overreaching Good Neighbor Rule, harm the competitiveness of the domestic steel industry and jeopardizes the domestic steel industry's ability to support the economy, growth and critical needs of the nation. These rules, individually and collectively, result in marginal, if any, benefits, yet result in unprecedented capital expenditures of billions of dollars for the domestic steel industry. These draconian, job-killing, unlawful rules were promulgated notwithstanding that EPA determined that the existing MACT regulations provide acceptable risks with an ample margin of safety.

In addition, it is significant to note that in 2020 EPA previously completed its statutory obligation to determine risks and to review technological developments for the taconite and integrated iron and steel categories and determined that no significant revisions to these rules were necessary. However, in 2024, EPA unilaterally reversed course and mandated that the industry comply with dozens of new limits and requirements that will require hundreds of millions if not billions in capital expenditures and even then compliance with some of the new limits cannot be assured as the limits are based upon insufficient data and are based upon unproven, untested technologies for the limits imposed. If left in place, the domestic steel industry may be left to choose between prematurely shuttering mills, resulting in job losses and irreparable harm to their local communities, or making huge investments to develop technologies that have no proven application in the steel sector. In short, these rules stand to paralyze an industry that currently leads the world in the pathway to clean steel production. These rules, if left in place, would further skew the market to the benefit of foreign manufacturers and state-owned enterprises in particular, Chinese state-owned steel producers, which dominate the global steel industry – and which are held to less stringent environmental standards.

Without a Presidential Exemption, the Coke RTR Rule would create significant, unprecedented burdens for domestic metallurgical coke production and steel industry as well as manufacturers and negatively impact the workforce, who are a vital part of the U.S. economy. In addition, the Coke RTR Rule would substantially raise costs to consumers across the country and would likely cause harm to the domestic economy and supply of materials for infrastructure and growth.

The importance of avoiding these harms to the coke and steel industry is emphasized in a December 6, 2023 letter from eight U.S. Senators – including then-Senator JD Vance – to EPA warning that the Coke Ovens Rule and two other rules aimed at the steel sectors "… would dramatically undermine the domestic steel industry and national security while driving production overseas likely resulting in no net reduction in emissions from the steel industry globally."[6]

Likewise, in a June 14, 2024 letter six U.S. Senators – again including then-Senator Vance urged EPA to reconsider the Coke Ovens Rule and two other rules aimed at the steel industry, warning that "… the steel industry will be forced to proceed with planning and spending for unproven technologies and work practices while the final provisions of the rules remain uncertain. Given that these regulations will impact nearly every aspect of the integrated

[6] Letter from U.S. Senators Vance, Brown, Braun, Manchin, Casey, Klobuchar, Capito, and Young to Administrator Regan, p. 1 (Dec. 6, 2023) (Att. A).