

superior to a methodology that relies on the visual observations of trained personnel. *See, e.g., Sierra Club v. EPA*, 353 F.3d 976, 991 (D.C. Cir. 2004) (in context of CAA Section 114, “[t]here is no presumption in favor of any particular type of monitoring . . . and EPA has imposed different monitoring requirements in different situations”). Installing and maintaining pressure monitors in each oven despite no demonstrated necessity to do so in order to comply with emissions standards under the Act would also be exorbitantly expensive, challenging and unreliable. SunCoke estimates costs of \$3-4 million for every 100 ovens subject to this requirement. SunCoke has 788 ovens, which translates to a total cost of \$16 million. This would be a significant percentage of SunCoke’s annual capital budget, and, for this and the other reasons described herein, should be dropped from the Proposed Rule.

In addition, based on SunCoke’s experience, installing additional pressure monitors in the ovens would be ineffective and unduly burdensome because they are subject to plugging and therefore require extensive maintenance to maintain. Pressure monitors located in the ovens must be manually cleaned out by maintenance personnel 2-3 times per week, exposing personnel to excessive heat, which is an unnecessary safety risk given SunCoke’s existing and abundant measures to maintain negative pressure in the ovens. SunCoke therefore urges EPA to not include its proposed changes to Section 63.303(a)(i) in the final rule; inclusion of these changes would be unnecessary, arbitrary and capricious.

XIII. EPA’S TECHNOLOGY REVIEW DOES NOT SUPPORT THE PROPOSED NEW OPACITY LIMIT AND DAILY OBSERVATION REQUIREMENTS

EPA’s redline version of its proposed amendments to Subpart I. includes a proposed change to 40 C.F.R. § 63.303(d)(3) to impose a new opacity limit of 10% on the HNR facilities’ bypass/waste heat stacks and to require a daily observation of all bypass or waste heat stacks when operating during charging to determine if visible emissions are present and record the results or the reason why conditions did not permit a daily observation. EPA lacks authority to impose the proposed new opacity limit and the related requirements. There is no evidence that they are “necessary,” taking into account developments in practices, processes, and control technologies. *See* 42 USC § 7412(d)(6) (requiring EPA to “review, and revise as necessary (taking into account developments in practices, processes, and control technologies), emission standards promulgated under this section”); 88 Fed. Reg. at 55883 (EPA “did not identify *any* developments in practices, processes or control technologies”) (emphasis added). EPA provides no rationale for these changes.

It is not “necessary” nor does EPA have authority under its technology review to require a new opacity limit of 10% on the HNR facilities’ bypass/waste heat stacks, nor is SunCoke aware of *any* coke plant (SunCoke or otherwise) that could meet this limit. SunCoke’s permits and state regulating authorities already limit visible emissions from the bypass/waste heat stacks to 20% opacity. As demonstrated by the performance testing conducted and the deviation reports submitted in response to EPA’s ICRs, SunCoke is in substantial compliance with the existing opacity limits for the bypass/waste heat stacks. When this equipment is in operation, SunCoke personnel monitor opacity from the waste/bypass/waste heat stacks and adjust oven dampers to minimize or eliminate visible emissions if present to ensure compliance with the existing opacity limits. At SunCoke’s Jewell facility, which is the only facility where the waste heat stacks operate on a continuous basis, an equivalent weekly monitoring requirement is already established by its