

The absence of any necessity for Fenceline Monitoring at HNR facilities was demonstrated by the company's Haverhill facility, which performed almost 10 years of monitoring for PAH and VOCs as required by the facility's Title V Operating permit. The permit called for sampling at three ambient monitoring locations near the plant (one upwind, one downwind, and one adjacent to the entry gate to the plant). The sampling was initiated when the plant was being built in late 2004, continued as the plant became operational in mid-2005, and continued until Ohio EPA terminated the requirements for monitoring (in 2013 for PAH and in 2014 for VOC) because the HAP monitoring data demonstrated that Haverhill had no impact on ambient HAP levels and emissions were below risk-based screening levels. *See Attachment E (Letter from Ohio EPA to Haverhill Coke Company, July 14, 2014).*

5. Requiring HNR Facilities to Implement Fenceline Monitoring Would Necessitate Significant Capital Investment and Operational Expense with No Environmental or Public Health Benefit

Because HNR facilities emit minimal fugitive benzene emissions, the costs associated with SunCoke's compliance with the proposed Fenceline Monitoring Requirements would also outweigh any potential benefits. In any event, EPA's cost estimate overlooks key considerations. EPA states that Fenceline Monitoring is expected to cost about \$120K/year per plant. 88 Fed. Reg. at 55894. First, even if this cost estimate were reasonable today, which it is not, EPA fails to adjust its estimates in light of its proposed implementation schedule, and the Agency fails to take into account the upfront costs for establishing on-site meteorological monitoring (or upgrading to the EPA stated standard) in facilities where it is not already in place.

Second, EPA neglects to consider that costs will be higher for certain facilities, such as the company's Jewell plant, due to terrain and siting considerations, area maintenance such as mowing to maintain safe access to the monitoring locations, and the cost of running utilities, where electricity is needed.

6. EPA's Proposed Monitoring Approach is Flawed Because the Obligation Survives Even if Tests Data Confirms that it is Not "Necessary"

Fenceline Monitoring is "unnecessary" as a matter of law. If EPA intends to impose Fenceline Monitoring Requirements on HNR facilities, the rule should include a sunset provision as proposed in the NESHAP for integrated iron and steel plants, *see, e.g.*, 88 Fed. Reg. 49402, 49419 (July 31, 2023), except SunCoke's HNR facilities should be eligible for a shorter time period considering SunCoke's prior monitoring results. If facilities remain below the action level for one (1) full year, they can terminate the fenceline monitoring as long as they continue to comply with all other rule requirements. The Proposed Rule should provide for a cessation of fenceline monitoring if this requirement is met, not merely a reduction in frequency or in the number of monitors; one (1) year of data is more than adequate to make a determination that the monitoring is unnecessary.

In addition, more clarity is needed with respect to continuous compliance with all other rule requirements. A single deviation from a rule requirement should not invoke a requirement to