



OFFICE OF AIR AND RADIATION

WASHINGTON, D.C. 20460

December 14, 2023

The Honorable Shelley Moore Capito
United States Senate
Washington, D.C. 20510

Dear Senator Capito:

Thank you for your October 26, 2023, letter to U.S. Environmental Protection Agency (EPA) Administrator Michael S. Regan regarding the Agency's proposed regulations for coke ovens.

On August 16, 2023, the EPA issued proposed amendments to the National Emission Standards for Hazardous Air Pollutants (NESHAP) for Coke Ovens: Pushing, Quenching, and Battery Stacks and the NESHAP for Coke Oven Batteries. These proposed amendments reflect the results of two actions mandated by the Clean Air Act: the residual risk and technology reviews of the NESHAP for the pushing, quenching and battery stacks source category and the technology review of the NESHAP for the coke ovens batteries source category. As part of completing the required technology reviews for both NESHAP, the EPA also proposed new emissions standards for previously unregulated emissions or sources, as required by the U.S. Court of Appeals for the D.C. Circuit in its decision *Louisiana Environmental Action Network v. EPA*, 955 F.3d 1088 (D.C. Cir. 2020).

We appreciate the issues outlined in your letter and will review all the comments and information that we received during the public comment period, which closed on October 2, 2023. The EPA is committed to developing final rules for the two coke ovens source categories that protect public health, comply with the Agency's legal obligations, minimize impacts to the coke ovens industry sector and take into consideration all public comments received. The Agency appreciates receiving your letter. It has been shared with relevant staff in the EPA's Office of Air Quality Planning and Standards for inclusion in the docket for this rulemaking.

Again, thank you for your letter. If you have further questions, please contact me or your staff may contact Ms. Kyle J. Zieba in the EPA's Office of Congressional and Intergovernmental Relations at zieba.kyle@epa.gov or (202) 893-0018.

Sincerely,



Joseph Goffman
Principal Deputy Assistant Administrator