

40 C.F.R. § 63.7295(a)(2). Non-process wastewaters are defined in the effluent limitation guidelines and standards for the Iron and Steel Manufacturing Plant Source Category as follows:

[U]tility wastewaters (for example, water treatment residuals, boiler blowdown, and air pollution control wastewaters from heat recovery equipment; treated or untreated wastewaters from groundwater remediation systems; dewatering water for building foundations; and other wastewater streams not associated with a production process.

40 C.F.R. § 420.02(r). These wastewater streams are the same as or are better than several of the currently cited examples in section 63.7352, including process wastewater treated to meet effluent limitations guidelines in 40 C.F.R. part 420, production area clean-up water, and non-contact cooling water. In addition, recycling non-process wastewaters would result in conservation of water resources and reduce energy consumption, and the requirements for quenching set forth in section 63.7295 including the total dissolved solids (TDS) limits would continue to apply.

Accordingly, EPA should reconsider its decision not to revise the definition of “acceptable makeup water.” SunCoke requests that EPA modify the definition as follows on the basis that the addition of non-process wastewater is the same as or better than other cited examples allowed in Subpart CCCCC:

*Acceptable makeup water* means surface water from a river, lake, or stream; water meeting drinking water standards; storm water runoff and production area clean up water except for water from the by-product recovery plant area; process wastewater treated to meet effluent limitations guidelines in 40 CFR part 420; *non-process wastewater as defined in 40 CFR § 420.02(r)*; water from any of these sources that has been used only for non-contact cooling or in water seals; or water from scrubbers used to control pushing emissions.

(Emphasis added).

**K. The Final Rule contains typographical and similar errors that must be corrected.**

The Final Rule contains typographical and similar errors, in all likelihood a function of the court ordered deadline to finalize the rule. Typos and similar errors lead to confusion regarding compliance obligations. Therefore, ensuring that the Final Rule is free from typos and similar errors is central to the relevance of the Final Rule.

*I. Inconsistent definitions of “coke oven battery”*

The definitions of “coke oven battery” in Subparts L and CCCCC are inconsistent with each other. Subpart L defines a “coke oven battery” as “either a by-product or nonrecovery coke oven battery,” 40 C.F.R. § 63.301, whereas Subpart CCCCC defines a “coke oven battery” as “a group of ovens connected by common walls, where coal undergoes destructive distillation to produce coke. A coke oven battery includes by-product and nonrecovery processes.” 40 C.F.R. § 63.7352. We