

MORTON SALT, INC.

A K+S Group Company

January 28, 2014

Chicago Department of Public Health
Attn: Environmental Permitting and Inspections
333 South State Street, Room 200
Chicago, IL 60604
petcokecomments@cityofchicago.org

Re: Comments of Morton Salt, Inc. on the Proposed Regulation regarding the Handling and Storage of Bulk Material Piles

Dear Sir or Madam:

Morton Salt, Inc. is concerned about the overbreadth of the Chicago Department of Public Health's (CDPH's) proposed regulation for the handling and storage of bulk material piles. Although the proposed regulation is intended to address a specific concern regarding the outdoor storage of petroleum coke materials, the proposed regulation is written in such a way so as to potentially cover a variety of other bulk solid materials, including salt.

We understand that it was not the CDPH's intention that salt be covered by the proposed regulation. This understanding is based on the fact that the proposed regulation does not specifically address aspects of salt handling and storage. In fact, the best management practices identified in the proposed regulation are inconsistent with best management practices for salt handling and storage. Morton Salt's recent conversations with representatives of the City and the CDPH have confirmed that the CDPH did not intend to include salt under the proposed regulation.

As you are probably aware, the Illinois Environmental Protection Agency (IEPA) has filed an Emergency Rule with the Illinois Pollution Control Board regarding Regulation of Coke/Coal Bulk Terminals.¹ Unlike the CDPH's proposed regulation for the handling and storage of bulk material piles, the IEPA's Emergency Rule is limited to coke and coal bulk terminals. The CDPH's proposed regulation should be similarly limited if the City's concern truly is the outdoor storage of petroleum coke materials.

We request that any CDPH final regulation for the handling and storage of bulk material piles is clear that salt is not covered by the regulation. Our suggestion is that the CDPH either (i) specifically clarify that the regulation only applies to coke and coal bulk terminals, as in the Emergency Rule discussed above, or (ii) specifically exclude salt from the definition of "Bulk Solid Materials" by adding the term "salt" immediately following the phrase "... but shall not include ...".

¹ The docket for the matter is located at:
<http://www.ipcb.state.il.us/COOL/External/CaseView.aspx?case=14801>



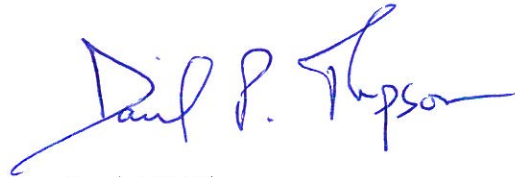
As you are aware, the City of Chicago relies on salt to ensure that its streets are safe.² The City itself stores salt outside in order to make certain that sufficient supplies are readily available during the winter months. Outside storage of salt is necessary to avoid the problems inherent in cold weather shipping of salt. If the proposed CDPH regulation remains written in such a way that salt could be construed to be included, even if unintentionally, then the regulation may result in limits on the available inventories of salt, creating local and regional shortages during heavy snowfalls when the salt is needed most.

If you have any questions about our comments, please feel free to contact us at 312.807.2000. Thank you for your consideration.

Sincerely,



Christian H. Herrmann
President and Chief Executive Officer
Morton Salt, Inc.



Daniel P. Thompson
Vice President, Bulk Deicing
Morton Salt, Inc.

² The webpage for the Department of Streets and Sanitation contains the information regarding the City's use of salt in the winter:
http://www.cityofchicago.org/city/en/depts/streets/provdrs/street/svcs/snow_and_ice_controlinformation.html