- Controlling multiple pollutants and retrofitting controls into existing operations add complexity and time due to interactions of the requirements for control, including pollutant interactions, flow rates, chemistry, and temperatures.
- Developing first-of-a-kind applications to control HAP emissions requires testing to define the limits and potential issues; and some of these applications would increase CO_2 emissions, use more power, increase potential water-born pollutants, and create new waste streams.
- There is a general lack of confidence in any feasible control technologies for HCN. Vendors contacted thus far indicate that any potential solution for control of HCN in combustion stack or pushing emissions is not technically feasible.
- Any additional controls would require permitting from the local permitting agency; permitting would take 6 to 12 months after engineering is completed.
- Extensive testing, engineering, and physical modifications will be needed at each plant. Existing equipment would need to be modified and retrofitted to install new controls, e.g., water treatment.
- Engineering of equipment to condition flue gas streams will be needed.
- Adding controls on mobile hot cars, if an alternate test method is not approved, will involve unique engineering challenges compared to stationary sources.

EPA should reconsider the deadlines for compliance for the MACT floor limits, because SunCoke was impermissibly deprived of adequate time to review and comment on the Proposed Rule (*see* Section I.A), including the impracticability of EPA's proposed compliance deadlines for the MACT floor limits. Providing regulated entities like SunCoke a reasonable timeline for compliance is of central relevance.

E. Alternate emission limits and work practice standards should have been adopted.

In its rush to publish the Final Rule, EPA removed all exemptions from startup, shutdown and malfunction (SSM), but did not replace the SSM exemptions with alternative limits or work practice standards.

1. EPA erred in not responding to SunCoke's request for alternate limits during startup of the flue gas desulfurization system.

In the preamble to the Final Rule, EPA says that "[t]he commenters did not provide a description of specific situations where work practice standards, or any specific work practices, would be more appropriate than the numerical emissions standards we are finalizing in this rule (or standards that were already in the NESHAP) that would be appropriate during startup or shut down."[71] This statement is not accurate. SunCoke specified that "alternate limits" were necessary "for emissions from the Main Stacks during periods of startup and shutdown of the FGD because the proposed

[71] 89 Fed. Reg. at 55718.