

*Final Testimony of American Iron and Steel Institute
Paul Balsarak, Vice President for Environment
Public Hearing on EPA II&S NPRM
August 15, 2023*

Good morning, my name is Paul Balsarak, and I am Vice President for Environment at the American Iron and Steel Institute, or AISI. AISI represents companies that include domestic Integrated Iron and Steel manufacturing facilities subject to this proposal. The American steel industry is the cleanest steel producing nation in the world. These integrated facilities in particular produce the high strength steels vital for bridge design, for light-weight vehicles and many other markets. These facilities also have worked hard to comply with the Integrated Iron and Steel requirements since the original 2003 standard was issued.

I have **four key points** today.

[*Low Risk:*] First, by EPA's own analysis the actual risk to the public from existing emissions from this industry is extremely low. After significant investments by the industry over 20 years, the emissions from facility operations have been determined **by EPA** to be well below the risk levels that Congress determined to be acceptable when it enacted the Clean Air Act. Nevertheless, EPA proposes unnecessary new standards based on very limited data and in many cases an inaccurate understanding of how steel facilities actually operate.

[*High Cost:*] Second, the proposed regulation would impose huge new costs on the industry yet the projected reductions in emissions from the proposed requirements are greatly overstated. These costs cannot be justified based on public health, environmental benefits, or risk reduction. Increased costs for domestic steel can affect the industry's international competitiveness and can also have significant impacts on jobs associated with steel production.

[*Meet LEAN Requirements:*] Third, AISI supports EPA fulfilling its obligations under the *LEAN* court decision. However, the vast majority of EPA's proposed actions in this rule are *not* required by the court decision. EPA should limit the scope of this rule to focus only on setting achievable limits that are necessary under the *LEAN* decision. The October 2023 deadline for this rulemaking was developed as a result of negotiations with litigants and not independently ordered by a court. The goals of technical accuracy, good-government and legal defensibility argue strongly for EPA limiting the scope of this rulemaking to only what's required.

[*Sufficient Public Comment:*] Finally, EPA has not provided a sufficient public comment period. Several documents of central relevance to the rulemaking are still not available to the public. The most significant of these is that the regulatory text is not available in the docket. EPA did post a redlined version of the rule on its website one week after the preamble was published in the Federal Register. However, that document has plain errors and includes deleted redline text that has never actually appeared in the Integrated Iron and Steel rule in the first place. AISI has submitted a written request to extend the comment period which details several additional reasons more time is needed.

Thank you for this opportunity to provide comments today. AISI will submit detailed written comments on the proposal and we look forward to continuing to work with EPA on this rule.