During the last year, residents of neighborhoods in Chicago and Detroit have had to deal with growing piles of petroleum coke, or petcoke. These piles were often left uncovered, allowing winds to disperse black dust into surrounding communities and nearby waterways.

Petcoke is a byproduct of the refining process, and more of it is being produced with the increased use of oil from Canada's oil sands. (Petcoke can be burned in place of coal, but contains more carbon than coal. Much of it is sold and used overseas.)

How can and should this residue be safely stored and transported?
Proposed legislation in Illinois and Michigan would provide greater oversight and require more of the facilities storing the petcoke (storage is usually not done by the refinery, but instead by an outside company).

In Illinois, under a measure initiated by Attorney General Lisa Madigan and Rep. Barbara Flynn Currie (HB 5939 [2]), petcoke would have to be completely enclosed when the storage facility is within 5,000 feet of a home, school or hospital. The bill also prohibits location of a storage facility within 1,000 feet of a residence, school, park, hospital, and child care or nursing facility.

Under HB 5939, too, the loading and unloading of materials would have to take place inside the enclosed facility or with

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*Petroleum production can be measured on a calendar-day (365 per year) basis or a “stream day” basis, based on the number of days a refinery is operating. For example, if it is operated 340 days per year (i.e., 93 percent availability), the refinery’s production could be stated as 100,000 barrels per day on a stream-day basis or 93,000 barrels per day on a calendar-day basis.

the use of a dust-suppression process. To further minimize dust and air pollution, trucks, barges and rail cars that deliver the coke and coal would have to be covered, and the roads inside and nearby the storage facility would have to be cleaned daily.

The proposed legislation also requires petcoke-storage facilities to obtain state construction, air and water permits; to regularly conduct air monitoring and sampling; and to have plans in place to control the spread of dust.

According to Mary Morrissey-Kochanny, the attorney general’s deputy chief of staff, HB 5939 applies only to “transloading facilities that specialize in moving coke and coal” and that “store the materials in large piles near communities and neighborhoods.”

Meanwhile, the storage of uncovered petcoke along the Detroit River raised concerns in neighborhoods on both sides of the U.S.-Canada border. Those piles of petcoke are now gone, but the company that stored the materials there wants to move its storage site to the River Rouge area, just south of Detroit.

Under two different bills introduced in Michigan ([HB 4820](https://www.legislature.mi.gov/(S(5qw3b445buc3fa454intfw55))/mileg.aspx?page=getObject&objectName=2013-HB-4820) and [HB 5365](http://www.ilga.gov/legislation/billstatus.asp?DocNum=5939&amp;GAID=12&amp;GA=98&amp;DocTypeID=HB&amp;LegID=81246&amp;SessionID=85)), petcoke would have to be stored in enclosed structures and, when being transported, be in enclosed containers. The two measures would also require the companies storing the petcoke to obtain a stormwater discharge permit.

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