installation and operation,"[1] is not available and that it is in the national security, which includes economic security,[2] interests of the United States to do so. An exemption under this paragraph may be extended for 1 or more additional periods, each period not to exceed 2 years. The President shall report to Congress with respect to each exemption (or extension thereof) made under this paragraph." While the provision has very little precedent in being exercised, if there were ever a time to exercise such authority, the time to do so is now with respect to the Coke RTR rule as the Coke RTR rule, without such an exemption and if left in place, would result in materially adverse consequences on U. S. Steel and domestic steel industry. These consequences would significantly and harmfully alter domestic steel production as well as the United States' infrastructure, investments and economic security landscape which as the current and prior administrations have determined that the domestic steel industry is a key, vital component.

While the President has broad authority in issuing such exemptions and while not controlling to issuing Presidential Exemptions, we note that in implementing extensions under Clean Air Act Section 112(i)(3)(B), EPA has broadly construed "standards" to include compliance measures. (See 66 Fed. Reg. 16318, 16328 (Mar. 23, 2001) Such "other compliance measures" include, among other things, "… obtaining or implementing technology hardware or software systems and process changes to accommodate pollution prevention or other emission reduction measures." *Id.*

U. S. Steel, individually, and as part of the American Coke and Coal Chemicals Institute (ACCCI) and Coke Oven Environmental Task Force (COETF), submitted comments on the proposed Coke RTR Rule and filed petitions for administrative reconsideration and applications for stay of the final Coke RTR Rule urging EPA to reconsider numerous aspects of the Coke Ovens Rule and to stay the effective date pending promulgation of replacement regulations.[3] These comments, petitions, and applications are incorporated into this request by reference. In addition, these concerns are subject to petitions for judicial review with the United States Court of Appeals for the District of Columbia Circuit.

We appreciate EPA's recent granting reconsideration of the Coke RTR Rule. Granting the Presidential Exemption is critical to prevent disruption of the domestic steel industry and is appropriate while EPA reconsiders the Coke RTR Rule.

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[1] 90 Fed. Reg. 6,773, 6,774 (Jan. 17, 2025).
[2] *See* America First Investment Policy, https://www.whitehouse.gov/presidential-actions/2025/02/america-first-investment-policy/ (Feb. 21, 2025) ("Economic security is national security.")
[3] *See* U. S. Steel Petition for Reconsideration and Stay of the National Emission Standards for Hazardous Air Pollutants for Coke Ovens: Pushing, Quenching, and Battery Stacks, and Coke Oven Batteries; Residual Risk and Technology Review, and Periodic Technology Review (Sept. 3, 2024); and American Coke and Coal Chemicals Institute (ACCCI) and Coke Oven Environmental Task Force (COETF) Petition for Reconsideration and Stay of the National Emission Standards for Hazardous Air Pollutants for Coke Ovens: Pushing, Quenching, and Battery Stacks, and Coke Oven Batteries; Residual Risk and Technology Review, and Periodic Technology Review (Sept. 3, 2024).