

**AMERICAN COKE AND COAL CHEMICALS INSTITUTE
MINUTES OF THE MEETING
OF THE BOARD OF DIRECTORS**

**Saturday, April 25, 2015
Ponte Vedra Inn & Club
Ponte Vedra Beach, FL**

I. CALL TO ORDER

Chairman Owens called the meeting to order at 8:30 AM EDT and noted the presence of a quorum. He recognized and thanked Paul Saffrin (Tonawanda Coke) for serving as Program Chairman for the Spring Meeting. He also recognized Bruce Steiner, the immediate past President of and now a consultant to ACCCI, who was an invited guest at the Board meeting. Lastly, he asked for a moment of silence in remembrance of former Board member Bob Mason (ABC Coke), who passed away on February 5.

NOTE: Various meeting materials discussed during the meeting were provided to Board members before the meeting in the form of a Board book, which is on file at ACCCI's offices.

II. THOSE PRESENT AND ANNOUNCEMENTS

The following persons were present:

Directors

Dickie Owens, Chairman	ABC Coke
Rob Carlin	DTE Energy Services
Rob Gray	Hickman & Williams
Joe Dowd	Koppers, Inc.
Bruce Kingsbury	Matrix NAC
Barry Elswick	SunCoke
Jeff Wozek	SunCoke
Paul Saffrin	Tonawanda Coke
Carol Farrell	Walter Coke
Ron Schoen	Walter Coke

Staff

David Ailor	President
David Menotti	General Counsel
Bruce Steiner	ACCCI Consultant

General Counsel David Menotti provided a brief anti-trust compliance statement.

III. APPROVAL OF MINUTES OF OCTOBER 11, 2014, BOARD OF DIRECTORS MEETING

It was **MOVED** and **SECONDED** to approve the minutes of the October 11, 2014, Board of Directors meeting (pages 3-5 of the meeting materials). There being no additions or corrections, the minutes were **APPROVED** without exception.

IV. COMMITTEE REPORTS/UPDATES

A. REGULATORY AFFAIRS UPDATE

Mr. Ailor reported on issues being addressed by the MESH Committee, the Coke Oven Environmental Task Force, and the Coal Chemicals Committee. An outline of the topics covered is included in the meeting materials provided to Board members prior to the meeting (pages 6-10 of the meeting materials).

B. INTERNATIONAL COMMITTEE

Mr. Ailor summarized coke import statistics through February 2015 (page 11 of the meeting materials). He also noted the upcoming Met Coke 2015 Conference from October 27-29 in Pittsburgh, PA.

C. MEMBERSHIP REPORT

Mr. Ailor reported there has been no change in membership since the previous meeting. As requested at prior meetings, Directors were urged to promote ACCCI membership to their business contacts.

V. STATISTICAL PROGRAMS REPORT

Mr. Ailor reported on the status of ACCCI's quarterly statistical reports and annual benchmarking surveys (page 12 of the meeting materials).

VI. FINANCIAL REPORT

Mr. Owens and Mr. Ailor led a review of ACCCI's most recent monthly financial statement - that for March 2015, reflecting income and expenses through the end of March (pages 13-18 of the meeting materials). During the discussion which followed, several suggestions were made regarding these statements:

- That the monthly statement be revised with the replacement of the column entitled "Budget YTD," which none viewed as particularly informative, with a column for Prior-Year YTD expenditures, for year-over-year (YOY) comparability;
- That the monthly statement be revised with removal of the column entitled "Yr. End Projection," as none viewed it as particularly informative or necessary because the yearend projection is typically not adjusted very frequently (If there is a need to update the full-year projection to reflect an extraordinary expense or expenditure expected during the year, a footnote can be added as a prompt for Board discussion); and,
- That the monthly statements be sent to the entire Board of Directors, as opposed to just the Officers, which have historically received them.

Review/discussion of these three suggestions concluded with several decisions being made, including decisions that (1) Carol Farrell, who made the first two suggestions, would send Mr. Ailor an e-mail explaining both suggestions; and, (2) Mr. Ailor, in turn, would send Ms. Farrell's e-mail to the Board, together with a monthly statement that incorporates both suggestions, for the Board's review/consideration and direction on all three suggestions.

VII. MEETINGS UPDATE

A. MEETINGS CALENDAR

Mr. Ailor updated those present on upcoming ACCCI meetings, including the 2015 Annual Meeting scheduled for October 3-4, 2015, at the Omni Grove Park Inn in Asheville, NC; the Fall 2015 Meeting of the MESH Committee scheduled for October 15-16, 2015, in Research Triangle Park, NC; and, the 2016 Spring Meeting scheduled for April 30-May 1, 2016, at the Hyatt Regency Coconut Point Resort and Spa in Bonita Springs, FL (page 19 of the meeting materials).

B. Discussion on 2016 Annual Meeting Location

Mr. Ailor asked the Board for feedback on five potential locations identified by ACCCI staff for ACCCI's 2016 Annual Meeting (page 20 of the meeting materials). During the discussion which followed, Chairman Owens suggested the possibility of revising the format of one of the two "full membership" meetings that ACCCI holds each year. He made this suggestion in consideration of the difficult economic climate the industry now faces.

The two "full membership" meetings that ACCCI currently holds each year include a Spring Meeting and an Annual (Fall) Meeting. Both meetings are held at resort-type settings and include several ancillary activities routinely involving spouses (i.e., tours, golf, entertainment, paid speakers, etc.).

Chairman Owens suggested revising the format of one of the two meetings, such that it would become a Board of Directors "business meeting." It would be held at a "non-resort" setting and would not include any ancillary activities. The result is that ACCCI would still hold two meetings each year, but each would have a different format, as follows:

- One meeting would be a "full membership" meeting at a resort-type location consistent with current Spring and Fall meetings and inclusive of ancillary activities routinely involving spouses (i.e., tours, golf, entertainment, paid speakers, etc.); and,
- The second meeting would be a Board of Directors "business meeting" in Washington, D.C., Chicago, Atlanta, Pittsburgh, or other location decided by the Board (this meeting would not include any ancillary activities).

Currently, ACCCI is committed to holding the 2016 Spring Meeting on April 30–May 1, 2016, at the Hyatt Regency Coconut Point Resort and Spa in Bonita Springs, FL. Beyond that, ACCCI staff needs to begin planning for the Fall 2016 Meeting, whenever and wherever that might be.

The Board's review/discussion of this suggestion concluded with decisions being made that (1) Chairman Owens would send Mr. Ailor an e-mail explaining his suggestion; and, (2) Mr. Ailor, in turn, would send Chairman Owens' e-mail to the Board, for the Board's review/consideration and vote.

VIII. OLD AND NEW BUSINESS

A. Appointment of Nominating Committee

Chairman Owens appointed Carol Farrell, Paul Saffrin and himself to serve as the Nominating Committee to recommend candidates to fill expiring terms of Directors and Officers for election at the 2015 Annual Meeting. The five Directors and Officers with terms expiring in 2015 are Joe Dowd, Mike Durkin, Barry Elswick, Dickie Owens and Jeff Wozek. The Committee will target having its nominations in place by September 1, 2015.

Mr. Ailor reported that two member companies not on the Board – Lone Star Specialties and Ruetgers – had expressed an interest in being on the Board. Additionally, he reported that the integrated steel companies lacked representation on the Board; Ray Terza, recently retired from USS, formerly represented steel companies on the Board. The Board’s review/discussion of these matters concluded with no decisions being made.

B. Other Business

No other business was discussed.

C. Executive Session

1. COETF (Re)organization

Mr. Ailor reported that during January 2015, EPA’s Office of Air Quality Planning and Standards (EPA-OAQPS) had kicked off its long dormant and behind schedule Risk and Technology Review (RTR) Rulemaking for Coke Pushing, Quenching, and Battery Stacks (PQBS). EPA-OAQPS’ budget and resource constraints remain a limiting factor in the RTR Rulemaking – EPA has no outside consultant to assist in the effort. Its focus for the first six to nine months of 2015 will be development of a Clean Air Act (CAA) Section 114 “Information Collection Request” (ICR) which, when completed, will be issued to nine of the 10 companies that the Agency understands operate U.S. coke plants. All nine companies will be required to complete and return the ICR in two phases – (1) for the basic “Q&A” portion of the ICR, within about three months of issuance, or by the end of 2015; and, (2) for that portion of the ICR that will require source testing, within about nine months of issuance, or by mid-2016 or so. EPA-OAQPS will provide ACCCI with the draft ICR for our review/comment after the draft ICR goes through an initial, internal review within the Agency.

Mr. Ailor concluded by noting that this Rulemaking is of the utmost importance to the coke industry and, now that EPA is moving forward on it, ACCCI needs to make certain that it has all the necessary resources in place to engage the Agency. With this in mind, during February and March 2015, he had taken steps to reorganize/reconstitute the ACCCI-managed Coke Oven Environmental Task Force (COETF), which historically has been the industry organization that has engaged EPA on such matters.

Chairman Owens agreed on the importance of the Rulemaking and commented that one resource will be key to a successful outcome for the industry - Clean Air Act (CAA) counsel to guide the COETF. In mid-January, the ACCCI Board decided to task the COETF with getting more formally organized to engage EPA on the rulemaking, including selecting a CAA counsel and consultant(s) to assist the COETF in developing a strategic plan to engage EPA. The counsel and consultant(s) selected by and the strategic plan developed by the COETF would all be subject to approval by the Board.

Current ACCCI General Counsel and historical COETF counsel David Menotti explained what he thought was needed in terms of the COETF preparing to engage EPA – namely, getting the necessary consultants on board who, rather than counsel, would be doing the bulk (80 percent) of the COETF’s work on the Rulemaking. Mr. Menotti presumed that he would continue to serve as COETF counsel, notwithstanding his periodic indications that he planned to retire, potentially mid-Rulemaking. Until such time as he did retire, he would utilize/mentor a colleague of his at Crowell & Moring in the Rulemaking effort; upon his retirement, the Board and COETF could accept or reject his colleague as industry counsel.

At this point in the discussion, Chairman Owens asked Mr. Menotti to step out of the meeting, to afford Board members greater freedom to speak their mind. Before leaving, Mr. Menotti delegated his responsibilities as antitrust counsel to Mr. Ailor.

After a full discussion of the issues, Mr. Menotti was invited to return to the meeting. Upon Mr. Menotti’s return, Chairman Owens (1) confirmed to Mr. Menotti that he is ACCCI’s chief counsel on such matters; and (2) asked Mr. Menotti to prepare a proposal setting forth his advice on what the industry should do to respond to this EPA initiative, and what such a program would cost.

2. Other Issues

No other issues were discussed

IX. ADJOURNMENT

There being no further business, the meeting was adjourned at 11:57 AM.

Respectfully submitted,

/s/ David C. Ailor
David C. Ailor, P.E., President

Approved,

/s/ Dickie Owens
Dickie Owens, Chairman

/s/ David E. Menotti
David E. Menotti, Esq., General Counsel

**AMERICAN COKE AND COAL CHEMICALS INSTITUTE
BOARD OF DIRECTORS MEETING**

**Saturday, April 25, 2015
8:30 AM – 11:30 AM
(Buffet Breakfast Available at 8:00 AM)**

**Ponte Vedra Inn & Club
Ponte Vedra Beach, FL
Board Room**

AGENDA

- I. CALL TO ORDER – 8:30 AM – Mr. Owens**
- II. THOSE PRESENT AND ANNOUNCEMENTS – Mr. Owens**
 - A. Antitrust Statement – Mr. Menotti [p.2]**
 - B. Other Announcements**
- III. APPROVAL OF MINUTES OF OCTOBER 11, 2014, MEETING – Mr. Owens [pp. 3-5]**
- IV. COMMITTEE REPORTS/UPDATES**
 - A. Regulatory Affairs Update – Mr. Ailor [pp. 6-10]**
 - B. International Committee – Mr. Ailor for Vacant Chair [p. 11]**
 - C. Membership Report – Mr. Ailor for Vacant Chair**
- V. STATISTICAL PROGRAMS REPORT – Mr. Ailor & Ms. Deitch [p. 12]**
- VI. FINANCAL REPORT – Mr. Owens & Mr. Ailor**
 - A. Most Recent Financial Statement [pp. 13-18]**
- VII. MEETINGS UPDATE – Mr. Ailor & Ms. Deitch**
 - A. Meetings Calendar [p. 19]**
 - B. Discussion on 2016 Annual Meeting Location [p. 20]**
- VIII. OLD AND NEW BUSINESS – Mr. Owens**
 - A. Appointment of Nominating Committee**
 - (Dowd, Durkin, Elswick, Owens and Wozek terms expiring 2015)
 - (Lone Star Specialties/Ruetgers Interest)
 - (Steel Industry Representation)
 - B. Other Business**
 - C. Executive Session**
 - 1. COETF (Re)organization**
 - 2. Other Issues**
- IX. ADJOURNMENT – by 11:30 AM**

ANTITRUST REMINDER

1. It is the policy of the American Coke and Coal Chemicals Institute (“ACCCI” or the “Institute”) and its members to strictly comply with all applicable antitrust laws. As part of ACCCI’s antitrust compliance, this Antitrust Reminder is read aloud at the beginning of appropriate meetings of the Institute. The Antitrust Reminder is also recorded in the agenda and the minutes, to emphasize ACCCI’s antitrust compliance as a protection for the Institute and the members.
2. Because ACCCI provides an opportunity for members who may be competitors to communicate on issues that concern them, the Institute and members must be sensitive to the antitrust laws. ACCCI brings significant pro-competitive benefit to its members and the industry, and this is encouraged under the antitrust laws.
3. At the same time, ACCCI and members must ensure the association is not misused as a vehicle for anticompetitive agreements on commercial matters including, prices or other terms or conditions of sale, production volumes, the supply of specific customers and territories, the boycott or exclusion of other firms, or other unlawful activities. In addition, ACCCI and its members must avoid even the appearance of these activities. For these reasons, the following topics may not be discussed without prior review and approval by counsel: (a) current or future prices, or any other terms related to price including discounts, credit and payment terms, or delivery charges; (b) who will serve specific customers, markets or geographical areas; (c) whether or not to deal with a competitor, customer or supplier; (d) non-public marketing, product or service plans; or (e) non-public information concerning costs, profits, customers, booked business, etc.
4. The meeting will follow the approved agenda, and topics not on the approved agenda should not be discussed inside the meeting or in hallway discussions outside the meeting. In addition, minutes will be maintained of the meeting. The use of an agenda and minutes are part of ACCCI’s antitrust compliance policy, and they provide a record of the Institute’s legal compliance. In addition, legal counsel or association staff who have access to legal counsel will be present and will monitor the meeting for antitrust compliance. Please direct any questions regarding antitrust compliance to them, or after the meeting to the legal counsel for ACCCI.

AMERICAN COKE AND COAL CHEMICALS INSTIUTE
MINUTES OF THE MEETING
OF THE BOARD OF DIRECTORS

Saturday, October 11, 2014
Falling Rock Hotel at Nemaocolin Resort
Farmington, PA

I. CALL TO ORDER

Chairman Schoen called the meeting to order at 8:30 AM and noted the presence of a quorum.

NOTE: Background materials were provided to members before the meeting in the form of a Board book, which is on file at ACCCI offices.

II. THOSE PRESENT AND ANNOUNCEMENTS

The following persons were present:

Directors

Ron Schoen, Chairman	Walter Coke
Bob Mason	ABC Coke
Rob Carlin, Alternate for David Smith	DTE Energy Services
Rob Gray	Hickman & Williams
Joe Dowd	Koppers, Inc.
Bruce Kingsbury	Matrix NAC
Jeff Wozek	SunCoke
Paul Saffrin	Tonawanda Coke
Carol Farrell	Walter Coke

Staff

David Ailor	President in waiting
David Menotti	General Counsel
Bruce Steiner	President

General Counsel David Menotti provided a brief anti-trust compliance statement.

It was **MOVED** and **SECONDED** to elect Rob Carlin (who was provided the meeting materials in advance of the meeting) as an Alternate Director for the Board of Directors meeting on this date. **MOTION PASSED.**

III. REVIEW/APPROVAL OF MINUTES OF APRIL 26, 2014 BOARD OF DIRECTORS MEETING

It was **MOVED** and **SECONDED** to approve the minutes of the April 26, 2014 Board of Directors meeting. There being no additions or corrections, the minutes were **APPROVED** without exception.

IV. COMMITTEE REPORTS/UPDATES

A. REGULATORY UPDATE

Mr. Steiner reported on issues being addressed by the MESH Committee, the Coke Oven Environmental Task Force, and the Coal Chemicals Committee. An outline of the topics covered is included in the meeting materials distributed prior to the meeting.

B. INTERNATIONAL COMMITTEE

Mr. Steiner summarized coke import statistics through August 2014. He also noted the upcoming World Met Coke conference in Chicago; ACCCI is a media sponsor for the conference and Mr. Steiner is on the program.

C. MEMBERSHIP REPORT

Mr. Steiner reported there has been no change in membership since the previous meeting. As requested at prior meetings, Directors were urged to promote ACCCI membership based on their business contacts.

V. STATISTICAL PROGRAMS REPORT

Mr. Steiner reported on the status of ACCCI's quarterly statistical reports and annual benchmarking surveys.

VI. FINANCE REPORT

A. FINANCIAL STATEMENT THROUGH SEPTEMBER 2014

In the absence of Secretary-Treasurer Owens, Mr. Steiner led a review of the organization's financial statement through September 2014, including a comparison of the 2014 budget with projected year-end results. There is a projected year-end surplus of approximately \$42,000 compared to a budgeted deficit of \$4,300, due in large part to unspent COETF funds, greater than anticipated COETF assessments, and unnecessary headquarters expenses in 2014, resulting in a projected year-end balance of approximately \$406,000.

B. APPROVAL OF 2013 AUDIT

It was **MOVED** and **SECONDED** to accept the Patton & Lettich 2013 audit report. **MOTION PASSED.**

C. APPROVAL OF 2014 AUDIT

It was **MOVED** and **SECONDED** to accept the Patton & Lettich proposal to conduct the 2014 audit for a cost not to exceed \$3,400. **MOTION PASSED.**

D. 2015 BUDGET

Mr. Steiner presented a proposed 2015 budget as shown in the Board meeting materials. It is based on a previously approved increase in dues for producer members, assumes no changes in membership, and includes funds for transition costs due to facilitate the change in the organization's management and an increase in compensation for Ms. Deitch. It was **MOVED** and **SECONDED** to approve a 5% increase for Ms. Deitch and separately

MOVED and **SECONDED** to approve the 2015 budget. Both **MOTIONS PASSED**. A revised 2015 budget will be prepared in light of these discussions and decisions, augmented by the Board’s decision in Executive Session to approve the proposed six month transition consultancy for Mr. Steiner.

VII. NOMINATING COMMITTEE REPORT

Mr. Mason presented the Nominating Committee report. There were no objections to the proposed slate of Directors (Messrs. Carlin, Smith and Schoen for 3-year terms, Mr. Kingsbury for a 2-year term), to be nominated for reelection by the Voting Members on October 12. The proposed slate of officers for the next two years (Mr. Owens as Chairman, Mr. Smith as Vice Chairman, and Mr. Saffrin as Secretary-Treasurer) will also be up for election by the Voting Members on October 14.

Discussion followed as to suggested additions to the Board, particularly candidates to represent integrated steel producers, and these suggestions will be given further consideration by Directors for future discussion.

VIII. MEETINGS UPDATE

Mr. Steiner reported on confirmed and tentative meeting dates and locations through 2015. Candidate locations for the Spring 2016 meeting were discussed, and the Board directed staff to pursue negotiations and costs for consideration of holding that meeting at the Saddlebrook Resort near Tampa, FL or the Hyatt Regency Coconut Point Resort in Bonita Springs, FL.

IX. OTHER BUSINESS

The Board conducted a brief executive session at 11:15 AM. The Executive Session was held to allow discussion of issues involving Mr. Steiner and Mr. Ailor that would have been awkward to discuss in their presence. The attendance at the Executive Session was the same as attendance at the Board meeting, except for the absence of Mr. Steiner and Mr. Ailor. Mr. Menotti kept the minutes, which are summarized here: In the Executive Session, after discussion of the issue, it was **MOVED** and **SECONDED** to approve the proposal in the draft budget for a six month consultancy for Mr. Steiner to assist Mr. Ailor in executive transition, and also **MOVED** and **SECONDED** to move the January Board conference call to April 2015, to provide the Board an opportunity to oversee the transition. Both **MOTIONS PASSED**. The Board also, by acclamation, reaffirmed its earlier decision to make Mr. Steiner a Life Member of the Institute.

X. ADJOURNMENT

There being no further business, the meeting was adjourned at 11:25 AM.

Respectfully submitted,

/s/ Bruce A. Steiner
Bruce A. Steiner, President

Approved,

/s/ Ronald Schoen
Ron Schoen, Chairman

/s/ David E. Menotti
David E. Menotti, Esq., General Counsel

**Regulatory Affairs Update
ACCCI Board of Directors Meeting
April 25, 2015**

General Environmental Issues

• **EPA’s Risk and Technology Review (RTR) of Pushing, Quenching & Battery Stack (PQBS) Standards**

- In January 2015, EPA kicked off an RTR of the 2003 PQBS standards.
- Review combines 8-yr residual risk assessment and technology review.
- Focus is on individual HAPs in fugitive emissions, quench towers, and mercury in stacks.
- PQBS RTR was **not among those covered by April 8 “deadline” suit** filed by environmental groups.
- EPA making **“good progress” on survey**, which all facilities will receive (**September 2015 mailout, with four months or so to complete**); several facilities will be required to test, with six months or so to complete (**EPA flexible on timing**).
- COETF is getting **(re)organized** to engage EPA.

• **EPA’s Definition of Solid Waste Rule**

- EPA issued final rule on **January 13, 2015**, and released a **Frequently Asked Questions (FAQ)** document on April 3, 2015.
- Rule maintains existing exclusion for legitimately recycled hazardous secondary materials (HSM), but adds new definition of "contained" for storage units and adds recordkeeping, notification, and emergency response requirements.
- There **do not appear to be** any major coke industry concerns.
- Following EPA’s release of FAQ document, the Metals Industries Recycling Coalition (MIRC) decided **not to file a petition for review**, but to file a **protective Motion** to Intervene in the event that the environmental groups filed Petitions challenging the rule as insufficiently restrictive (to preserve legal options/leverage).
- By April 13 filing deadline, several parties, including a group of energy associations, the National Association of Manufacturers, the American Chemistry Council, and Sierra Club **had filed petitions for review**. It is **not clear yet** whether the petitions seek narrow relief or are intended more broadly to challenge the basic tenets of the rule.
- Motions to Intervene are not due for 30 days. MIRC will be preparing a **draft Motion to Intervene** in the next few weeks.
- ACCCI will be contacting the membership towards determining if we will participate.

• **EPA’s Coal Ash Rule**

- Final CCR rule, published on April 17, **takes effect on October 15, 2015**.
- Rule includes **phased-in location restrictions, liner design criteria, structural integrity rules, operating criteria, groundwater monitoring and corrective action, closure**

planning and post-closure care requirements, and recordkeeping, notification, and reporting duties.

- Rule also requires owners and operators of CCR units to **post compliance data** on a publicly accessible Internet site (litigation risks); grants enforcement authority to states and citizens rather than to EPA.
- **National Ambient Air Quality Standards (NAAQS):** NAAQS are subject to 5-yr reviews, and are often driven by litigation, environmental group petitions.

- **Ozone**

- o 2008 8-hr standard (75 ppb) was voluntarily reconsidered by EPA ... new standard of 60-70 ppb proposed in Jan 2010 ... bowing to pressure, the proposal was withdrawn, with EPA revisiting it as part of 2013 review.
- o EPA advisors support 60-70 ppb range, preferring the lower end of the range; also recommend secondary standard to protect plant life.
- o EPA proposed new, tighter standard (**range of 60 to 70 ppb**) on December 17, 2014; final is due by **October 1, 2015**. On March 17, **ACCCI joined 29 other associations in commenting** on the proposal.
- o Meanwhile, litigation over 2008 NAAQS is proceeding.
- o Primary standard has been upheld, but appeals are pending ... secondary standard has been remanded for further consideration ... other litigation ongoing re: implementation of 2008 standard state plans, non-attainment areas.

- **Particulate Matter**

- o 2006 annual 15 $\mu\text{g}/\text{m}^3$ PM-2.5 NAAQS has been remanded.
- o New standard was issued January 2013.
 - Annual PM-2.5 was lowered from 15 to 12 $\mu\text{g}/\text{m}^3$
 - No change was made to 24-hr PM-2.5 or PM-10 NAAQS.
 - No change was made to secondary standard for visibility as once proposed.
 - Increases nonattainment areas, triggers tighter state regulation req'ts
 - Final implementation rule published June 2014
 - Draft permit modeling guidance issued - industry comments (incl. ACCCI)

- **Sulfur Dioxide (SO₂)**

- o New 1-hr NAAQS (75 ppb) was published June 2010 (revoked current 24-hr & annual standards ... set precedent for modeling in lieu of monitoring for attainment designations ... also, makes new source modeling difficult).
- o Coalition (including ACCCI) formed to challenge implementation/modeling guidance.
 - Prompted proposed rule May 2014 for making nonattainment designations.
 - State concerns led to extending non-attainment designation deadlines.
- o Industry challenged rule, upheld July 2013; Supreme Court denied appeal.

- Nitrogen Dioxide (NO₂)
 - o New 1-hr NAAQS (100 ppb) was published February 2010 - aimed at motor vehicle impact ... no change to existing annual standard.
 - o There are implications for permitting new combustion sources due to modeling.
 - o Same coalition as above is challenging implementation/modeling guidance,
 - o Industry groups challenged rule, upheld in July 2014; Supreme Court denied appeal.
 - o Latest assessment suggests lower NAAQS needed, considering confounding effects,
 - o Current plan calls for final decision on possible revision by August 2017.

- Carbon Monoxide
 - o Final rule in 2011 called for no change in existing NAAQS ... challenge by environmental groups denied by court.

- **Hydrogen Sulfide Listing As a HAP**
 - Environmental groups petitioned to list as hazardous air pollutant under Clean Air Act (sued EPA for inaction).
 - H₂S Coalition is pushing back on basis for petition, lack of scientific support.
 - Issue a concern due to H₂S in COG, eventual emission regulations.
 - House bill was introduced to add H₂S to HAPs list, but no movement.
 - Lawsuit to force EPA to list as criteria pollutant and set NAAQS dismissed in June 2014.

- **Water Developments**
 - Cooling Water Intake Structure Regulations
 - o Regulations are to protect aquatic species from impingement, entrainment.
 - o Final rule was published August 15, 2014.
 - o Applies to withdrawals >2 mgd design & >25% for cooling
 - o Regulations lists 7 technology options to comply.
 - o New facility intakes must be equivalent to closed loop systems.
 - o Facilities >125 mgd must study impact on endangered species.
 - o Legal challenges have been filed by environmental and utility/industry groups.

 - Waters of the U.S. (WOTUS) Rulemaking
 - o Proposed rule was published April 21, 2014; comment deadline was October 20, 2014.
 - o Proposal would greatly expand EPA's Clean Water Act jurisdiction - drops term "navigable" and replaces with "waters of U.S."
 - o Rule is a potential **significant expansion of regulatory reach** - covers wetlands, roadside and storm water ditches, intermittent streams, and industrial ponds in flood plains unless wastewater treatment
 - o **There are widespread objections – legislation to block.**
 - o Comments were filed on ACCCI's behalf by Federal Water Quality Coalition.

- Coal Tar Sealants
 - PCTC continues to push back aggressively on proposed bans, adverse publicity.
 - Ban legislation is being considered in NY, MI, MN, IL, ME, Chicago.
 - Driven by USGS scientists & handful of environmental activists, media

Climate Change

- Legislation
 - There is renewed interest spurred by extreme weather events, but no concerted push for legislation.
- GHG Litigation
 - DC Court decision upheld suite of EPA GHG rules – twice/
 - o Endangerment finding (CAA basis for GHG stds)
 - o Johnson memo (authority for GHG stds for stationary sources)
 - o Tailoring rule (CO₂ regulatory thresholds)
 - o Motor vehicle GHG stds
 - Appeal led to Supreme Court ruling June 2014, generally upheld but...
 - o No PSD permitting of GHGs unless other pollutants also trigger permit
 - o Tailoring rule to raise permitting threshold overturned
- GHG Regulation
 - GHG reporting requirements are in place.
 - New source and major modification permitting requirements are in place.
 - o Primary focus is on power plant GHGs.
 - New plant standards re-proposed January 2014; **final rule this summer** – CCS required for coal-fired.
 - Existing plant standards proposed June 2014 - **final rule this summer**; heavy opposition, litigation, legislation to block rules.
 - State-by-state target reductions with latitude on how to accomplish
 - Designed to reduce GHGs by 30% from 2005 levels by 2030
 - Energy efficiency, renewables are also an emphasis of federal regulatory agencies (**ACCCI a party to Social Cost of Carbon (SCC) comments to DOE**).

TSCA

- TSCA Reform legislation is being given **serious attention** in Congress – the first such reform of TSCA since TSCA originally passed in 1976.
 - On March 10, 17 Senators introduced bipartisan legislation - “The Frank R. Lautenberg Chemical Safety for the 21st Century Act” (S. 697).
 - o S. 697, which is being supported by industry (AAI), includes **requirements concerning CBI and federal preemption of state actions on chemicals**.

- There is also a proposed **user fee requirement** for partial funding with specified limits to help financially support any enhanced EPA chemical assessment program.
- Senators Barbara Boxer (D-CA) and Ed Markey (D-MA) introduced competing legislation, “The Alan Reinstein and Trevor Schaefer Toxic Chemical Protection Act” (S. 725).
 - S. 725 would **eliminate the preemptive effect of federal action** under current law.

Safety & Health Issues

- **OSHA Hazardous Communication Standard**

- Final rule was issued in March 2012 - comprehensive overhaul of existing rule (SDSs, labeling, training, signage, *etc.*).
- Training required by December 1, 2013, full implementation by April 2015.
- Purpose is to make OSHA consistent with Globally Harmonized System.
- Main concern is how to characterize hazards for complex substances, *e.g.*, tar, pitch.
- Industry litigation settled December 2013:
 - Settlement includes letters from OSHA on several litigated issues.
 - Some favorable language on complex substances.
 - Also some favorable language on combustible dust, SDS, labeling, posting.
- On February 9, OSHA published the "**Enforcement Guidance for the Hazard Communication Standard's (HCS) June 1, 2015 Effective Date.**"
 - Guidance offers important insights into OSHA's HCS enforcement strategy.

- **Combustible Dust Rulemaking**

- Notice of proposed rulemaking published October 2010; listening sessions held.
- Rulemaking almost completely stalled
- Schedule is uncertain but still on OSHA's action list.
- **NFPA is developing “consensus” standard, with OSHA’s blessing.**

- **OSHA Injury & Illness Reporting**

- Revisions were proposed in November 2013.
 - Intent was to provide more useful, timely information.
 - Increase reporting from annual to quarterly
 - Add electronic reporting requirement
 - No new data requirements, but increases admin costs
 - Final injury reporting rule 9/18/14
 - Report all hospitalizations within 24 hrs, was 8 hrs if 3 or more persons
 - Fatality reports within 8 hrs
 - Posting on OSHA website

- **Legislation**

- OSHA Reform legislation died in last Congress; nothing is pending.
- Extension of DHS chemical plant security passed last Congress.

Country	CSC District	Count	Current Month		Custom Val C.I.F. Val		Count	Cumulative, January to Date		Custom Val	C.I.F. Val
			QTY-1	QTY-2	QTY-1	QTY-2		QTY-1	QTY-2		
2704000025 COKE AND SEMICOKE OF COAL WETHER OR NOT AGGLOMERATED, NESOI											
CANADA	OGN BUFFALO	30	604 T	0	145294	168953	61	1291 T	0	290424	337949
CANADA	OGN DETROIT	0	0 T	0	0	0	1	17 T	0	5985	6819
CANADA	OGN TOTAL	30	604 T	0	145294	168953	62	1308 T	0	296409	344768
2704000025 COKE/SEMICOKE OF LIGNITE OR PEAT; RETORT CARBON											
JAPAN	OGN CHRLSTN	1	135 T	0	47311	51661	2	410 T	0	143593	156722
JAPAN	OGN TOTAL	1	135 T	0	47311	51661	2	410 T	0	143593	156722
2704000025	TOTAL	31	739 T	0	192605	220614	64	1718 T	0	440002	501490
2704000050 COKE/SEMICOKE OF LIGNITE OR PEAT; RETORT CARBON											
GERMANY	OGN DETROIT	0	0 T	0	0	0	1	10 T	0	2269	2314
GERMANY	OGN TOTAL	0	0 T	0	0	0	1	10 T	0	2269	2314
INDNSIA	OGN NY CITY	0	0 T	0	0	0	1	26 T	0	30568	35568
INDNSIA	OGN TOTAL	0	0 T	0	0	0	1	26 T	0	30568	35568
2704000050	TOTAL	0	0 T	0	0	0	2	36 T	0	32837	37882

American Coke and Coal Chemicals Institute

Status of Statistical Reports (as of April 25, 2015)

Quarterly Reports

Merchant Coke Production/Shipments	4Q2014 posted
Tar Production	4Q2014 posted
Tar Distillation	4Q2014 posted
Coke Plants Injury/Illness (Safety)	4Q2014 posted

Monthly Trade Reports

Coke Imports	Complete through February 2015
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Annual Reports

Tar Refiners Safety Benchmarking	2014 complete (7 plants)
Tar Refiners Energy Benchmarking	2014 complete (7 plants)
Coke Producers HR Benchmarking	2014 complete (9 plants)
- Wages	
- Fringe Benefits	
- Workers' Compensation	
- Health Care	
Total U.S. Coke Production	2014 complete

**AMERICAN COKE & COAL CHEMICALS INSTITUTE (including COETF)
BALANCE SHEET
THREE-MONTH FINANCIAL STATEMENT
March 31, 2015**

ASSETS	
Commercial Checking - PNC Bank	\$ 508,313.64
Insured Savings - PNC Bank	221,198.90
Accounts Receivable	22,507.00
Prepaid Expenses	<u>10,000.00</u>
TOTAL ASSETS:	\$ <u>762,019.54</u>
 LIABILITIES	
Accounts Payable	\$ 0.00
Prepaid Income	<u>0.00</u>
TOTAL LIABILITIES:	\$ <u>0.00</u>
 FUND BALANCE:	
Fund Balance at January 1, 2015	\$ 410,452.00
Excess of Receipts over Disbursements	<u>351,567.54</u>
TOTAL FUND BALANCE	\$ <u>762,019.54</u>
TOTAL LIABILITIES AND FUND BALANCE:	\$ <u>762,019.54</u>

ACCCI (Including COETF)

NET INCOME/(EXPENSE) SUMMARY
March 31, 2015

<u>NET GAIN (LOSS)</u>	<u>BUDGET 2015</u>	<u>BUDGET YTD 03/31/15</u>	<u>ACTUAL YTD 03/31/15</u>	<u>12/31YR. END PROJECTION</u>
General / Administration	(40,700.00)	241,225.00	331,258.54	(40,700.00)
Annual Mtgs.				
Spring	1,400.00	350.00	25,309.00	1,400.00
Fall	200.00	50.00	(5,000.00)	200.00
Total Net Gain (Loss)	<u>(39,100.00)</u>	<u>241,625.00</u>	<u>351,567.54</u>	<u>(39,100.00)</u>

NOTES:

GAIN (LOSS) ADMINISTRATION	(40,700)	241,225	331,259	(40,700)
GAIN (LOSS) ANNUAL MEETINGS	1,600	400	20,309	1,600
TRANSFER TO (FROM) SURPLUS	(39,100)	241,625	351,568	(39,100)
BEGINNING FUND BALANCE	406,477	406,477	410,452	410,452
END OF YEAR PROJECTED FUND BALANCE	367,377	648,102	762,020	371,352

**NET INCOME/(EXPENSE) SUMMARY
March 31, 2015**

		BUDGET 2015	BUDGET YTD 03/31/15	ACTUAL YTD 03/31/15	12/31YR. END PROJECTION
<u>INCOME</u>					
General / Administration		709,700.00	428,825.00	457,877.19	709,700.00
Annual Mtgs.					
	Spring	48,000.00	12,000.00	31,650.00	48,000.00
	Fall	48,000.00	12,000.00	0.00	48,000.00
Total Income		805,700.00	452,825.00	489,527.19	805,700.00
<u>EXPENSE</u>					
General / Administration		550,300.00	137,575.00	40,120.17	550,300.00
Committees		8,500.00	2,125.00	35.30	8,500.00
Regulatory Affairs		191,600.00	47,900.00	86,463.18	191,600.00
Annual Meetings					
	Spring	46,600.00	11,650.00	6,341.00	46,600.00
	Fall	47,800.00	11,950.00	5,000.00	47,800.00
Total Expense		844,800.00	211,200.00	137,959.65	844,800.00
Surplus/(Deficit)		(39,100.00)	241,625.00	351,567.54	(39,100.00)

NET INCOME/(EXPENSE) SUMMARY
March 31, 2015

GENERAL & ADMINISTRATIVE:

		BUDGET	BUDGET	ACTUAL	12/31YR. END
<u>INCOME</u>		2015	YTD 03/31/15	YTD 03/31/15	PROJECTION
Company Dues	16-3020-01	327,000.00	327,000.00	329,680.00	327,000.00
Company Dues - New Members	16-3025-01	0.00	0.00	0.00	0.00
Associate Dues	16-3030-01	8,200.00	8,200.00	8,110.00	8,200.00
Interest and Dividends	16-3800-01	500.00	125.00	77.19	500.00
MESH Committee Meeting Registrations	16-3900-01	8,000.00	2,000.00	2,510.00	8,000.00
PCTC Transfers	16-3915-01	366,000.00	91,500.00	117,500.00	366,000.00
Miscellaneous Income	16-3920-01	0.00	0.00	0.00	0.00
COETF Transfers/Assessments	16-3930-01	0.00	0.00	0.00	0.00
TSCA Test Rule	16-3940-01	0.00	0.00	0.00	0.00
Total Reg. Admin. Income		709,700.00	428,825.00	457,877.19	709,700.00

		BUDGET	BUDGET	ACTUAL	12/31YR. END
<u>EXPENSES</u>		2015	YTD 03/31/15	YTD 03/31/15	PROJECTION
Audit and Bond	16-4060-01	3,400.00	850.00	0.00	3,400.00
Computer Services	16-4070-01	500.00	125.00	200.00	500.00
Dues and Subscriptions	16-4100-01	1,300.00	325.00	1,365.00	1,300.00
Insurance (O&D Liability)	16-4170-01	5,000.00	1,250.00	0.00	5,000.00
Legal Counsel (Fees)	16-4188-01	20,000.00	5,000.00	0.00	20,000.00
Legal Counsel (Expenses)	16-4189-01	3,000.00	750.00	0.00	3,000.00
Management	16-4240-01	116,800.00	29,200.00	28,862.00	116,800.00
Headquarters	16-4250-01	0.00	0.00	0.00	0.00
Board of Dir./F&B Comm mtgs.	16-4320-01	1,500.00	375.00	0.00	1,500.00
Meeting Expense	16-4325-01	0.00	0.00	0.00	0.00
PCTC Transfers	16-4335-01	366,000.00	91,500.00	0.00	366,000.00
COETF Transfers	16-4340-01	0.00	0.00	0.00	0.00
Miscellaneous	16-4360-01	1,000.00	250.00	300.00	1,000.00
Postage/Freight/Delivery	16-4400-01	300.00	75.00	35.90	300.00
Stationery/Printing/Supplies	16-4440-01	500.00	125.00	172.27	500.00
Gifts/Awards	16-4447-01	500.00	125.00	533.30	500.00
Statistical Programs	16-4450-01	500.00	125.00	0.00	500.00
Administrative/Accounting/Mailroom	16-4460-01	1,000.00	250.00	40.00	1,000.00
Taxes	16-4470-01	0.00	0.00	0.00	0.00
Telephone/FAX/Equip/Reception	16-4480-01	500.00	125.00	270.91	500.00
Travel--Staff	16-4500-01	1,500.00	375.00	320.84	1,500.00
Travel--Staff International	16-4550-01	0.00	0.00	0.00	0.00
Foundry Facts	16-4700-01	0.00	0.00	0.00	0.00
Transition	16-4908-01	26,000.00	6,500.00	8,000.00	26,000.00
Web Site Development/Maintenance	16-4909-01	1,000.00	250.00	19.95	1,000.00
Total Regular Admin. Expense		550,300.00	137,575.00	40,120.17	550,300.00

		BUDGET	BUDGET	ACTUAL	12/31YR. END
<u>COMMITTEES:</u>		2015	YTD 03/31/15	YTD 03/31/15	PROJECTION
Coke Committee	16-4341-01	0.00	0.00	0.00	0.00
MESH Committee	16-4344-01	8,000.00	2,000.00	0.00	8,000.00
Coal Chemicals	16-4347-01	500.00	125.00	35.30	500.00
International Committee	16-4348-01	0.00	0.00	0.00	0.00
Gov't Relations Committee	16-4351-01	0.00	0.00	0.00	0.00
Total Committee Expense		8,500.00	2,125.00	35.30	8,500.00

GAIN (LOSS) ADMINISTRATION		150,900.00	289,125.00	417,721.72	150,900.00
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NET INCOME/(EXPENSE) SUMMARY
March 31, 2015

REGULATORY AFFAIRS:

<u>EXPENSE</u>		<u>BUDGET 2015</u>	<u>BUDGET YTD 03/31/15</u>	<u>ACTUAL YTD 03/31/15</u>	<u>12/31YR. END PROJECTION</u>
Dues & Subscriptions	16-4413-01	0.00	0.00	0.00	0.00
Meeting Expense	16-4415-01	0.00	0.00	0.00	0.00
Miscellaneous	16-4420-01	0.00	0.00	0.00	0.00
Postage/Freight/Delivery	16-4425-01	0.00	0.00	0.00	0.00
Stationary/Printing/Office Supplies	16-4430-01	0.00	0.00	0.00	0.00
Administrative/Accounting/Mailroom	16-4435-01	0.00	0.00	0.00	0.00
Telephone/Fax	16-4449-01	100.00	25.00	0.00	100.00
Staff Specialist	16-4411-01	90,000.00	22,500.00	22,300.00	90,000.00
Travel	16-4412-01	2,500.00	625.00	362.83	2,500.00
Total Regulatory Affairs Expense		92,600.00	23,150.00	22,882.83	92,600.00

REGULATORY AFFAIRS (LEGAL/CONSULTANTS)

Meeting/Telephone	16-4414-01	0.00	0.00	0.00	0.00
OSHA Misc.					
Legal	16-4945-01	0.00	0.00	0.00	0.00
Consultant	16-4946-01	0.00	0.00	0.00	0.00
Environmental Misc.					
Legal	16-4950-01	20,000.00	5,000.00	13,500.00	20,000.00
Consultant	16-4951-01	20,000.00	5,000.00	20,000.00	20,000.00
COETF					
Staff Specialist	16-9100-01	14,000.00	3,500.00	3,900.00	14,000.00
Consultant/Legal	16-9115-01	30,000.00	7,500.00	11,400.35	30,000.00
TSCA Test Rule					
Consultant/Legal	16-4954-01	0.00	0.00	0.00	0.00
Tar Refiners Misc.					
Consultant/Legal	16-5720-13	15,000.00	3,750.00	15,000.00	15,000.00
Total Regulatory Project Expense		99,000.00	24,750.00	63,800.35	99,000.00
Total Regulatory Affairs Expense		191,600.00	47,900.00	86,463.18	191,600.00

TOTAL GENERAL/ADMINISTRATION		(40,700.00)	241,225.00	331,258.54	(40,700.00)
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ACCCI ANNUAL MEETINGS

**NET INCOME/(EXPENSE) SUMMARY
March 31, 2015**

SPRING MEETING

		BUDGET 2015	BUDGET YTD 03/31/15	ACTUAL YTD 03/31/15	12/31YR. END PROJECTION
INCOME					
Spring Meeting Registrations	16-3500-02	40,000.00	10,000.00	24,650.00	40,000.00
Spring Meeting Sponsorships	16-3504-02	8,000.00	2,000.00	7,000.00	8,000.00
Total Spring Meeting Income		48,000.00	12,000.00	31,650.00	48,000.00

EXPENSES

Theme Party	16-5201-02	0.00	0.00	0.00	0.00
Entertainment	16-5202-02	2,500.00	625.00	0.00	2,500.00
Hotel Master Acct. (F&B, A/V, etc.)	16-5204-02	30,000.00	7,500.00	2,000.00	30,000.00
Miscellaneous/Staff Support	16-5206-02	500.00	125.00	0.00	500.00
Printing/Graphic Design	16-5208-02	800.00	200.00	0.00	800.00
Speaker Fees/Travel	16-5210-02	10,000.00	2,500.00	4,060.00	10,000.00
Gifts/Awards	16-5214-02	800.00	200.00	0.00	800.00
Staff Travel	16-5212-02	2,000.00	500.00	281.00	2,000.00
Total Spring Meeting Expense		46,600.00	11,650.00	6,341.00	46,600.00

GAIN (LOSS) SPRING MEETING		1,400.00	350.00	25,309.00	1,400.00
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FALL MEETING

		BUDGET 2015	BUDGET YTD 03/31/15	ACTUAL YTD 03/31/15	12/31YR. END PROJECTION
INCOME					
Fall Meeting Registrations	16-3600-03	40,000.00	10,000.00	0.00	40,000.00
Fall Meeting Sponsorships	16-3604-03	8,000.00	2,000.00	0.00	8,000.00
Total Fall Meeting Income		48,000.00	12,000.00	0.00	48,000.00

EXPENSES

Theme Party	16-5301-03	0.00	0.00	0.00	0.00
Entertainment	16-5302-03	2,500.00	625.00	0.00	2,500.00
Hotel Master Acct. (F&B, A/V, etc.)	16-5304-03	30,000.00	7,500.00	5,000.00	30,000.00
Miscellaneous/Staff Support	16-5306-03	500.00	125.00	0.00	500.00
Printing/Graphic Design	16-5308-03	800.00	200.00	0.00	800.00
Speaker Fees/Travel	16-5310-03	12,200.00	3,050.00	0.00	12,200.00
Staff Travel	16-5312-03	800.00	200.00	0.00	800.00
Gifts/Awards	16-5314-03	1,000.00	250.00	0.00	1,000.00
Total Fall Meeting Expenses		47,800.00	11,950.00	5,000.00	47,800.00

GAIN (LOSS) FALL MEETING		200.00	50.00	(5,000.00)	200.00
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GAIN (LOSS) ANNUAL MEETINGS		1,600.00	400.00	20,309.00	1,600.00
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American Coke and Coal Chemicals Institute

2015-2016 Meeting Calendar

March 19-20, 2015	Spring MESH Meeting	Embassy Suites Destin-Miramar Destin, FL
April 25-26, 2015	Spring Meeting	Ponte Vedra Inn & Club Ponte Vedra Beach, FL
October 3-4, 2015	Annual Meeting	Grove Park Inn Asheville, NC
October 15-16, 2015	Fall MESH Meeting	Hotel TBD Research Triangle Park, NC
October 26-28, 2015	Met Coke 2015 Conference	Omni William Penn Hotel Pittsburgh, PA
January 2016 (Tentative)	Board Conference Call (if needed)	
April 30-May 1, 2016	Spring Meeting	Hyatt Regency Coconut Point Bonita Springs, FL

**ACCCI 2016 Annual Meeting
Potential Locations**

Arizona

Loews Ventana Canyon Resort (Tucson): 36-hole golf

California

The Lodge at Torrey Pines (La Jolla): 36-hole golf

Colorado

The Broadmoor (Colorado Springs): 54-hole golf

Virginia

Kingsmill (Williamsburg): 54-hole golf

West Virginia

The Greenbrier (White Sulphur Springs): 90-hole golf