

unions such as the United Steelworkers and the International Association of Machinists and Aerospace workers.

Rulemaking must take into consideration the necessary role that iron ore (Taconite) plays in our country and balance management of these critical resources. Senators, Members of Congress, and representatives from the United Steelworkers all recognize the vital role of the taconite industry in maintaining the economic competitiveness of the American integrated iron and steel industry. Eight current or former U.S. Senators (Senators Brown, Vance, Braun, Manchin, Casey, Klobuchar, Capito and Young) wrote a letter to U.S. EPA warning the Agency that its three proposed rules aimed at the steel industry – impacting taconite iron ore processing, coke manufacturing, and integrated iron and steelmaking – “would dramatically undermine the domestic steel industry and national security while driving production overseas”³ United Steelworkers likewise urged EPA to grant reconsideration of the rulemaking petitions in order to “prevent unintended consequences, such as job loss [and] loss of domestic steelmaking capacity,” among others.⁴

The threat of global steel imports raised by the Senators in the letters to EPA is a material threat. Foreign steel imports risk the competitiveness and advancement of the domestic steel industry, to the point of potentially threatening U.S. domestic production capacity and continued investment in taconite iron mining, coke manufacturing, and iron and steelmaking capacity based on the costs outlined above. As emphasized by the U.S. Department of the Treasury’s Committee on Foreign Investment in the United States (“CFIUS”), without such domestic steelmaking investment, there could be ripple effects on the supply chains that depend on such steel, particularly supply chains that are part of our national defense infrastructure such as “critical manufacturing, energy, transportation, and communications (all vital to national security).”⁵ National defense infrastructure, for example, needs ready access to high purity steel from blast furnaces.⁶ Once these complicated iron and steel making operations are shut down and/or idled, it is no simple matter to restart them. In short: “The loss of domestic production is a critical national security concern given the ubiquitous nature of steel throughout multiple critical industries.”⁷

For all the reasons stated above, Cliffs urges the issuance of a two-year exemption from the current March 8, 2027, compliance date of the final Taconite Rule, extending the compliance date to March 8, 2029, pending EPA’s review of the rule for possible revision.

³ Letter from U.S. Senators Brown, Vance, Braun, Manchin, Casey, Klobuchar, Capito, and Young to Michael Regan, EPA Administrator (Dec. 6, 2023), pp. 1-2.

⁴ Letter from David McCall, International President (United Steelworkers) to Michael Regan, EPA Administrator (June 24, 2024).

⁵ Letter from Andrew Fair, Acting Assistant Secretary for Investment Security, U.S. Department of the Treasury, to Ama Adams, Ropes & Gray LLP, and Mark Plotkin, Covington & Burling LLP, Re: CFIUS Case 24-154 (Dec. 14, 2024) (“CFIUS Letter”), p. 28.

⁶ *Id.* at p. 24.

⁷ *Id.* at p. 28.