



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

SEP 3 2009

REPLY TO THE ATTENTION OF:

AE-17J

**CERTIFIED MAIL**  
**RETURN RECEIPT REQUESTED**

Christine Kessler, Safety, Security, and Environmental Manager  
Kraft Foods Global, Inc.  
1555 West Ogden Avenue  
Naperville, Illinois 60540

Dear Ms. Kessler:

The U.S. Environmental Protection Agency is issuing the enclosed Notice of Violation (NOV) to Kraft Foods Global, Inc. (you or Kraft) under Section 113(a) of the Clean Air Act, 42 U.S.C. § 7413(a). We find that you have violated Illinois Operating Permit 72110996 and the Illinois State Implementation Plan at your Naperville, 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, bringing a judicial civil action, and bringing a judicial 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. 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 Constantinos Loukeris. You may call him at (312) 353-6198, if you wish to request a conference. You should make the request within 10 calendar days of your receipt of this letter. We should hold any conference within 30 calendar days of your receipt of this letter.

Sincerely,

A handwritten signature in black ink, appearing to read "Cheryl L. Newton".

Cheryl L. Newton  
Director

Air and Radiation Division



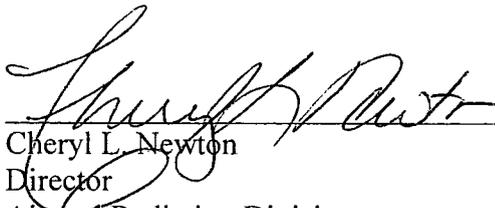
## Violations

6. Operating Permit 72110996 Condition 2.a states that emissions of volatile organic materials (VOM) from the Cocoa Pebbles line shall not exceed 5.22 pounds per hour (lb/hr).
7. Kraft exceeded the 5.22 lb/hr VOM emission limit 149 out of 181 total operating hours and on 17 days in the period April 1 through 21, 2008.
8. Based on comparable production data and ingredient ratios, Kraft also exceeded the 5.22 lb/hr VOM emission limit during the months of August, September and October 2006, February 2007, and February and March 2008.
9. Based on monthly data and its annual emission reports, Kraft exceeded the 5.22 lb/hr VOM emission limit during the months of September 2006, and March, May, June and September 2007.
10. Kraft violated Condition 2a of Operating Permit 72110996 during the months of: August, September and October 2006; February, March, May, June and September 2007; and February, March and April 2008.
11. Operating Permit 72110996 Condition 2b.i states that total emissions of VOM from the Cocoa Pebbles line shall not exceed 24.9 tons per year or 2.5 tons per month.
12. Operating Permit 72110996 Condition 13d requires that Kraft maintain monthly and aggregate annual VOM emissions from the Cocoa Pebbles line with supporting data and calculations (tons/month and tons/year).
13. Operating Permit 72110996 Condition 14 requires that Kraft retain all records and logs required by the permit in a readily accessible location at the source for at least three years from the date of entry.
14. Kraft maintained a spreadsheet that it used to calculate monthly and annual aggregate VOM emissions at the facility; however, the supporting data was incorrect. Kraft did not maintain monthly and aggregate annual VOM emissions from the Cocoa Pebbles line with supporting data and calculations (tons/month and tons/year) in a readily accessible location at the source for at least three years from the date of entry.
15. Kraft violated Condition 13d of Operating Permit 72110996 from July 2006 through May 2008.

### Environmental Impact of Violations

Emission of volatile organic compounds contributes to the formation of ground-level ozone and smog. Breathing ozone can trigger a variety of health problems including chest pain, coughing, throat irritation, and congestions. It can worsen bronchitis, emphysema, and asthma. Ground-level ozone also can reduce lung function and inflame the linings of the lungs. Repeated exposure may permanently scar lung tissue. Ground-level ozone can have detrimental effects on plants and ecosystems. These effects include: interfering with the ability of sensitive plants to produce and store food, making them more susceptible to certain diseases, insects, other pollutants, competition and harsh weather; damaging the leaves of trees and other plants, negatively impacting the appearance of urban vegetation, national parks, and recreation areas; and reducing crop yields and forest growth, potentially impacting species diversity in ecosystems.

9/3/09  
Date

  
Cheryl L. Newton  
Director  
Air and Radiation Division

**CERTIFICATE OF MAILING**

I, Tracy Jamison, certify that I sent a Notice of Violation, No. EPA-5-IL-09- , by Certified Mail, Return Receipt Requested, to:

Christine Kessler, Safety, Security, and Environmental Manager  
Kraft Foods Global, Inc.  
1555 West Ogden Avenue  
Naperville, IL 60540

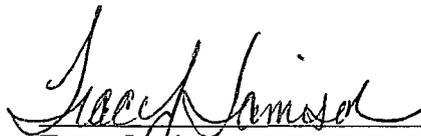
I also certify that I sent copies of the Notice of Violation by first class mail to:

Ray Pilapil, Manager  
Compliance and Systems Management Section  
Illinois Environmental Protection Agency  
1021 North Grand Avenue  
Springfield, IL 62702

Joe Kotas, Bureau of Air  
Illinois Environmental Protection Agency  
9511 West Harrison Street  
Des Plaines, Illinois 60016

Byron Taylor  
Sidley Austin LLP  
One South Dearborn  
Chicago, IL 60603

on the 4 day of September, 2009.



Tracy Jamison  
Office Automation Assistant  
AECAS (MI/WI)

CERTIFIED MAIL RECEIPT NUMBER: 7001 0320 0006 0187 5891