

46. Any money SunCoke spends bringing its facilities into compliance is lost forever. SunCoke can never expect EPA to cover any of SunCoke's costs for testing or additional controls—even if a court eventually vacates the Final Rule. And any additional controls would not benefit the coke production process in any way.

**Complying with Some Limits Is Simply Impossible.**

47. In some instances, for safety reasons, SunCoke will *never* be able to comply with the new MACT floor limits for the bypass vent stacks.

48. According to SunCoke's data, there are particulate matter failures at *four* of its six plants, marginal passes for mercury and acid gas, and a lack of data for PAHs and formaldehyde.

49. Here are just two examples:

- a. In November of 2020, a trial was conducted at the bypass vent stack of SunCoke's facility, IHO, to ascertain its particulate matter emissions. The MACT floor is 3.20E-02 gr/dscf. Here are the measurements obtained: (1) 4.54E-02, (2) 1.43E-01, (3) 4.48E-02, and (4) 2.79E-02. The test result was 6.52E-02, which is 204% of the Final Rule's MACT floor limit. So if the