

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

PROPOSED AMENDMENTS TO THE COKE OVENS PUSHING,
QUENCHING, AND BATTERY STACKS NESHAP AND THE
COKE OVENS BATTERIES NESHAP

Remote Public Hearing

August 31, 2023

11:00 A.M. - 4:00 P.M.

~ EPA PANEL ~

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SHANE HAMSTRA, Hearing Host

CHUCK FRENCH, Hearing Chair

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SHANE HAMSTRA, Hearing Host

STEVE FRUH, Hearing Chair

DONNA LEE JONES, Panelist 2

KATIE BOAGGIO, Panelist 3

MANDY HANSEN, Panelist 4 (see page 149)

1 proposed amendments will further reduce the
2 emissions of HAPS and improve the accountability
3 and compliance of the coke facilities.

4 As Shane said, my name is Chuck French,
5 I'm the Group Leader of the Metals and Inorganic
6 Chemicals Group within the EPA's Office of Air
7 Quality Planning and Standards. I will be the
8 Chair for this session, as Shane mentioned.
9 Thank you to everyone for attending today's
10 hearing and we are looking forward to hear your
11 comments regarding the proposal.

12 Also, we are quite pleased to have
13 Tomas Carbonell, who is the Deputy Assistant
14 Administrator for Stationary Sources for the
15 Office of Air and Radiation in EPA, has joined us
16 for the meeting. So we welcome him.

17 And Thomas, thank you for being here.
18 And with that I'd like to turn things over to you
19 for some remarks before we begin over caring. So
20 thank you.

21 **MR. TOMAS CARBONELL:** Thank you very
22 much, Chuck.

1 I just want to take a moment to welcome
2 you all and to thank you for attending today's
3 public hearing, so that we can hear your input
4 and feedback on our proposed rules for Coke Ovens
5 Pushing, Quenching, and Battery Stacks and Coke
6 Oven Batteries.

7 The proposed rule for Coke Oven
8 Batteries includes the proposed requirements for
9 fenceline monitoring for benzene, as well as more
10 protective standards for leaks. And the proposed
11 rule for Coke Ovens Pushing, Quenching, and
12 Battery Stacks includes new standards based on
13 maximum achievable control technology for fifteen
14 types of air toxics, or hazardous air pollutants,
15 that have been previously unregulated from the
16 source category.

17 In addition, we're proposing standards
18 that go -- go beyond maximum achievable control
19 technology for requirements for particulate metal
20 -- for particulate metals and for mercury. I'm
21 thinking together these two proposed rules would
22 reduce emissions of hazardous air pollutants in

1 communities that have been historically
2 overburdened by toxic air pollution.

3 As we were working on these proposed
4 rules, EPA collected a significant amount of data
5 from facilities, including data on emissions, the
6 types of technologies they're using to control
7 these pollutants, and work practices that are
8 available to minimize emissions. But now we want
9 to hear from you. And this public hearing is
10 really a critical opportunity for us to do that
11 so that we can develop a final rule that is as
12 well informed as possible, that's based on the
13 best information possible, and -- and -- and
14 reflects the best decisions that we can make.

15 I want to just encourage you all to
16 submit comments in writing in addition to taking
17 advantage of today's public hearing opportunity.
18 You can submit comments in writing through
19 October 2nd and, of course, we'll give all
20 comments, whether offered here or offered in
21 writing, the same degree of close consideration.

22 So once again, we really appreciate

1 your taking time out of your day to offer this
2 input, and we really look forward to -- look
3 forward to hearing your thoughts.

4 So with that, I'll turn it back over to
5 Chuck French to get the hearing started. Thanks
6 again.

7 **MR. CHUCK FRENCH:** Thank you, Tomas.

8 So now, the Hearing Host will provide
9 more instructions about how the hearing will go
10 today.

11 So for that, I'll hand it off to Shane,
12 the Hearing Host.

13 **THE HEARING HOST:** Thank you so much,
14 Chuck, and thank you so much, Tomas, for being
15 here for providing those remarks.

16 During today's hearing you will -- we
17 will take comment on EPS proposed action
18 addressing the Risk and Technology Review for
19 these NESHAP's.

20 Now, I'd like to ask our other EPA
21 Panelists to introduce themselves. On the Panel
22 are Donna Lee Jones and Mandy Hanson.

1 **MS. DONNA LEE JONES:** Hello, my name is
2 Donna Lee Jones and I'm the Project Leader for
3 the Coke Ovens RTR, Residual Risk and Technology
4 Review.

5 **MS. MANDY HANSEN:** Hello, my name is
6 Mandy Hansen and I also work in the Metals and
7 Inorganic Chemicals Group in the Office of Air
8 Quality Planning and Standards with Chuck and
9 Donna Lee.

10 **THE HEARING HOST:** Thank you so much,
11 Panelists.

12 Before we begin today, hearing from
13 you, we have a few ground rules and housekeeping
14 items to help make today's hearing run smoothly.

15 We are joined today by a court reporter
16 who will produce a written transcript of today's
17 hearing. We will add the transcript to the
18 public docket for this rulemaking and we'll
19 carefully consider your comments as we develop a
20 final rule.

21 The EPA is committed to an environment
22 of mutual respect and safety. We want to hear

1 your views on the proposed rule today. However,
2 the Agency will not tolerate harassment,
3 discrimination, intimidation, inappropriate
4 language and images, or sustained disruption of
5 the public hearing. The EPA expects everyone
6 participating in this hearing, including
7 registered speakers, attendees, and those of us
8 on this panel, to conduct themselves in a
9 respectful and civil manner. We will monitor and
10 moderate this virtual event to ensure that common
11 standards of decency are upheld.

12 Please note, by registering for this
13 event you are agreeing to abide by the ground
14 rules of this virtual hearing.

15 We ask that everyone remain muted with
16 their cameras off until it is your turn to speak.
17 If you have joined us through Zoom, please keep
18 the chat box open. It is at the bottom of your
19 screen. We will put the names of the next
20 speakers in the chat box and we may use the chat
21 box to communicate directly with you during this
22 hearing. I will call on each speaker when it is

1 their turn. And let me apologize in advance for
2 any mispronunciations.

3 If you are speaking today, please
4 rename yourself in the Zoom participant list to
5 match your registered speaker name. This will
6 allow our logistics staff to quickly queue up the
7 next speakers. And for assistance, chat with
8 Attendee Support.

9 When I call on you to speak, please
10 unmute your line. And if you're joining us via
11 Zoom, that button is on the lower left of your
12 screen. If you're joining us by phone, you can
13 mute and unmute yourself by pressing *6.

14 Please state your first and last name
15 and spell it for the record. Please speak slowly
16 so that our court reporter can capture your
17 entire testimony. When you are providing
18 testimony, you're welcome to activate your video
19 camera by clicking on the Start Video icon at the
20 bottom left of your screen. If you're not
21 testifying, please keep your camera off. Each
22 speaker will have four minutes to give comments.

1 A four-minute timer will be displayed on the
2 screen to help you keep track of your time. And
3 the timer will start when you state your name.
4 And when your four minutes are up it is time to
5 stop. If you are testifying by phone, the
6 timekeeper will alert you when you have one
7 minute remaining.

8 To be fair to everyone, we are going to
9 strictly enforce the four-minute limit. If you
10 have additional items that you would like to
11 share, such as a slide presentation or videos,
12 you may submit them to the docket for the
13 proposal through October 2nd, 2023. Instructions
14 for submitting comments are on our website. We
15 encourage you to also submit a written copy of
16 the testimony you provide today we will post
17 reminders about how to submit written comments in
18 the chat box throughout the hearing. The panel
19 is here to listen to you today; however, Panel
20 Members may ask questions to clarify your
21 comments. When you are finished speaking, please
22 remain on the line until the Chair can confirm

1 that there are no further clarifying questions
2 from our panel. Once we are done, please re mute
3 your line and turn off your camera. I will then
4 call the next speaker, and so on.

5 If time allows, we might be able to add
6 additional speakers. If you did not pre-register
7 and are interested in speaking, please send our
8 direct message to Attendee Support in the chat
9 box. Our logistics team will let you know if
10 there are any time slots available and assist you
11 with registering.

12 For those of you watching the hearing
13 on YouTube and would like to speak please email
14 our registration support team. That email
15 address is in the public hearing box on our
16 website and under the YouTube screen.

17 Finally, today's hearing consists of
18 two sessions. If there are no additional
19 speakers, we may close a session fifteen minutes
20 after the last resident speaker has testified.
21 We may also take short breaks as needed.

22 Thank you again for taking the time

1 today to share your comments on EPA 's proposal.

2 Now let's get started.

3 Our first two speakers are David Ailor,
4 and Matthew Mehalik.

5 David?

6 David, if you're ready.

7 Okay. So, I have not heard from David,

8 --

9 DAVID AILOR: Okay, so --

10 **THE HEARING HOST:** -- let us --

11 DAVID AILOR: I'm sorry. Can you hear
12 me now? This is Dave Ailor. I thought you all

13 --

14 **THE HEARING HOST:** Great.

15 DAVID AILOR: -- would unmute me, so.

16 **THE HEARING HOST:** Very good. Thank
17 you.

18 DAVID AILOR: Shall I go ahead and
19 start?

20 **THE HEARING HOST:** Yes. As you -- as
21 you begin --

22 DAVID AILOR: Okay.

1 **THE HEARING HOST:** -- please -- please
2 state and spell your first and last name, for the
3 record, and you may begin.

4 **DAVID AILOR:** Okay. Good morning my
5 name is David Ailor, spelled D-A-V-I-D,
6 A-I-L-O-R. I am President of the American Coke
7 and Coal chemicals Institute, or ACCCI, a
8 Washington, D.C. based trade association that
9 represents the US metallurgical coke industry. I
10 am speaking today on behalf of the ACCCI managed
11 Coke Oven Environmental Task Force, COETF.

12 The COETF represents all four companies
13 that operate byproduct recovery coke plants in
14 the US. These four companies operate a total of
15 six plants. During 2022, they produce nearly 7.3
16 million tons of metallurgical coke, a vital
17 ingredient and making the steel that is the
18 backbone of US investments in infrastructure,
19 electrification of the transportation sector, and
20 our national defense. Since 2015, the COETF has
21 been working with EPA on the Pushing, Quenching,
22 and Battery Stack RTR rulemaking, including on

1 two separate Section 114 information collection
2 requests, and countless rounds where we
3 voluntarily provided the information, data, and
4 analysis needed to produce a technically sound
5 and legally defensible rule.

6 The COETF and its members have long
7 supported rules that are grounded in sound
8 science, use the best available data, and comply
9 with EPA's legal obligations. Importantly, a
10 defensible rule must not simply be a fine
11 generating machine containing shutdown standards
12 but must be demonstrated to be achievable on a
13 long-term basis. The COETF will be submitting
14 written comments on the proposed rule. However,
15 today I want to emphasize the following five
16 points.

17 First, even using a very conservative
18 risk modeling approach, and assumptions that
19 significantly overstate risk, EPA's risk modeling
20 shows that all coke facilities are well within
21 the range of acceptable risk within an ample
22 margin of safety. This fact is the strong

1 evidence of the effectiveness of the existing
2 Clean Air Regulations and standards that the Coke
3 sector has been diligently implementing over the
4 past three decades. It is also a testimony to
5 the strong role that coke manufacturing sector
6 plays as stewards in their communities and to the
7 environment.

8 Second, we have a major concern
9 regarding the new proposed fence line monitoring
10 requirements. These go beyond EPA's legal
11 authority and present serious implementation and
12 compliance challenges that EPA has not fully
13 considered or addressed.

14 Third, we have a major concern
15 regarding EPA's proposal to lower already
16 stringent percent leaking door standards even
17 further. This proposal is not grounded in any
18 new development in technology for coke oven
19 doors, ignores important differences among --
20 among types of doors, and it's not necessary to
21 address any risk of public health of the
22 environment.

1 **THE HEARING HOST:** One minute

2 remaining.

3 **SPEAKER:** Okay. Fourth, we have a
4 major concern regard -- regarding the new
5 emission limits that were derived using
6 insufficient data and are not representative of
7 the very -- very -- variability within our
8 industry. Potential measures required to meet
9 the new proposed numerical limits have not been
10 proven technologically feasible for coke plant
11 operations.

12 And fifth, EPA has only provided a
13 45-day public comment period, which is completely
14 inadequate given the multiple different proposed
15 actions that EPA has combined into a single
16 proposal and the sheer volume of documents and
17 other supporting material, numbering over 2,300
18 and counting, that EPA has placed in the
19 rulemaking dockets that cover this proposal. The
20 COETF has requested a 30-day extension to the
21 public comment period, which we ask EPA to
22 approve expeditiously as the minimum amount of

1 time needed for meaningful public review and
2 comments on this proposal.

3 Thank you.

4 **MR. CHUCK FRENCH:** Well, thank you for
5 your testimony.

6 I'd like to ask the Panel Members if
7 they have any clarifying questions at this time.

8 Okay, well, thanks again. And I'll
9 hand it back to the Hearing Hosts.

10 **THE HEARING HOST:** Thank you. The next
11 speaker is Matthew Mehalik.

12 **MATTHEW MEHALIK:** All right. Thank you
13 to the Panel for this opportunity to provide
14 remarks for this hearing. My name is Matthew
15 Mehalik, M-A-T-T-H-E-W, Mehalik, M-E-H-A-L-I-K,
16 and I am the Director of the Brief Project, the
17 Southwestern Pennsylvania collaboration of over
18 sixty-five organizations working to improve air
19 quality, eliminate climate pollution, and make
20 our region a healthy and prosperous place to
21 live. We emphasize the need to strengthen the
22 NESHAP standards for Coke Oven Batteries to

1 address ongoing severe health impacts on
2 residents in the Mon Valley in Southwestern
3 Pennsylvania, the site of the US Steel's Clairton
4 Coke Works.

5 The current situation is untenable.
6 The Clairton Coke Works admits large quantities
7 of hazardous air pollutants, such as benzene and
8 metals that harm health. Allegheny County's in
9 the top one percent of all counties for cancer
10 risk from Point Source's air toxics emissions.
11 Ninety percent of this risk is attributable to
12 coke oven facilities, with 90% attributable to
13 the Clairton Coke Works. People in the Mon
14 Valley already have their that's worse than 93%
15 of the entire country for fine particulate
16 matter, and it's well known that particles are
17 carriers for hazardous air pollutants, such as
18 benzene and metals, that are delivered directly
19 into the bloodstream of residents. The Clairton
20 Coke Works is located in an environmental justice
21 community. Approximately 130,000 people live
22 within a five-mile radius of the Clairton Coke

1 Works property. One-third of the people who have
2 low income, 36% are minority population,
3 primarily African American, and one-fifth are
4 older than sixty-four.

5 Recently, NYU's School of Public Health
6 documented the improvement in health and
7 communities near the Shenango Coke Works in
8 Allegheny County after it closed in 2016.
9 Average weekly visits to the local emergency
10 departments for heart related problems decreased
11 by 42% immediately after the shutdown. The
12 Clairton Coke Works is ten times larger than the
13 Shenango facility and over one hundred years old.
14 In 2022, these residents in Mon Valley have
15 experienced air quality being ranked in the top
16 ten worst air sheds in the US Forty percent of
17 all days, or at least a portion of the day, based
18 on the EPA's Air Quality Index hourly values.
19 These areas ranked as the number one worst air
20 shed about 10% of these periods. We experience a
21 substantial number of days with temperature
22 inversions and these inversions trap pollution

1 emitted overnight by the Coke Works. Short term
2 spikes and pollution impact the health of
3 residents who are exposed to high level pollution
4 for hours at a time. And we have cameras that
5 are pointed at the Clairton Coke Works that
6 captured this phenomenon.

7 To protect our community we're
8 requesting EPA to please do the following:

9 One, require fence line monitoring of
10 benzene at existing facilities immediately upon
11 execution of the rule. Communities in the Mon
12 Valley already have evidence of elevated benzene
13 levels from monitoring using EPA method 325A.
14 They should not be forced to wait an additional
15 year for fence line monitoring near the Clairton
16 facilities.

17 Number two, keep the proposed benzene
18 action level of three micrograms per cubic meter.
19 This level is protective of workers and
20 communities.

21 Number three, update standards on
22 byproduct recovery plants which are not included

1 in this roommate -- rulemaking but are sources of
2 hazardous emissions at Coke facilities.

3 Number four include a short-term
4 concentration action level with provisions to
5 require immediate interventions. ATSDR has a
6 minimum risk level of benzene at 29 micrograms
7 per cubic meter for acute exposures of one to
8 fourteen days, and 19 micrograms for in an
9 intermediate term exposures.

10 Number five, require data for each
11 fence-line monitor to be provided to the public
12 monthly, so that people can be aware of their
13 exposure risks on a website that's easily
14 accessible.

15 And number six, require fence-line
16 monitoring continuously and permanently for
17 coking facilities for as long as the facility
18 operates.

19 Let's save lives, reduce burdens on
20 vulnerable people and take action that makes
21 everyone proud of our country. Thank you very
22 much.

1 **MR. CHUCK FRENCH:** Thank you for your
2 testimony. And for all speakers, we encourage
3 you to submit written comments in addition to
4 testimony today. So, we welcome written
5 comments.

6 So with that, does the Panel Members
7 have any -- any questions from the Panel Members?

8 **MS. DONNA LEE JONES:** Yes, can you --
9 can you spell out the acronym ATSDR (sic)?

10 **MATTHEW MEHALIK:** ATSDR. That's the --
11 the Toxics -- Air Toxics Agency affiliated with
12 EPA.

13 **MR. CHUCK FRENCH:** Yes, thank you.
14 Yes.

15 Any other questions? Okay. Well, I'll
16 hand it back to the Hearing Host. Thank you.

17 **THE HEARING HOST:** Thank you very much.
18 The next two speakers are Zachary Barber and
19 Hilary Lewis.

20 Zachary, I see your video up, please
21 begin your testimony.

22 **ZACHARY BARBER:** Great. Thank you so

1 much for the opportunity to speak today. My name
2 is Zachary Barber. I'm the Clean Air Advocate
3 with PennEnvironment based in Pittsburgh,
4 Pennsylvania, near two of the Coke facilities
5 covered by this rule, the Clairton Coke Works in
6 Allegheny County, and then Cleveland-Cliffs
7 facility in Minassian. And here in Allegheny
8 County, we sadly suffer from some of the dirtiest
9 air in the entire country, where we rank in the
10 worst two percent of the country for cancer risk
11 from industrial air pollution, and the Clairton
12 Coke Works ranks as the single most toxic air
13 polluter in Allegheny County according to our
14 review of the toxic release inventory.

15 The Clairton Coke Works releases more
16 toxic emissions than any other facility, and 70%
17 of the toxicity can be attributed to emissions of
18 benzene, hydrogen cyanide, and poly aromatic
19 hydrocarbons. In particular, the 30,000 pounds
20 of benzene that the facility reported in 2021 are
21 highly concerning, and these aren't just numbers
22 behind these cancer statistics. And these risks

1 are residents who have first-hand experience of
2 family members and neighbors dying of cancer.
3 I've stood in Clairton, within view of the Coke
4 Works, talking with the EPA Regional
5 Administrator and local residents as the
6 residents count down the block who has suffered
7 from cancer in the various families. And so it's
8 important to keep in mind that lowering these
9 emissions will directly benefit the health of
10 those residents.

11 In particular, we were excited to see
12 the fence-line monitoring provisions and the
13 action level around benzene emissions. This is
14 one of the most important parts of the updated
15 proposals from EPA. And so we ask that they --
16 that you keep the monitoring provision and
17 include the three-microgram action level. There
18 are a few ways where this will be helpful, as
19 residents and regulators use this data to ensure
20 that facilities are doing their part and are
21 following the law. This will be helpful from a
22 transparency, enforcement, and advocacy

1 perspective, and it's something that residents
2 have been asking for -- for a long time. There
3 are a few ways where this could be made even more
4 helpful and more effective; it would be very
5 helpful for residents to have access to data more
6 frequently to ensure that people have the most up
7 to date information. So making reporting
8 requirements, either bi-weekly or monthly, would
9 be helpful as well. Classifying repeated or
10 severe exceedances as high priority violations so
11 that regulators and advocates will have an easier
12 time enforcing these provisions, and then
13 ensuring that the corrective action taken if and
14 when concentrations rise above the limit should
15 address any source of benzene within the
16 fenceline, whether they are specifically covered
17 under the -- the portions of the NESHAP that are
18 being revised under this proposal or not.

19 But the bottom line is this proposal
20 would go a long way to cleaning up some of the
21 dirtiest emissions from one of the most toxic air
22 polluters here in the Pittsburgh region, as well

1 as thirteen others across the country. We're
2 very excited that the EPA is moving forward with
3 this and asks that you finalize these rules as
4 quickly as possible. Thank you.

5 **MR. CHUCK FRENCH:** Thank you for your
6 testimony.

7 Do any of the Panel Members have
8 questions?

9 Okay, well, thanks again. I'll hand it
10 back to the Host.

11 **THE HEARING HOST:** Thank you very much.
12 The next speaker will be Hillary Lewis.

13 **MS. HILLARY LEWIS:** Hi, my name is
14 Hilary Lewis and I'm the Steel Director at
15 Industrious Labs. H-I-L-L-A-R-Y, L-E-W-I-S.
16 Thank you for the opportunity to comment on the
17 proposed NESHAP for coke ovens today.

18 Carbon emissions are harmful to human
19 health, and like so many other harmful industrial
20 emissions, are disproportionately harming
21 low-income communities. In fact, one hundred
22 percent of coke facilities in the US are in low-

1 income communities. EPA has a responsibility to
2 protect clean air and ensure that everyone,
3 regardless of where they live or their income,
4 can breathe freely. And yet, the maximum
5 individual cancer risk from coke ovens is
6 currently 5 in 10,000, which is five times
7 greater than EPA own benchmark goal in setting
8 risk-based standards.

9 To protect clean air, EPA must start
10 with strong data. The proposed benzene
11 monitoring program is a great first step, and you
12 have the opportunity to go further and improve
13 this proposal. These rules were last updated
14 almost two decades ago. To start, we cannot
15 afford to unnecessarily delay implementation of
16 any monitoring program. Benzene monitoring
17 should begin immediately once the rule goes into
18 effect.

19 In addition, I urge you to strengthen
20 your proposed monitoring program to include
21 short-term action levels for acute and
22 intermediate exposures and increase reporting to

1 every two weeks instead of quarterly so that
2 local residents have timely access to critical
3 health related information. Monitoring is an
4 affordable and essential tool to addressing
5 hazardous air pollution from cokemaking, and we
6 cannot wait for shortchange our efforts.

7 Also, in regards to benzene, I wanted
8 to support the three micrograms per cubic meter
9 limit in the proposed rule, which is both
10 reasonable and achievable. It is also in line
11 with the California EPA's eight hour and chronic
12 reference exposure levels for benzene, which are
13 health-based standards, a critical measure for
14 carcinogens like benzene. To that end, each --
15 EPA should also advance a process to strictly
16 enforce this limit. For example, excess
17 emissions on more than one occasion should
18 trigger a highly -- a high priority violation and
19 be subjected to meaningful -- meaningful
20 financial penalty. I also wanted to address the
21 issue of byproducts recovery plants. Most of the
22 facilities subject to this rule have byproduct

1 recovery plants, yet new rules were not proposed.
2 Byproduct recovery rules have not been updated
3 for over three decades. Any new coke oven rules
4 must include stronger safeguards for byproduct
5 recovery plants and substantially addressed
6 flaring.

7 Finally, I wanted to thank EPA for
8 eliminating the use of startup, shutdown, and
9 malfunction loopholes that allowed releases
10 unlimited amounts of coke oven emissions without
11 consequence. These rules are critical to
12 protecting human health in some of our most
13 vulnerable communities. I urge you to advance
14 the strongest rule possible and as quickly as
15 possible.

16 Thank you for listening.

17 **MR. CHUCK FRENCH:** Well, thank you for
18 your testimony. And again, we welcome your
19 comments, so please -- please submit written
20 comments before October 2nd.

21 Do any of the Panel Members have
22 questions? Clarifying questions?

1 Well, thanks again. I'll hand it back
2 to the host.

3 **THE HEARING HOST:** Thank you very much.
4 The next two speakers are Jay Walker and Susan
5 Thomas.

6 Jay, I see your video up. Please begin
7 your testimony when ready.

8 MR. JAY TING WALKER: Morning. My name
9 is Jay Ting Walker and I'm an Outreach
10 Coordinator with Clean Air Council, a non-profit
11 environmental health organization with offices in
12 Philadelphia and Pittsburgh, Pennsylvania.

13 The Council has been working to protect
14 everyone's right to a healthy environment for
15 over fifty years. The Council's approximately
16 35,000 members, including frontline community
17 members in Allegheny County, whose families have
18 been injured by steel plant emissions for
19 generations. Several members who live near US
20 Steel's Mon Valley Clairton Coke Works suffer
21 from cancer and cardiovascular and respiratory
22 ailments. They endure foul odor and regular

1 pollution spikes which prevent outdoor
2 activities. Some can't afford commercial air
3 filters and try to rig their own to improve their
4 indoor air quality.

5 The Council thanks EPA for its work in
6 proposing the updated standards for coke ovens.
7 In particular, the proposed fenceline monitoring
8 for benzene with an action level of three
9 micrograms per cubic meter is necessary to
10 protect public health. Environmental Integrity
11 Project and CreateLabs community monitoring
12 programs set up eight monitors at residences in
13 Mon -- in Mon Valley, six of which showed average
14 exposures over that level for eighteen months.
15 Scientists have found ample evidence of health
16 harms from long-term exposures to levels above
17 three micrograms per cubic meter. EPA -- the EPA
18 should retain this standard in the final rule.

19 Additionally, the EPA should strengthen
20 the rule in the following ways:

21 First, EPA should revise the standards
22 for byproduct recovery plants, which have not

1 been reviewed for 32 years.

2 Second, EPA should require facilities
3 to -- (audio glitch) -- fence-line monitoring upon
4 the rules effective dates. The passive benzene
5 monitors are cheap and simple to setup, so
6 there's no reason to delay for an additional
7 year.

8 Third, short-term spikes in benzene and
9 associated coke oven and emissions can cause
10 serious health injuries. Thus, EPA should set
11 shorter term action levels based on data from the
12 Agency for Toxic Substances and Disease Registry,
13 ATSDR, which provides information on risks
14 associated with acute and intermediate term
15 exposures

16 Forth, facilities should submit data
17 every two weeks instead of quarterly, and that
18 data should be publicly accessible. That
19 practice is required and several consent decrees
20 for refineries, so it is also practical here.
21 Communities have a right to know their exposures
22 and health care providers need that information

1 to properly assess their patients.

2 Fifth, serious or repeated exceedances
3 must be considered violations and result in
4 penalties strong enough to incentivize
5 compliance. Fines must be high enough that
6 operators cannot consider them to be part of the
7 cost of doing business.

8 The Council's written comments will
9 include more extensive suggestions to better
10 protect the health of frontline communities.

11 Thank you.

12 **MR. CHUCK FRENCH:** Thank you for your
13 testimony.

14 Do the Panelists have any questions?

15 Okay, thank you. I'll hand it back to
16 the host

17 **THE HEARING HOST:** Thank you very much.
18 The next speaker is Susan Thomas.

19 **MS. SUSAN THOMAS:** Good morning.

20 S-U-S-A-N, T-H-O-M-A-S. Thank you for this
21 opportunity.

22 I live in Beverly Shores, Indiana,

1 located in the Indiana Dunes National Park, an
2 ecosystem of flora and fauna that is unique on
3 the entire planet. It is truly a natural wonder
4 that exists sandwiched between the worst
5 polluting industries on the planet whose toxic
6 emissions and spills harmed the process of
7 photosynthesis in these rare plants, and thus
8 impact the entire extraordinary food chain here.

9 I'm asking EPA, in the NESHAP coke oven
10 rules, to please increase the appropriately cited
11 fence-line benzene air monitoring, starting now.
12 No need to wait. And make the monitoring real
13 time and assessable with reporting every two
14 weeks, not quarterly, and within twenty-four
15 hours to the public if there is a severe issue.
16 Establish a benzene action level that protects
17 workers and communities. Include a rule for
18 byproduct recovery plants.

19 However, none of these changes are
20 meaningful unless EPA stops allowing industry to
21 self-monitor and self-implement the required
22 rules. EPA needs to make a sharper plan to

1 declare high priority violations in a timely and
2 transparent way rather than allowing industry to
3 finagle around endless back and forth with
4 excessive emission labels that disguise
5 wrongdoing. Meaningful penalties are paramount.
6 Otherwise, we're back to the same old
7 pay-to-pollute.

8 I have commented now on at least four
9 different EPA revised rules hearing hearings for
10 a variety of issues since June. Across the
11 board, what all of these revisions have in common
12 is EPA has continued bread crumbing of
13 environmental justice communities, doing way less
14 in their revisions that could actually make a
15 difference, regardless of what the actual science
16 is documented, or the cheap expense for industry
17 to make corrections, with virtually no impacts to
18 their astounding profit margins. This is handing
19 polluting industries a gift, ultimately
20 meaningless rules that can continue to skirt,
21 laughing all the way to the bank.

22 Please, no more fox guarding the

1 henhouse. Include penalties with actual
2 consequences that protect our workers and
3 communities. Thank you so much.

4 **MR. CHUCK FRENCH:** Thank you for your
5 testimony. We welcome your comments, of course.

6 Do any of the Panelists have questions?

7 Okay, thank you. I'll hand it back to
8 the host.

9 **THE HEARING HOST:** Thank you very much.
10 The next few speakers are Qiyam Ansari and
11 Kenneth Zapinski.

12 Qiyam, whenever you're ready.

13 **MR. QIYAM ANSARI:** Hello, everyone.

14 Can you hear me?

15 **THE HEARING HOST:** Yes, we can.

16 **MR. QIYAM ANSARI:** Okay, awesome.

17 So, my name is Qiyam Ansari, it is
18 spelled Q-I-Y-A-M, and my last name is Ansari,
19 spelled A-N-S-A-R-I. I appreciate the
20 opportunity to testify here today.

21 I want to start off by thanking the EPA
22 for releasing these updated regulations. We feel

1 like the three-microgram level for benzene
2 monitoring will definitely protect the
3 community's health. I represent an organization
4 called Valley Clean Air Now, and a lot of our
5 members live within five miles of the Clairton
6 Coke Works, as you can see behind me, and a lot
7 of them are suffering from serious ailments,
8 including cancer, asthma, we've had multiple
9 folks that we know and we love, we've lost them
10 due to health effects that come from these
11 polluting industries.

12 We will be submitting written comments
13 with specifics that we would like to see that
14 could strengthen this regulation. But we just
15 wanted to -- I wanted to take some time to thank
16 EPA for following through with this isn't that
17 they said they were going to make and the
18 promises that they made to the community to fight
19 and improve the health of the folks that live
20 near these events line.

21 Thank you very much.

22 **MR. CHUCK FRENCH:** Thank you. Thank

1 you for your testimony.

2 Do the Panel Members have any

3 questions?

4 So, thanks again. I'll hand it back to

5 the host.

6 **THE HEARING HOST:** Thank you. The next

7 speaker is Kenneth Zapinski.

8 Kenneth, I see your video up, please

9 start your testimony.

10 **MR. KENNETH ZAPINSKI:** My name is

11 Kenneth Zapinski, K-E, Double N, E-T-H,

12 Z-A-P-I-N-S-K-I, and I am the Director of

13 Research and Public Policy for Pittsburgh Works

14 Together, an alliance of organized labor and

15 employers created to protect and advance the

16 industries that are at the foundation of our

17 society, including energy and manufacturing, in

18 order to provide economic opportunities and

19 family sustaining jobs for all people.

20 When the Biden Administration is

21 pumping hundreds of billions of dollars into the

22 economy through the infrastructure bill and other

1 programs, it's the wrong time to attack an
2 industry critical for building infrastructure and
3 energy facilities those programs call for. Want
4 to build wind turbines? You need steel. Need
5 high voltage transmission lines to carry power
6 from solar farms? Steel. The facilities to
7 house high tech chip manufacturing coming back to
8 the US from overseas? Steel. Coke production is
9 a critical step in the integrated steel
10 production process. We cannot meet all our needs
11 with steel made from recycling scrap and electric
12 arc furnaces.

13 As a matter of national security and
14 maintenance of our advanced economy, we need to
15 retain the ability and skills necessary to turn
16 rocks into steel. That process has environmental
17 impacts, but it is already highly regulated and
18 the country's air and water are cleaner now than
19 they have been at any time since the Industrial
20 Revolution. According to the EPA estimates coke
21 facilities present low, acceptable risks with a
22 sufficient margin of safety to protect public

1 health.

2 Life expectancy is dropping in the US
3 but not because of a public health threat from
4 coke ovens or steel production. It is from
5 deaths of despair from suicide and addiction,
6 much of it driven by economic circumstances and a
7 loss of hope in today's economy. Unnecessarily
8 burning the steel production process with
9 increased regulation is an effective way to shut
10 down plants and increase economic hopelessness,
11 which itself is a public health issue.

12 These proposals are of particular
13 concern in southwestern Pennsylvania, as a
14 section of the proposed regulations appear to
15 have been arbitrarily set specifically to target
16 the Clairton Coke Plant that is part of the US
17 Steel's Mon Valley Works. The Mon Valley Works
18 supports nearly 4,000 direct jobs and contributes
19 close to \$5 billion annually to the regional
20 economy. The Coke Plant is the linchpin of the
21 operation, and it would be subject to new
22 regulations that are not consistent with EPA's

1 own procedures.

2 Once again, the EPA is overreaching by
3 trying to impose environmental outcomes that have
4 not been proven to be possible using existing
5 technology. By law, the results that the
6 proposed regulations require must be achievable,
7 both technologically and economically. The
8 burden is on the EPA to demonstrate with hard
9 data over long operating periods that the
10 proposed regulations meet that standard. The
11 Agency has not done so. Showing that one plant
12 on one day for one moment in time can meet a
13 particular emissions profile is not a sufficient
14 basis to tear down an industry that is critical
15 to union workers, to the US economy, the global
16 energy transition, and national defense.

17 Any amendments made to the existing
18 coke oven regulations should be consistent with
19 the requirements of the Clean Air Act based on
20 sound science and consider the costs to implement
21 and operate.

22 Thank you.

1 **MR. CHUCK FRENCH:** Thank you for your
2 testimony.

3 Do the Panel Members have any
4 questions?

5 Okay, thank you. Thanks again. Back
6 to the host.

7 **THE HEARING HOST:** Thank you very much.
8 The next two speakers are Kurt Barshick and Mark
9 Jeffery.

10 Kurt, I see your video up. Please
11 begin your testimony when ready.

12 **MR. KURT BARSHICK:** Good morning. My
13 name is Kurt Barshick; that's **K-U-R-T,**
14 **B-A-R-S-H-I-C-K.** I'm the Vice President for US
15 Steel Mon Valley Works which is located in
16 Pittsburgh, Pennsylvania. Thank you for the
17 opportunity to comment on behalf of the
18 hard-working men and women employed with US Steel
19 Mon Valley Works.

20 The Mon Valley Works includes several
21 integrated operations, including the largest coke
22 facility in North America, which is the US Steel

1 Clairton Coke Plant. The Clairton Coke Plant is
2 critical to our company's success, in particular
3 to the future of the Mon Valley Works. The
4 Clairton Coke Plant provides coke for most of our
5 blast furnaces, including our Edgar Thompson
6 Plant and our Gary Works. In addition, US
7 Steel's Mon Valley Works reuses the coke oven gas
8 generated to make our own electricity and operate
9 our furnaces of the hot strip mill, which allows
10 the Mon Valley Works to operate one of the most
11 energy efficient steel mills in North America.

12 The Mon Valley Works is committed to
13 meeting the challenge and protecting our shared
14 environment. In 2022 -- 2023, we continue our
15 pursuit of environmental excellence, maintaining
16 a historically high compliance rate with the
17 Allegheny County Health Department standards that
18 apply to charging emissions, door leaks, battery
19 combustion stack opacity, off takes, lids,
20 pushing, and travel compliance. These standards
21 are among the most stringent in the entire
22 country. They exceed requirements for the

1 Pennsylvania Department of Environmental
2 Protection and the United States Environmental
3 Protection Agency. Our world class performance
4 is evident in all regional monitors in Allegheny
5 County, have demonstrated attainment with the
6 National Ambient Air Quality Standards, noting in
7 particular, demonstrating attainment for PM 2.5
8 and SO2. This is a great accomplishment and
9 we're committed to doing our fair share to ensure
10 the area's air quality continues to meet the
11 standards.

12 For these reasons, I strongly urge the
13 Agency to take a more reasonable approach in
14 amending the National Emission Standards for
15 Hazardous Air Pollutants for cokemaking
16 facilities. Any amendments made to the existing
17 regulations should be consistent with the Clean
18 Air Act, based on sound science, and technically
19 achievable with proven control technology. The
20 rule revision should be aligned throughout the
21 cokemaking industry and consider the cost to
22 implement and operate. Some people today will

1 testify that US Steel can afford these new
2 limits. Yet EPA's new proposed numerical limits
3 have not been proven to be technically feasible
4 for any coke plant nor has the EPA provided any
5 justification for the proposal to lower existing
6 limits on coke plants that produce over three
7 million tons of annual production. Even
8 unlimited finances cannot obtain unfeasible
9 limits. These new limits would result in
10 significant economic consequences, not only for
11 the Pittsburgh region, but a cascading impact in
12 economic hardship to the future of Gary Works,
13 our river barge industry, coal companies, and our
14 surrounding communities as well.

15 Thank you again on behalf of US Steel
16 Mon Valley Works to testify.

17 **MR. CHUCK FRENCH:** Thank you for your
18 testimony.

19 Do the Panel Members have any
20 questions?

21 Thank you, and again, we welcome your
22 written comments. With that I'll hand it to --

1 hand it off back to the host.

2 **THE HEARING HOST:** Thank you. The next
3 speaker is Mark Jeffrey.

4 Mark, I see your video up. Please go
5 ahead and begin your testimony.

6 MR. MARK JEFFREY: Good afternoon, my
7 name is Mark Jeffrey, M-A-R-K, J-E-F-F-R-E-Y.
8 I'm the Plant Manager at US Steel's Mon Valley
9 Works Clairton Coke Plant, which employs more
10 than 1,200 hardworking and highly skilled men and
11 women who operate the nation's largest coke and
12 coal byproduct plant.

13 Environmental excellence achieved by
14 our dedicated employees have yielded significant,
15 measurable environmental results. These efforts
16 have contributed to Allegheny County air monitors
17 demonstrating continuous attainment with all
18 federal, health-based air quality standards. The
19 region sustained attainment of the National
20 Ambient Air Quality standards. In addition to
21 EPA's determination that the coke manufacturing
22 source category presents a low, acceptable risk,

1 is an accomplishment we should all be very proud.
2 Efforts become reality when regulatory agencies
3 work collaboratively with industry. We believe
4 open communications between the regulator,
5 regulated community, and the local communities
6 benefit the environment, reduces litigation, and
7 best serves the public.

8 The US Steel's Clairton Plant is
9 committed to working with US EPA to develop and
10 implement revisions to the coke regulations which
11 are:

12 One, consistent with the Clean Air Act.

13 Two, based on sound science and data.

14 Three, have demonstrated benefits to
15 the environment.

16 And four, are technologically and
17 economically feasible.

18 Specific areas of concern with the
19 proposed revisions include the new emission
20 limits in the proposed rule have -- are based
21 upon insufficient data and are not representative
22 of the industry. In addition, I will note that

1 many of the potential measures required to meet
2 the new proposed and miracle limits have not been
3 proven to be technologically feasible for our
4 operations. EPA is also mischaracterizing new
5 RTR test data that shows compliance with the
6 existing standards and technology development,
7 warranting tighter standards. The proposed
8 fence-line monitoring requirements would cover the
9 entire facility, extending beyond the intended
10 regulation and including sources that are not
11 subject to the current code rule.

12 The significance of the Clairton Plant,
13 including its products and byproducts, goes well
14 beyond the geographic footprint. Clairton
15 Plant's operations have a tremendous impact on
16 the local, regional, and national economy. As
17 the nation's largest coke producer and coal
18 chemicals, our operations have a multiplier
19 effect in supporting thousands of additional
20 manufacturing trans -- transportation and
21 supplier jobs. The cokemaking processes is the
22 essential first step and integrate steel-making

1 process. It is critical so that we continue to
2 maintain a balance of environmental
3 responsibility, economic opportunity for our
4 country, and not risk the future of our many,
5 many manufacturing jobs and national security.

6 Clairton Plant asks the EPA to work
7 collaboratively of industry, to come up with
8 regulations that are consistent with the Clean
9 Air Act and based on sound science and data.
10 Working together, we can accomplish two important
11 goals for future generation: protect our region's
12 jobs and preserve our shared environment.

13 Thank you for this opportunity to speak
14 today.

15 **MR. CHUCK FRENCH:** Thank you for your
16 testimony.

17 Do any of the Panel Members have
18 questions?

19 Okay, thanks again. I'll hand it back
20 to the host.

21 **THE HEARING HOST:** Thank you very much.
22 The next few speakers are Jon Olszewski and Dave

1 Reaume.

2 Jon, I see your video up. Please begin
3 your testimony when ready.

4 MR. JON OLSZEWSKI: Hello, my name is
5 John Olszewski, J-O-N, O-L-S-Z-E-W-S-K-I, and I
6 am the Plant Manager of US Steel Mon Valley Works
7 Edgar Thompson Plant and I am speaking on behalf
8 of the 750 employees who work at the Edgar
9 Thompson plant.

10 As the iron- and steel-making facility
11 of the Mon Valley Works, Edgar Thompson is a
12 customer of our Clairton cokemaking plant for
13 coke and coke oven and gas, both of which are
14 critical to our operations. Cokemaking is the
15 first step in the integrated steelmaking process
16 that is critical to produce many of the products
17 necessary in our daily lives and needed to ensure
18 national security.

19 The steel produced at the Mon Valley is
20 one hundred percent Made in America by more than
21 3,000 hard working men and women, many of whom
22 live in the Mon Valley communities. The Mon

1 Valley Works creates thousands of additional
2 jobs, which supports our plants operational and
3 maintenance needs. These workers also live in
4 the Mon Valley community. Mon Valley Works
5 generates \$4.6 billion in economic output
6 throughout the region. The Pennsylvania steel
7 industry generates \$9.3 billion in economic
8 output a year in Pennsylvania and plays an
9 integral role in the State's economy. Mon Valley
10 Works is the largest contributor among all
11 Pennsylvania steel operations.

12 The EPA has determined that the coke
13 manufacturing source category presents a low,
14 acceptable risk. Potential measures recall are
15 to meet the new proposed numerical limits have
16 not been proven to be technologically feasible
17 for cokemaking facilities. The new limits are
18 based upon insufficient data and are not
19 representative of the industry.

20 US Steel has a strong commitment to our
21 environment, and to provide good paying jobs and
22 other important economic and social benefits to

1 our region. It is critical that we continue to
2 maintain the balance of environmental
3 responsibility and economic opportunity to our
4 country and not risk the future of our remaining
5 manufacturing jobs and national security. Coke
6 facilities are critical to our region and
7 country. The men and women of the Edgar Thompson
8 Plant ask that the EPA work collaboratively with
9 industry to come up with regulations that are
10 consistent with the Clean Air Act and are based
11 on sound science and data.

12 Working together, we can accomplish two
13 important goals for future generation: protect
14 our region's jobs and preserve our shared
15 environment. Thank you.

16 **MR. CHUCK FRENCH:** Thank you. Thank
17 you for your testimony.

18 Do the Panel Members have many
19 questions?

20 Thanks again. We welcome your written
21 comments, of course. With that I'll hand it back
22 to the host

1 **THE HEARING HOST:** Thank you very much.

2 The next speaker is David Reaume.

3 David, I see your video. Please begin
4 your testimony when ready.

5 MR. DAVID REAUME: Good morning,
6 everybody, and thank you for the opportunity.

7 My name is David, D-A-V-I-D, Reaume,
8 R-E-A-U-M-E. I'm the Primary Plant Manager of
9 our US Steel's Gary Works facility located in
10 Gary, Indiana. US Steel's Gary Works primary
11 operations employ more than 1,800 hard working
12 men and women, most of whom are proud United
13 Steel Worker members. They produce steel that we
14 use every day in our cities, our workplaces, our
15 vehicles, and in our homes.

16 The cokemaking process is the essential
17 first step in the integrated
18 steel-making process. Gary Works' blast
19 furnaces, of which we have four of them, rely on
20 and operate on the quality coke that we receive
21 from the Clairton Plant. The domestic iron steel
22 industry faces significant impacts from the

1 proposed rule, along with other EPA proposed
2 rules, including the Taconite Mac, the Iron and
3 Steel MACT, the Good Neighbor rule, the PM 2.5,
4 and Ozone NAAQS.

5 My coworkers and I are concerned for
6 the future of iron and steel-making in the United
7 States. It is my understanding that the new
8 emission limits in the proposed rule are based on
9 limited data and are not representative of the
10 industry. Potential measures required to meet
11 the new proposed numerical limits have not been
12 proven to be technologically feasible for our
13 operations. In addition, the proposed new limits
14 are inconsistent with the Clean Air Act,
15 recognizing that the EPA has an obligation under
16 the Clean Air Act to fill gaps and set limits on
17 hazardous air pollutants, we do have concerns
18 with the stringent, unproven, and unsupported
19 proposed limits.

20 Clairton coke is critical to the
21 success of Gary Works, Northwest Indiana, and our
22 country. It is critical that we continue to

1 maintain the balance of environmental
2 responsibility and economic opportunity for our
3 country, and not risk the future of our remaining
4 manufacturing jobs and national security.

5 We ask the EPA to work collaboratively
6 with industry to come up with regulations that
7 are consistent with the Clean Air Act and are
8 based on sound science and data. Working
9 together, we can accomplish two important goals
10 for the future generations: protecting our jobs
11 and preserving our shared environment.

12 Thank you for your consideration.

13 **MR. CHUCK FRENCH:** Thank you. Thank
14 you for your testimony.

15 Do any of the Panel Members have any
16 questions?

17 Thank you. I'll hand it back to the
18 host.

19 **THE HEARING HOST:** Thank you very much.
20 The next two speakers are Don Furko and Lee
21 Lasich.

22 Don, I see your video. Please begin

1 your testimony when ready.

2 (PAUSE.)

3 **MR. CHUCK FRENCH:** You're -- you're on
4 mute.

5 **MR. DON FURKO:** Okay. That should be
6 fine.

7 **MR. CHUCK FRENCH:** Thank you.

8 **MR. DON FURKO:** Now it's the camera.
9 Sorry about that.

10 Okay. Don Furko. D-O-N, F-U-R-K-O.
11 I'm the President of United Steelworkers Local
12 1557 where I represent the nearly 1,100
13 production maintenance employees, the best in the
14 business, at the Clairton Coke Works, part of US
15 Steel's Mon Valley Works, the last fully
16 integrated steelmaking facility in the region.
17 Clairton is the largest and cleanest coking
18 facility in the country, if not the world.

19 I appreciate this platform to speak
20 about the EPA's proposed amendments coking
21 regulations.

22 Research has been done by the

1 Pennsylvania Steel Alliance, and each steel job
2 supports at least five non-steel jobs in the
3 state. From the vendors to the contractors to
4 the employees of the speedway outside our gates,
5 the Mon Valley Works is integral to the region,
6 to the state, and in general to industry. Our
7 membership includes hundreds of workers whose
8 sole duty is environmental in nature from sealing
9 coke oven doors and lids to patching up walls,
10 maintaining the pushing emissions control
11 equipment, and rebuilding doors. However, at
12 Clairton, it's well known that environmental
13 compliance is everybody's responsibility. We all
14 -- we all --

15 (VIDEO AND AUDIO FROZEN.)

16 -- have to keep the plant compliance,
17 and in fact, we are in compliance most of the
18 time. The cleaner environment where we work
19 means a cleaner environment where we live.

20 I've been -- I've been President of
21 Clairton for five years; it is my duty to
22 represent our membership and our protect our

1 jobs. When I see proposed changes to emission
2 standards that may make it harder for our members
3 to keep the plant in compliance, which may
4 endanger the future of Clairton Works, I get
5 concerned. These new emissions limits are based
6 on non-sufficient -- on insufficient data and not
7 representative of the industry --

8 (VIDEO AND AUDIO FROZEN.)

9 -- not just coking operations. The
10 plant is already surrounded by monitors, and
11 again, we are in compliance and overwhelming
12 majority of the time.

13 Our biggest challenge is the topography
14 of the region, which creates weather inversions
15 that trap coke oven emissions lower in the
16 atmosphere. My members can't do anything to help
17 this phenomenon. So production is halted, again.
18 We shut down production to help curb the effects
19 of these inversions --

20 (VIDEO AND AUDIO FROZEN.)

21 -- last five years of everyone else.
22 Fenceline monitoring is a term that I've heard

1 over and over and over from the script of the
2 environmental groups, so it seems like the EPA is
3 caving to those NGOs with those proposals.
4 Potential measures required to keep the new
5 proposed numerical limits have not been proven to
6 be technologically feasible for our operations.
7 This plan is critical to the industry, to the
8 security, defense, and infrastructure of our
9 country --

10 (VIDEO AND AUDIO FROZEN.)

11 -- urge EPA to work collaboratively and
12 cooperatively with the company to find common
13 sense solutions, instead of making unilateral
14 proposals and then opening up for public comment.
15 The whole process seems counterproductive. Come
16 on out to the plant; I'm sure they'll give you a
17 tour so you can see my members working hard to
18 keep us in environmental compliance, and then
19 maybe come up with proposals together.

20 Again, thank you for this opportunity.

21 **MR. CHUCK FRENCH:** Thank you and thank
22 you for the invitation to visit your facility.

1 Yet again, we welcome written comments.
2 You broke up a little bit a couple of times
3 there. So I will -- I will strongly encourage
4 you to submit it all in writing.

5 MR. DON FURKO: Okay.

6 MR. CHUCK FRENCH: So does the Panel
7 Members have any questions?

8 So thanks again. I'll hand it back to
9 the host.

10 THE HEARING HOST: Thank you. Our next
11 speaker is Lee Lasich.

12 Lee, when you're ready.

13 MS. LEE LASICH: Hi, my name is Lee
14 Lasich, L-E-E, L-A-S-I-C-H.

15 Can you hear me? Okay.

16 I live in the city of Clairton,
17 Pennsylvania. I'm a retired legal secretary. I
18 do value a healthy, clean environment to live,
19 work, and raise my family, and I have raised my
20 family. I also value a positive economic impact
21 that US Steel has on this region. And I've lived
22 here my whole life. My family members have

1 worked at US Steel and I have seen many
2 improvements in the Clairton Coke Plant over the
3 years and believe me there have been many.

4 It is my understanding that the
5 regulation using the EPA own conservative
6 estimates shows that the coke facilities present
7 low, acceptable risks with an -- an am -- ample
8 margin of safety to protect public health. I
9 also understand that the current proposed
10 amendments have been based on limited data. You
11 got to do your job, EPA. Any amendments made to
12 the existing regulations should be consistent
13 with the Clean Air Act, based on sound science,
14 and consider the costs to implement and operate.
15 Additional coke production in the US -- United
16 States is already subject to -- subjected to some
17 of the most stringent environmental protection
18 requirements in the world, especially the
19 Clairton Coke Plant, and I'm talking about
20 Allegheny County. And believe me, they are
21 watching the Clairton Coke Plant.

22 US Steel has a strong commitment to our

1 environment and to providing good, paying jobs,
2 and other important economic benefits to our
3 region. It's critical, really, to continue to
4 maintain the balance of environmental
5 responsibility and economic opportunity for our
6 country, and not risk the future of our remaining
7 manufacturing jobs and national security.

8 US Steel provides employment for many
9 people in the Mon Valley outside -- and outside
10 it. I mean, US Steel has developed many clean,
11 environmentally driven activities involving
12 neighboring communities. I mean, US Steel
13 maintains a balance of keeping regulations for
14 pro -- producing coke, government -- governmental
15 employees. Its neighboring communities are
16 advised of each violation and each adherence to a
17 law. I'm talking about EPA and Allegheny County
18 Health Department.

19 We, as residents, know firsthand what
20 US Steel Coke Clairton Works has done to the
21 plant over the years. We see it and we breathe
22 the air. We know what is being done down at US

1 Steel. So help us help US Steel stay in
2 Clairton.

3 Thank you.

4 **MR. CHUCK FRENCH:** Thank you for your
5 testimony. Of course, we encourage you to submit
6 written comments.

7 Any questions from the Panelists?

8 Thanks again, I'll hand it back to the
9 host now.

10 **THE HEARING HOST:** Thank you so much.
11 The next few speakers are Jim Barker and Judson
12 Kroh.

13 **MR. JIM BARKER:** My name is Jim Barker
14 and I'm President Rosebud Mining Company. Jim,
15 J-I-M, B-A-R-K-E-R. and we are a supplier of
16 coking coal to US Steel. So we operate mines in
17 Indiana, Cambria, Somerset, Jefferson, and Elk
18 counties in Western Pennsylvania, which supply a
19 portion of the coke that they use in the Mon
20 Valley Works at Clairton.

21 We value a clean and healthy
22 environment for our more than 850 employees

1 living, working, and raising their families in
2 Western Pennsylvania. Almost all of our
3 employees are outdoorsmen and women who enjoy the
4 outdoors and respect the environment. We also
5 value the positive economic impact of US Steel
6 and our company and other vendors of US Steel
7 have in the region through employment and are
8 spending with local suppliers.

9 For these reasons, I strongly urge the
10 Agency to take a reasonable approach in amending
11 the regulation. It's my understanding that the
12 above regulation, when used -- when using the
13 EPA's conservative estimates shows that
14 cokemaking facilities present low, acceptable
15 risks with an ample margin of safety to protect
16 public health. The currently proposed amendments
17 have been based on limited data and do not
18 consider variations and operations. In addition,
19 potential measures required to meet the new
20 proposed numerical limits have not been proven to
21 be technologically or economically feasible. It
22 is our understanding of the EPA found no new

1 developments in practices, processes or control
2 technologies and necessitated revisions with
3 existing capacity standards. But nonetheless,
4 EPA has reduced the opacity standards in its
5 proposed rulemaking. Any amendments made to the
6 existing regulations should be consistent with
7 Clean Air Act based on sound science and consider
8 the cost to implement and operate.

9 The iron and steel industry faces
10 significant impacts from the proposed rule, along
11 with other EPA proposed rules, including the
12 Taconite MACT, the Iron and Steel MACT, American
13 Neighbor Rule, and PM 2.5. We are concerned
14 about the future of iron- and steelmaking in the
15 United States. China presently produces 53% of
16 the world's steel, which is roughly 1.3 billion
17 tons out of 1.95 billion tons. All these numbers
18 cited are for 2021, the most recent available
19 data. China, Russia, Iran, and Taiwan
20 collectively produce about 60% of the world's
21 steel. Steel production in the entire Western
22 Hemisphere amounts to only 8% of the world's

1 steel output, or 161 million tons out of 1.95
2 billion. These figures are for all steel
3 production, including both the EAF and blast
4 furnace produce steel.

5 If we look at just the pig iron
6 production, which is the process of transforming
7 newly mined iron ore in the ground, or iron
8 oxide, into pig iron that is used in the
9 steelmaking process, the numbers are even more
10 alarming. US produces only 1.6% of the world's
11 pig iron, 22 million tons out of 1.4 billion
12 tons. The entire Western Hemisphere produces
13 only about 5% of the world's pig iron. China
14 produces, just by itself, 63% of the world's pig
15 iron, or 880 million tons out of 1.4 billion
16 tons. And if we look at China, Russia, Iran, and
17 Taiwan collectively, they produce over two-thirds
18 of the world's pig iron.

19 It is imperative that the US holds on
20 to its pig iron production capabilities. Our
21 national security, in both the economic and
22 military senses, depends on being able to convert

1 iron ore, out in Minnesota, into a usable product
2 for our nation. For manufacturing,
3 transportation, construction, energy, and
4 military all require steel. The US steel
5 industry cannot be one hundred percent recycled
6 steel, as it needs new iron units for quality and
7 quantity reasons. Coke batteries make coke, coke
8 reduces iron oxide from the ground into usable
9 pig iron, and pig iron makes steel. It is
10 fundamental to so much of the US economy. We
11 need US Steel's coke batteries to remain
12 operationally competitive.

13 Department of Commerce has recognized
14 that the domestic steel industry is vital to
15 assuring our national security and maintaining
16 critical infrastructure. It is crucial that we
17 continue to maintain the balance of environmental
18 responsibility, which we all care about, an
19 economic opportunity for our country. We should
20 not risk the future over remaining manufacturing
21 jobs and national security. We have to preserve
22 our ability to convert iron ore into steel for

1 our national, economic, and military security.

2 Thank you for the opportunity to give

3 some comments today.

4 **MR. CHUCK FRENCH:** Thank you for your

5 testimony and we welcome your comments in any,

6 you know, studies, references you've talked

7 about. So thanks again.

8 And do the Panel Members have any

9 questions?

10 Thank you. I'll hand it back to the

11 host.

12 **THE HEARING HOST:** Thank you. Our next

13 speaker is Judson Kroh.

14 **MR. JUDSON KROH:** Hi, my -- can you

15 hear me?

16 **THE HEARING HOST:** Yes. Yes, please go

17 on.

18 **MR. JUDSON KROH:** Hi, my name is Judson

19 Kroh, J-U-D-S-O-N, K-R-O-H, and I'm President of

20 Robindale Energy and Associated Companies. We

21 are based in Latrobe, Pennsylvania, and operate

22 in the power, mining, mine reclamation, commodity

1 trading, transportation, and dry bulk material
2 and -- material handling sectors.

3 As of today, we have close to a
4 thousand hardworking individuals, and we provide
5 them with family-sustaining jobs with excellent
6 pay and benefits. Last year, we contributed to
7 our local economy an annual payroll in excess of
8 \$100 million and have numerous operations that
9 interact with Clairton via material handling, as
10 well as mining coking coal to provide fuel for
11 the facility. All of our operations, all operate
12 in economically distressed regions of the -- of
13 Pennsylvania and these regions have very limited
14 economic opportunities outside of mining.

15 All of us at Robindale want to have
16 clean air and clean water. Ninety-five percent
17 of our employees live in the Central and Western
18 Pennsylvania region. Yet those goals must be
19 balanced with a prudent and achievable
20 environmental regulations that do not devastate
21 local economic activity. It is my understanding
22 that the proposed EPA regulations are not

1 feasible which, in turn, risks the critical
2 ability -- in turn, risk the ability for Clairton
3 to operate in the future.

4 Clairton -- we estimate Clairton
5 provides an excess of 1,000 jobs in the mining
6 and transportation sectors and is one of the most
7 important drivers of economic -- economic
8 activity in the energy sector in the State of
9 Pennsylvania. Any given year, we estimate that
10 Clairton provides north of \$300 million worth of
11 economic activity -- (unintelligible) coking and
12 coal purchases from Central -- Central
13 Pennsylvania coal producers. This economic --
14 economic activity is a true value add to our
15 local economies by supporting multiple service
16 sector jobs for every one mine worker.

17 In addition, we see Clairton as one of
18 the most critical suppliers of carbon to numerous
19 industrial applications in the Western World. It
20 goes without saying that the Russian invasion of
21 Ukraine has fundamentally changed the energy and
22 industrial landscape around the world, and in

1 particular in the United States. Before the
2 invasion, Russia was one of the largest exporters
3 of carbon products, including met coke and
4 anthracite, with which anthracite is a met coke
5 replacement, and was supplying close to 90% of
6 the world's supply in the seaborne market for
7 these products. Ukraine was also an integral
8 part in the global carbon markets, being one of
9 the largest exporters of pig iron and met coke.
10 Since the invasion, we've seen an acute shortage
11 develop of carbon products, of which Clairton has
12 become a critical supplier of. To give a sense
13 of clarity and roles in the global met coke
14 market. The entire seaborne market of met coke
15 was estimated to be 24 million tons last year.
16 Clairton output represents close to 18% of the
17 world's seaborne supply, which, in our view, is
18 not replaceable if Clairton would cease to exist.

19 Over the last forty years, it has been
20 said that no region has lost more manufacturing
21 jobs in the -- in the country than Western
22 Pennsylvania. This is evident by the fact that

1 Greater Pittsburgh Metro populations continues to
2 decline during this timeframe. Albeit, for a few
3 brief years this past decade, when the population
4 stabilize. Most Recent estimates have shown our
5 region resuming the loss of population. Clairton
6 alone supports an innumerable amount of economic
7 activity. In our group alone, Clairton is an
8 integral customer and supports one-fourth of our
9 workforce.

10 Aggressive environmental regulations
11 pose unclarity; they're not achievable risk not
12 only the jobs that Clairton, but also have the
13 cascading effect on the mining materially handling
14 -- handling sectors and jobs in the state. If
15 history is any guide, this could accelerate the
16 loss of additional population in the region.
17 This type of economic up -- upheaval has profound
18 public health implications, which must be
19 considered with any environmental regulation
20 that's being proposed in the name of Public
21 Health.

22 Thank you for your time.

1 **MR. CHUCK FRENCH:** Thank you for your
2 testimony.

3 Do the Panel Members have any
4 questions?

5 Thanks again. And I'll hand it back to
6 the host.

7 **THE HEARING HOST:** Thank you very much.
8 Our next speaker is Kevin Polick.

9 Kevin, I see your video up. Please
10 begin your testimony when ready.

11 **MR. KEVIN POLICK:** Hello, my name is
12 Kevin Polick, **K-E-V-I-N, P-O-L-I-C-K,** from
13 Jefferson Hills, Pennsylvania, and I am here as a
14 private citizen. For the record, I am also
15 currently employed by US Steel.

16 As we heard from me the prior speakers,
17 there are questions regarding proposed
18 regulations and amendments. I agree with those
19 stating that proposed amendments need to be
20 further discussed and reviewed based on the
21 concerns mentioned. We all have a common value
22 -- excuse me -- a common value of clean and

1 healthy environment to live, work, and raise our
2 families. I think that was recognized by the
3 list of speakers today. We also need to
4 understand the positive economic impact US Steel
5 has on the region of Allegheny County and local
6 region -- communities. Not just -- not just
7 those employed, but the many contractors and
8 suppliers, besides the 3,000 Mon Valley
9 employees. Many of those live in Jefferson
10 hills. Coke production United States is already
11 subject to some of the most stringent
12 environmental protection requirements in the
13 world, especially at the Clairton Coke Plant.
14 And we all agree this is important for our
15 communities. But the balance is always
16 necessary.

17 While I was preparing to talk today, I
18 was reviewing EPA economic impact of these
19 tentative amendments and saw part of the impact
20 study of the additional costs for steelmaking
21 using a blast furnace versus a mini mill, which
22 does not need to coke -- (glitch) -- we'll make

1 those called the integrated steel producers, an
2 additional cost compared to the mini mills. Note
3 the integrated steel producers make the advanced
4 steel grades that made today's automotive
5 manufacturers required, which starts with coke,
6 not scrap. What I did not see any economic
7 impact that potential costs compared to the true
8 competition. Foreign steel. If you did not
9 know, America is one of the few countries that
10 does not produce enough steel and needs foreign
11 steel to meet that -- the demand. Foreign steel,
12 that does not have the main restrictions as a
13 domestic producers. I think we learned during
14 COVID, it's important to have things made here.
15 Again, balance. My concern are these amendments
16 are truly vetted and the technology is proven for
17 both the manufacturers and the health agencies to
18 properly monitor. If not, please continue to
19 investigate.

20 Being a lifelong resident of Jefferson
21 Hills, I've witnessed the importance of the
22 checks and balances between our health agencies

1 and manufacturers, but it also needs to be
2 recognized that Allegheny County is not just in
3 competition with foreign steel, but it's also in
4 competition with other states, as well as other
5 countries. Again, balance.

6 It is critical that we continue to
7 maintain the balance or environmental
8 responsibility and economic opportunity for our
9 country. Not risk the future with our remaining
10 manufacturing jobs and national security.

11 Thank you for your time.

12 **MR. CHUCK FRENCH:** Thank you for your
13 testimony.

14 Do the Panel Members have any
15 questions?

16 Okay, thanks again. With that, I'll
17 hand it back to the host.

18 **THE HEARING HOST:** Thank you all very
19 much.

20 At this time, we do not have any other
21 pre-registered speakers currently present. We'll
22 take a fifteen-minute break until 12:30 p.m.

1 Eastern, and at that time, we will return and see
2 if we have any newly registered speakers, and if
3 not, we will take a longer break until the sec --
4 the second session.

5 So, at this time we'll take a break
6 till 12:30 p.m. Eastern. Thank you.

7 MS. CHRISTINE GRAZIANO: Now, may I ask
8 a quick question? I'm an unregistered speaker
9 who would like to speak but I have to leave the
10 call between 12:30 and 1:00. Would it be
11 possible to give my comments right now?

12 THE HEARING HOST: Can you please chat
13 with Attendee Support and they can assist with
14 your -- at this time, registration?

15 MS. CHRISTINE GRAZIANO: I did at the
16 about an hour -- when the call started and nobody
17 has replied to me.

18 THE HEARING HOST: Oh, what is your
19 name?

20 MS. CHRISTINE GRAZIANO: It's uh, oh,
21 okay, I must have -- I see now there are multiple
22 options. So Attendee Support. My name is

1 Christine Graziano.

2 **THE HEARING HOST:** Okay. We'll be
3 back with you in just a moment.

4 **MS. CHRISTINE GRAZIANO:** Okay, thank
5 you.

6 (PAUSE.)

7 **THE HEARING HOST:** We will take a short
8 break until 12:25 and then we will recommence the
9 Session 1 (sic).

10 (THEREUPON, AFTER A BRIEF
11 RECESS, THE HEARING CONTINUED AS FOLLOWS:)

12 **THE HEARING HOST:** All right, welcome
13 back from that short break. We do have a newly
14 registered speaker. Our next speaker will be
15 Christine Graziano.

16 Christine, when you are ready, please
17 unmute and begin your testimony.

18 **MS. CHRISTINE GRAZIANO:** Thank you. I
19 tried to turn my video on. It didn't turn on.
20 Okay.

21 **THE HEARING HOST:** I just --

22 **MS. CHRISTINE GRAZIANO:** Okay.

1 **THE HEARING HOST:** -- request is coming
2 up now. There we are.

3 **SPEAKER:** My name is Christine
4 Graziano. I'm a resident of Squirrel Hill in
5 Pittsburgh, and as well a privately practicing
6 environmental consultant with degreed education
7 and over twenty years of professional practice in
8 environmental policy design, natural resource
9 management, and regional urban and municipal
10 planning. I'm a mother of a ten-year-old son who
11 lives with me here in Allegheny County.

12 I'm here because of my personal
13 suffering, living within the detectable emissions
14 and smell plumes from the cokes work -- coke
15 works and other area polluters, and the clearly
16 evidenced suffering of my neighbors in the
17 region, especially in Clairton, Braddock, from
18 the nearby coke works, but also my immediate
19 neighbors here in the East End. Our collective
20 suffering is evidenced by many thousands of
21 annual complaints to the smell PGH app year after
22 year, and also to GovQA.

1 Personally, since moving to Pittsburgh
2 thirteen years ago, unknowingly to an area out of
3 compliance regularly with the Clean Air Act, for
4 my husband's highly specialized job making it
5 difficult to move now, my health has deteriorated
6 with early childhood asthma, years gone,
7 periodically returning and more worrisome after
8 recently developing severe episodes of dermatitis
9 that include full body inflammation, notable
10 redness and swelling of my hands, my lips, which
11 is accompanied by cracking and bleeding and
12 severe itching.

13 I recently underwent comprehensive
14 allergy and dermatological testing and learned
15 that I have a somewhat rare allergy -- allergy to
16 a benzene compound called benzyl alcohol.
17 Medically, we're still trying to determine if
18 benzene spikes in the air are triggering these
19 episodes, and this allergy, but as I understand
20 it, this is certainly conceivable and possible.

21 I'll also note that there are many days
22 I've not been able to safely record -- recreate

1 outside due to poor air quality, and find myself
2 struggling to keep weight off and to enjoy the
3 outside as I was previously used to doing without
4 concern. And all of this impacts physical and
5 mental health. I support many of the comments
6 that have been given so far in support of this
7 rule and strengthening it, and please include me
8 as a second to those and in support of them.

9 I do not support comments such as those
10 put forth today by Ken Zapinski, Judson Kroh, and
11 other US Steel representatives, whereby they've
12 implied that these regulations are too onerous
13 and threaten to shut them down. There is no
14 merit to any argument of this dichotomy that pits
15 business success against health and welfare at
16 the population, particularly with the earnings
17 history of a company like US Steel. Emissions,
18 like benzene are simply their own inefficiencies
19 and waste, gaseous trash that those around them
20 have to absorb. Any business worth its salt will
21 be striving to eliminate those wasteful
22 inefficiencies for the simple reason of becoming

1 more competitive and successful financially for
2 themselves and for their communities. And by
3 that measure, they should be welcoming these
4 regulations and accepting them as a challenge
5 that can only strengthen their profit margins in
6 the long run.

7 In addition, consider what their
8 ongoing pollution could do to pull down this
9 region economically if it continues. Our
10 population is especially stagnant. No one wants
11 to live in a region or county with this kind of
12 pollution if they can avoid it. Parents
13 encourage their children to leave when they
14 graduate. The city of Pittsburgh can reportedly
15 barely retain new recruits here for more than two
16 years after spending 30k a person to get them
17 here, and many leave because of the stench and
18 note the health risks concern to their families.

19 I urge you not to be swayed by these
20 arguments. Follow the data and the lived
21 experience of many thousands. Do your job to
22 project protect the larger public from pollution,

1 so that we can meet the most basic of standards
2 for quality of life. Three ask more
3 specifically: increase appropriately cited
4 fence-line benzene air monitoring starting now, no
5 need to wait and make the monitoring real time
6 and accessible; establish a benzene action level
7 that protects workers and communities; include a
8 rule for byproduct recovery plants.

9 Thank you.

10 **MR. CHUCK FRENCH:** Thank you for your
11 testimony and we encourage you to submit written
12 comments, you know, as well.

13 Do the Panel Members have any
14 questions? No.

15 Thanks again, and I'll hand it back to
16 the host.

17 **THE HEARING HOST:** Thank you very much.

18 Well, thank you all. Chuck French has
19 been Chairing this hearing session. We'd like to
20 thank everyone who has shared comments on EPA's
21 proposed action.

22 If you have questions about today's

1 hearing or interested in registering to speak,
2 please send a direct message to Attendee Support
3 in the chat box. If you are joining us by phone,
4 you can raise your hand by pressing *9 and our
5 logistics team will reach out to you to let you
6 know if there are any time slots available. If
7 you're watching the hearing on YouTube and are
8 interested in speaking, please email our
9 registration support team that email addresses
10 under the video screen and on our website.

11 At this time, we are going to take a
12 short recess and we'll resume the hearing at
13 1:30, as you will soon screen see on the screen
14 shared.

15 So, once again, we're taking a recess
16 until 1:30. Thank you very much.

17

18 ~ oOo ~

19

20 (WHEREUPON, SESSION 1 OF THE
21 PUBLIC HEARING WAS CONCLUDED.)

22

1 Ovens Residual Risk and Technology Review
2 project.

3 **MS. KATIE BOAGGIO:** My name is Katiee
4 Boaggio. I'm in the Office of Air Quality
5 Planning and Standards helping out with the Coke
6 Ovens Rule as well.

7 **THE HEARING HOST:** Great, thank you so
8 much to our -- our Chair and our Panelists for
9 today's session number 2.

10 As a reminder, today's hearing is being
11 recorded and transcribed to produce a written
12 transcript of the hearing. We will add the
13 transcript to the public docket for this
14 rulemaking, and we'll carefully consider your
15 comments as we develop the final rule.

16 For those of you on Zoom, if you have
17 questions about today's hearing, or interested in
18 registering to speak, please send a direct
19 message to Attendee Support in the chat box. If
20 you're joining us via phone, you can raise your
21 hand by pressing *9 and our logistics team will
22 add you to today's agenda if there are any time

1 slots available. If you're watching this hearing
2 on YouTube and are interested in speaking, please
3 email our registration support team, and that
4 email address is under the video screen and on
5 our website. Please note by registering for this
6 event, you are agreeing to abide by the ground
7 rules of the virtual hearing that includes Rules
8 of Behavior. EPA is committed to an environment
9 of mutual respect and safety.

10 The Agency will not tolerate
11 harassment, discrimination, intimidation,
12 inappropriate language in images or sustained
13 disruption of the public hearing event in
14 meeting. The EPA expects all participants
15 including Panelists, registered speakers, and
16 attendees to conduct themselves in a respectful,
17 professional civil manner, and we will monitor
18 and moderate this virtual event to ensure that
19 common standards of decency are upheld.

20 When you are called speak, please
21 unmute your line. While you're providing
22 testimony are a welcome to activate your camera

1 by clicking on the Start Video icon. Please
2 state and spell your name for the record and a
3 four-minute timer will be started. When you
4 state your name. The speakers for the upcoming
5 sessions will be posted into the chat box so
6 please keep the chat box open so you are aware of
7 when you are being called upon.

8 Our first two speakers for this session
9 are Mayor Richard Lattanzi and Lisa Graves
10 Marcucci.

11 Richard, when you're ready, please
12 unmute your line.

13 MAYOR RICHARD LATTANZI: Okay, can you
14 hear me? I hit the video. I don't know if
15 anybody consumer not.

16 THE HEARING HOST: One moment.

17 Okay, looks like you're coming up now.

18 MAYOR RICHARD LATTANZI: Okay. All
19 right.

20 Good afternoon and thanks for allowing
21 me to speak. My name is Richard Lattanzi,
22 R-I-C-H-A-R-D, L-A-T-T-A-N-Z-I. I am the Mayor

1 of the City of Clairton, and I'm in my fourteenth
2 year as the Mayor.

3 Here in Clairton, we value a clean and
4 healthy environment to live, work and raise our
5 families. We also value the positive economic
6 impact US Steel has on a region. It supplies
7 many jobs; it helps us with taxes; it -- they are
8 definitely a good community partner and the
9 economic spending is -- is abundant. It is my
10 understanding that the regulations using the
11 EPA's own conservative estimates show that the
12 coke facility present low and acceptable risk,
13 and yet today we still continue to impose more
14 and more stringent requirements. I also
15 understand that the current proposed amendments
16 have been based on limited data and any amendment
17 made to this existing regulations should be
18 consistent with the Clean Air Act, based on good
19 science and consider the cost of implements in
20 the operations.

21 Additionally, Coke production in the
22 United States is already subject to some of the

1 most stringent environmental protection
2 requirements in the world, especially here at the
3 Clairton Coke Works. US Steel has a strong
4 commitment to the environment and to provide a
5 good paying jobs and other important economic
6 benefits to my region.

7 As Mayor of the City of Clairton, I
8 take health and safety very serious. My job as
9 Mayor is to continually monitor the air that we
10 breathe, the water that we drink, drug activity,
11 mental health, crime, and such. I have been
12 elected overwhelmingly four consecutive times.
13 The vast majority of people here trust me and
14 believe in me. I could never turn my back on my
15 constituents and allow a large corporation to
16 sicken and kill my family, friends, and
17 neighbors. I just couldn't live with that. What
18 I do know is that we, as a city, and our
19 officials meet quarterly with the managers and
20 union people at US Steel to discuss current
21 conditions, environmental numbers, plans for
22 improvement, and most of all, reasons for

1 pollution exceeding event.

2 I personally lived here for 59 years,
3 and only a few blocks from the mill. The
4 Clairton Mill has made many environmental
5 improvements. I see it every day. Vegetation is
6 abundant all around the valley, clean water, less
7 odors of sulfur, and little to no residue on my
8 car or windowsills. I personally ask that the
9 EPA and whoever else is working on these
10 regulations, work with US Steel to set reasonable
11 goals and limits. The City of Clairton would not
12 be able to grow and prosper without our mill and
13 I implore -- I pray that we can all work together
14 for an amicable settlement.

15 Thank you very much. Have a good day.

16 **MR. STEVE FRUH:** Thank you for your
17 testimony.

18 Are there any questions from the Panel?

19 Okay. We'll turn it back over.

20 **THE HEARING HOST:** Thank you very much.
21 Our next speaker is Lisa Graves Marcucci.

22 Lisa, when you're ready, please unmute

1 to begin your testimony.

2 MS. LISA GRAVES MARCUCCI: Thank you.

3 My name is Lisa Graves, G-R-A-V-E-S,
4 Marcucci, M-A-R-C-U-C-C-I. I'm a lifelong
5 resident of Pittsburgh's Monongahela Valley.

6 For decades, I have had a front row
7 seat to the pollution that has spewed from all
8 three of the US Steel Mon Valley Works, include
9 us -- including the biggest offender, the
10 Clairton Coke Works. Sadly, the poor air quality
11 of the Mon Valley has plagued our region for too
12 long, and it's time for a meaningful change.
13 According to 2021 TRI data, the Clairton Coke
14 Works emitted 38,801 pounds of benzene, just in
15 that year alone. That represents 96.9% of the
16 total pounds of benzene emitted in 2021 in
17 Allegheny County. A staggering statistic, and a
18 very clear example of why fenceline monitoring
19 with strict enforcement action requirements is
20 essential.

21 As staggering as that benzene statistic
22 is, the Allegheny County Health Department has

1 not provided robust oversight or enforcement of
2 this chronic polluter. It's time to end the
3 practice of allowing this facility to pay to
4 pollute by choosing to pay fines instead of being
5 required to remediate the root causes of the
6 massive amounts of toxic pollution like their
7 benzene emissions. It is long overdue that
8 changes are made that will force the Allegheny
9 County Health Department to properly hold
10 polluters like US Steel Clairton Coke Works
11 accountable.

12 The proposed rule is an important first
13 step, and although I am grateful EPA has proposed
14 the updated rule, much more needs to be done to
15 protect the health of workers and the community
16 members. For example, fence-line monitoring
17 requirements should be implemented upon the
18 effective date of the final rule. Time is of the
19 essence. Our health is at stake and action
20 sooner rather than later is essential. There
21 needs to be short-term action levels to include
22 acute and intermediate exposure risks. People

1 living near these facilities are exposed short-,
2 intermediate-, and long-term, so there needs to
3 be action plans in in place to address all
4 scenarios.

5 Data should be required to be submitted
6 more frequently, every two weeks instead of
7 quarterly, and submitted sooner after each of the
8 sampling periods within 30-days of sample
9 collection. Data should be reported to the
10 public in his near as real time as possible.

11 Workers and community members are breathing
12 dangerous pollution in real time and deserve
13 notifications quickly. A notification system
14 should be established in coordination with
15 regulatory agencies like ACHD so that folks
16 affected by known exposures are informed promptly
17 and can take the necessary precautions.

18 Timeframes for undertaking corrective actions
19 must be shortened.

20 And finally, and most importantly,
21 repeated and severe exceedances of fenceline
22 standards should be treated as actual violations

1 subject to penalties. This is particularly
2 important given that Clairton Coke Works is a
3 notorious polluter and chooses to pay fines
4 instead of taking those corrective actions that
5 would protect the health of their workers and
6 folks in the neighboring communities.

7 No community should ever have to choose
8 between jobs or health. Everyone, every
9 community, and every worker deserves both health
10 protections and jobs. US Steel should be held
11 accountable and we believe this rule is a step in
12 that direction.

13 Thank you very much.

14 **MR. STEVE FRUH:** Thank you for your
15 comments.

16 Any questions from Panelist?

17 Thank you. I'll turn it back to the
18 Hearing Host.

19 **THE HEARING HOST:** Thank you very much.
20 The next two speakers are Myron Arnowitt and Fred
21 Bickerton.

22 Myron, when you're ready, please

1 unmute.

2 MR. MYRON ARNOWITT: Hi, my name is

3 Myron Arnowitt -- okay.

4 My name is Myron Arnowitt with -- and
5 that's spelled M-Y-R-O-N, A-R-N-O-W-I-T-T. I'm
6 the Pennsylvania Director for Clean Water Action.
7 I live in Pittsburgh, Pennsylvania. Thank you
8 very much for letting us speak at this public
9 hearing on this important issue.

10 We're excited to see EPA addressing the
11 issue of coke plant toxic emissions, something
12 which our organization and our members have been
13 very concerned about for a long time. Clean
14 Water Action, and I, personally, have had a long
15 history of working with residents who are
16 neighbors to coke plants in our area, helping to
17 conduct citizen monitoring projects, video
18 monitoring, and, you know, I've -- I've seen and
19 watched so many violations at coke plants through
20 these -- through these efforts. And I think one
21 thing that you learn when you -- when you work on
22 coke plants is that most coke plants are fairly

1 old. They are often not well maintained, as is
2 evidenced by the significant fire at US Steel's
3 Clairton Coke Works in 2018, and they have very
4 poor compliance records.

5 Both of -- both of the coke plants that
6 were in Allegheny County, the Clairton Coke Works
7 and the Shenango Coke Works, now closed, that was
8 on Neville Island outside of Pittsburgh, had long
9 histories of consent decrees over and over again.
10 But yet the violations kept -- kept going on.
11 And we need rules that are going to recognize
12 this; that we need to be specific about what is
13 required; that we need to be specific about what
14 happens when you don't -- when you stop complying
15 with the rules.

16 One issue is the age of the plants.
17 Many coke plants are operating far beyond their
18 useful lifespan. We need to stop giving old coke
19 plants laxer emission rules that exist currently
20 and make sure that all coke plants are -- or --
21 need to show that they can come up to current
22 standards in order to continue -- continue

1 operating.

2 The bandsaw -- benzene fenceline
3 monitoring that's proposed by EPA is a strong
4 step forward and we're really excited to see it.
5 There are many other dangerous hazardous air
6 pollutants that are being emitted, and I think
7 EPA should consider what else needs to be
8 monitored for -- in order to protect the public's
9 health. The fenceline data needs to be available
10 to the public as -- as soon as possible and
11 action needs to be taken off the data, quickly,
12 to recognize the problem.

13 There are -- some of these problems
14 have been going on for years, and even if -- the
15 fenceline monitoring, especially when the rule
16 starts, is going to be considered new. That
17 doesn't mean that the problem has just arisen.
18 It's important also that EPA consider the idea
19 that there are acute effects from this that
20 although EPA setting an annual standard for
21 action on benzene, there are acute effects and
22 EPA should consider the idea of acting more

1 quickly.

2 And finally, I think -- I think it's
3 worth noting on -- on the issue of benzene that
4 the data that EPA has, right now, from preparing
5 for this rule shows that the US Steel's Clairton
6 Coke Works is far exceeding nine times the level
7 of -- of the action level that EPA is considered
8 -- is considering in this rule. And to us, you
9 know, we should -- there are two things: one, is
10 that you should consider the size of the
11 facilities in these rules, and the need for
12 action.

13 The Clairton Coke Works is the largest
14 coke plant in North America. There are seven
15 coke batteries there, even with the three that
16 they just recently closed down from the 1950s.
17 But it's -- it's important that EPA take action
18 now and not wait for this rule to be finalized to
19 address the benzene issue in in Clairton. This
20 is something which is -- is an urgent need --

21 **THE HEARING HOST:** Sir, your time has
22 concluded. If you please could wrap up your

1 comments.

2 MR. MYRON ARNOWITT: The only other
3 thing I would -- I would like to say is that I
4 think that it's important for EPA to look at some
5 of the study that's been done around the closure
6 of the Shenango Coke Works. A recent study by
7 the New York University School of Medicine shows
8 stunning decreases in emergency and
9 hospitalization in nearby residents, and that's
10 something which I think should be considered as
11 part of this rule.

12 Thank you.

13 MR. STEVE FRUH: Thank you for your
14 testimony.

15 Any additional questions from the
16 Panel?

17 In that case, I'll turn it back to the
18 host to call the next speaker.

19 THE HEARING HOST: Thank you very much.
20 Our next speaker will be Fred Bickerton.

21 Fred, I see your camera please begin
22 your testimony when ready

1 MR. FRED BICKERTON: Yes, my name is
2 Fred Bickerton, it's F-R-E-D, B-I-C-K-E-R-T-O-N.
3 Thank you very much for the opportunity to speak.
4 Citizens in the Mun Valley have been
5 exposed to excessive toxic discharges from the
6 Mon Valley Coke facilities for years. It's time
7 for a change. I very strongly support the
8 fenceline monitoring for benzene. However, I'm
9 concerned with the lack of provisions to require
10 fenceline monitoring for other toxins that are
11 being emitted by the coke works. These should be
12 monitored in the same continuous basis as outline
13 for the benzene. Results should be provided to
14 the public through a public website within a
15 day's completion of the analysis. Not weeks or
16 months later. People have the right to know what
17 toxins they are being exposed to, how much, and
18 when.

19 I understand the benzene levels above
20 three micrograms per cubic meter will trigger a
21 root cause analysis and corrective action. In
22 what timeframe will just be required? A

1 timeframe for completion of the root cause
2 analysis and corrective action needs to be
3 established and adhered to with no exceptions.
4 If this timeframe is not met, the facility should
5 be shut down until the root cause analysis or
6 corrective action is approved and completed to
7 the satisfaction of your Agency. Otherwise, as
8 we've seen in the past, the industry will take
9 years to study the problem and to continue to
10 pollute.

11 The last comment I have is no way
12 should the facilities be permitted to operate
13 with a lesser monitoring frequency and continue
14 -- on a continuous basis.

15 Thank you very much.

16 **MR. STEVE FRUH:** Thank you for your
17 comments.

18 Any additional questions? Okay, we'll
19 turn it back to the host for the next speaker.

20 **THE HEARING HOST:** Thank you very much.
21 Our next few speakers are Yong Kwon and Phoebe
22 Reese.

1 Mr. Kwon, I see your video. Please
2 unmute and begin your testimony when ready.

3 MR. YONG KWON: Thank you.

4 My name is Yong Kwon, Y-O-N-G, K-W-O-N,
5 and I'm a Policy Advisor for the Sierra Club.
6 Thank you for the opportunity to speak today.

7 I appreciate the EPA for crafting rules
8 that take into account the potential health harms
9 from metallurgical coke facilities for fenceline
10 communities, and I urge the Agency to take the
11 added step to further strengthen reporting
12 requirements from the proposed rule in order to
13 capture the known risks of exposure to chronic or
14 acute releases of benzene and other hazardous air
15 pollutants.

16 Thanks to public health research and
17 data collection by the EPA, we know quite a bit
18 about benzene and the profile of fenceline
19 communities living around coke facilities that
20 release them. Benzene is a cancer-causing
21 pollutant. Long-term exposure to low levels of
22 benzene causes a wide range of adverse health

1 effects. EPA initially enacted controls and
2 emissions from coking facilities to address the
3 serious health hazards posed by benzene
4 pollution. Facilities that have acted as good
5 faith partners to their communities and to EPA
6 should be able to fall below the three micrograms
7 per cubic meter concentration action level
8 proposed in the rule. As such, this action level
9 should not be amended in deference to higher
10 action levels set for other industries. We know
11 that regulating hazardous air pollutants from
12 metallurgical coke industry is vital because
13 communities around these facilities are more
14 densely populated than the US average or peer
15 communities in other industry -- industrial
16 sectors like cement and aluminum. Over 1,000
17 people per square mile live in fenceline
18 communities around metallurgical coke facilities
19 compared to the US national average of ninety-six
20 per square mile.

21 As the EPA knows, for these many people
22 living in the fenceline communities around

1 metallurgical coke facilities, the emissions from
2 industry exacerbate existing burdens. We know
3 that 56% of people living in communities around
4 metallurgical coke facilities also live in
5 housing stock built prior to 1960, increasing the
6 risk of exposure to hostile sources of lead. The
7 national average is almost precisely half at
8 around 28%. These communities around
9 metallurgical coke facilities are also 95% more
10 likely to be located near Superfund site, 160%
11 more likely to be near a risk management program
12 facility, and 30% more likely to be near a
13 hazardous waste facility than the average
14 American.

15 What we currently -- what is currently
16 unknown is exactly what volumes of hazardous air
17 pollutants, including benzene, are being released
18 by metallurgical coke facilities into these
19 already overburdened communities. This
20 shortcoming is a result of self-reporting by
21 facilities for which EPA allows extensive
22 flexibility currently. Sierra Club's survey of

1 the EPA database suggests that nearly 60% of the
2 data reported by metallurgical coke facilities
3 for toxic releases use engineering estimates, a
4 method that relies on individual assumptions and
5 judgments and presents more variability compared
6 to alternative methods of missions measurements
7 such as direct continuous measurement or periodic
8 or random monitoring of emissions from
9 facilities. As a consequence, EPA lacks valuable
10 information on releases of toxic pollutants when
11 incidents like flaring occur at these facilities.
12 This leaves the surrounding communities with
13 little information on how to best protect
14 themselves.

15 Sierra Club understands that this new
16 amendment to the rule has the potential to fill
17 these gaps and unknowns and the fence line
18 monitoring is particularly important for that
19 purpose. Currently, the amendment to the rule
20 requires quarterly reporting of six -- two weeks
21 sampling periods submitted electronically to the
22 EPA within 45-days of the quarters end. More --

1 moreover, the facilities have been given a year
2 to install these equipment.

3 Given the urgency demonstrated by what
4 is known about the health effects of benzene and
5 taking into account the existing health risks
6 borne by the communities around the metallurgical
7 coke facilities, we believe that reporting
8 requirements must be further strengthened to
9 better relate incidences of exposure to fenceline
10 communities in a more timely manner. More
11 frequent reporting and faster submission of this
12 data is essential to protecting communities.

13 While the current rule underscores that
14 high variability in short-term fenceline
15 concurrence, concentrations make corrective
16 action based on a single tweak sampling and
17 convention appropriate. There is no explanation
18 provided for why the data itself can't be
19 submitted more frequently than every quarter.
20 Moreover, given the facilities a shorter amount
21 of time to install fenceline monitors seems
22 appropriate given the immediate availability of

1 resources for installation of such devices
2 through the Inflation Reduction Act.

3 Finally, we call on the EPA to use the
4 data to create differentiated responses for
5 chronic violators; polluters that disregard
6 environmental justice and public health effects
7 of metallurgical coke production should not be
8 allowed to continue business as usual operations.

9 Thank you very much for your time.

10 **MR. STEVE FRUH:** Thank you for your
11 comments.

12 Any additional questions from the
13 Panel?

14 Okay, thank you. The host will now
15 call the next speaker.

16 **THE HEARING HOST:** Thank you very much.
17 Our next speaker is Phoebe Reese.

18 I see your video up now. Please start
19 your testimony when ready.

20 **MS. PHOEBE REESE:** Hello, friends at
21 the EPA. My name is Phoebe Reese. I live in
22 Pittsburgh, Pennsylvania. I'm on the leadership

1 team and am the immediate past chair of Climate
2 Reality Chapter in Pittsburgh and Southwestern
3 Pennsylvania. We have more than six hundred
4 members across ten counties and we are all
5 volunteers who care about addressing the climate
6 crisis. We would request that EPA consider the
7 impact in the climate crisis when making these
8 regulations.

9 And to be clear, we want to say,
10 clearly, we care about good, local union jobs
11 that allow us to provide for our families. We
12 value locally manufactured products and a robust
13 domestic economy, and we recognize that our
14 country was built thanks to the steel industry.
15 We've benefited from that and we contribute --
16 continue to benefit from that and we appreciate
17 this.

18 We disagree with the framing that take
19 taking care of each other -- others health and
20 safety is being pitted against jobs in a robust
21 economy. We think this is a false dichotomy. We
22 urge the EPA to consider the full costs to

1 implement and operate the status quo. This
2 includes the cost of climate, the climate crisis,
3 resulting from the emissions under review.

4 Business as usual is costing US
5 taxpayers billions of dollars that conveniently
6 don't show up on US Steel's balance sheet. We're
7 paying for asthma clinics to be built in Mon
8 Valley Schools in Allegheny County. We're paying
9 for trips to the ER. We're paying for elevated
10 rates of respiratory disease and cancer. You've
11 heard the statistics from other organizations and
12 engineers and scientists from our region. We're
13 paying also for more intense national disasters
14 due to the influence of climate change caused by
15 emissions, including the ones we are asking the
16 EPA to regulate today.

17 And Allegheny County, According to the
18 Pennsylvania Auditor General's report, we are
19 experiencing -- where these, you know, in
20 Allegheny County, where these facilities operate,
21 we're -- we're experiencing climate change in the
22 form of landslides, flooding, excessive heat

1 days, loss of agriculture, these -- these are
2 impacts of emissions.

3 The same point source emissions that
4 are impacting our local air quality are also
5 contributing to Pennsylvania and the United
6 States contribution to the climate crisis, and in
7 our region, particularly in the Mon Valley, when
8 we get hit by, you know, we have poor local air
9 quality, and then we get the overlay, you know,
10 from this point source air pollution, which
11 contributes to climate change, and then we're --
12 we get the wildfire smoke from Canada. So we're
13 getting a double whammy of -- from these
14 emissions.

15 Now, to be clear, climate change itself
16 does not cause hurricanes, it does not cause
17 wildfires, but climate change creates the context
18 where an inflammation -- conflagration or a storm
19 become natural disaster. Hurricanes are born as
20 babies spiral storms at the equator and warm sea
21 surface temperatures, ocean surface temperatures,
22 turn them into storms, just et cetera. And this

1 is a national security issue, so regulating them
2 is -- is critical to our national security.

3 Earlier, hope was mentioned the high
4 suicide rates in mental health. We -- I feel
5 like Princess Leia at the beginning of Star Wars,
6 help us EPA; you're our only hope. We lose hope
7 because we as individuals can't change these
8 global systems, but you have the power to with
9 these regulations to help us address air
10 pollution, to help us address climate change, and
11 without monitoring, we can't make choices in our
12 everyday lives to protect ourselves on a day-by-
13 day or house-by-house basis.

14 We need you EPA; you're our only hope.
15 Please help. And we endorse the recommendations
16 from other organizations, including Valley
17 Cleaner -- Clean Air Now, Women for Healthy
18 Environment, Industrious Labs, the Breathe
19 Project, Carnegie Mellon's CREATE Lab, and Clean
20 Air Council, among others.

21 Thank you very much.

22 **MR. STEVE FRUH:** Thank you for your

1 comments and testimony.

2 Any additional questions from the

3 Panel?

4 Okay, thank you. The Hearing Host can

5 call the next speaker please.

6 **THE HEARING HOST:** Thank you very much.

7 The next few speakers are Mark Dixon and Randy

8 sergeant.

9 Mark, I see your video up now. Please

10 begin your testimony one ready.

11 **MR. MARK DIXON:** Great. Thank you very

12 much.

13 My name is Mark Dixon, and I'm speaking

14 as a community member and filmmaker. Thank you

15 for this opportunity to speak here today. And

16 thank you for proposing improvements to current

17 coke oven rules.

18 I live in Pittsburgh, Pennsylvania,

19 about eight miles north of US Steel's Clairton

20 Coke Works. You can see the facility in the

21 brief cam footage behind me with footage credit

22 due to the CMU CREATE Lab and Breathe Project.

1 This is what we live with in this region. Both
2 residents and workers. This is not okay, and
3 these unacceptable conditions are happening under
4 current EPA regulations. So I hope you can
5 understand why I, and countless others, are
6 seeking stricter regulations with real time
7 fence-line monitoring, lower pollution thresholds,
8 stronger enforcement options, and higher
9 penalties.

10 I moved here from California. I never
11 experienced industrial stench before like I have
12 here. In fact, I'm shocked that such frequent
13 and horrific industrial odor can exist in a
14 highly populated, modern city like Pittsburgh,
15 but it gets worse when I drive down to Clairton.
16 Virtually every time I go there, I get a headache
17 in the middle of my forehead, and there's often a
18 horrible industrial smell in the area. When I
19 encounter residents that talk about cancer,
20 cancer, and more cancer; they talk about
21 sarcoidosis, asthma, and lung disease. They talk
22 about burying family members who died too soon.

1 As you deliberate on the updated rules, keep in
2 mind that many communities have already been
3 suffering for decades, and they deserve relief.

4 I generally sleep with my windows
5 closed because the stench of hydrogen sulfide
6 that regularly drifts through the region during
7 weather inversion events, even eight miles away.
8 The Allegheny County Health Department has
9 determined that US Steel's Mon Valley Works
10 Clairton Coke Plant is responsible for the
11 exceedances of H₂S standards. In fact, just in
12 2022, the ACHD announced that it fined US Steel
13 over \$1.8 million for over 2,000 H₂S hourly
14 exceedances recorded in just 153 days between
15 January 1, 2020, and March 1, 2022. But the
16 stench continues. And we know there's benzene in
17 the air and a host of other pollutants mixed with
18 it. And concerns about this pollution are
19 driving people away. I've already had six
20 friends move away in the last few years in part
21 due to air pollution, and another couple of
22 friends are actively considering moving soon.

1 Regulators like the Allegheny County Health
2 Department must not just fine companies, they
3 have to require the industries improve and clean
4 up; not just a little but a whole lot, and fast.

5 Perpetual pay-to-pollute approaches
6 don't protect people. You -- you the EPA can
7 give the Achd tools necessary to make a
8 difference in our lives. Please do that. Enact
9 the strongest possible benzene -- benzene
10 fenceline monitoring requirements. Keep the
11 proposed benzene action level of three micrograms
12 per cubic meter. Consider real time readings
13 like we get with the countless purple air
14 monitors deployed by community members, myself
15 included. News three months from now that
16 benzene levels were high for a while does not
17 protect residents. Consider eight, even maybe
18 even fifteen benzene monitors per facility,
19 especially for larger facilities. Include
20 byproduct recovery plants in this rule, or
21 address those in new rules ASAP.

22 Overall, strengthen the coke oven rule

1 and commit the necessary staff and funding to
2 actually enforce those rules. If you're trying
3 to improve air quality long-term, keep in mind
4 that insufficient enforcement decades ago
5 probably slowed the transition to low carbon,
6 less polluting technologies. Now climate change
7 has brought wildfire smoke to Pittsburgh, so that
8 even on days that are not polluted by Clairton
9 Coke Works we still breathe pollution.

10 Stronger enforcement of air quality
11 laws creates economic necessity to move to new
12 technologies that have low or zero CO2 and other
13 emissions. So we win on climate long-term and
14 air quality short-term and air quality long-term.
15 And it will move our nation's essential
16 industries towards a zero-carbon future that is
17 necessary to remain competitive in a global
18 marketplace hungry for climate solutions.

19 Thank you for your consideration.

20 **MR. STEVE FRUH:** Thank you for your
21 testimony.

22 Any of the Panelists have additional

1 questions?

2 **MS. DONNA LEE JONES:** Yes, I have a
3 question.

4 I noticed that film going behind your
5 uh -- picture. How many of those films were at
6 coke plants?

7 **MR. MARK DIXON:** This is the Clairton
8 Coke Works behind me. On three separate
9 occasions -- three -- or three different periods.
10 One is during a power outage you're seeing right
11 now, that happened this year. The same kind of
12 power outage happened also last year with similar
13 flaring. And the clip that starts the video
14 cycle is on just another random day, I believe,
15 in 2023, where you can just see emissions just
16 pouring out.

17 This was on the power outage day. When
18 there's a power outage it appears that there are
19 -- there's flaring that occurs for hours and
20 hours and hours after every single power outage.
21 So this is all at Clairton Coke Works.

22 **MS. DONNA LEE JONES:** Thank you.

1 MR. MARK DIXON: Thank you.

2 MR. STEVE FRUH: Any other questions

3 from the Panel?

4 Okay, thank you. I'll turn it back to

5 the Hearing Host.

6 THE HEARING HOST: Thank you very much.

7 Our next featured speaker -- speaker is Randy

8 Sargent.

9 Randy, I see your video. Please go

10 ahead and begin your testimony when ready.

11 SPEAKER: Thank you.

12 My name is Randy Sargent and I'm a

13 researcher with Carnegie Mellon University's

14 CREATE Lab in Pittsburgh. We work with

15 communities impacted by air pollution and help

16 communities document exposure and document

17 fugitive and other pollution emission from large

18 industrial sources, and in fact, we -- we helped

19 operate the cameras that that Mark was showing

20 footage from.

21 We will be submitting a number of

22 technical comments but I wanted to speak in

1 person today. To strongly disagree with us, you
2 might claim that the health impacts of coke
3 production today are acceptable and explain why
4 we need to reduce emissions and health impacts.
5 It -- it's very difficult to listen to residents
6 talk about health impacts to themselves, to their
7 children, to their families, to their neighbors.
8 Impacts that they believe and know are due to, by
9 far, the largest source of pollution and their
10 air shed that they've lived with, perhaps, most
11 of or all of their lives.

12 In data we look at -- we observe cancer
13 and asthma hotspots adjacent to Clairton Coke
14 Works today and adjacent to She -- where Shenango
15 Coke Works operated before it closed down with
16 geography consistent with air patterns that we
17 see from these facilities. Residents in these
18 hotspots have experienced much higher asthma
19 incidents, cancer incidents, and cancer mortality
20 than is average for our county, and our county
21 average isn't particularly safe, as you might
22 have heard in testimony earlier today.

1 The closure of our county's Shenango
2 Coke Works at the end of 2016, has given us a
3 natural experiment by which we can better
4 estimate the health impacts of coke production.

5 Here are some of the findings, and
6 you've heard a few of these:

7 Dr. Deborah Gentile (ph.), who's a
8 pediatric asthma doctor, who also does research,
9 had been working with kids close to Shenango and
10 then continued working with kids after the
11 shutdown, and she measured a 42% reduction of
12 uncontrolled asthma in those diagnosed with
13 asthma, kids diagnosed with asthma, and a 59%
14 after closure reduction of children showing risk
15 of asthma, but not diagnosed.

16 She also found a 25% reduction in the
17 physician diagnoseable asthma, and by this
18 measure, it means the asthma was developing in
19 25% fewer kids after Shenango closed. Yeah,
20 think about the lifetime impact of that.

21 Allegheny County Health Department also
22 studied hospital records and found, after the

1 shutdown, that 27% decrease in cardiovascular
2 emergency visits; a 38% decrease in respiratory
3 emergency department visits; 3.3-fold, three
4 times full -- three times decrease in all asthma,
5 and we're gonna see department visits, and over
6 five full fold decrease more than 80% reduction
7 and pediatric asthma emergency department visits.
8 And our county's monitor showed a 96% reduction
9 of benzene from before and after in a close by
10 neighborhood, and sulfur dioxide reductions of
11 90%.

12 In a more recent study, Professor
13 George Thurston Scroop at New York University's
14 School of Public Health added to these findings.
15 After shut down, hospitalizations continued to
16 decrease in the year since 2016 and measured
17 pollution reductions more than ten kilometers
18 away. Clairton is ten times as big. We see
19 measures that are much higher, as you heard from
20 -- from Myron earlier.

21 When I hear people talk about the
22 economic difficulty of reducing leaks from the

1 coke facilities, I think facilities might need to
2 hire more employees or buy more steel to reduce
3 leaks. That doesn't strike me as the same sort
4 of economic downside as the cost that we see, the
5 economic cost of these health impacts and
6 memorial costs of these health impacts.

7 Thank you for your time, and we'll be
8 adding to this testimony in written form.

9 **MR. STEVE FRUH:** Thank you.

10 Any questions from the Panel?

11 Okay, I'll turn it back to the Hearing
12 Host.

13 **THE HEARING HOST:** Thank you very much.

14 Our next two speakers are Traci Forrester and
15 Dominic Yanke.

16 Tracy, I see your video. Please go
17 ahead and begin your testimony when ready.

18 **MS. TRACI FORRESTER:** Thank you. My
19 name is Traci Forrester, spelled **T-R-A-C-I,**
20 **F-O-R-R-E-S-T-E-R.**

21 Thank you for the opportunity --
22 opportunity to share comments on EPA' proposed

1 rule and titled National Emission Standards for
2 Coke Ovens Pushing, Quenching, and Battery Stacks
3 and Coke Oven Batteries.

4 I am Cleveland-Cliffs Executive Vice
5 President of Environmental Sustainability.
6 Cleveland-Cliffs is the largest flat rolled steel
7 producer in North America and operates five
8 integrated steelmaking facilities in the Great
9 Lakes region. These five facilities employ
10 approximately 13,500 individuals, which account
11 for approximately half of our workforce. Over
12 11,000 of these employees are represented by one
13 of three prominent unions: the United
14 Steelworkers, the United Auto Workers, and the
15 International Association of Machinists and
16 Aerospace Workers. Our three coke plants provide
17 vital feedstock to these integrated mills and
18 employ approximately 750 people, a large majority
19 of whom are represented by a union.

20 Cleveland-Cliffs takes great pride in
21 our environmental management program and efforts.
22 Our business is highly regulated and we

1 understand the importance of maintaining
2 compliance and going beyond what is expected.
3 Cliffs operators are prompted to be proactive in
4 mitigating potential risks that are plants and to
5 be good neighbors to the communities where we
6 operate. Cliffs supports environmental
7 regulations that result in limits that are
8 achievable and are based on sound science and
9 proven technology for industry. We worked with
10 EPA over an eight-year period to ensure that the
11 Agency had accurate data and information about
12 the cokemaking process in order to write a
13 well-informed rules package.

14 We asked EPA to consider the following
15 input prior to finalizing the regulations:

16 First, we're pleased that EPA's on
17 modeling and analysis demonstrates that the risk
18 to public health from the coke oven source
19 categories is low. EPA's modeling shows that the
20 emissions from our coke operations do not
21 adversely affect nearby communities, such that
22 changes are necessary to reduce emissions in

1 order to reduce risk. Just as modeling has shown
2 that the risk from iron and steel sources is low,
3 so it was the risk from coke sources.

4 Second, all regulations should be based
5 on sound science and reliable technical
6 processes. EPA has determined that despite the
7 low risk of --

8 (AUDIO FADES OUT.)

9 -- should be subject to an even more
10 stringent standard than the already rigorous
11 standard. EPA is using its authority to conduct
12 technology reviews for the reduced door -- oven
13 door standard, but there are no new demonstrated
14 technologies or developments that warrant that
15 lower standard. Therefore, we believe that EPA
16 is imposing an arbitrary and capricious reduced
17 limit for doors that are not legally required or
18 supported under its risk and technology review
19 authority. Furthermore, for decades, EPA has
20 treated taco GM and battery doors differently
21 than shore stores. In accordance with sound
22 technical arguments, the differences among coke

1 oven door types should not be ignored.

2 Third, the proposed rule requires
3 fence-line monitoring at coke plants. This is of
4 concern because EPA's on conservative modeling
5 demonstrates that the risk from coke lands to the
6 public is low. Fence-line monitors will record
7 emissions from offsite sources that do not
8 originate from a coke plant. Because the miners
9 are not able to distinguish between on- and
10 off-site sources this requirement will provide
11 misleading results. These present serious
12 implementation and compliance challenges.

13 Fourth with our leadership role in
14 steel production, this recognizes the importance
15 of advancing the sustainability of the steel
16 industry. In early 2021, Cliffs issued a climate
17 commitment to reduce greenhouse gas emissions 25%
18 by 2030. We achieved that goal ahead of schedule
19 last year by increasing utilization of scrap and
20 copper coated iron. This strategy allowed us to
21 reduce coke usage and retire two coke plants
22 while achieving the same levels of production of

1 shipments this year as we did in 2021. Even
2 while utilizing one less blast furnace. Further
3 driving down our GHG emissions will require major
4 capital investments. We're concerned this
5 regulation will demand the level of investment
6 that detracts from our ability to further
7 decarbonize and will not provide commensurate
8 environmental benefits.

9 Finally, the 45-day public comment
10 period is not adequate given the multiple
11 different proposed actions that EPA has combined
12 into a single proposed rule. A 30-day extension
13 has been requested the public comment period,
14 which we asked you to approve promptly, as
15 minimum amount of time needed for meaningful
16 public review and comments on this proposal.

17 Thank you again for being able to
18 provide comments. We look forward to continuing
19 a collaborative working relationship with the
20 EPA.

21 **MR. STEVE FRUH:** Thank you for your
22 comments and testimony.

1 Any additional questions from the
2 Panel?

3 Okay, thank you. I'll turn it back to
4 the Hearing Host.

5 **THE HEARING HOST:** Thank you very much.
6 Our next speaker is Dominic Yanke.

7 Dominic, when you're ready, please
8 unmute. And I see your video. Please begin your
9 testimony when ready.

10 **MR. DOMINIC YANKE:** My name is Dominic
11 Yanke, **D-O-M-I-N-I-C, Y-A-N-K-E.** I live in
12 Michigan City, Indiana. Indiana leads the nation
13 in the amount of toxic pollutants released per
14 square mile. US Steel in Gary is Indiana's top
15 polluter and Northwest Indiana has some of the
16 worst air pollution in the country.

17 Benzene is carcinogenic, meaning that
18 it causes cancer. I learned as much and one of
19 my organic chemistry classes. In organic
20 chemistry, my class worked with strict safety
21 procedures and the thought of handling benzene in
22 a way that causes unsafe levels in neighboring

1 communities is ridiculous to me. Implementing
2 more thorough rules and regulations won't make
3 coke ovens unprofitable; they'll still make money
4 hand over fist.

5 I understand that the economic impact
6 of any proposed rule is important. But I urge
7 the EPA to remember that the health impacts of
8 pollutants do translate into economic impacts by
9 causing more sick days and the development of
10 chronic illnesses, both of which negatively
11 impact the economy, as well as people's quality
12 of life.

13 There have been days where I can't
14 leave my house due to the air pollution causing
15 difficulty breathing with my asthma. The toxic
16 inflammatory chemicals that are released are bad
17 for my airways and health in general.
18 Particulate matter 2.5 has been shown to get deep
19 into the lungs and enter the bloodstream and
20 damage the blood brain barrier. It -- it also
21 causes cardiovascular illness and strokes and
22 other debilitating issues.

1 Over the past few years, my hometown of
2 Michigan City has had fewer and fewer days with
3 acceptable air quality. I fear that one day
4 there won't be any days where the air quality is
5 good enough to eat my house. Breathing isn't
6 optional, so maintaining clean air shouldn't be
7 optional either.

8 I urge the EPA to increase
9 appropriately cited fenceline benzene air
10 monitoring starting now, establish a benzene
11 action level that protects workers and nearby
12 communities, and to include a rule for byproducts
13 recovery plants. Also, I hope that you'll make
14 sure that any fines are large enough to actually
15 discourage breaking rules and regulations, and
16 that you enforce any rules that are broken with
17 very -- in a timely manner.

18 I appreciate the EPA proposed rule and
19 hope that you'll make it more thorough in order
20 to protect vulnerable workers and their -- in
21 nearby communities.

22 Thank you for the opportunity to speak

1 today.

2 **MR. STEVE FRUH:** Thank you for your

3 comments.

4 Any additional questions from the

5 Panel?

6 Okay, thank you. Turn it back to the

7 host.

8 **THE HEARING HOST:** Thank you very much.

9 The next few speakers are Nina Morgan and Arthur

10 Thomas.

11 Nina, I see your video. Please go

12 ahead and begin your testimony when ready.

13 **MS. NINA MORGAN:** My name is Nina

14 Morgan, **N-I-N-A, M-O-R-G-A-N**, and I'm

15 representing the Magic City Youth Initiative.

16 We are a By Youth for Youth grassroots

17 organization based in Birmingham, Alabama,

18 working to make our communities healthy places

19 where we cannot just survive but thrive, and the

20 reality of the lived experiences of many of our

21 members includes living next to, and in many

22 cases, right across the street from major sources

1 of pollution.

2 Two of these sources happen to be coke
3 plants, namely Bluestone Coke and ABC Coke; two
4 of the fourteen existing coke facilities in the
5 United States. Both of these facilities have a
6 bad track record spanning decades for non-
7 compliance and violations of the Clean Air Act.
8 Most recently, Bluestone coke's operating permit
9 was denied was -- was denied and a lawsuit
10 against the company was announced in the fall of
11 2021 because of numerous violations of air
12 pollution regulations. This happened after the
13 facility was issued Notice of Violation in 2020
14 and failed a series of inspections during the
15 summer of 2021 leading up to the duck denial of
16 their operating permit in the lawsuit.

17 ABC Coke has a history of unlawful
18 benzene emissions, and an inspection of the
19 facility conducted in 2011 found a number of
20 violations related to wastewater from the plant
21 containing benzene coming in contact with open
22 air because of improperly sealed pipes and

1 equipment. And in 2019, unfortunately, eight
2 long years after the -- this inspection, these
3 violations resulted in the facility incurring
4 fines and entering into a consent decree require
5 -- requiring the establishment of semi-annual
6 monitoring for weeks. And even with all these
7 fines and penalties and changes, ABC Coke
8 continues to emit high levels of pollutants.

9 According to you all data from the EPA,
10 in preparing for this rule, it reflects periods
11 where the benzene emissions were over the
12 proposed action level of three micrograms with
13 levels as high as twenty-two micrograms. Both of
14 these coke plants are located in majority black
15 and brown neighborhoods where people feel like
16 they have been left behind and whose families
17 have been riddled with cancer and illness.

18 I am speaking on behalf of young people
19 living there who are fighting for viable futures
20 who have no choice in many cases, but to stay and
21 try to make a difference. Yes, Bluestone Coke is
22 not currently operating, giving those who live in

1 the surrounding neighborhoods some relief, but
2 there is no guarantee that the plant won't
3 reopen. And in the case of ABC Coke, it remains
4 active; operating 24/7, sunup to sundown. I
5 drive by this facility almost every day and smell
6 the chemicals from the plants and Bluestone --
7 and Magic City Youth Initiative members work and
8 go to school in these communities, they walk
9 their younger siblings to and from elementary
10 schools that are situated less than one mile from
11 these facilities.

12 The proposed amendments to NESHAP for
13 coke ovens must include fence-line monitoring for
14 additional air toxics and establish a fencing
15 action level that protects workers and community
16 members. Additionally, reoccurring exceedances
17 of action levels should be treated as violations
18 of the Clean Air Act. Yes, root cause analysis
19 and repair are good, but when it's the same ones
20 over and over for a period of years, facilities
21 -- but -- but it's not good enough. And so
22 facilities must be forced to follow the law and

1 there needs to be violations when there's
2 reoccurring instances, especially considering the
3 existence of facilities like Bluestone Coke and
4 ABC coke who both -- both have deplorable track
5 records of doing so.

6 Thank you

7 **MR. STEVE FRUH:** Thank you for your
8 testimony.

9 Any questions from the Panel?

10 Thank you. I'll turn it back to the
11 hearing house. The next speaker,

12 **THE HEARING HOST:** Thank you very much.
13 Our next speaker is Author Thomas.

14 Author, I can see your video, if you
15 want to start your testimony when ready.

16 **MR. ARTHUR THOMAS:** Hello. Thank you
17 for having me. My name is Arthur Thomas, that's
18 A-R-T-H-U-R, T-H-O-M-A-S.

19 I've been a resident Clairton for over
20 seventy years. Also worked for US Steel for over
21 thirty some years. During this time, I found out
22 US Steel really knows what palms to grease, as

1 far as getting things done when they violate the
2 rules.

3 I was on safety for about twenty years
4 for US Steel. If they had a oil spill on the
5 river. Since I was on safety, I knew I was going
6 to eat well that day because it was dinner in the
7 executive dining room, first of all. It's all,
8 beside myself, the captain of the boat, the crew,
9 and the executives of US Steel. It's how they
10 business. On safety, I've had people my people
11 be exposed to different chemicals. US Steel
12 wouldn't even tell them what the chemicals were
13 doing anything about it. US Steel used to be in
14 business for long-term, setting long-term goals.
15 Now they're in business for making short-term
16 profits.

17 There was a movie called The Deer
18 Hunter on TV one time. During that movie they
19 called Burton, Pennsylvania, the armpit of the
20 universe, and nothing's changed on that. It
21 didn't get sued for it so that must be true.

22 Okay.

1 And by the way, my wife suffers from
2 sarcoidosis, went into neurosarcoidosis. Every
3 time they help have a fire; her condition gets
4 worse. She may have a stroke; she may get weak,
5 can't get up, can't walk, all that kind of stuff.
6 And the sarcoidosis, when I was back in safety
7 for US Steel back in the day, we didn't have all
8 these computers, we had a book called the Thomas
9 Registry. I found out through that book that
10 sarcoidosis was directly caused by people using
11 coal byproducts, coal tar, to suppress the dust
12 in the Rural South. And when it came back up,
13 people breathe it, and they have a case of
14 sarcoidosis.

15 Right now, when I go to a class
16 reunion, because we -- since we live in Clairton,
17 most of our class reunions, we don't go
18 Pittsburgh or -- we are very local. There'd be
19 more people from out of state than there is from
20 Clairton. When you look around and you see how
21 many classmates you've lost during the last five
22 years or so, you start to realize the ones that

1 live in Clairton all their lives are dying
2 quicker. The others are living.

3 I was surprised to find out the other
4 day, Mon Valley is in the top 5% in cancer case
5 -- in cancer deaths in the United States. I
6 think that's pretty bad. I can get on -- I can
7 go to the Weather Channel. I can get pollution
8 count for Bethel Park. I can get the air
9 conditioned for Bethel Park. Bethel Park is more
10 affluent neighborhood than Clairton. So
11 therefore, they don't put Clairton on the -- The
12 Weather Channel, and we're living right in the
13 middle of all -- of all this. If the Clairton
14 Mills can't be cleaned up, they need to shut it
15 down now.

16 Thank you. Bye-bye.

17 **MR. STEVE FRUH:** Thank you for your
18 testimony.

19 Any questions -- additional questions
20 from the Panelist?

21 Okay. The Hearing Host, please call
22 the next speaker.

1 **THE HEARING HOST:** Thank you very much.

2 Our next two speakers are Johnny Perryman and

3 Melanie Meade.

4 All right. Johnny, I can see your

5 video. Please begin your testimony whenever

6 you're ready.

7 MR. JOHNNY PERRYMAN: Hello, my name is

8 Johnny Perryman and I live in Clairton,

9 Pennsylvania. I'm 80 years old. I've been here

10 for fifteen years, sixteen years, and in 2019, my

11 doctor told me that if I wanted to live, I had to

12 get out of Clairton. But by then, I had breathed

13 in so many -- so much air pollution that I

14 couldn't -- I had a hard time going upstairs to

15 the bathroom, let alone, packing up a whole house

16 and moving far enough away to get away from this

17 pollution.

18 Now, I went down to a hearing County

19 Health Department about the pollution and they

20 were getting fined money from United States Steel

21 and they were fixing up their offices, I reckon.

22 So I says (sic), why don't you use some of that

1 fined money on Clairton where people are dying
2 from a heart disease, from cancer from -- from
3 all kinds of things. There's all kinds of
4 statistics that show you what percentage of the
5 people that die of cancer is from air pollution,
6 and so we know that it actually kills somebody.
7 But what we don't know is who's going to be
8 charged for murder because the answer is nobody.
9 But they know it's going to kill somebody. And I
10 don't -- and I'm going to be one of those
11 statistics, but I'm a human being that didn't
12 volunteer to be a statistic.

13 Now, since -- since then, because I was
14 unable to leave Clairton, the doctors couldn't --
15 my chest opened, they put a pump in my heart. I
16 walk around with a regulator that regulates the
17 -- the pump in my heart. I have two batteries on
18 either side I have a plug into the wall at night
19 for -- to -- to keep the pump going, and the pump
20 may have been made by some Chinese guys five
21 years old and it's operating twenty-four hours a
22 day, seven days a week in my chest, and it's been

1 doing it since July of '19 -- excuse me, 2020 --
2 2019, I'm sorry.

3 And so now -- and so I said this, you
4 send some of the money out to the boroughs so
5 that we can buy air purifiers, masks, or
6 something to help us live longer. So they sent
7 90% of the money out to the boroughs -- the five
8 boroughs that was affected the most, and we were
9 supposed to pick a committee to determine how
10 that money was spent. And the Mayor decided that
11 the committee was him plus one Council Member,
12 and that money was spent for a dump truck; it was
13 then spent for traffic light; it was spent for a
14 police car. It -- none of it helps me to breathe
15 any better. So the County cut down the amount of
16 money they were sending to the boroughs because
17 it wasn't used for what they were sending it for,
18 to 75%. And I would like to see the EPA take
19 some of the money that they get from fines from
20 air pollution and send it out to the non-profit
21 organizations that are actually doing something
22 in the community to help.

1 We've sent out several air purifiers
2 all over the City of Clairton, and we're going to
3 send out another one hundred of them here in the
4 very near future, and to help people breathe.

5 And when I was testifying at the
6 Allegheny County, I didn't know if I was going to
7 live to that day. And I've gone through a lot of
8 days since then, where I didn't know if I was
9 going to live through that day. And how -- and
10 -- and just to come down here to testify, is just
11 -- it takes out a lot of effort from me. So I
12 just think that if you should lower the -- the
13 amount of pollution allowed from the Clairton
14 Coke Works from the United States Steel. And we
15 know it's causing global warming.

16 I mean, let's just be an example.
17 Let's just do something right. And I thank you
18 very much for listening to us and I just

19 **MR. STEVE FRUH:** Thank you for your
20 testimony.

21 Any questions from the Panel?

22 Okay, I'll turn it back to the Hearing

1 Host.

2 **THE HEARING HOST:** Thank you very much.

3 Our next speaker is Melanie Meade. After the
4 speaker, we will take a short break.

5 Melanie, I see your video coming up.

6 Please begin your testimony when ready.

7 **MS. MELANIE MEADE:** Thank you.

8 I am the last living immediate relative
9 of my family at age 46. I am also trained by
10 Climate Reality Project, and I was educated in
11 Northern Virginia, in 90 -- in the early 1990s
12 when climate change was being pushed, but people
13 were ignoring it, and now I'm living what they --
14 what we were discussing at that time. I have
15 buried everyone from 2011 to 2020, from chronic
16 kidney failure, chronic heart failure, cancer,
17 and blood clots to the lung.

18 I'm happy for all of you who have good
19 health, but we cannot ignore the truth about what
20 this is doing to the community. Fenceline
21 monitoring is vital to our community because we
22 cannot trust what the EPA sees or notices. We

1 cannot trust an industry that chose to burn fires
2 for a hundred days, and we cannot trust a Mayor
3 who's willing to allow an industry to harm the
4 health of his constituents who have supported
5 him. I would like to see you charge US Steel
6 with fines that are comparable to the life lost.
7 I do not have any of my siblings or my parents
8 here with me, and it is unfortunate that I do not
9 have a Mayor or City Council Board who's willing
10 to talk about health harms by industry because
11 they are paid off, likely, by the industry.

12 Our children do not know what
13 environmental justice means, nor do they know
14 that they live in environmental justice area. So
15 how can we say that we are preparing our youth
16 here. This is not a happy home. This community
17 does not have good stores. Most of you would
18 never shop in these stores; Family Dollar; Rite
19 Aid. Our children eat out of boxes; they eat
20 processed food, which is also a contributing
21 factor to their poor health. Weakened immune
22 systems by breathing in air pollution will cause

1 havoc, in most cases, and those cases where it
2 hasn't, we're very thankful that a person has
3 been able to live a long life. What we are not
4 thankful for is an EPA and a Mayor and City
5 Council who ignore this test -- the statistics.

6 We need fence-line monitoring for
7 additional chemicals. We definitely need
8 increased fines. We also need a rule that
9 doesn't allow a Mayor that supports industry to
10 spend the fine money. We should also allow that
11 a Mayor couldn't be Mayor, if the people in the
12 community are not informed about what is going
13 on. He's invited many families to move here.
14 He's a -- a homeowner, and he also rents Section
15 8 out to many of the community members. They
16 should be informed about where they're moving to,
17 they should have a right to know that this is an
18 environmental justice system that may cause
19 potential harm to health. Please increase fines
20 for US Steel and provided fence-line monitoring
21 for additional chemicals that will not allow any
22 mischief by industry to get in the way.

1 We need the truth, and we need the
2 truth to be heard by you all now.

3 Thank you.

4 **MR. STEVE FRUH:** Thank you for your
5 comments and testimony.

6 Panelists, any additional questions?

7 Okay, I'll turn it back to the Hearing
8 Host.

9 **THE HEARING HOST:** Great, thank you so
10 much.

11 At this time, we're going to take a
12 short break for ten minutes, as you will see on
13 screen. We will reconvene at 2:45 p.m. Eastern.

14 So at this time, we will take a short
15 break and reconvene the hearing in about ten
16 minutes. Thank you very much.

17 (THEREUPON, AFTER A BRIEF
18 RECESS, THE HEARING CONTINUED AS FOLLOWS:)

19 **THE HEARING HOST:** Welcome back from
20 the break.

21 At this time, I'd like to invite the
22 Hearing Chair and the Panelists to introduce

1 themselves.

2 **MR. STEVE FRUH:** Welcome back. My name
3 is Steve Fruh. I'm a Senior Adviser at the
4 Office of Air Quality Planning and Standards.
5 Thank you very much.

6 **MS. KATIE BOAGGIO:** I'm Katie Boaggio.
7 I'm in the Office of Air Quality Planning and
8 Standards as well.

9 **MS. MANDY HANSEN:** Hello, my name is
10 Mandy Hansen. I also work in the Office of Air
11 Quality Planning and Standards in the Metals and
12 Inorganic Chemicals Group.

13 **THE HEARING HOST:** All right. Thank
14 you very much.

15 As reminder, today's hearing is being
16 recorded and transcribed to produce a written
17 transcript of the hearing. We will add the
18 transcript to the public docket for this
19 rulemaking, and we'll carefully consider your
20 comments as we develop a final rule.

21 For those of you on Zoom, if you have
22 questions about today's hearing or interested in

1 registering to speak, please send a direct
2 message to Attendee Support in the chat box. If
3 you're joining us via the phone, you can raise
4 your hand by pressing *9, our logistics team will
5 add you to today's agenda if there are any time
6 slots available. If you are watching the hearing
7 on YouTube and are interested in speaking, please
8 email our registration support team that email
9 addresses under the video screen and on our
10 website.

11 Please note by registering for this
12 event, you are agreeing to abide by the ground
13 rules of the hearing that include the Rules of
14 Behavior, the EPA is committed to an environment
15 of mutual respect and safety. The Agency will
16 not tolerate harassment, discrimination,
17 intimidation, inappropriate language and images,
18 or sustained disruption of the public hearing
19 event meeting. EPA expects all participants,
20 including panelists, registered speakers, and
21 attendees to conduct themselves in a respectful,
22 professional, and civil manner. We will monitor

1 and moderate this virtual event to ensure that
2 common standards of decency are upheld.

3 When you're called to speak, please
4 mute your line. While you're providing
5 testimony. You're also welcome to activate your
6 camera by clicking on the Start Video icon.
7 Please state your state and spell your name for
8 the record and a format timer will be started
9 when you state your name.

10 The next few speakers are Kim Meacham
11 and Tom Bailey.

12 MS. KIM MEACHAM: Hello, my name is Kim
13 Meacham, K-I-M, M-E-A-C-H-A-M.

14 I'm a lifelong resident of Clairton. I
15 can honestly say that I have actually suffered
16 the effects of the benzene exposure at Clairton
17 Mill. I had a father who died from acute
18 leukemia, leukemia, which is a direct result of
19 being exposed to benzene. He worked in the Mill
20 for forty-four years out of his life and died at
21 60. My mother died from lung cancer, which we
22 know is a direct problem from benzene exposure.

1 I've lost grandparents (sic); bronchitis,
2 (asthma, all kinds of direct result from being
3 exposed -- from this benzene, and my parents and
4 grandparents moved here after they were passed,
5 let's say, childhood. They haven't been exposed
6 their entire life. But me, my sisters, and
7 brothers, have. And they're also suffering from
8 the effects of benzene exposure. My sister has
9 severe asthma, which her doctor has sent her a
10 nebulizer at her home, so she must have treatment
11 on a regular basis. My -- both my sisters, both
12 have had thyroid cancer. My brother has suffered
13 from a cancer episode, and I have brought (sic)
14 bronchitis, which I've got (sic) diagnosed about
15 ten years ago and have been living with the
16 inhaler on occasions when I have flare ups.

17 Where do I start with this bandwagon
18 that I've been on. And I want to thank you all
19 for your time today. And I'm very interested and
20 this benzene fenceline monitoring. We know that
21 we're still suffering from effects due to the
22 fire and all the flare ups at the Mill, and we're

1 not just asking, we're begging for you to take
2 the time to find out how bad we're suffering
3 here. We would like to see the benzene fenceline
4 monitoring be at three micrograms. We've known
5 for years, the exposure we suffered, we see
6 family and friends and different people from the
7 community who have suffered, and if someone
8 doesn't take the time out to listen to our
9 problems, to even care about what's happening to
10 us here in Clairton, nothing's going to be done.

11 The EPA, they stepped up, they helped
12 with the fines, to secure the fines for us, but
13 there is no one who was truly shown any
14 compassion for us. At this point, you know,
15 we've asked our Mayor to get involved and supply
16 monitors, or either air purifiers for the homes.
17 I mean, this is a direct correlation to the
18 exposure we're having here and nobody wants to
19 step up and make sure that the residents are safe
20 here. You know, this -- this time of life, it's
21 very hard to just pick up and move but I'm
22 seriously considering leaving the area due to

1 health problems. When you go outside on a sunny
2 day, usually when the weather is right, we have
3 air inversions that keeps the pollution right
4 here, on top of our heads for longer than
5 twenty-four hours. In most cases, I have all
6 kinds of warnings coming up on my phone.

7 Um, is it too much to ask for someone
8 come steps up and help us like they did for the
9 people in East Palestine? Or up there at the
10 shell cracker plant? What is the problem here
11 that we can't find someone anyone to step up and
12 help us live and breathe in this community?

13 Thank you.

14 **MR. STEVE FRUH:** Thank you for your
15 testimony.

16 Any questions from the Panel?

17 Thank you, I'll turn it back to the
18 Hearing Host.

19 **THE HEARING HOST:** Thank you very much.
20 Our next speaker is Tom Bailey.

21 **MR. TOM BAILEY:** Hello, my name is Tom
22 Bailey, T-O-M, B-A-I-L-E-Y. I live in Allegheny

1 County; I have many friends in the Mon Valley and
2 I have some good aspects and some bad aspects
3 about these EPA proposed regulations. But I must
4 say, I'm a retired high school teacher. I taught
5 economics and government for over twenty-six
6 years, and so I got to ask, in regards to the
7 government, the government has to be focused on
8 the public interest. But economics is also
9 important. So what we're doing here is weighing
10 these back and forth.

11 So for you, Panelists, I'm looking at
12 now, you folks have had one question for all the
13 speakers that have just spoken to you. Is that
14 public engagement? Or is that -- are you just
15 filling a position by standing there and
16 watching? You're there for a purpose. The one
17 woman asked a great question. I really think, as
18 a public school teacher, there's so much that was
19 demanded of us, I'm going to ask that of
20 yourself. Take this seriously. Maybe if you
21 lived near these plants, you'd be a little
22 different yourselves. The hearing and timing of

1 these items is 3:00 in the afternoon. Most
2 people are working now. If you really want to
3 find out what people think, you have to have in
4 person proceedings so they can come, and you need
5 to see them face to face, not over computer.
6 That's what -- what government is based one --
7 you have on in the morning, one in the afternoon.
8 It's not sufficient, and you've heard many,
9 telling vivid explanations, what's it's like and
10 brawl on computers.

11 In regards to the good, the fenceline
12 monitoring is needed. The fenceline monitoring
13 is way overdue. You know, for the -- if there's
14 an oil refinery here in Clairton, there -- they
15 would have been shut down by now because of the
16 benzene levels. Ortiz came here, from Region 3,
17 and the first thing he said was, I'm a political
18 appointee of the Joe Biden Administration.
19 Politics once again comes up. But benzene is
20 injuring the families of many of my friends here.
21 So it's about time that the fenceline lawmakers
22 are also required for the coke plants.

1 Now, even if they're put into effect,
2 and let me know if I'm wrong, that will be until
3 about a year from now. What about my friends are
4 having benzene -- benzene in their families now,
5 with their children here, and you heard about the
6 woman talk about from Alabama. You think people
7 are making this up?

8 What needs to be done is to use the
9 power the Allegheny County Health Department has,
10 they're violating -- Clairton Coke Works is
11 violating their Title V permit; close them down.
12 If they comply and the air regulations meet, then
13 start them back up. I don't hear anybody from
14 EPA saying that. Yes, I think it is something
15 maybe people ought to start paying attention to,
16 and believe me, if you lived here, you'd be doing
17 the same thing we're doing.

18 What else is good? I was thinking
19 should keep at it at three micrograms, the
20 benzene. I agree completely with Mr. Bickerton
21 and Mr. Yong who spoke earlier. You can't drop
22 it any lower. Enforce it as if you live next

1 door. I'll give you an example. I had a chance
2 to go to Fukushima, Japan, a number of years ago.
3 Yeah, you've heard about because now they're
4 releasing the water that was generated during the
5 nuclear accident, but when you drive down a
6 highway, less than a mile away from that plant,
7 they have the radiation levels in digital right
8 above the street. You hear these people here
9 that live in this area saying we want to know
10 what's coming out of the plant. They're living
11 in the stone age. You can't tell me that you
12 can't take that data and put it right there so
13 you can see what you're breathing now.

14 The economic clout that Clairton Coke
15 Works and these other coke plants try to exhibit,
16 and you folks are going to be asked to rubber
17 stamp, is inexcusable if you take your role as a
18 government public service person seriously.

19 So what's bad? If you know the
20 Hamilton play, the Broadway play, where Thomas
21 Jefferson gets into Hamilton face, and Hamilton
22 explodes and says you're out of your G-D mind.

1 Why? The Mayor just spoke to you earlier and
2 said the first thing out of his mouth, if you
3 think about it, was there's many good jobs at
4 that plant. Well, there may be, Mayor, but the
5 first thing for government, which he's an elected
6 official, and for you folks, if you work for the
7 government, is the public interest and public
8 health.

9 What is the role of public health for
10 the EPA? Many of us know that during the Trump
11 Administration they had a tough time with the
12 administration. You went to the Supreme Court;
13 they were knocked back. They have to rebuild.
14 You need to take that position, and Allegheny
15 County Health Department, ladies and gentlemen,
16 if you look at their enforcement actions to clean
17 the -- against Clairton Coke Works, in the last
18 four years, they have five different enforcement
19 actions each year. So when Mayor Lattanzo (sic)
20 says --

21 (SIMULTANEOUS SPEAKING.)

22 **THE HEARING HOST:** Mr. Bailey, your

1 time has concluded. If you could, please --

2 (SIMULTANEOUS SPEAKING.)

3 MR. TOM BAILEY: -- for whom.

4 And I'll wrap up as other speakers
5 have.

6 The Allegheny County Health Department
7 needs to take their rules seriously, as you folks
8 do, and these EPA regulations of benzene, that's
9 fine, but it's not the whole picture. It should
10 not be politics first. This should be public
11 health first in public service.

12 Thank you.

13 MR. STEVE FRUH: Thank you, sir, for
14 your impassioned comments and testimony.

15 Any additional questions?

16 Thank you. I'll turn it back to the
17 Chair Hearing -- Hearing Chair for the next
18 speaker.

19 THE HEARING HOST: Thank you very much.

20 The next two speakers are David Meckel and
21 Daniela Guerrero.

22 David, please unmute and start your

1 camera when ready.

2 (PAUSE.)

3 (VIDEO AND AUDIO FROZEN.)

4 MR. DAVID MECKEL: -- name is David
5 Meckel, D-A-V-I-D, M-E-C-K-E-L. I am a resident
6 in Glassport. I moved here in 1999 after getting
7 out of the Marine Corps. Everything was fine in
8 Glassport from '99 until 2018. 2018. I came back
9 from Claritin (sic), Clairton, Pennsylvania, back
10 into Glassport, and when I got to the Pittsburgh
11 Mills, I noticed that terrible smell. And by the
12 time we got into Glassport, we realized that the
13 Claritin Coke Works had had a fire and their
14 batteries were damaged. Well, their batteries
15 are still damaged, and they haven't fixed
16 anything.

17 And as far as the Fenceline monitoring
18 goes, I participated in the particulate
19 collection of the stuff that US Steel is putting
20 in the air, i.e. benzene, and the benzene level
21 at my monitoring station in my yard was 17, that
22 17 micrograms that I gotta breathe every single

1 day. I can't -- it takes me -- it used to take
2 me 45 minutes to cut my grass. Now, I have to
3 stop and take a break because I can't get any
4 air. There's no oxygen to breathe. I stagger
5 around like a fish out of water. I have to go in
6 the house and sit down and wait twenty minutes,
7 and then I can come back outside and take care of
8 the rest of my grass.

9 And the particulate matter from US
10 Steel, Mr. Mayor, my house is full of it. It's
11 on my windowsill. It's on my walls. It's on my
12 curtains. It's in my bathroom. It's in my
13 bedroom. It's everywhere. I don't know where
14 you live, but I live in Glassport and it's pretty
15 bad there, and the particulate matter is
16 ridiculous. I have to wash down my house three
17 times a year. That takes me 23 hours to scrub it
18 off with a scrub brush.

19 And you people, I'd like to take all my
20 grass clippings and throw them in your conference
21 room at US Steel and see how you like cleaning up
22 my dirt. And you violate my constitutional

1 rights by not letting me breathe clean air. I
2 get clean water, but I sure don't get the clean
3 air to breathe because my benzene count in my
4 yard is 17 from the particular collector that's
5 collected every two weeks, and we did it for 18
6 months. And you managed to screw it up every day
7 for 18 months, US Steel.

8 You are my enemy. You are hurting
9 thousands of us. You are making us sick. And
10 this is not fair. It's not right. And you
11 should be responsible for your actions, which you
12 are not. And it seems like it's hurray for us
13 and the hell with you, you little peasants. You
14 know we can get plenty of you that make our steel
15 for us. But you know you're a usable subject one
16 you use this stuff, you know, you just brush us
17 off like it don't matter. Life doesn't have any
18 meaning to you people at US Steel. I dislike you
19 and you need to shut your business down if you
20 can't run it clean.

21 Thank you.

22 **MR. STEVE FRUH:** Thank you for your

1 testimony.

2 Any additional questions?

3 Thank you. I'll turn it back to the
4 Hearing Host.

5 **THE HEARING HOST:** Thank you very much.

6 Our next speaker is Daniela Guerrero.

7 Daniela is your video up please start
8 your testimony when ready.

9 **MS. DANIELA GUERRERO:** Thank you so
10 much.

11 My name is Daniela, D-A-N-I-E-L-A,
12 G-U-E-R-R-E-R-O. I work for Just Transition
13 Northwest Indiana. We are a grassroots
14 organization located in Northwest Indiana, right
15 now we're in Michigan City. We spend most of our
16 time in US EPA hearings because every so often,
17 the EPA decides to revise a rule, which I thank
18 you so much for being able to revise the National
19 Emission Standards for Hazardous Air Pollutants
20 on Coke Ovens at Steel and Iron Plants today.

21 However, I need to urge you to not stop
22 here and to actually go further. We have three

1 basic demands and these are very similar to the
2 people that have spoken.

3 First, you need to increase
4 appropriately cited fenceline benzene air
5 monitoring starting now. Our communities cannot
6 afford to wait any longer.

7 Two, you need to establish a benzene
8 action level that protects workers and
9 communities right now. this is -- this is
10 people's life. This is not something that can
11 wait.

12 Number three, you gotta include a rule
13 for byproduct recovery plans and you gotta do it
14 right now.

15 The proposed rules are a great advance,
16 however, we got to go further to protect
17 communities and workers. I also wanted to add, I
18 was born and raised in Bogota, Colombia. Right
19 now I have the privilege to be in my country, I'm
20 here for a week, and as you can see, it's just
21 nature and its mountains, and it's beautiful.
22 And here, I don't have any asthma. When I am in

1 Northwest Indiana, where I live, right now I live
2 in Chicago, but I work in Northwest Indiana.
3 Every single time I go on and take the train, I
4 have to ensure I have my inhaler because I cannot
5 breathe. This is something that I only suffered
6 when I moved to the US and not in Columbia. And
7 being here being between the mountains is not
8 fair that I have to come to a whole other country
9 and be in between the mountains, like not even
10 close, in the mountains, to be able to breathe
11 clean air.

12 We all deserve clean air. We all
13 deserve clean water. And in Northwest Indiana at
14 a local level, we have tried to really work with
15 our local authorities and he has not worked our
16 state representatives they are simply not being
17 willing to help us this is because Northwest
18 Indiana, many of the workers depend on steel.
19 However, it is time to make sure that these
20 workers are protected, essentially make sure that
21 communities are protected. And we cannot wait.
22 In June earlier this month, we had an EPA hearing

1 based on coal ash, which I know it's a whole
2 other issue.

3 However, I did want it to highlight one
4 of our members, one of our community members who
5 wrote this, sorry, so much, much cleaner, wrote
6 this poem about her experience testifying in
7 front of the EPA. She said, Having faced worth I
8 understood, it was worth to speak my life to
9 power. Even if that power was just EPA kits
10 trained to sit there neutral writing notes and
11 trying not to take our stories or tears
12 personally, which at this meeting, I really
13 haven't seen nothing like that. I know this, you
14 don't live here. And I know this is not
15 affecting you directly . But this is people's
16 life, and you have the power that we are all
17 fighting for.

18 So it's time for you to take action.
19 You cannot just sit here and assume meeting and
20 looking like you don't care. This is people's
21 life. This is our stories. People are dying
22 people are losing their families. And if this

1 was your family, you would not just look there
2 with absolutely no emotion in your face.

3 Thank you so much.

4 **MR. STEVE FRUH:** Thank you for comments
5 and testimony. I would like to remind all
6 commenters that written comments are encouraged
7 as well and be part of -- will be part of the
8 record for this rulemaking.

9 Are there any other questions from the
10 Panel?

11 Thank you. We'll turn it back to the
12 Hearing Host.

13 **THE HEARING HOST:** Thank you very much.
14 The next speaker will be Germaine Peterson,
15 sorry, Germaine Patterson.

16 Germaine, when you're ready. Great. I
17 see your video. Please unmute and begin your
18 testimony when you're ready.

19 **MS. GERMAINE PATTERSON:** Good
20 afternoon. Thank you for allowing me to speak.
21 I didn't register. So I really appreciate you
22 allowing me to speak. I am driving. So if I'm

1 not looking at the camera, it's because I'm
2 paying attention to the road.

3 I am a lifelong resident of the Mon
4 Valley. And I've lived in Clairton, the home of
5 the US Steel Coke Works, for 18 years. I have
6 three children. Right after the pandemic, I
7 started working in the -- (unintelligible) -- and
8 it really wasn't until then, that I really
9 started to notice the effects on health. Not
10 only my health, but the health of residents. I
11 knew, you know, I pretty -- I knew air pollution
12 was bad. I knew that. That was a given. But
13 once I started working in the community, I really
14 started to notice the extreme effects. I mean,
15 it's unheard of to have an asthma clinic in the
16 school, right? Just so you know, I'm a community
17 health worker, and my work is centered around air
18 quality and asthma. So to have an asthma clinic
19 and the school is telling right there. I wanted
20 to mention that first.

21 I want to acknowledge that I hosted a
22 benzene monitor on my home for -- for two years

1 and it was very awakening for me to know that the
2 benzene, you know, was reaching my home. And so
3 if it's reaching my home, it's reaching the homes
4 of my neighbors. So it's affecting me and my
5 family, as well as the -- the neighbors around
6 me, behind me in front of me.

7 So fence line monitoring is important,
8 not only for benzene, but for other chemicals,
9 very important. Another thing that I want to
10 mention is that the alert system is very
11 important to the residents. Mr. Dixon, Mark
12 Dixon, he showed you a video of the fires that
13 happened recently. The community had no idea,
14 right? This happened while we were asleep.
15 Imagine if that was worse. Imagine if God
16 forbid, you know that the meal was on fire. I
17 mean, which it was, but literally, if it caused
18 greater harm, because it did cause harm to folks.
19 We have no alert system in the community.

20 So I'm asking the EPA to make it
21 mandatory. For us still to have an alert system
22 that will notify community members when such

1 things happen. Hydrogen Sulfide is another that
2 I want to talk about. It's, it's to be awakened
3 at three o'clock in the morning. From number one
4 stitch, an irritated throat, irritated eyes.
5 Because hydrogen sulfide is not fun. It's not at
6 all i in, I think it was 2021. I thought I had
7 COVID really scared me. I went to urgent care.
8 And they told me I had environmental allergies.
9 And I want you to keep in mind that I didn't have
10 any type of illness. And still until I started
11 working in the community. And what that means is
12 that I spent a lot more time in my community than
13 I ever had in my 18 years of living there. So
14 once I started working in the community spending
15 more time there, that's when I noticed a
16 difference in my health --

17 **THE HEARING HOST:** Germaine, your --
18 your time is concluded. If you could please wrap
19 up. Thank you very much.

20 **MS. GERMAINE PATTERSON:** I'm done.

21 Thank you. Thank you for allowing me to speak.

22 **MR. STEVE FRUH:** Thank you for taking

1 the time and providing your testimony.

2 Any additional questions from the

3 panel?

4 MS. MANDY HANSEN: I just have one

5 question for you, Germaine. I -- you broke up a

6 little bit. I don't know if it was on my end or

7 yours, but I was wondering if you could say

8 again, I know you said you work at a school, and

9 you --

10 MS. GERMAINE PATTERSON: No. No, I

11 don't work at a school. What I did say was --

12 MS. MANDY HANSEN: Okay. Can you

13 clarify that, please? And sort of just --

14 (SIMULTANEOUS SPEAKING.)

15 MS. GERMAINE PATTERSON: Yes, I work in

16 -- yes. Can you hear me?

17 Can you hear me okay?

18 (MS. MANDY HANSEN NODDS.)

19 MS. GERMAINE PATTERSON: Okay. All

20 right.

21 MS. MANDY HANSEN: Yes.

22 MS. GERMAINE PATTERSON: What I said

1 was I work -- I work in the community. So I work
2 for women for a healthy environment and what we
3 do is we provide education and resources when it
4 comes to environmental exposures and built
5 environments. And so I'm a community health
6 worker. I work under our Healthy Homes program.
7 We also have a Healthy Schools, and we have a
8 healthy early learning.

9 But what I did say is in the schools
10 and Claritin, there is an asthma clinic that's
11 run by Duquesne University. There's an asthma
12 clinic. And that is unheard of for a school.
13 And that's not the only school and Allegheny
14 County that has an asthma clinic. So they're
15 there because the -- the asthma rates are so high
16 in the school.

17 MS. MANDY HANSEN: Yes. That
18 clarified.

19 MR. STEVE FRUH: Thank you for the
20 clarification.

21 Any other questions?

22 With that, we'll turn it back to the

1 Hearing Host.

2 **THE HEARING HOST:** Thank you so much
3 all of our speakers provide a testimony and thank
4 you to our chair, persons, and panelist. This
5 concludes today's hearing.

6 The Hearing Chairman -- Chair will now
7 adjourn today's hearing and this session. Thank
8 you.

9

10 **MR. STEVE FRUH:** Thank you.

11 My name is Steve Fruh. I'm a Senior
12 Advisor in the Office of Air Quality Planning and
13 Standards. We have no additional speakers slated
14 at this time. I want to thank all the panelists
15 that participated today, every -- and everyone
16 who offered testimony and everyone who took time
17 out of their schedule to listen in to the
18 hearing.

19 This is for the Coke Ovens Pushing,
20 Quenching, and Battery Stacks National Emission
21 Standards and Coke Coke Oven Batteries in NESHAP.

22 As a reminder, please, you can also

1 submit written comments on the proposal
2 through the date of October 23rd, 1923 (sic).

3 [The comment period closes October 2, 2023.]

4 With that, the hearing is now
5 concluded. adjourned. Thank you very much

6 ~ oOo ~

7 (WHEREUPON, SESSION 2 OF THE
8 PUBLIC HEARING WAS CONCLUDED.)

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CERTIFICATE OF COURT REPORTER

I, QUINN BRUNO, do hereby certify that the foregoing proceedings were attended by me and thereafter transcribed from my digital audio recording and aided by the provided additional recordings and materials to me which has been transcribed by me or under my direction.

I further certify that I am not related to any of the parties in this matter and that this transcript is a true and accurate record of said audio recording to the best of my ability. Further, I certify that the above information has been transcribed by me with a pledge of confidence that the content and information contained herein will not be discussed nor released.

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