Subpart L clearly indicates that the purpose of monitoring visible emissions from the ovens is to minimize COE. *See* 40 C.F.R. § 63.303(a), (c). But if COE is the relevant criteria, additional pressure and visible emission monitoring of the ovens is not necessary. Section 63.302(c), adopted previously with respect to byproduct coke oven batteries, acknowledges that it is not necessary to determine the percent of leaking coke oven doors when ovens are operated under negative pressure: "The emission limitations in paragraph (b) of this section do not apply to the owner or operator of a by-product coke oven battery that utilizes a new recovery technology, including but not limited to larger size ovens, operation *under negative pressure* and processes with emission points different from those regulated under this subpart." 40 C.F.R. § 63.302(c) (emphasis added). This same logic should apply to HNR coke ovens.

SunCoke previously provided 10 years of interior monitoring data and recent fenceline monitoring data from SunCoke's Haverhill facility demonstrating that non-recovery coke plant batteries using Jewell-Thompson ovens do not emit COE.[56] Both types of datasets further demonstrate that HNR facilities meet EPA's proposed benzene action level of 3 ug/m^3, which is a surrogate for COE.

As the data show, the practices that SunCoke already has in place are wholly effective at achieving COE limits. That is not surprising given the company's extensive existing measures. In addition to operating ovens under negative pressure, SunCoke employees monitor the coke ovens for door leaks throughout all stages of the coking cycle and make adjustments to the ovens by reviewing electronic data and physically walking the coke oven batteries.[57] Any door leaks due to positive pressure are corrected by adjusting oven uptakes, dampers, and/or sole flues, and are then recorded, and reported as required under Section 63.303(c). SunCoke's work practices are already consistent with Section 63.303(c)(2) in that SunCoke monitors the ovens for the entirety of the coking cycle and responds to any observed door leaks. It is not necessary for EPA to impose conflicting and more burdensome regulations on an activity that is already regulated. This is equivalent to both Method 303 and 303A and additional monitoring in the common tunnel at key points throughout the oven cycle because ovens are monitored on a continuous basis; therefore, no additional requirements are necessary.

SunCoke's heat recovery facilities also monitor negative pressure in the common tunnel electronically on a continuous basis and have one pressure transmitter for every seven (7) ovens in the battery on average. Monitoring for negative pressure in the common tunnel, in conjunction with monitoring for coke oven leaks throughout all stages of coking as previously described, accurately captures any time that an oven is experiencing positive pressure. SunCoke's existing negative pressure monitoring system accurately monitors for pressure and allows personnel to take action in a timely and safe manner when necessary.

There is no evidence to suggest that SunCoke's current practices are ineffective at achieving COE limits. EPA may not simply presume that tests that rely on monitoring devices are

[56] Tab.4, July 1, 2023 Memorandum Fugitive Monitoring at Coke Oven Facilities Ug/m^3, Summary of 2022-2023 Results for Coke Ovens Fugitive Fenceline Average (Ae) and Interior Maximum Concentration Results for Benzene and Napthalene.

[57] *See* Attachment F (Haverhill Coke Company, LLC, Startup, Shutdown, and Malfunction Plan, Oct. 5, 2016).