

data providing the basis for this rulemaking were not publicly available until the Proposed Rule was published on August 16, 2023.¹⁷ For example, EPA's MACT Standard Calculations, Cost Impacts, and Beyond-the-Floor Cost Impacts for Coke Ovens Facilities consists of 114 pages each plus nine separate excel sheets filled with technical data that necessitate detailed review and analysis. It took EPA 10 years to develop the Proposed Rule, yet SunCoke and the other affected sources were given less than 2 months to evaluate and provide thoughtful comments on it.

Providing a full and comprehensive evaluation of the expected costs, feasibility, and other implications of the proposed amendments and preparing timely and thoughtful comments was virtually impossible for SunCoke (and undoubtedly other affected sources) to accomplish within the comment period provided. For example, SunCoke was unable to:

- Fully evaluate EPA's calculations and proposed emission limits;
- Perform modeling, including an analysis of the implications of the fence-line monitoring provisions;
- Conduct risk modeling on site-specific profiles;
- Fully analyze energy consumption requirements associated with installing, operating, and maintaining the additional pollution control equipment required by the Proposed Rule; or
- Fully analyze the cost and benefit estimates for the proposed requirements specifically described herein.

SunCoke also was unable to comment on many of the topics EPA specifically requested comment on, including:

- The merits of a 1-hour opacity standard (88 Fed. Reg. at 55861);
- The validity of the assumption of two for an acute factor for all sources at coke facilities (*Id.* at 55871);
- Alternative approaches to establishing emissions standards for HRSG main stacks and bypass stacks (*Id.* at 55879);
- The feasibility of capturing and controlling soaking COE (*Id.* at 55884);
- Alternative methods to reduce leaks from doors, lids, and offtakes, and from charging at coke oven batteries (*Id.* at 55884);
- The suitability of selecting benzene or other HAP, including naphthalene and other PAH, as the indicator to be monitored by fence-line samplers (*Id.* at 55887);
- The revised equation to estimate coke oven door leaks (*Id.* at 55889);
- Whether any situations exist where separate standards, such as work practices, would be more appropriate during periods of startup and shutdown (*Id.* at 55890);
- The content, layout, and overall design of the quarterly and semiannual compliance reports templates (*Id.* at 55892);
- The use of 1 BP and any potential emissions of 1 BP from this source category (*Id.* at 55892);
- Additional data that may improve the risk assessments and other analyses (*Id.* at 55899);
- Cost and benefit estimates for the proposed action (*Id.* at 55899);

¹⁷ In contrast, the preamble to the Proposed Rule indicates that EPA began collecting and analyzing relevant data as part of this rulemaking as early as 2016. 88 Fed. Reg. at 55,866.