

- **Small and Large Bells:** Bells are part of the charging system on top of the BF that allows for materials to be loaded into the furnace or next bell (as in the case of small bells) without letting BF gas escape). Every furnace, and its corresponding bells are unique in “age, size, design, air flow, raw material usage, and production specification.”¹⁷ Additionally, “[e]very bell top campaign is unique, and both small and large bell replacements and repairs (depending on the repair required) are large capital projects that require indefinite lead times for equipment design, project planning (i.e., engineering, safety protocols, and logistical coordination) and corporate approval and funding authorizations for capital expenditures”,¹⁸ making the short timeframe for taking action in the II&S Rule technically infeasible.
- **Slag Processing, Handling and Storage:** New opacity limits for slag processing, handling, and storage operations relied on a dataset that did not represent all categories of operations ultimately regulated by the II&S Rule. The resulting limits are unachievable by the best performing sources and fail to adequately account for variability across the different types of processes that EPA attempted to capture with a single opacity limit. Further, the II&S Rule’s restrictions on slag operations may require design controls (e.g., enclosures) that create unsafe operating conditions given slag can be highly reactive, especially in contained areas.¹⁹ As discussed in the Declaration of Charles Ochola, President of the National Slag Association, “one of the direct results of using water to control emissions is the creation of pooled water. Standing water associated with emission controls, nature, or any source creates an extremely hazardous condition anywhere molten slag is managed. Pouring molten slag into the smallest puddle of water will create a reaction very similar to an explosion, putting operators and the community at risk for serious if not deadly injury ... The use of emission controls that rely upon water are limited by the extreme hazard caused from adding molten slag, iron or steel to standing water.”²⁰

A Presidential exemption is warranted here, where safe and technically feasible control technology is not available to implement the standard.

3. Technology to Implement the II&S Rule Standards Is Not Cost Effective

Due to the II&S Rule’s onerous implementation and compliance schedule for these standards, Cliffs is in an impossible position of designing and engineering novel systems with unproven technology within a short time frame. The cost of compliance is disproportionately high and the amount of work leading up to the compliance date is enormous.

Even EPA’s March 12, 2025, Fact Sheet supporting reconsideration of multiple NESHAP rules including the II&S Rule grossly understated costs to comply, citing “[e]stimated costs of \$45 million over the next decade (including \$7.1 million in capital investment or \$5.3 million

¹⁷ *Id.* at p. VI-32.

¹⁸ *Id.* at p. VI-35.

¹⁹ Declaration of Mike Remsburg of Trinity Consultants, p. 8 (June 18, 2024) (attached as Exhibit D to Cliffs’ Motion for Stay.)

²⁰ Declaration of Charles Ochola, President of the National Slag Association (May 31, 2024) (Attachment E to Cliffs’ Reconsideration Petition).