

# Exhibit 4

December 15, 2014

Re: KCBX On-site Air Monitoring

We have received and analyzed over nine months of air monitoring data that KCBX Terminals Company (“KCBX”) provided to the U.S. Environmental Protection Agency (“EPA”). As explained below, the monitoring data indicates that concentrations of dust (PM<sub>10</sub>) associated with KCBX’s North and South Terminals are consistent with short-term and long-term, off-site PM<sub>10</sub> levels that would meet standards designed to provide public health protection.

### **KCBX’s Air Monitoring**

At the beginning of 2014, KCBX installed on-site air monitors to actively monitor airborne dust at its facilities. KCBX worked with the EPA to develop a plan to measure particulate matter with a diameter of 10 micrometers or less (PM<sub>10</sub>) at its North and South Terminals for a one-year period.

KCBX began measuring PM<sub>10</sub> at its North and South Terminals on February 18, 2014. Four (4) Federal Equivalent Method PM<sub>10</sub> monitors are operating at the North Terminal, and five (5) PM<sub>10</sub> monitors are operating at the South Terminal. Meteorological measurements (wind speed, wind direction, temperature, and barometric pressure) are also being collected at one site at the South Terminal and one site at the North Terminal. All air monitoring locations and methods have been approved by the EPA.

**National Ambient Air Quality Standards (NAAQS) for PM<sub>10</sub>**

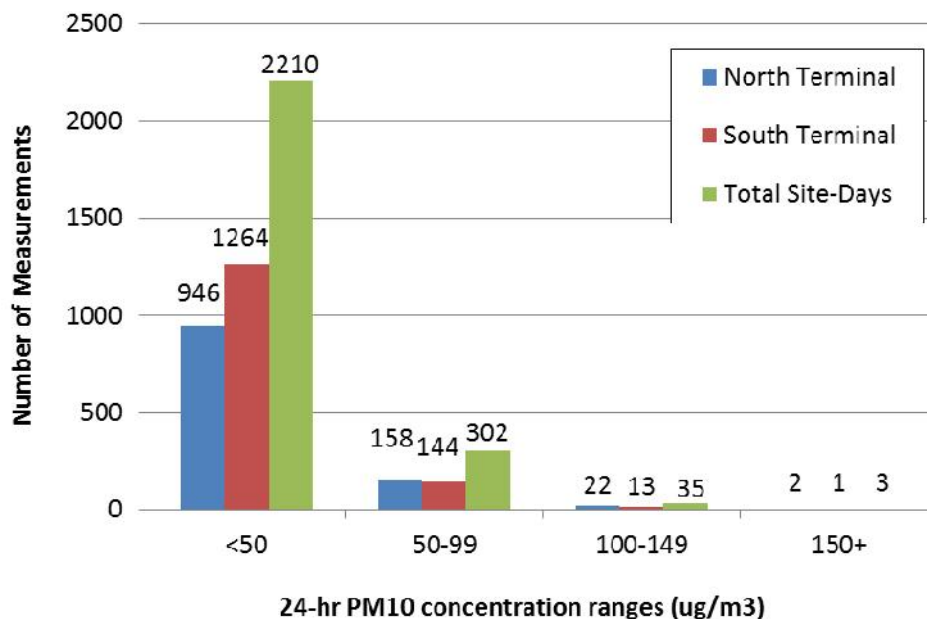
EPA has established National Ambient Air Quality Standards (“NAAQS”) for PM<sub>10</sub> and five other widespread compounds. For PM<sub>10</sub>, the NAAQS is based on a 24-hour average concentration of 150 µg/m<sup>3</sup>, which is not to be exceeded more than once per year over a 3-year period. The NAAQS is intended to be protective of public health, including the health of at-risk populations such as asthmatics, children, and the elderly. The NAAQS only apply to air quality in community settings to which the general public has access, rather than on industrial sites and other industrial facilities like the KCBX terminals. States, rather than individual industrial sites, are intended to implement and demonstrate attainment of the NAAQS.

KCBX’s PM<sub>10</sub> monitors that EPA approved are source monitors, meaning that they are located within the fence line of KCBX’s facilities and adjacent to active piles and emissions sources. Because of their on-site location next to active piles, KCBX’s PM<sub>10</sub> monitors do not measure ambient air and therefore cannot be used to directly measure PM<sub>10</sub> concentrations to which the public is exposed in the neighborhoods surrounding the KCBX facilities. Thus, the PM<sub>10</sub> monitoring being conducted by KCBX is not directly applicable to evaluation of compliance with the NAAQS in the nearby neighborhoods.

**PM<sub>10</sub> Measurement Statistics**

A total of 2,550 daily (24-hr average) PM<sub>10</sub> measurements have been collected at the KCBX Terminals from February 18, 2012 through November 30, 2012 (the last day for which validated data is available as of the date of this letter). Results of analyses performed on these data are shown in Figure 1 and summarized below:

- 99.9% (2,547) of the measurements are below 150 µg/m<sup>3</sup>;
- 98.5% (2,512) of the measurements are below 100 µg/m<sup>3</sup>; and
- 86.7% (2,210) of the measurements are below 50 µg/m<sup>3</sup>.



**Figure 1.** Representation of PM<sub>10</sub> concentration decreases with distance from the KCBX North Terminal.

In addition, the only two days on which measurements in excess of 150 µg/m<sup>3</sup> occurred were April 12, 2014 and May 8, 2014. On these days, high winds with consistent directions produced elevated PM<sub>10</sub> concentrations at all KCBX monitoring sites – both upwind and downwind monitors. This finding points to other local emissions sources that contributed to the elevated PM<sub>10</sub> concentrations on these days.

### Lyle Chinkin Qualifications

I am the President of Sonoma Technology, Inc. (STI), which specializes in air quality and meteorological research and services. I received a Bachelor of Science degree in 1981 and a Master of Science in 1984 in Atmospheric Sciences from the University of California at Davis, and I have over 25 years of experience in professional consulting regarding meteorology and air quality. I have served as a U.S. EPA-invited peer reviewer of the EPA particulate matter National Ambient Air Quality Standards Criteria Document, an expert panel member for the

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review of the Valdez Air Health Study, and as an expert witness for the United States Department of Justice ("DOJ") in environmental enforcement actions.

Sincerely,

A handwritten signature in blue ink that reads "Lyle R. Chinkin". The signature is written in a cursive style with a horizontal line at the end.

Lyle R. Chinkin  
President