

EMPIRE DOCK, INC.

Route #1, Box 110

P. O. Box 727

Telephone: 618-285-6060

Golconda, Illinois 62938

Harrisburg, Illinois 62946

Fax: 618-285-6062

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 Empire Dock, Inc. ("Empire Dock"), thank you for the opportunity to provide comments on the proposed regulations described above. Empire Dock is a coal loading and storage facility in the state of Illinois that employs eight workers, approximately 167 contracted truck drivers, and various other laborers. Empire Dock strongly opposes the inclusion of coal in the City of Chicago's proposed regulations for the following reasons.

Empire Dock 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. Empire Dock 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 Empire Dock, we have had zero incidents regarding fugitive dust, and we have been operating for over four years.

The City of Chicago's proposed rulemaking would result in a significant economic burden to Empire Dock and other companies across Illinois that have not created or contributed to any public health or disaster-related emergency. First, Empire Dock would be forced to expend

significant financial resources to comply with the proposed rules. Second, the proposed timeline is patently unreasonable; indeed, according to Empire Dock's initial analysis, it will not be physically possible to comply with the indicated timeline.

Accordingly, on behalf of Empire Dock, 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
Secretary