaining often range from 30-50 feet are easily visible from the Chicago Skyway.

The height of coal storage piles is not subject to regulation by the Illinois EPA. KCBX must limit fugitive emissions from the facility and this consideration keeps pile height within limits that allow the water cannons and other dust suppression equipment to be effective.

22. The water canon system that KCBX operates is thoroughly insufficient, rarely used and even when used, the runoff winds up either in the sewers or in the river.

KCBX reports that the water cannons typically operate March through November each year. During these months, the cannons are set to automatically run four complete cycles (at a minimum) each day, regardless of the wind speed. The cannon system is also set to automatically activate an additional cycle when the monitored wind speed is above a set point, currently established at 10 mph. If that cycle ends and monitored wind speed is still above the set point, another cycle is activated, and this continues until wind speed is less than the set point. The water supply system has redundant pumps to provide a backup if a pump or motor failure occurs.

In limited circumstances, the cannons will not operate at scheduled times. For example, the facility may manually override a scheduled cannon cycle due to rain or due to required maintenance. In these instances, the non-operation of the system is noted on quarterly and annum emission control exception reports. In addition, the system automatically “resets” daily, so if the system is overridden one day, it will begin operating on schedule the next day.

Each of the 19 water cannons put out 600 gallons of water per minute. The facility also sometimes applies water to piles by use of a water truck.

23. We believe that a thorough investigation of the census tracts that surround KCBX Terminals would reveal higher rates of respiratory, lung and pulmonary illnesses especially in children. Students gather daily before and after school, to run and play, all the while breathing in contaminated air. It is no wonder that we have a high rate of asthma in our community

The health of sensitive populations, including children and adults with respiratory diseases affected by air quality is a core issue for the Illinois EPA. Regulatory programs and initiatives are ongoing to reduce the emissions from existing sources. These reductions in emissions will be accompanied by improvements in air quality. However, the area surrounding KCBX is heavily industrialized as is the greater Chicago area resulting in air quality concerns. In addition, given that the greater Chicago area is densely populated, there are many mobile sources of air pollution. Much progress has been made in improving air quality in the greater Chicago area and the Illinois EPA and USEPA work to make further improvements through regulatory and enforcement activities.

Efforts also continue to be made to improve public awareness of daily air quality levels. This is particularly important for individuals with asthma or other chronic respiratory diseases because, in addition to other medical care and treatment, it allows such people to take appropriate measures to reduce any added risk to their health posed by poor air quality, by reducing time spent outdoors, avoiding physical exertion, and taking any extra medications that are prescribed during such conditions. To assist asthmatic individuals and others who are particularly sensitive to ambient air quality, the Illinois EPA uses the Air Quality Index (AQI) system to report air pollution levels on a daily basis. The Illinois EPA (as well as other states across the country) use the AQI System to provide "real-time" information on air pollution levels on a daily basis. Just like the weather, air quality is forecasted every day for different regions. Based on the level of air quality, the daily air quality is ranked from good to unhealthy and a rating is assigned. This explains air quality in simple, qualitative terms and enables people who may be affected by poor air quality to appropriately plan and adjust their activities. AQI data for Illinois is posted on the Internet. AQI data is also included in weather reports on some television channels.

24. The 10th Ward is a predominantly Latino community with over 32,000 Latino's and the surrounding community of KCBX is 90% Latino. We believe KCBX's facility to be a primary violator of Environmental Justice.

Because KCBX was identified as being in a potential Environmental Justice (EJ) area based on census tract data, the Illinois EPA performed enhanced public outreach during the public comment process. This included contacting local community groups directly to make them aware of the public notice and comment period for the proposed FESOP. The Illinois EPA had follow up conversations with the Sierra Club and the Southeast Environmental Task Force about the permit and will maintain contact with local groups to help them navigate the Illinois EPA inspection, complaint and enforcement process.

The Illinois EPA also requested information from KCBX concerning its community involvement. KCBX indicated that until 2011, it met with the South East Task Force (SETF) at least twice per year, usually near the start and close of the shipping season. During 2010, KCBX was a paying member of SETF. At the suggestion of SETF, KCBX planted trees on the berms along 100th Street and the back road to create a wind barrier.

In November 2010, KCBX indicated that it attempted to contact SETF to introduce Mr. Brandon Walker, the new facility Environmental, Health, and Safety Coordinator. KCBX also allegedly tried to reach SETF at the beginning of the 2011 shipping season, but received no apparently received response. Lastly, KCBX indicated that it also keeps Alderman Pope's office informed of potential issues that may impact the community.

25. The southeast side needs more air monitors, specifically PM monitors. There is a need for more air monitors in the area to determine how much PM is coming off of the coal piles.

Ambient air monitors would not be able to quantify air emissions from specific facilities, storage piles or process units.

Federal Regulation 40 CFR Part 58 Subpart B 58.10 requires the States to submit to USEPA an annual air monitoring network plan for the next calendar year. The Illinois EPA's 2012 monitoring plan may be found at: http://www.epa.state.il.us/air/monitoring/illinois-ambient-air-monitoring-network-plan-2012.pdf

Appendix D to Part 58 establishes the design criteria for the ambient air monitoring network. The network is designed to meet three general objectives: provide air pollution data to the public in a timely manner, support compliance with ambient air quality standards and emissions strategy development, and support air pollution research studies. Specific objectives for the monitoring sites are to determine the highest pollution concentrations in an area (peak), to measure typical concentrations in areas of high population density (population), to determine the impact of significant sources or source categories (source), to determine general background levels (background), and to determine the extent of regional pollutant transport among populated areas (transport). Minimum site requirements are provided for ozone and particulate matter based on metropolitan statistical area (MSA) population. There are four sites required under federal/state rules, one in each of the four original PM_{10} nonattainment areas. One of these areas is the Lake Calumet area. The nearest PM_{10} monitor is at the Washington High School located at 3535 E. 114th St. in Chicago.