

proposed reconsideration of the *National Emission Standards for Hazardous Air Pollutants for Ferroalloys Production*, 81 Fed. Reg. 45,089 (July 12, 2016), as though fully set forth herein. See Attachment G.

SunCoke is concerned that this proposed addition to 40 C.F.R. § 63.305 will set an unfortunate precedent and that the Agency, either on its own volition or due to pressure exerted by environmental groups and other biased parties, will ultimately require coke facilities to employ this experimental technology as the sole method for determining compliance with opacity.

XV. EXEMPTIONS FROM STARTUP, SHUTDOWN AND MALFUNCTION MUST BE REPLACED WITH ALTERNATIVE LIMITS, NOT ELIMINATED

SunCoke has not had sufficient time to evaluate all of the potential consequences from EPA's proposal to remove exemptions for periods of startup, shutdown, and malfunction ("SSM"), because of the short time frame provided for review of the Proposed Rule. With the limited time available, SunCoke knows, at least, that alternate limits must to be established for emissions from the main stacks during periods of startup and shutdown of the FGD because the proposed limits in 40 C.F.R. § 63.7297 for main stacks would be impossible to meet otherwise. In addition, rather than eliminating SSM plans wholesale as EPA has proposed, EPA should use the facilities' SSM plans to develop work practices that would apply during SSM.

Before the baghouse, spray dry absorber, and carbon injection system can be placed into service, the FGD system must be slowly heated to the minimum operating temperature. This heating is achieved by starting up multiple HRSGs and directing the flue gas from the bypass vent stacks to the FGD and main stack in a controlled manner. When the FGD reaches the minimum operating temperature, SunCoke restarts the baghouse, spray dry absorber, and carbon injection system. If flue gases were not directed to the main stack to facilitate this heating, the low temperature of the materials injected into the system for pollution control would severely corrode the pollution control equipment. During these periods, the bypass vent stack emission limits set forth in 40 C.F.R. § 63.7298 should be applicable to emissions from the main stacks because it will be impossible to meet the emission limitations proposed at section 63.7297 for HRSG main stacks until the minimum operating temperature is met and the FGD system is online.

EPA also proposes to eliminate the requirement to have a written SSM plan in 40 C.F.R. §§ 63.7310 and 63.310, and thus to eliminate the ability of facilities to demonstrate compliance if the regulated entity complies with the plan during SSM. Rather than eliminating SSM plans, EPA should adopt work practices that would apply during SSM.

The Proposed Rule requires sources to comply with the emission limits and requirements at all times. Notably, these limits would apply even during malfunctions or outages caused by third parties outside the control of the plant. Subjecting coke manufacturers to penalties based on events that cannot be avoided would be arbitrary. Instead, regulated entities should be deemed in compliance with the applicable limits provided they comply with the general duty clause in 40 C.F.R. § 63.6(e)(1)(i) and the reference to the general duty clause should not be identified as "inapplicable."

XVI. THE PROPOSED RULE INCLUDES SEVERAL INACCURATE DEFINITIONS