

Cleveland-Cliffs, Inc. and United States Steel Corporation, both of whom rely heavily on the coke industry to provide them millions of tons of coke annually. As the supplier of nearly 40 percent of the entire domestic coke supply for the American industry, SunCoke's coke is vitally important to that industry.

Due to its reliable supply of high-quality coke, SunCoke has long-term, take or pay contracts with these two remaining blast furnace steelmakers. Should the new Coke Ovens Rule be implemented, it could jeopardize the ability of domestic cokemakers to supply the quantities of coke necessary to fuel the domestic steel industry. Given the limited number of cokemaking facilities remaining in the U.S. and the importance of the domestic steel industry to this administration's priorities, the possibility of curtailing operations at even one coke plant would have substantial downstream impacts on the U.S. economy and this country's national security.

b. SunCoke's supply of coke to domestic steel producers and manufacturers is critical to national security as it reduces reliance on foreign imports.

Over time, multiple administrations have recognized that a strong domestic steel industry is vital to national and economic security, critical infrastructure, and the competitiveness of many domestic manufacturing industries.¹⁶ Section 232 of the Trade Expansion Act of 1962, as amended, authorizes the President to adjust steel imports which threaten to impair the national security. "National security" for purposes of Section 232 includes the "general security and welfare of certain industries, beyond those necessary to satisfy national defense requirements, which are critical to minimum operations of the economy and government."

In a 2018 proclamation, President Trump determined pursuant to his authority under section 232 that foreign steel imports "threaten to impair the national security of the United States." 83 Fed. Reg. 11625, 11626 (Mar. 15, 2018). Using that authority thereby imposed a tariff on steel imports from all countries except Canada and Mexico to "reduce our Nation's need to rely on foreign producers for steel and ensure that domestic producers can continue to supply all the steel necessary for critical industries and national defense." *Id.* On February 18, 2025, President Trump again reiterated the connection between domestic steel production to national security in a proclamation titled "Adjusting Imports of Steel into the United States." 90 Fed. Reg. 9187 (Feb.

¹⁶ In 2018, the U.S. Department of Commerce issued a report assessing the effect of imports of steel mill products on the national security of the U.S. That report reiterated the importance of domestic steel production to our national security. See U.S. Department of Commerce, Bureau of Industry and Security, Office of Technology Evaluation, The Effect of Imports of Steel on the National Security (Jan. 11, 2018), https://www.commerce.gov/sites/default/files/the_effect_of_imports_of_steel_on_the_national_security_-_with_redactions_-_20180111.pdf ("Domestic steel production is essential for national security. Congress, in Section 232(d) [of the Trade Expansion Act of 1962, as amended], directed the Secretary of Commerce and the President to consider domestic production and the economic welfare of the U.S. in determining whether imports threaten to impair national security. The history of U.S. Government actions to ensure the continued viability of the U.S. steel industry demonstrates that, across decades and administrations, there has been consensus that domestic steel production is vital to national security.").