

(§ 63.7341(c)); and recordkeeping requirements specific to the new MACT floor emission limits (§ 63.7342(a)).

d. Zero percent leaking door standard at 40 C.F.R. § 63.303(a)(1)(i):

To monitor for emissions from coke oven doors, EPA required that HNR facilities either (1) meet the 0.0 percent leaking requirement, as determined using EPA Method 303A, or (2) conduct daily pressure monitoring in each oven or in each common battery tunnel to ensure that the ovens are operated under negative pressure. Under the Coke Ovens Rule, EPA now requires HNR facilities to do both. 40 C.F.R. § 63.303(a)(1).

SunCoke already employs daily pressure monitoring, in compliance with the requirements at § 63.303(a)(1)(i), to monitor for coke oven door leaks. The existing monitoring system already accurately monitors for pressure and allows personnel to take action in a timely and safe manner when necessary to stop leaks. However, to guarantee 0.0 percent leaking from coke oven doors a technical impossibility. For this reason, SunCoke requests a two-year exemption from compliance with the new requirement to comply with the 0.0 percent leaking door requirement in the Coke Ovens Rule (§ 63.303(a)(1)(i)) and the associated recordkeeping requirement (§ 63.311(f)(1)(iv)).

3. It is in the National Security Interests of the U.S. to Provide the Exemption.

Granting a two-year exemption from the Coke Ovens Rule's compliance obligations as described above for SunCoke's metallurgical coke plants is in the national security interests of the U.S. Maintaining a strong domestic steel industry supplied by a domestic supply of coal and coke is critical to national defense, to the health of the nation's infrastructure, and to many manufacturing industries essential to a strong economy.¹⁴

a. Jeopardizing SunCoke's supply of coke to the domestic steel industry due to new MACT floor emissions limits would be harmful to the national security interests of the U.S.

SunCoke's blast furnace and foundry coke are essential for the American manufacture of automobiles, military gear and equipment, weapons, pipelines, railroads, municipal/water infrastructure (e.g., piping, fire hydrants and manhole covers), and critical infrastructure, all of which are critically important to our national security.¹⁵ SunCoke's coke likely could not be replaced by any other domestic supplier, which would directly impact domestic steel production and harm our national security. Further, nearly all of the coal that SunCoke uses to produce its coke is American coal. So, SunCoke's coke production not only supports the domestic steel industry, but also the domestic metallurgical coal industry.

Despite U.S. strategic defense and trade interests in maintaining an independent and robust domestic steel industry, there are only two remaining blast furnace steelmakers in the U.S.,

¹⁴ During the shutdown caused by the COVID-19 pandemic, all companies in the coke and steel industry continued operations as critical members of the manufacturing sector that are crucial to the economic prosperity and continuity of the U.S. See <https://www.eisa.gov/topics/critical-infrastructure-security-and-resilience/critical-infrastructure-sectors/critical-manufacturing-sector>.

¹⁵ See *id.* (identifying steel mills as a core of the "Critical Manufacturing Sector").