

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

**Saturday, April 27, 2019
Hyatt Regency Coconut Point Resort and Spa
Bonita Springs, Florida**

I. CALL TO ORDER

Board Chairman Rob Carlin called the meeting to order at 8:18 AM EDT.

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

II. THOSE PRESENT AND ANNOUNCEMENTS

A. Introductions

Those present introduced themselves. The following were present:

Directors

Rob Carlin, Chairman	DTE Energy Services
Dean Bishop, Vice Chairman	ABC Coke
Jeff Wozek, Secretary-Treasurer	SunCoke
Ron Burnette	DTE Energy Services
Rob Gray	Hickman Williams & Company
Dave Schoen	Koppers, Inc.
Matt Kraeuter	ThyssenKrupp Industrial Solutions
Mike Rhoads	U. S. Steel

Other Company Representatives

Sharon Parker	ABC Coke
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Staff

David Ailor	President
Jan Deitch	Director of Administration
David Menotti	General Counsel

A list of meeting attendees was included as page 1 of the meeting materials. Chairman Carlin noted the presence of a quorum for the record.

ACCCI President David Ailor reported that Dickie Owens (ABC Coke), who was unable to attend the meeting, had sent him a March 12, 2019, letter requesting that Sharon Parker, Vice President of Sales for ABC Coke, be allowed to attend the Board meeting as an Alternate Director (page 2 of the meeting materials). It was **MOVED** and **SECONDED** to approve the request. The motion **PASSED**.

B. Antitrust Statement

ACCCI General Counsel David Menotti made a brief anti-trust compliance statement. He referenced ACCCI's antitrust policy, which was included as page 3 of the meeting materials.

C. Other Announcements

Chairman Carlin reviewed the customary logistics for the meeting, including the emergency exit, the rest room locations, and the details of the golf tournament that would follow the adjournment of the Board meeting. He noted that ACCCI's Bylaws had not been reviewed in some time and that, considering all the recent changes in the industry, including ACCCI's membership and its budget (e.g., the loss of Tonawanda Coke/Erie Coke and their dues in 2017), he had asked Mr. Ailor to include them in the handouts for possible reference during the meeting (pages 4-16 of the meeting materials).

III. APPROVAL OF MINUTES OF NOVEMBER 8, 2018, BUSINESS MEETING OF THE BOARD OF DIRECTORS

It was MOVED and SECONDED to approve the draft Minutes of the last meeting of the Board of Directors held on November, 8, 2018, at the DoubleTree by Hilton Hotel & Suites in Pittsburgh, PA (pages 17-21 of the meeting materials). The draft Minutes were APPROVED.

IV. COMMITTEE REPORTS/UPDATES

A. MESH COMMITTEE

Acting Committee Chairman Dean Bishop presented a PowerPoint presentation entitled "MESH Committee Report" (furnished electronically to all Meeting attendees prior to the meeting). As detailed in his presentation, he explained that attendance of MESH Committee meetings has been in a steady decline over the last couple of years, with ACCCI having fewer coke producer member companies, some coke producer member companies not sending any representatives to the meetings, and integrated coke producers routinely sending only one, if any representatives to the meetings. The primary topic of the MESH Committee's Spring 2019 Meeting was discussing/deciding on ways to refocus the Committee's meetings so as to maximize the value of the meetings for the current membership.

The key decisions and recommendations were to:

1. Reduce from five to four the number of subcommittees of the MESH Committee, including retaining the Manufacturing, Environmental and Safety & Health subcommittees; dropping the Human Resources and Quality subcommittees; and, adding a "Technology" Subcommittee
2. Hold meetings in locations central to coke producer member companies
3. Create a list of member company "Single Point Contacts" for MESH outreach communications
4. Structure meeting agendas to include and promote attendance and networking of operations personnel
5. Increase the registration fee for attending MESH Committee meetings from \$100/person to \$150/person to help offset some of the meeting costs

6. Create a “Coalitions Task Force” to recommend to the MESH Committee the associations and regulatory-focused coalitions of which ACCCI should be a member

Following up on decision no. 3 above, Acting Chairman Bishop requested that Board members provide Mr. Ailor with their companies’ “single point contacts” for MESH outreach communications. Acting Chair Bishop said that for the Fall 2019 MESH Meeting, ACCCI will circulate a finalized, very detailed agenda before the end of May, with the request that the single point contacts promote the meeting to potential attendees.

Finally, Acting Chair Bishop emphasized the importance of working to achieve cost neutrality for the MESH meetings and the necessity and value of the establishment of the Coalitions Task Force. The Task Force was created to evaluate the associations and regulatory-focused coalitions of which ACCCI is a member and to rank them in terms of importance. The Task Force members are Jay Cornelius (Task Force Chairman), Kelsey Cameron (Lone Star Specialties), and Matthew Blakely (AK Steel).

B. INTERNATIONAL COMMITTEE

Mr. Ailor summarized the Census Bureau’s coke import statistics report through February 2019 (pages 22-25 of the meeting materials). The Census Bureau added a new code to the report during 2018 – 2713110000 (“Petroleum Coke, Not Calcined”).

C. MEMBERSHIP REPORT

1. Changes in Membership Since the Last Board Meeting

Ms. Deitch and Mr. Ailor reported that there had been three membership changes since the Board’s last meeting in November 2018 (page 26 of the meeting materials), as listed below:

- Fluid Power Technologies joined ACCCI this year as a new member on February 20, 2019.
- Orion Engineered Carbons decided not to renew its ACCCI membership this year due to company cutbacks in expenses.
- Civil & Environmental Consultants, Inc. decided not to join the Institute.

ACCCI is sending out dues payment reminders to companies that have not paid their 2019 dues yet. As at prior meetings of the Board, Board Directors were urged to promote ACCCI membership to their business contacts.

2. Potential Interest of Alcoa and Stelco in ACCCI Membership

The Board discussed a request from Garrett Dutkiewicz of Alcoa (page 27 of the meeting materials) about the possibility of his company joining ACCCI at a discounted amount for annual dues. The Board decided that ACCCI could not honor Alcoa’s request for discounted annual dues.

The Board also discussed the possibility of ACCCI memberships for Algoma and Stelco. The two companies have been suggested for possible membership in ACCCI (page 28 of the meeting materials).

3. Other Issues

Chairman Carlin led a discussion about the need to increase ACCCI's membership and to have a Membership Committee Chair to lead the effort. Mr. Ailor noted that, as reflected in the Minutes of the last meeting of the Board of Directors held on November, 8, 2018, at the DoubleTree by Hilton Hotel & Suites in Pittsburgh, PA, this issue was discussed and Dave Schoen said he would consider becoming the Membership Committee Chairman (page 19 of the meeting materials). Mr. Schoen confirmed that he was willing to serve in this capacity, and the Board APPROVED Mr. Schoen as Chairman of the Membership Committee.

Finally, Chairman Carlin reiterated that ACCCI's Bylaws (pages 4-16 of the meeting materials) had not been reviewed in some time and that, considering all the recent changes in the industry, including ACCCI's membership and its budget (e.g., the loss of Tonawanda Coke/Erie Coke and their dues in 2017), it might be time to revise them. Those present agreed, and a task force was created to review and recommend revisions to them, as necessary. The "Bylaws Task Force" members are Rob Carlin (Task Force Chairman), Ron Burnette, Mike Rhoads and David Menotti (Task Force Counsel).

D. REGULATORY AFFAIRS UPDATE, INCLUDING OTHER ASSOCIATIONS AND REGULATORY-FOCUSED COALITIONS OF WHICH ACCCI IS A MEMBER

Considering all the important issues before the Board this meeting and in the interest of ensuring there is sufficient time to discuss them, Mr. Ailor gave only an abbreviated summary of the highlights from his "Regulatory Affairs Update." As usual, his Update provided details on sector-specific and general industry regulatory issues of concern to the U.S. coke industry, regulatory issues of concern to the coal chemicals industry, and other important regulatory affairs issues. Documents to which he referred during his summary were a February 13, 2019, letter from Earthjustice to EPA Administrator Andrew Wheeler notifying the Agency that Earthjustice planned to file a "deadline" suit against EPA within 60 days over the Agency's failure to complete risk and technology reviews for hazardous air pollutants from coke pushing, quenching and battery stacks and coke oven doors, lids, offtakes and charging by the statutory deadlines prescribed in the Clean Air Act (pages 29-32 of the meeting materials); Earthjustice's April 15, 2019, court filing (pages 33-53 of the meeting materials); an ACCCI-maintained document entitled "Associations of Which ACCCI Is a Member/Regulatory-Focused Coalitions in Which ACCCI Participates" (pages 54-59 of the meeting materials); and, his "Regulatory Affairs Update" PowerPoint presentation for the meeting (furnished electronically to all meeting attendees prior to the meeting).

V. STATISTICAL PROGRAMS REPORT

Mr. Ailor and Ms. Deitch reported on the status of ACCCI's quarterly statistical reports and annual benchmarking surveys (page 60 of the meeting materials).

VI. FINANCE REPORT

A. Most Recent (March 2019) Financial Statement

Mr. Carlin, Mr. Wozek and Mr. Ailor reviewed ACCCI's most recent monthly financial statement - that for March 2019 - reflecting income and expenses through the end of

March (pages 61-67 of the meeting materials). Following a full discussion of the financial report, those present agreed that the format of the report needed to be revised to provide more transparency and clarity and be easier to read and comprehend. Chairman Carlin announced that, to this end, he would work with Ms. Deitch to revise the report in this manner, beginning with the April financials. Finally, he suggested and the Board agreed that, considering ACCCI's serious budget situation, going forward ACCCI would no longer cover the costs of meetings, conference calls, or travel by ACCCI support staff for the ACCCI-managed Coke Oven Environmental Task Force.

B. Other Issues

President Ailor noted that ACCCI and the ACCCI-managed Coke Oven Environmental Task Force (COETF) had never received payments in excess of \$50,000 due them from Tonawanda Coke/Erie Coke with the loss of those two companies from the ACCCI and COETF memberships during 2017. This loss has had a profoundly negative effect on the budget.

Mr. Menotti recommended that ACCCI/COETF file with the court overseeing the bankruptcy proceedings insofar as Tonawanda Coke the documents necessary to register ACCCI/COETF's claim on whatever funds are paid via those proceedings. The Board APPROVED ACCCI/COETF doing so.

VII. NOMINATING COMMITTEE REPORT

Chairman Carlin informed the Board of the Report of the 2019 Nominating Committee (page 68 of the meeting materials). The Committee consisted of Mr. Rhoads (Chairman), Mr. Bishop, and Mr. Carlin.

A. Proposed Slate of Directors with Terms Expiring in 2019

The proposed slate of Directors is Messrs. Bishop, Potter, and Gray. They will be nominated for election by the Voting Members during the Annual Membership Meeting on April 28, 2019. Messrs. Bishop, Potter, and Gray are to be nominated for three-year terms.

B. Appointment of a Nominating Committee for Officers with Terms Expiring in 2020

Chairman Carlin asked for volunteers for a Nominating Committee for Officers with Terms Expiring in 2020 (i.e., Chairman Carlin, Vice Chairman Bishop, and Secretary-Treasurer Wozek). Volunteers included Mr. Rhoads, Mr. Burnette, Mr. Gray and Mr. Schoen. A motion was made that the Board approve the membership of the Committee, which Mr. Rhoads would chair. It was MOVED and SECONDED to approve the motion. The motion PASSED.

C. Need to Reconsider/Update the Sole Criterion Created by the Board in September 2008 for Tar Refiner Representation on the Board (One Board Seat for Tar Refiners Producing over 75 Million Gallons per Year)

Chairman Carlin directed the Board to Section VI.D on page 71 of the meeting materials, which is a page from the Minutes of the September 28, 2008, Meeting of the Board of Directors in Colorado Springs, CO (pages 69-72 of the meeting materials). This section explains a resolution the Board passed then that established a criterion for tar refiner

membership on the Board, with Koppers being the only tar refiner that has qualified since then. President Ailor noted that he had recently learned from Koppers that the company no longer meets this criterion.

One Board member asked whether the Board could rescind or revise the criterion. Mr. Menotti advised that it could.

A RESOLUTION was proposed that the Board rescind and withdraw the resolution of September 28, 2008, concerning tar refiner company membership on the Board and RESOLVE that the Board shall include no more than two (2) members from tar refiner member companies, as determined by the Board. The proposed Resolution was APPROVED.

D. Possibility of Either Adding More Board Members per Article IV, Section 2 of ACCCI Bylaws, or Amending/Eliminating Section 2 (“The number of directors of the Corporation shall be no more than eighteen (18) and no less than twelve (12).”)

Chairman Carlin led a discussion on this topic. Mr. Menotti explained that as the number of ACCCI’s “merchant” coke producer members declines, so will the number of Board members, so meeting this requirement may become impossible and achieving a quorum to conduct ACCCI’s business may be difficult. No decision was reached.

E. Other Issues

No other issues were discussed.

VIII. MEETINGS UPDATE

A. MEETINGS CALENDAR

Mr. Ailor updated those present on upcoming meetings of note (page 73 of the meeting materials), including the Fall 2019 Meeting of the MESH Committee on September 26-27, 2019, in the Birmingham, AL area; the Met Coke 2019 Conference on November 6-7, 2019, at the DoubleTree by Hilton Hotel Nashville Downtown in Nashville, TN; the 2019 Business Meeting of the Board of Directors on November 8, 2019, at the DoubleTree by Hilton Hotel Nashville Downtown in Nashville, TN; a tentative January 2020 Board conference call (if needed); and, the 2020 Annual Meeting on April 23-24, 2020, at the Westin Hilton Head Island Resort & Spa in Hilton Head Island, SC. Mr. Ailor noted that planning for ACCCI’s 2020 Annual Meeting had begun.

B. Discussion on 2021 Annual Meeting Date/Location

Mr. Ailor explained that ACCCI staff would like direction from the Board on when and where the 2021 Annual Meeting would be held. He referred those present to a document listing the locations where ACCCI meetings had been or would be held from 1995 – 2020 (pages 74-75 of the meeting materials). The Board asked Ms. Deitch to get proposals for the ACCCI 2021 Annual Meeting from The Resort at Longboat Key Club, Ponte Vedra Inn & Club, Doral Golf Resort, and the Omni Amelia Island Plantation. The Board will discuss the proposals at its November 2019 Business Meeting.

C. Other Issues

The Board reviewed the “ACCCI Coke Production Call Form” (page 76 of the meeting materials) to make sure the composite data ACCCI provides participating member companies are what they expect/need.

IX. OLD AND NEW BUSINESS

Chairman Carlin led a discussion about the need to backup ACCCI’s electronic files and core historical files. The files discussed were the Minutes, Bylaws, key resolutions, ACCCI staff contracts, and technical documents. President Ailor responded that he has all such documents either in hard copy or electronically stored on his laptop and backed up on the cloud. The discussion included developing a Documents Maintenance Policy. Vice Chairman Bishop suggested the possibility of putting a task force of member companies’ IT personnel together to look at developing such a Policy. No decisions were reached.

X. EXECUTIVE SESSION

The Board met in an executive session. It began at 11:00 AM EDT and ended at 11:55 AM EDT.

XI. ADJOURNMENT

There being no further business, the meeting was adjourned at 11:55 AM EDT.

Respectfully submitted,

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

Approved,

/s/
Rob Carlin, Chairman

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

**ACCCI's 2019 Annual Meeting
Bonita Springs, FL
April 27-28, 2019**

Name	Company	April 26 Board Reception-Dinner	Dinner Guest	April 27 Board Meeting
Dean Bishop	ABC Coke	1		1
Scott Castleberry	ABC Coke	1		
Dickie Owens	ABC Coke	REGRETS		REGRETS
Sharon Parker	ABC Coke	1		1
Ron Burnette	DTE	2	Suzanne	1
Rob Carlin	DTE	2	Cheryl	1
Bill Potter	ERP Compliant Coke	0		0
Don Wiggins	ERP Compliant Coke	REGRETS		REGRETS
Rob Gray	Hickman, Williams & Company	2	Janet	1
Dave Schoen	Koppers	1		1
Keith Kahl	SunCoke	REGRETS		REGRETS
Jeff Wozek	SunCoke	2	Julie	1
Matt Kraeuter	ThyssenKrupp	1		1
Mike Rhoads	USS	2	Heather	1
David Menotti	ACCCI General Counsel	2	Anne	1
David Ailor	ACCCI	2	Diane	1
Jan Deitch	ACCCI	2	Jim	1
	TOTALS	21		12

Board Reception/Dinner – Friday, April 26, 7:00 PM (Driftwood Room)

Board Meeting – Saturday, April 27, 8:00 AM (buffet breakfast) (The Cove Meeting Room)

P.O. Box 10246
Birmingham, AL 35202

Telephone: 205-849-1300
Fax: 205-849-1322



Date: March 12, 2019
To: David Ailor, ACCCI Board President
From: Richard Owens
Subject: Annual Board Meeting April 26 – 28, 2019

Per our telephone call today, I will not be attending the 2019 ACCCI Annual Meeting in Bonita Springs, Florida. I respectfully request that Sharon Parker, Vice President Sales for ABC Coke be allowed to attend the board meeting and vote on my/ABC's behalf.

Any questions or concerns with this request please feel free to contact me directly.

*Thanks
Dickie*



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 INSTITUTE

BYLAWS

Amended and Restated as of August 28, 2000

ARTICLE I

Name and Purpose

Section 1. Name. The name of this corporation is the American Coke and Coal Chemicals Institute (the "Corporation").

Section 2. Purposes. The purposes for which the Corporation are organized are as follows:

- a) To promote the interests of the coke and coal chemicals industry;
- b) To collect statistics and information concerning any matters connected in any way with the coke and coal chemicals industry and to make reports based thereon to the members of the Corporation and/or to the public;
- c) To provide a forum for the exchange of information and discussion of problems relating to the coke and coal chemicals industry;
- d) To cooperate with any and all agencies of the United States of America or of any State having jurisdiction over any part of the activities of the coke and coal chemicals industry;
- e) To do any and all things necessary, suitable, convenient, or proper in connection with, or incidental to, the accomplishment of any of the purposes hereinbefore enumerated, and in general to do any and all things and exercise any and all powers which it may now or hereafter be lawful for the Corporation to do or exercise under the laws of the State of Illinois that may now or hereafter be applicable to the Corporation; and,
- f) Subject to such limitations as may be prescribed by law, to receive and acquire by grant, gift, purchase, devise, bequest, or otherwise property of any and all kinds, whether real, personal, or chosen in action and to hold, maintain, invest, accumulate and dispose therefrom for the furtherance of the purposes specified above.

ARTICLE II

Offices

The principal office of the Corporation shall be located in Washington, D.C. The Corporation may have such other offices, either within or without the State of Illinois and the District of Columbia, as the business of the Corporation may require from time to time.

The registered office of the Corporation required by The General Not for Profit Corporation Act of Illinois to be maintained in the State of Illinois may be, but need not be, identical with the principal office in the State of Illinois, and the address of the registered office may be changed from time to time by the Board of Directors.

ARTICLE III

Members

Section 1. Categories of Members. The Corporation shall have members. There shall be two categories of members: (i) Company Members, and (ii) Individual Members (sometimes hereinafter collectively referred to as "Members"). Each category of Members shall be comprised of the various classes of Members described in Section 2 and Section 3 of this Article III. In addition, the Corporation may have such other classes of Members within such categories of Members as the Board of Directors may from time to time establish and define in these Bylaws.

Section 2. Company Members. There shall be eleven (11) classes of Company Members. A Company Member must be organized as either a corporation, partnership, association, or limited liability company (each, a "qualifying company"). The Corporation has authorized the following classes of Company Members, each of which is described below: (i) Merchant Coke Producer Members; (ii) Integrated Coke Producer Members; (iii) Alternative Coke Producer Members; (iv) Metallurgical Coal Producer Members; (v) Coke/Coal/Coal Byproduct Sales Agent/Broker Members; (vi) Tar Distiller Members; (vii) Chemical Producer/Processor Members; (viii) Transportation Company Members; (ix) Foreign Chemical Producer/Processor Members; (x) Foreign Coke Producer Members; and (xi) Builder/Supplier Members.

- i. **Merchant Coke Producer Members.** These members are comprised of qualifying companies that are merchant coke producers that carbonize a minimum of 100,000 tons of coal per year. A qualifying company that is admitted to this class of membership is entitled to appoint two representatives to act on its behalf at member meetings.
- ii. **Integrated Coke Producer Members.** These members are comprised of qualifying companies that are integrated coke producers that carbonize a minimum of 100,000 tons of coal per year. A qualifying company that is admitted to this class of membership is entitled to appoint two representatives to act on its behalf at member meetings.
- iii. **Alternative Coke Producer Members.** These members are comprised of qualifying companies that are coke producers that (a) are not classified as either Merchant Coke Producers or Integrated Coke Producers and that (b) carbonize a minimum of 100,000 tons of coal per year. A qualifying company that is admitted to this class of membership is entitled to appoint two representatives to act on its behalf at member meetings.
- iv. **Metallurgical Coal Producer Members.** These members are comprised of qualifying companies that are producers of metallurgical coal. A qualifying company that is admitted to this class of membership is entitled to appoint two representatives to act on its behalf at member meetings.

- v. Coke/Coal/Coke Byproduct Sales Agent/Broker Members. These members are comprised of qualifying companies that are Sales Agents or Brokers with respect to Coke, Coal, Coke/Coal Byproducts, Refined Tar, and others. A qualifying company that is admitted to this class of membership is entitled to appoint two representatives to act on its behalf at member meetings.
- vi. Tar Distiller Members. These members are comprised of qualifying companies that are distillers of tar. A qualifying company that is admitted to this class of membership is entitled to appoint two representatives to act on its behalf at member meetings.
- vii. Chemical Producer/Processor Members. These members are comprised of qualifying companies that are producers or processors of chemicals derived from petroleum, the distillation of coal or otherwise. A qualifying company that is admitted to this class of membership is entitled to appoint two representatives to act on its behalf at member meetings.
- viii. Transportation Company Members. These members are comprised of qualifying companies that are engaged in the transportation of commodities. A qualifying company that is admitted to this class of membership is entitled to appoint two representatives to act on its behalf at member meetings.
- ix. Foreign Chemical Producer/Processor Members. These members are comprised of qualifying companies that (a) are not organized in the United States, Canada, or Mexico, and (b) do not qualify under any other class of Company Member, but that are producers or processors of chemicals derived from petroleum, the distillation of coal, or otherwise. A qualifying company that is admitted to this class of membership is entitled to appoint two representatives to act on its behalf at member meetings.
- x. Foreign Coke Producer Members. These members are comprised of qualifying companies that otherwise would qualify for membership as a Merchant Coke Producer Member or as an Integrated Coke Producer Member but are not organized in the United States, Canada, or Mexico. A qualifying company that is admitted to this class of membership is entitled to appoint two representatives to act on its behalf at member meetings.
- xi. Builder/Supplier Members. These members are comprised of qualifying companies that are engaged in the construction of coke ovens, coke oven byproduct plants and/or chemical plants, suppliers of major components and/or machinery that constitutes major constituent parts of such ovens or plants, and suppliers of technical services or products to the coke industry. A qualifying company that is admitted to this class of membership is entitled to appoint two representatives to act on its behalf at member meetings.

Section 3. Individual Members. There shall be four (4) classes of Individual Members. An Individual Member may or may not be a person that is employed by or affiliated with a Company Member. The Corporation has authorized the following classes of Individual Members, each of which is described below: (i) Associate Members; (ii) Honorary Members; (iii) Academic Members, and (iv) Life Members.

- i. Associate Members. These members are comprised of qualifying individuals who are actively associated with a Company Member.

- ii. **Honorary Members.** These members are comprised of such qualifying individuals who have distinguished themselves such that the Corporation determines that such individuals merit such honorary membership.
- iii. **Academic Members.** These members are comprised of qualifying individuals who have distinguished themselves in academia on matters of interest to the Corporation such that the Corporation determines that such individuals merit such academic membership.
- iv. **Life Members.** These members are comprised of qualifying individuals who previously were (a) a representative of a Company Member of the Corporation, or (b) belonged to another class of Individual Member.

Section 4. Election of Members. Application to become a Company Member or an Individual Member shall be on such additional specific terms and conditions, including with respect to payment of dues and assessments, as the Board of Directors may from time to time determine or authorize by resolution. Any application from a prospective member of the Corporation shall be transmitted to the President of the Corporation, who shall follow such procedures in processing such application as the Board of Directors may from time to time direct.

Section 5. Suspension or Expulsion of a Member. Any Member may be suspended or expelled for cause by the affirmative vote of three-fourths of the Board of Directors at a duly called meeting of the Board of Directors at which a quorum is present, provided that at least one (1) month's advance notice of such meeting shall be given to the Member involved.

Section 6. Informal Action by Voting Members. Any action required to be taken at a meeting of the Members by Members with voting rights may be taken without a meeting if (i) a consent in writing, setting forth the action so taken, shall be signed by a majority of the Members with voting rights entitled to vote on the subject matter upon which such action is to be taken; (ii) at least five (5) days prior to the effective date of such consent, a notice in writing of the proposed action is delivered to all of the Members with voting rights entitled to vote on the subject matter upon which such action is to be taken; and (iii) after the effective date of such consent, prompt notice in writing of the taking of the action without a meeting is delivered to those Members entitled to vote who have not consented in writing.

Section 7. Annual Meetings. The annual meeting of the Members of the Corporation shall be held at such time and place as may be designated by the Board of Directors.

Notice of each annual meeting of the Members shall be given by the President or Secretary to each Member entitled to vote at such meeting, by delivering such notice to such members personally or by mailing the same to them at the addresses which appear on the books of the Corporation, not less than ten days nor more than forty days prior to the date of said meeting, unless otherwise required by statute. Nevertheless, to the extent permitted by law, the failure to give such notice, or any irregularity in such notice, shall not affect the validity of any annual meeting, or of any proceedings at any such meeting.

Section 8. Special Meetings. Special meetings of Members shall be held at such time and place as may be designated by the Board of Directors.

Special meetings of the Members with voting rights may be called by the Chairman, by the President, by the Board of Directors, or by twenty percent of the Members with voting rights.

Notice of each special meeting indicating the purposes thereof shall be given by the Chairman, President, or Secretary, or persons calling said meeting to each Member entitled to vote at such meeting by delivering such notice to each such Member personally, or by mailing, faxing, or e-mailing the same to them at the addresses which appear upon the books of the Corporation, not less than five days nor more than forty days prior to the date of said meeting.

Section 9. Regional Meetings. Regional meetings of the members may be called by the President on the written request of any member of the Board of Directors. No action binding on the Corporation may be taken at any regional meeting.

Section 10. Quorum. At any meeting of the Members, a majority of all the Members entitled to vote at such meeting, whether present in person or represented by proxy, shall constitute a quorum for all purposes.

If the Members necessary to constitute a quorum shall fail to attend in person or by proxy at the time and place fixed by these bylaws for an annual meeting or for a special meeting called as herein provided, a majority of the Members entitled to vote at such meeting present in person or by proxy may adjourn the meeting from time to time without notice other than by the announcement at the meeting, until the number of Members requisite to constitute a quorum shall attend. At any such adjourned meeting at which a quorum shall be present, any business may be transacted which might have been transacted at the meeting as previously called.

Section 11. Presiding Officer of Meetings. The Chairman, and in his absence a Vice Chairman, shall call meetings of the Members to order, and shall preside at such meeting, and in the absence of the Chairman and Vice Chairman, the Members present who are entitled to vote at such meeting by a majority vote may elect a presiding officer.

The Secretary of the Corporation shall act as secretary of all meetings of the Members; but in the absence of the Secretary at any meeting of the members, the presiding officer may appoint any person to act as secretary of the meeting.

Section 12. Voting. The only members of the Corporation with voting rights shall be the Merchant Coke Producer Members, which voting members shall exercise their voting rights, as described in these Bylaws, through their appointed representative(s). Accordingly, at each meeting of the Members, each of the representatives of each of the Members with voting rights shall be entitled to one (1) vote each in person or by proxy, provided that said proxy be duly designated by an instrument in writing subscribed by such representative(s), and delivered to the inspectors at the meeting.

The representatives of Members with voting rights may vote by voice vote, mail, fax, e-mail, or telegraph under such conditions as may from time to time be determined by resolution of the Board of Directors; provided, however, that mail, fax, e-mail and telegraph voting shall not be permitted for the election of the members of the Board of Directors. Upon demand of any voting representative of a Member with voting rights, a vote upon any question before to such Members at a meeting (including a vote to elect members to the Board of Directors), shall be by written ballot.

ARTICLE IV

Directors

Section 1. Powers. The business and the property of the Corporation shall be managed and controlled by the Board of Directors.

Section 2. Number, Election, Staggered Terms and Vacancies. The number of directors of the Corporation shall be no more than eighteen (18) and no less than twelve (12).

At each annual meeting of the Members of the Corporation, the Members entitled to vote shall vote to fill any expiring directorships on the Board of Directors by voting to elect candidates for such directorships as the then existing Board of Directors (or a Nominating Committee comprised of members of the Board of Directors) shall have determined to nominate in advance of such vote of the Members. Election of directors shall be by an affirmative majority vote of the Members entitled to vote. The members of any Nominating Committee utilized by the Corporation shall be appointed by the Board of Directors.

The Board of Directors shall be classified with respect to the time which they shall severally hold office by dividing them into three groups having staggered terms, each to consist of approximately one-third of the total number of directors. At each annual meeting of the Members, the successors to the group of directors whose terms shall expire in that year shall be elected (or re-elected) to hold office for a term of three years, so that the terms of the directors in one of the three groups of directors shall expire in each year. The three-year term of office does not apply, however, to the Industry Supplier director. The Industry Supplier director may only hold office for a term of two years, after which a successor shall be elected (or re-elected) to hold office. Directors need not be residents of the State of Illinois.

In case of a vacancy on the Board of Directors through death, resignation, disqualification, or cause other than the expiration of the term of a directorship, the remaining directors by affirmative vote of a majority may elect a successor. A director elected to fill a vacancy shall be elected for the unexpired term of his predecessor in office. No Company Member or group of affiliated Company Members shall have more than two members represented on the Board of Directors at any one time.

Section 3. Place of Meeting. The directors may hold meetings at the office of the Corporation or at such other place as the Board of Directors or other qualified persons calling such a meeting shall determine.

Section 4. Regular Meetings. The regular annual meeting of the Board of Directors for the election of officers and standing committees of the Corporation and the transaction of any other business, shall be held contemporaneous with the annual meeting of the members of the Corporation. Other regular meetings of the Board of Directors may be held at such time or place as shall from time to time be appointed by the Board of Directors.

Section 5. Special Meetings. A special meeting of the Board of Directors shall be held whenever called by direction of the President or Chairman, or by four directors then being in office, at such time and place as shall be designated in the notice. The President or Secretary shall give notice of such special meeting by mailing the same at least four (4) days before the meeting or by faxing, e-mailing or telegraphing the same at least two (2) days before the meeting to each director, but notice of such meetings may be waived by any director. At any meeting at which every director shall be present, even though without any notice, any and all business may be transacted.

Section 6. Quorum. Four (4) members shall constitute a quorum for the transaction of any business, provided, however, that in no event shall a quorum consist of less than one-third (1/3) of the number of directors then in office. If at any meeting of the Board of Directors there is less than a quorum of the Board of Directors, a majority of those present may adjourn the meeting from time to time without further notice.

Section 7. Voting. Whenever at any meeting either regular or special of the directors, the directors shall by resolution determine that a vote of all directors is deemed advisable, then the directors may by resolution determine that mail, fax, e-mail, or telegraphic votes shall be accepted under such conditions as are determined by such resolution. Mail, fax, e-mail or telegraphic voting shall not apply to the election of officers. Action by directors shall be by an affirmative majority vote.

Section 8. Voting During an Emergency. In the event of any emergency facing the Corporation, as determined by the Chairman, the Chairman (or the President at the direction of the Chairman) may poll the Board of Directors by fax, e-mail or telegraph in respect to what measures should be taken by the Corporation to meet the emergency.

ARTICLE V

Officers

Section 1. Officers. The executive officers of the Corporation shall be a Chairman, one or more Vice Chairmen, a Treasurer, and a Secretary, each of whom shall be elected by the Board of Directors. The Board also may appoint or elect such other officers, including (but not limited to) one or more assistant treasurers or assistant secretaries, who shall have such powers and perform such duties as shall be determined from time to time by the Board of Directors. The office of Treasurer and the office of Secretary may be held concurrently by any of the other officers. Except for any persons appointed on an interim basis, each officer of the Corporation shall be appointed to serve for a term of one year or more. Vacancies in any officer's position may be filled by an affirmative vote of a majority of the whole Board of Directors.

No person shall be eligible to serve in any of the above named executive officer positions unless at the time of his election to such office he shall be a member of the Board of Directors.

In the absence or inability to act of any officers of the Corporation, the Board of Directors may by resolution delegate such officer's powers and duties during the period of such absence or inability to act to any other officer or to any director.

All officers may request that the assistance of the President (or his designees) in carrying out the functions of their offices.

All officers, agents, and members of committees shall be subject to removal at any time by the affirmative vote of a majority of the whole Board of Directors.

Section 2. Chairman. The Chairman shall preside at all meetings of the members of the Corporation and of the Board of Directors and shall be an ex officio, voting member of all committees. Subject to the authority of the Board of Directors, the Chairman shall have general charge of the administration of the business and affairs of the Corporation. He may execute in the name of the Corporation and deliver any or all deeds, bonds, contracts, certificates of membership in the Corporation, and other instruments authorized by the Board of Directors, except in cases in which the execution of any thereof shall be expressly delegated by such Board to some other officer or agent of the Corporation or such instrument shall be required by law otherwise to be executed. He shall have such other powers and duties as shall from time to time be assigned to him by the Board of Directors.

Section 3. Vice Chairmen. The Vice Chairmen, in the order from time to time designated by the Board of Directors, shall, except as otherwise provided in these bylaws, be vested with all the powers and required to perform all the duties of the Chairman in the latter's absence; and, at other times, they shall have such powers and perform such duties as may be assigned to them by the Board of Directors.

Section 4. Treasurer. The Treasurer shall have custody of all the funds and securities of the Corporation and shall keep full and accurate account of receipts and disbursements in books belonging to the Corporation, and shall deposit all monies and other valuable effects in the name and to the credit of the Corporation in such depositories as may be designated under the authority of the Board of Directors. He shall submit a detailed statement of the Corporation's accounts at each annual meeting of the Board of Directors of the Corporation, showing the financial transactions for the preceding fiscal year, and shall furnish to the Chairman and Board of Directors from time to time as required by them such information relative to the funds of the Corporation as may be required; and he shall perform all acts incident to the position of Treasurer, subject to the control of the Board of Directors. The Treasurer shall give a bond for the faithful discharge of his duties in such sum and in such form as shall be fixed from time to time by the Board of Directors.

Section 5. Secretary. The Secretary shall keep the minutes of all meetings of the Board of Directors, the minutes of all meetings of the members of the Corporation in books provided for that purpose, and shall perform like duties for any committees of the Corporation when required. He shall keep a roll of the members of the Corporation and shall attend to the giving and serving of all notices of the Corporation. He may attest all instruments signed on behalf of the Corporation.

Section 6. Corporate Seal. The Board of Directors may authorized a suitable seal, containing the name of the Corporation, which seal, if any, shall be in the charge of the Secretary.

ARTICLE VI

Committees

Section 1. Committees. The Board of Directors may, by a resolution adopted by a majority of the Directors present at a meeting at which a quorum is present, appoint from among its members, or from among persons not members of the Board of Directors, one or more committees for such purposes and with such powers as the Board of Directors may provide, except that no such committees shall have or exercise the authority of the Board of Directors in the management of the Corporation, and no committee shall have the power to amend the Articles of Incorporation of the Corporation or these Bylaws.

Section 2. Procedures. All committees established by the Board of Directors shall follow such procedures as the Board of Directors may determine and, at the request of the President or an Executive Officer, shall report any actions taken to the Board of Directors at the next meeting thereof.

ARTICLE VII

Management

The Board of Directors shall by resolution appoint a President of the Corporation. The daily affairs of the Corporation shall be managed by the President who shall be the executive director of the Corporation and who shall act under the direction of the Board of Directors. The President shall have general and active management of the Corporation and shall insure that all orders and resolutions of the Board of Directors are carried into effect.

The hiring, training, supervision, and discharge of Corporation employees shall be the responsibility of the President. The President may ask for the advice and assistance of the officers of the Corporation or of members of the Board of Directors in selecting individuals to be hired. However, any employee of the Corporation may be discharged by the President, whether or not such employee was selected or recommended or hired with the advice and assistance of the Board of Directors or any member or members thereof, or was hired by the Board of Directors or any member or members thereof. The term "employee(s)" means person(s), whether full-time or part-time, receiving a wage or salary paid from the general funds of the Corporation.

ARTICLE VIII

Dues

The dues and assessments payable by each category and class of member of the Corporation shall be determined and assessed from time to time by resolution of the Board of Directors. Dues and assessments shall be payable at such time or times in whole or in part as the Board of Directors may determine.

The Board may void the membership of any newly-elected member that shall fail to pay annual dues owing within two months after notice of such election has been made.

Any member of the Corporation may resign at any time and thereby relinquish all rights in the property of the Corporation. The resignation of a member shall be made in writing to the Secretary or President and shall become effective upon receipt by the Secretary or President, or at such later date as may be specified in such resignation, provided that the member resigning shall be liable, for the unpaid balance of any annual dues for the fiscal year in which such resignation becomes effective, plus any other indebtedness to the Corporation.

Any member whose dues remain unpaid for more than three (3) months after the date when they are due and payable may, by order of the Board of Directors, be suspended from the Corporation until his dues have been paid. During suspensions, member rights to attend meetings and to any other privileges of membership in the Corporation shall also be suspended. Two months from the date on which the dues are payable, the Secretary, Treasurer or President shall notify all members in arrears.

If the dues of any member remain unpaid for a term of one year, the name of such defaulting member may be stricken from the membership list by the Board of Directors, and thereupon all of such member's rights in the property of the Corporation shall be terminated and extinguished.

The Board of Directors may, in its discretion, remit the dues of any member.

ARTICLE IX

Dissolution

Upon dissolution of this Corporation the assets of the Corporation, after payment of all of its debts and liabilities, shall be distributed among the then Company members in the same proportion as the total contribution of each of those members shall bear to the total contribution of such Company members made to the Corporation during its existence.

ARTICLE X

Fiscal Year

The fiscal year of the Corporation shall be from January 1 of one year through December 31 of the same year.

ARTICLE XI

Amendments

These Bylaws may be altered, amended, restated, or repealed and new bylaws may be adopted at any meeting of the Board of Directors of the Corporation by a majority of all of the directors then in office.

ARTICLE XII

Indemnification, Limitation of Liability and Insurance

Section 1. Indemnification. Unless expressly prohibited by law, the Corporation shall fully indemnify any person made, or threatened to be made, a party to any threatened, pending or completed action, suit or proceeding, whether civil, criminal, administrative or investigative by reason of the fact that he or she is or was a director, officer, employee or agent of the Corporation, or is or was serving at the request of the Corporation as a director, officer, employee or agent of another corporation, partnership, joint venture, trust or other enterprise, against expenses (including attorneys' fees), judgments, fines, and amounts paid in settlement actually and reasonably incurred in connection with such action, suit or proceeding.

Section 2. Limitation of Liability. No director of the Corporation shall be liable, and no cause of action may be brought for damages resulting from the exercise of judgment or discretion in connection with the duties or responsibilities of such director, unless: (1) such director earns in excess of \$5,000 per year from his or her duties as director, other than reimbursement for actual expenses; or (2) the act or omission involved willful or wanton conduct. No officer or other person who, without compensation other than reimbursement for actual expenses, renders service to or for the Corporation shall be liable, and no cause of action may be brought, for damages resulting from an act or omission in rendering such services, unless the act or omission involved willful or wanton conduct. For purposes of this section, "willful or wanton conduct" means a course of action which shows an actual or deliberate intention to cause harm or which, if not intentional, shows an utter indifference to or conscious disregard for the safety of others or their property.

Section 3. Insurance. The officers of the Corporation shall be authorized to purchase insurance, including (but not limited to) general liability and director and officer coverages, commensurate with the requirements of the Corporation.

Amended October 1990
Amended September 25, 1994
Amended January 25, 1997
Amended September 28, 1998
Amended July 14, 1999
Amended August 28, 2000

P006

RESOLUTIONS OF THE ACCCI BOARD OF DIRECTORS

RESOLVED, that the proposed amended and restated Bylaws attached hereto as Exhibit A are hereby adopted as of the date hereof as the amended and restated Bylaws of the American Coke and Coal Chemicals Institute (the "Corporation"), and the Secretary is hereby instructed to insert said amended and restated Bylaws in the Minute Book of the Corporation.

RESOLVED, that the procedures attached hereto as Exhibit B shall be substantially followed by the President in processing membership applications submitted to the Corporation.

RESOLVED, that the members classified prior to the amendment and restatement of the Bylaws as of the date hereof shall remain members of the Corporation but shall be reclassified within in the categories and classes of membership as are set forth in the schedule attached hereto as Exhibit C.

RESOLVED, that the Chairman, the Vice Chairmen, the President, the Secretary or Treasurer of the Corporation is hereby authorized and directed to open an account or accounts for the Corporation with such bank or banks in any state, country or jurisdiction as any such officer may deem appropriate in conducting the affairs of the Corporation, and to deposit therein funds coming into the possession of the Corporation, such account or accounts to be in the name of the Corporation.

RESOLVED FURTHER, that all such banks are hereby authorized and directed to pay checks and other orders for the payment of money drawn in the name of the Corporation when signed by any one of the Chairman, the Vice Chairmen, the President, the Secretary or Treasurer of the Corporation, and no such bank shall be required, in any case, to make inquiry respecting the application of any instrument executed by virtue of this resolution, or of the proceeds therefrom, nor be under any obligation to see to the application of such instrument or proceeds; and

RESOLVED FURTHER, that all resolutions required by such banks in connection with such accounts which are consistent with the foregoing are hereby adopted, and the President or the Secretary are directed to attach copies of all such resolutions to these resolutions.

RESOLVED, that all contracts and financial commitments entered into by the Corporation shall be executed by any one of the Chairman, the Vice Chairmen, the President, the Secretary or Treasurer of the Corporation.

RESOLVED, that the committees set forth on the list attached hereto as Exhibit D are hereby established until such time as the Board of Directors determines to discontinue such committees; and

RESOLVED FURTHER, that the Chairman is authorized to propose and recommend to the Board of Directors persons to serve on any committees (Exhibit E) that may from time to time be created by the Board of Directors.

RESOLVED, that the President and the proper officer or officers of the Corporation are hereby authorized and directed to do all things, take all actions and execute, deliver and file all documents as may be necessary or convenient in effecting the foregoing resolutions.

RESOLVED, that the Secretary or President shall file the foregoing resolutions of the Board of Directors in the Minute Book of the Corporation.

**RESOLUTION
of the
BOARD OF DIRECTORS OF**

AMERICAN COKE AND COAL CHEMICALS INSTITUTE

To Revise the ACCCI Bylaws

The Board of Directors of American Coke and Coal Chemicals Institute (“ACCCI” or “the Institute”), an Illinois not-for-profit corporation, adopts the following resolution in accordance with 805 ILCS 105/102.25 and Article XI of the ACCCI Bylaws:

WHEREAS, that the ACCCI Board of Directors believes it to be in the best interests of the Institute to be able to appoint alternate directors to serve in the absence of members of the Board of Directors for designated periods, provided that such alternate directors shall be sufficiently informed to exercise the fiduciary duties of directors; and

WHEREAS, that the Board agrees that the Institute’s Bylaws should be amended to make such changes.

NOW, THEREFORE, BE IT RESOLVED, that the Bylaws are amended by adding a new Section 9 at the end of Article IV to read as follows:

“**Section 9. Alternate Directors.** The Board of Directors may, by majority vote, designate an alternate director (“Alternate Director”) to serve in the capacity of director in the event of the absence of a director. The Board designation of an Alternate Director shall specify the director for whom the Alternate Director is serving as an alternate, and the term of the appointment, which may be for a single meeting of the Board. During the term of appointment, an Alternate Director shall have all rights, including voting rights, of the director in the absence of the director. The Alternate Director shall receive all correspondence and information relating to the activities of the Board as the director shall be entitled to receive and shall sufficiently inform himself to exercise the director’s fiduciary duties in the absence of such director.”

The above resolution was adopted by the Board of Directors and became effective on the 17th day of May, 2007.

Charles C. Stewart, Chairman
Bruce A. Steiner, President

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

Thursday, November 8, 2018
DoubleTree by Hilton Hotel & Suites
Pittsburgh, Pennsylvania

I. CALL TO ORDER

Board Chairman Rob Carlin, who was unable to attend the meeting "in person" and participated via conference call, called the meeting to order at 1:00 PM EST. He announced that, in his absence, Vice Chairman Dean Bishop had agreed to run the meeting. Vice Chairman Bishop noted the presence of a quorum for the record.

NOTE: Various meeting materials discussed during the meeting were provided to Board members via e-mail 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

- | | |
|--|-----------------------------------|
| Rob Carlin, Chairman (via conference call) | DTE Energy Services |
| Dean Bishop, Vice Chairman | ABC Coke |
| Dickie Owens | ABC Coke |
| Ron Burnette | DTE Energy Services |
| Don Wiggins (via conference call) | ERP Compliant Coke |
| Rob Gray | Hickman Williams & Company |
| Dave Schoen | Koppers, Inc. |
| Matt Kraeuter | ThyssenKrupp Industrial Solutions |
| Keith Kahl | SunCoke |
| Jeff Wozek, Secretary-Treasurer | SunCoke |
| Mike Rhoads | U. S. Steel |

Staff

- | | |
|---------------|----------------------------|
| David Ailor | President |
| Jan Deitch | Director of Administration |
| David Menotti | General Counsel |

The meeting attendance list was included as page 1 of the meeting materials.

A. Antitrust Statement

General Counsel David Menotti made a brief anti-trust compliance statement. He referenced ACCCI's antitrust policy, which was included as page 2 of the meeting materials.

B. Other Announcements

Mr. Bishop reviewed the customary logistics for the meeting, including the emergency exit and the rest room locations.

III. APPROVAL OF MINUTES OF APRIL 28, 2018, BUSINESS MEETING OF THE BOARD OF DIRECTORS

It was **MOVED** and **SECONDED** to approve the minutes of the last meeting of the Board of Directors held on Saturday, April 28, 2018, at The Resort at Longboat Key Club in Longboat Key, Florida (pages 3-7 of the meeting materials). There being no discussion, additions, or corrections, the minutes were **APPROVED** without exception.

IV. COMMITTEE REPORTS/UPDATES

A. REGULATORY AFFAIRS UPDATE, INCLUDING OTHER ASSOCIATIONS AND REGULATORY-FOCUSED COALITIONS OF WHICH ACCCI IS A MEMBER

Mr. Ailor presented his "Regulatory Affairs Update" and reported on sector-specific and general industry regulatory issues of concern to the U.S. coke industry, regulatory issues of concern to the coal chemicals industry, and other important regulatory affairs issues. Documents to which he referred during his report were the "Associations of Which ACCCI Is a Member/Regulatory-Focused Coalitions in Which ACCCI Participates" (pages 8-13 of the meeting materials); and, his "Regulatory Affairs Update" PowerPoint presentation for the meeting (furnished electronically to all meeting attendees prior to the meeting).

In reviewing the document entitled "Associations of Which ACCCI Is a Member/Regulatory-Focused Coalitions in Which ACCCI Participates," Mr. Ailor explained that all the listed associations, as well as and coalitions flagged with an asterisk, have membership fees associated with them. He explained that ACCCI benefits by participating in these associations and coalitions because it can leverage its limited resources in partnership with other associations to address/track the regulatory policy issues on which the associations/coalitions focus

Next, Mr. Ailor reported on the status of the U.S. coke industry and gave an update on the ACCCI-managed Coke Oven Environmental Task Force (COETF). He noted that Tonawanda Coke and Erie Coke were no longer members of either the COETF or ACCCI; Tonawanda Coke has permanently closed, while Erie Coke has dropped its memberships in the COETF and ACCCI. Mr. Ailor noted that text highlighted in red throughout his PowerPoint presentation was updated information since the last Board meeting in April 2018. He reported that the COETF is working with its new counsel, Jeff Knight (PWSP), in conducting strategic planning for EPA's ongoing PQBS RTR Project

B. INTERNATIONAL COMMITTEE

Mr. Ailor summarized the Census Bureau's coke import statistics report through August 2018 (pages 14-16 of the meeting materials). The Census Bureau added a new code to the report in 2018 – 2713110000 ("Petroleum Coke, Not Calcined"). Mr. Rhoads led a discussion regarding coke imports heading into 2019.

C. MEMBERSHIP REPORT

Ms. Deitch and Mr. Ailor reported that there had been several membership changes since

the Board's last meeting in April 2018, (page 17 of the meeting materials), as listed below

- Argus Media is not renewing its 2018 company membership.
- Erie Coke has not paid its 2018 membership dues and will not be renewing its ACCCI company membership in 2019.
- Tonawanda Coke did not pay its 2018 membership dues and has permanently closed its coke oven battery.
- A new company – Civil & Environmental Consultants, Inc./Mr. Martin Knuth – has asked to join ACCCI this year.

Insofar as Civil & Environmental Consultants, Inc., Ms. Deitch has sent an industry supplier company dues invoice to Mr. Knuth. ACCCI has not received payment yet from the company check.

Mr. Schoen led a discussion about increasing ACCCI's membership. He suggested that ACCCI approach company buyers and sales personnel for potential membership. Mr. Bishop thought that ACCCI needs a Membership Committee Chair and that more effort needs to be devoted to increasing membership. Mr. Schoen said he would consider becoming the Membership Committee Chair. As at prior meetings of the Board, Board members were urged to promote ACCCI membership to their business contacts.

V. STATISTICAL PROGRAMS REPORT

Mr. Ailor and Ms. Deitch reported on the status of ACCCI's quarterly statistical reports and annual benchmarking surveys (page 18 of the meeting materials).

VI. FINANCE REPORT

A. Most Recent (September 2018) Financial Statement

Mr. Bishop, Mr. Wozek and Mr. Ailor reviewed ACCCI's most recent monthly financial statement - that for September 2018 - reflecting income and expenses through the end of September (pages 19-25 of the meeting materials). Mr. Wozek asked whether the reserve funds in ACCCI's PNC Bank money market account would be sufficient to carry ACCCI through to January 2019; it was concluded that the funds were sufficient. Mr. Schoen suggested a potential cost-savings possibility for 2019 of combining the Spring 2019 Meeting of the MESH Committee with the 2019 Annual Meeting. This did not receive much support, principally because those who attend meetings of the MESH Committee (i.e., operations personnel) are not those who typically attend the Annual meetings (i.e., upper management).

Discussion then turned to Tonawanda Coke's bankruptcy filing. Following a full discussion, the Board decided that ACCCI should file the necessary claim(s) to recover from Tonawanda Coke, to the degree possible, all outstanding invoice payments due ACCCI, once the "proof of claim deadline" is set and ACCCI understands the claims' process via notices from the Bankruptcy Noticing Center. The Board also favored Mr. Ailor sending a registered letter to Erie Coke's Michael Durkin, requesting payment for all of Erie Coke's outstanding ACCCI invoices from 2018. It was **MOVED AND SECONDED** to approve both motions. The motions were **APPROVED**.

B. Approval of 2017 Audit

The 2017 Audit report prepared by Patton and Company CPAs was reviewed and discussed (pages 26-34 of the meeting materials). It was **MOVED** and **SECONDED** to accept the 2017 audit report. **MOTION PASSED.**

C. Approval of 2018 Auditor

A proposal from Patton and Company CPAs to conduct the 2018 audit, for a cost of not-to-exceed \$3,600, was discussed (page 35 of the meeting materials). It was **MOVED** and **SECONDED** to accept the proposal, which would include preparation of ACCCI's Form 990 income tax return. **MOTION PASSED.**

D. Projected Year-End 2018 Financial Statement

Mr. Ailor reviewed the projected year-end 2018 financial statement (pages 36-41 of the meeting materials).

E. Report of Board Task Force Appointed by Mr. Carlin to Provide Options for Managing ACCCI's Current and Future Budgets to Reduce/Reverse the Draw Down of the Association's Cash Reserves

Mr. Wozek reviewed the Task Force report and led a Board discussion on the same (pages 42-47 of the meeting materials). All agreed that ACCCI should reduce/reverse the draw down via a combination of income-generation and expense-reduction options. Among the options the Board decided to explore were increasing ACCCI's annual dues across all membership categories by 3 to 4 percent; increasing the registration fee for ACCCI's Annual Meetings to \$1,250 beginning in 2019; eliminating paid speakers from Annual Meetings post 2019; increasing the registration fee for ACCCI's MESH Committee Meetings by some amount and eliminating the "Clean Air Act Update" presentation by ACCCI's Clean Air Act counsel Jeff Knight (PWSP) from said Meetings, towards the Meetings being "cost neutral" to the degree possible; and, capping annual expenditures on associations of which ACCCI is a member and coalitions in which we participate. Two Board members not currently on the Task Force asked to be added to it - Don Wiggins (ERP Coke) and Mike Rhoads (USS).

Review and discussion r insofar as managing the budgets to reduce/reverse the draw down of ACCCI's cash reserves concluded with several decisions being made, including decisions that (1) beginning immediately, ACCCI staff would develop a draft budget for Fiscal Year/Calendar Year 2019 reflecting the above listed income-generation and expense-reduction options; (2) the Task Force would meet again, via conference call, at 2:00 PM EST on Tuesday, November 20, to review/discuss and decide "next steps" on the draft budget developed by staff, towards the Task Force submitting to the Board soon thereafter a recommended budget for review/consideration; and, (3) the Board would meet again, via conference call, at 3:00 PM EST on Thursday, December 6, to review/discuss and decide "next steps" on the recommended budget.

VII. MEETINGS UPDATE

A. MEETINGS CALENDAR

Mr. Ailor and Ms. Deitch updated those present on upcoming ACCCI meetings (page 48 of the meeting materials), including a tentative January 2019 Board conference call (if needed); the Spring 2019 Meeting of the MESH Committee on April 3-4, 2019, in the

Tampa/St. Petersburg, FL area; and, the 2019 Spring (Annual) Meeting on April 27- 28, 2019, at the Hyatt Regency Coconut Point Resort in Bonita Springs, FL. Mr. Ailor noted that planning for ACCCI's 2019 Annual Meeting had begun and that Mr. Scott Castleberry (ABC Coke) had volunteered to be the Program Chair for the meeting. The 2020 Spring (Annual) Meeting will be held on April 23-24, 2020, at the Westin Hilton Head Island Resort in Hilton Head Island, SC.

B. Discussion on Fall 2019 Business Meeting Date and Location

The Board decided that the 2019 Business Meeting of the Board will be held in Chicago, IL immediately following and at the same location as the Met Coke 2019 Conference, whenever and wherever that might be.

C. Discussion on 2021 Annual Meeting Date and Location

The Board decided to wait until 2019 to discuss and decide on the date and location of the 2021 Annual Meeting (pages 49-50 of the meeting materials).

VIII. OLD AND NEW BUSINESS

A. Appointment of Nominating Committee for Directors with Terms Expiring in 2019 (Dean Bishop, Rob Gray, and a Director TBD Filling ERP Coke's Open Board Seat)

The members of the Nominating Committee will be Mr. Mike Rhoads/USS (Chair), Mr. Rob Carlin/DTE Energy Services, and Mr. Dean Bishop/ABC Coke.

B. Other Business

No other business was discussed.

IX. EXECUTIVE SESSION

There was no expressed need for an Executive Session.

X. ADJOURNMENT

Mr. Bishop made closing remarks. There being no further business, the meeting was adjourned at 4:15 PM EST.

Respectfully submitted,

David C. Ailor, P.E., President

Approved,

Rob Carlin, Chairman

David E. Menotti, Esq., General Counsel

Imports 0081 - February 19

Time			February 2019				February 2019 YTD			
Measures			Count	QTY-1	Custom Val	CIF Val	Count	QTY-1	Custom Val	CIF Val
Commodity	Country	District								
2704000011 Coke A Smck Of Cl Fr Fl Nt In Brqts Gt	World Total	All Districts	1	87	35,180	50,680	2	174	70,047	101,047
		Chicago, IL	1	87	35,180	50,680	2	174	70,047	101,047
	Italy	All Districts	1	87	35,180	50,680	2	174	70,047	101,047
		Chicago, IL	1	87	35,180	50,680	2	174	70,047	101,047
2704000025 Coke/semico ke Of Coal, Nesoi (t)	World Total	All Districts	14	415	102,597	121,537	28	1,370	492,089	550,281
		Buffalo, NY					1	22	5,337	5,487
		Charleston, SC					4	648	344,905	375,715
		Detroit, MI	13	411	98,597	114,787	22	696	137,847	162,329
		New York City,	1	4	4,000	6,750	1	4	4,000	6,750
	Canada	All Districts	13	411	98,597	114,787	23	718	143,184	167,816
		Buffalo, NY					1	22	5,337	5,487
		Detroit, MI	13	411	98,597	114,787	22	696	137,847	162,329
	Japan	All Districts					2	408	142,931	155,141
		Charleston, SC					2	408	142,931	155,141
	South Africa	All Districts					2	240	201,974	220,574
		Charleston, SC					2	240	201,974	220,574
	United Kingdo	All Districts	1	4	4,000	6,750	1	4	4,000	6,750
		New York City,	1	4	4,000	6,750	1	4	4,000	6,750
2704000050 Coke/semico ke Of Lignite Or Peat; Retort Carbon (t)	World Total	All Districts	1	120	95,776	106,142	4	1,611	895,644	977,202
		Charleston, SC	1	120	95,776	106,142	2	240	185,970	206,704
		New Orleans, LA					1	1,351	685,204	743,028
		New York City, NY					1	20	24,470	27,470
	China	All Districts					1	20	24,470	27,470
		New York City, NY					1	20	24,470	27,470
	South Africa	All Districts	1	120	95,776	106,142	3	1,591	871,174	949,732
		Charleston, SC	1	120	95,776	106,142	2	240	185,970	206,704

		New Orleans, LA					1	1,351	685,204	743,028
		All Districts	140	4,172	422,078	437,936	321	51,246	8,362,154	10,030,509
		Buffalo, NY					1	84	3,714	3,914
		Cleveland, OH	5	0	0	0	13	0	0	0
		Detroit, MI	24	2,050	85,575	95,775	53	4,519	187,714	211,214
		Duluth, MN	19	1,501	128,003	131,803	44	3,476	296,428	305,228
		Houston-Galve	19	0	0	0	44	0	0	0
		Los Angeles, CA	18	0	0	0	38	0	0	0
		Mobile, AL	5	0	0	0	7	0	0	0
	World Total	New Orleans, LA	14	621	208,500	210,358	36	25,837	4,663,598	5,760,290
		New York City,	5	0	0	0	12	0	0	0
		Pembina, ND					1	80	2,200	2,300
		Philadelphia, PA	12	0	0	0	32	0	0	0
		Port Arthur, TX	8	0	0	0	23	17,250	3,208,500	3,747,563
		San Francisco, CA	9	0	0	0	12	0	0	0
		Seattle, WA	1	0	0	0	3	0	0	0
		St. Louis, MO	1	0	0	0	2	0	0	0
	Algeria	All Districts	3	0	0	0	9	0	0	0
		New York City,	1	0	0	0	1	0	0	0
		Philadelphia, PA	2	0	0	0	8	0	0	0
	Argentina	All Districts					1	24,183	4,107,942	5,199,319
		New Orleans, LA					1	24,183	4,107,942	5,199,319
	Brazil	All Districts	2	0	0	0	6	0	0	0
		Houston-Galveston, TX					1	0	0	0
		Los Angeles, CA	1	0	0	0	4	0	0	0
		Mobile, AL	1	0	0	0	1	0	0	0
	Canada	All Districts	50	3,551	213,578	227,578	115	8,159	490,056	522,656
		Buffalo, NY					1	84	3,714	3,914
		Cleveland, OH	5	0	0	0	11	0	0	0
		Detroit, MI	24	2,050	85,575	95,775	53	4,519	187,714	211,214
		Duluth, MN	19	1,501	128,003	131,803	44	3,476	296,428	305,228
		Houston-Galveston, TX					1	0	0	0

2713110000 Petroleum Coke, Not Calcined (t)		Pembina, ND					1	80	2,200	2,300	
		Seattle, WA	1	0	0	0	2	0	0	0	
		St. Louis, MO	1	0	0	0	2	0	0	0	
		China	All Districts	1	621	208,500	210,358	2	1,654	555,656	560,971
			New Orleans, L	1	621	208,500	210,358	2	1,654	555,656	560,971
			All Districts	5	0	0	0	6	0	0	0
		Colombia	Houston-Galve	2	0	0	0	3	0	0	0
			Los Angeles, CA	2	0	0	0	2	0	0	0
			New Orleans, L	1	0	0	0	1	0	0	0
		Ecuador	All Districts	4	0	0	0	12	0	0	0
			Houston-Galveston, TX					2	0	0	0
			Los Angeles, CA	2	0	0	0	8	0	0	0
			San Francisco, C	2	0	0	0	2	0	0	0
		Egypt	All Districts	3	0	0	0	6	0	0	0
			New York City,	1	0	0	0	4	0	0	0
			Philadelphia, P	2	0	0	0	2	0	0	0
		Guatemala	All Districts	2	0	0	0	3	0	0	0
			Houston-Galve	2	0	0	0	3	0	0	0
		Iraq	All Districts	26	0	0	0	47	0	0	0
			Houston-Galve	9	0	0	0	15	0	0	0
			Los Angeles, CA	6	0	0	0	9	0	0	0
			New Orleans, L	5	0	0	0	14	0	0	0
			Port Arthur, TX	2	0	0	0	5	0	0	0
			San Francisco, C	4	0	0	0	4	0	0	0
		Kazakhstan	All Districts					1	0	0	0
			Philadelphia, PA					1	0	0	0
		Kuwait	All Districts	4	0	0	0	5	0	0	0
			Houston-Galveston, TX					1	0	0	0
			Los Angeles, CA	3	0	0	0	3	0	0	0
			New Orleans, L	1	0	0	0	1	0	0	0
	Libya	All Districts	1	0	0	0	5	0	0	0	
		New York City,	1	0	0	0	5	0	0	0	

	Mexico	All Districts	7	0	0	0	12	0	0	0
		Houston-Galve	2	0	0	0	5	0	0	0
		Port Arthur, TX	5	0	0	0	7	0	0	0
	Nigeria	All Districts	2	0	0	0	4	0	0	0
		Cleveland, OH					2	0	0	0
	Norway	New York City,	2	0	0	0	2	0	0	0
		All Districts	3	0	0	0	4	0	0	0
	Russia	Philadelphia, P,	3	0	0	0	4	0	0	0
		All Districts	3	0	0	0	15	0	0	0
		Los Angeles, CA					1	0	0	0
		New Orleans, LA					2	0	0	0
		Philadelphia, P,	2	0	0	0	10	0	0	0
		Port Arthur, TX	1	0	0	0	1	0	0	0
		San Francisco, CA					1	0	0	0
	Saudi Arabia	All Districts	16	0	0	0	47	0	0	0
		Houston-Galve	4	0	0	0	11	0	0	0
		Los Angeles, CA	4	0	0	0	11	0	0	0
		New Orleans, L	2	0	0	0	10	0	0	0
		Philadelphia, P,	3	0	0	0	7	0	0	0
		Port Arthur, TX					2	0	0	0
		San Francisco, C	3	0	0	0	5	0	0	0
	United Kingdo	Seattle, WA					1	0	0	0
		All Districts					1	17,250	3,208,500	3,747,563
Port Arthur, TX						1	17,250	3,208,500	3,747,563	
Venezuela	All Districts	8	0	0	0	20	0	0	0	
	Houston-Galveston, TX					2	0	0	0	
	Mobile, AL	4	0	0	0	6	0	0	0	
	New Orleans, L	4	0	0	0	5	0	0	0	
	Port Arthur, TX					7	0	0	0	

C. MEMBERSHIP REPORT

There has been a change in membership since the previous meeting. Fluid Power Technologies joined ACCCI this year as a new member on February 20, 2019. Orion Engineered Carbons decided not to renew their ACCCI membership this year due to company cutbacks in expenses. Civil & Environmental Consultants, Inc. decided not to join the Institute. Company & Associate dues payment reminders are being sent out to companies that haven't paid their 2019 dues yet. As requested at all meetings, Directors are urged to promote ACCCI membership based on business contacts.

From: [Dutkiewicz, Garrett Jaye](#)
To: DAilor@ACCCL.ORG
Subject: Contact Info
Date: Tuesday, March 12, 2019 11:52:48 AM
Attachments: [image001.png](#)

David,

Please see my contact information below.

Garrett Dutkiewicz
Global Market Intelligence Consultant
201 Isabella St. Suite 500
Pittsburgh, PA 15212
(O): 412-315-2721
(C): 412-583-6116
Garrett.Dutkiewicz@Alcoa.com | www.Alcoa.com



David Ailor

From: Ernie Goffi <ernie.d.goffi@gmail.com>
Sent: Wednesday, January 9, 2019 4:20 PM
To: dailor@accii.org
Subject: Peter Schiestal
Attachments: Peter Schiestal.vcf; Untitled attachment 00430.txt

Hi Dave,

Here is the contact for STELCO Coke Division.

Let me know if I can be of further service.



ALASKA CALIFORNIA FLORIDA MID-PACIFIC NORTHEAST NORTHERN ROCKIES
NORTHWEST ROCKY MOUNTAIN WASHINGTON, D.C. INTERNATIONAL

VIA CERTIFIED MAIL -- RETURN RECEIPT REQUESTED AND EMAIL

February 13, 2019

Mr. Andrew Wheeler
Acting Administrator
Environmental Protection Agency
1101A EPA Headquarters
William Jefferson Clinton Building
1200 Pennsylvania Avenue, NW
Washington D.C. 20460
wheeler.andrew@epa.gov

RE: Notice of Citizen Suit Concerning Clean Air Act Deadlines for Coke Oven Source Category Rulemakings and Study

Dear Acting Administrator Wheeler,

This is a notice of "a failure of the Administrator to perform any act or duty under this chapter which is not discretionary with the Administrator" under Clean Air Act § 304, 42 U.S.C. § 7604(a)(2). This notice is provided to you as Administrator of the U.S. Environmental Protection Agency ("EPA"), in your official capacity, pursuant to 42 U.S.C. § 7604(b)(2) and 40 C.F.R. Part 54 as a prerequisite to bringing a civil action.

The organizations giving this notice are: Gasp, 2320 Highland Ave. S., Suite 270, Birmingham, AL 35205, (205) 938-4272; Louisiana Bucket Brigade, 2803 Saint Phillip Street, New Orleans, LA 70119, (504) 482-3433; PennFuture, 200 First Avenue, Suite 200, Pittsburgh, PA 15222, (412) 456-2785; and Sierra Club, 2101 Webster St Suite 1300, Oakland, CA 94612, (415) 977-5500.

Section 112(d) – MACT Review and Revision. Section 112(d)(6) of the Clean Air Act requires EPA to "review and revise as necessary (taking into account developments in practices, processes, and control technologies), emission standards promulgated under [§ 112] no less often than every 8 years." 42 U.S.C. § 7412(d)(6).

More than eight years have passed since EPA promulgated Clean Air Act § 112 regulations for the following categories:

- (1) Coke Ovens: Pushing, Quenching, and Battery Stacks, 40 C.F.R. Part 63 Subpart CCCCC (68 Fed. Reg. 18,008 (Apr. 14, 2003) and 70 Fed. Reg. 44,285 (August 2, 2005));
- and

- (2) Coke Oven Batteries, 40 C.F.R. Part 63 Subpart L (58 Fed. Reg. 57,898 (Oct. 27, 1993), and 70 Fed. Reg. 19,992 (Apr. 15, 2005)).

EPA has not reviewed and revised, as necessary, emission standards for these categories, as Clean Air Act § 112(d)(6) requires.

For Subpart CCCCC Coke Ovens, EPA violated and is in ongoing violation of the Act as of its action deadline of at least August 2, 2013, or alternatively, April 14, 2011. For Subpart L Coke Oven Batteries, EPA violated and is in ongoing violation of the Act as of its action deadline of April 15, 2013. Accordingly, EPA has failed to perform a nondiscretionary duty within the meaning of Clean Air Act § 304. 42 U.S.C. § 7604(a)(2).

Section 112(f) - Standards to Protect Health and Environment. Section 112(f) of the Clean Air Act provides that:

(A) . . . [T]he Administrator shall, within 8 years after promulgation of standards for each category or subcategory of sources pursuant to [§ 112(d)], promulgate standards for such category or subcategory if promulgation of such standards is required in order to provide an ample margin of safety to protect public health in accordance with this section (as in effect before November 15, 1990) or to prevent, taking into consideration costs, energy, safety, and other relevant factors, an adverse environmental effect. . . .

If standards promulgated pursuant to [§ 112(d)] and applicable to a category or subcategory of sources emitting a pollutant (or pollutants) classified as a known, probable or possible human carcinogen do not reduce lifetime excess cancer risks to the individual most exposed to emissions from a source in the category or subcategory to less than one in one million, the Administrator shall promulgate standards under this subsection for this source category.

. . .

(C) The Administrator shall determine whether or not to promulgate such standards and, if the Administrator decides to promulgate such standards, shall promulgate the standards 8 years after promulgation of the standards under [§ 112(d)] for each source category or subcategory concerned.

42 U.S.C. § 7412(f)(2).

More than eight years have passed since EPA promulgated standards under § 112(d) for the following categories of major sources of hazardous air pollutants:

- (1) Coke Ovens: Pushing, Quenching, and Battery Stacks, 40 C.F.R. Part 63 Subpart CCCCC (68 Fed. Reg. 18,008 (Apr. 14, 2003) and 70 Fed. Reg. 44,285 (August 2, 2005));
and
- (2) Coke Oven Batteries, 40 C.F.R. Part 63 Subpart L (58 Fed. Reg. 57,898 (Oct. 27, 1993), and 70 Fed. Reg. 19,992 (Apr. 15, 2005)).

For both categories, EPA failed to either promulgate § 112(f) standards or determine that such standards are not “required in order to provide an ample margin of safety to protect public health in accordance with this section . . . or to prevent, taking into consideration costs, energy, safety, and other relevant factors, an adverse environmental effect.” 42 U.S.C. § 7412(f)(2)(A).

For Subpart CCCCC Coke Ovens, EPA violated and is in ongoing violation of the Act, as of its action deadline of at least August 2, 2013, or alternatively, April 14, 2011. For Subpart L Coke Oven Batteries, EPA violated and is in ongoing violation of the Act, as of its action deadline of April 15, 2013. Accordingly, EPA has failed to perform a nondiscretionary duty within the meaning of Clean Air Act § 304. 42 U.S.C. § 7604(a)(2).

Section 112(n) – Coke Oven Study. Section 112(n)(2) of the Clean Air Act provides that:

(A) The Secretary of the Department of Energy and the Administrator shall jointly undertake a 6-year study to assess coke oven production emission control technologies and to assist in the development and commercialization of technically practicable and economically viable control technologies which have the potential to significantly reduce emissions of hazardous air pollutants from coke oven production facilities.

...

(C) On completion of the study, the Secretary shall submit to Congress a report on the results of the study and shall make recommendations to the Administrator identifying practicable and economically viable control technologies for coke oven production facilities to reduce residual risks remaining after implementation of the standard under subsection (d).

(D) There are authorized to be appropriated \$5,000,000 for each of the fiscal years 1992 through 1997 to carry out the program authorized by this paragraph.

42 U.S.C. § 7412(n)(2).

EPA has neither undertaken nor completed the required study assessing coke oven production emission control technologies, nor has a report on the results of such a study been submitted to Congress. Accordingly, EPA violated and is ongoing violation of Clean Air Act

§ 112(n)(2), as of its action deadline October 1, 1997, *see id.*, and has failed to perform a nondiscretionary duty within the meaning of Clean Air Act § 304, 42 U.S.C. § 7604(a)(2).

60-Day Notice. Under Clean Air Act § 304, the above-listed organizations may commence a citizen suit to compel you to perform any or all of the above duties at any time beginning sixty days from the postmark date of this letter, which is February 13, 2019. *See* 40 C.F.R. § 54.2(d).

Contact Information. We are acting as attorneys for the above-listed organizations in this matter. Please contact us at your earliest convenience regarding this matter. Please address any communications to us at the address and telephone number set forth below.

Sincerely,



Tosh Sagar
James S. Pew
Earthjustice
1625 Massachusetts Ave., NW, Suite 702
Washington, D.C. 20036-2243
Tel: (202) 797-4300
tsagar@earthjustice.org
jpew@earthjustice.org

cc: Matthew Z. Leopold, General Counsel, Office of General Counsel, EPA
Bill Wehrum, Assistant Administrator, Office of Air and Radiation, EPA
Peter Tsigotis, Director, Office of Air Quality Planning and Standards, EPA

1 PAUL R. CORT, State Bar No. 184336
Earthjustice
2 50 California Street
San Francisco, CA 94111
3 pcort@earthjustice.org
Tel: 415-217-2000
4 Fax: 415-217-2040

5 TOSH SAGAR, *Pro Hac Vice* Pending
JAMES S. PEW, *Pro Hac Vice* Pending
6 Earthjustice
7 1625 Massachusetts Ave., NW, Ste. 702
Washington, DC 20036
8 tsagar@earthjustice.org, jpew@earthjustice.org
Tel: 202-667-4500
9 Fax: 202-667-2356

10 *Counsel for Plaintiffs Citizens for Pennsylvania's Future,*
11 *Gasp, Louisiana Bucket Brigade, and Sierra Club*

12 **IN THE UNITED STATES DISTRICT COURT**
13 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**

14)
15)
16)
17)
18)
19)
20)
21)
22)
23)

CITIZENS FOR PENNSYLVANIA'S
FUTURE, GASP, LOUISIANA BUCKET
BRIGADE, and SIERRA CLUB,

Plaintiffs,

v.

ANDREW WHEELER, Administrator, U.S.
Environmental Protection Agency, in his
official capacity,

Defendant.

Civil Action No. _____

**COMPLAINT FOR
DECLARATORY AND
INJUNCTIVE RELIEF**

Table A: Source Categories Covered By This Complaint		
Source Category	Date Of Promulgation	Deadline For Action Pursuant To § 7412(d)(6) And § 7412(f)(2)
2. Coke Ovens: Pushing, Quenching, and Battery Stacks, 68 Fed. Reg. 18,008 (codified at 40 C.F.R. Part 63, Subpart CCCCC), as amended by 70 Fed. Reg. 44,285	August 2, 2005 (or, alternatively, April 14, 2003)	August 2, 2013 (or, alternatively, April 14, 2011)

2. Due to the Defendant Administrator's failures to act, Plaintiffs Citizens for Pennsylvania's Future, Gasp, Louisiana Bucket Brigade, and Sierra Club (collectively, "Plaintiffs") seek both a determination that the Defendant Administrator's failures to perform each action required by 42 U.S.C. § 7412(d)(6) and § 7412(f)(2) violate the Clean Air Act, and an order to compel the Administrator to take each required action in accordance with an expeditious deadline set by this Court.

JURISDICTION AND VENUE

3. This action arises under the Clean Air Act, 42 U.S.C. § 7412(d)(6), (f)(2). This Court has jurisdiction over this action pursuant to 42 U.S.C. § 7604(a)(2), 28 U.S.C. § 1331, and 28 U.S.C. § 1361. This Court may order the Administrator to perform the requisite acts and duties, may issue a declaratory judgment, and may grant further relief pursuant to the Clean Air Act, 42 U.S.C. § 7604(a), the Declaratory Judgment Act, 28 U.S.C. §§ 2201-2202, and 28 U.S.C. § 1361. Plaintiffs have a right to bring this action pursuant to the Clean Air Act, 42 U.S.C. § 7604(a)(2), 28 U.S.C. § 1361, and the Administrative Procedure Act, 5 U.S.C. §§ 701-706.

4. By certified letters to the Administrator posted on February 13, 2019, Plaintiffs gave notice of this action as required by 42 U.S.C. § 7604(b)(2).

1 ecosystems and resources; to educating and enlisting humanity to protect and restore the quality
2 of the natural and human environment; and to using all lawful means to carry out these
3 objectives. The Sierra Club is dedicated to the protection of public health and the environment,
4 including clean air. Sierra Club brings this action on behalf of itself and its members.
5

6 10. Defendant Andrew Wheeler is the Administrator of the EPA. In that role he is
7 charged with the duty to uphold the Clean Air Act and to take required regulatory actions
8 according to the schedules established therein.

9 LEGAL FRAMEWORK

10 11. The Clean Air Act has the purpose “to protect and enhance the quality of the
11 Nation’s air resources so as to promote the public health and welfare and the productive capacity
12 of its population.” 42 U.S.C. § 7401(b)(1).
13

14 12. A “primary goal” of the Act is “pollution prevention.” *Id.* § 7401(c). Congress
15 found the Act to be necessary in part because “the growth in the amount and complexity of air
16 pollution brought about by urbanization, industrial development, and the increasing use of motor
17 vehicles, has resulted in mounting dangers to the public health and welfare, including injury to
18 agricultural crops and livestock, damage to and the deterioration of property, and hazards to air
19 and ground transportation.” *Id.* § 7401(a)(2).
20

21 13. To accomplish its objectives, the Act prescribes a regulatory framework within
22 which EPA is required to set technology and risk-based standards by specific deadlines to reduce
23 emissions of hazardous air pollutants¹ and the harm to health and the environment these
24 emissions cause. *Id.* § 7412.
25

26
27 ¹ The term “hazardous air pollutant” is defined as “any air pollutant listed pursuant to
28 [§ 7412(b)].” 42 U.S.C. § 7412(a)(6) (citing *id.* § 7412(b)).

1 14. In the 1990 Clean Air Act Amendments, Congress established new requirements
2 for EPA to control toxic air pollution. *Id.* By statute, Congress listed 189 pollutants as
3 “hazardous air pollutants” and required EPA to list every other compound “known to cause or
4 [that] may reasonably be anticipated to cause adverse effects to human health or adverse
5 environmental effects.” *Id.* § 7412(b)(1), (b)(3)(B); *see also id.* § 7412(c)(6).² Congress listed
6 “coke oven emissions” as one of the original 189 hazardous air pollutants. *Id.* § 7412(b)(1).
7

8 15. The Act requires EPA to list categories of major sources of hazardous air
9 pollutants. 42 U.S.C. § 7412(c)(1). A “major source” is defined as “any stationary source or
10 group of stationary sources located within a contiguous area and under common control that
11 emits or has the potential to emit considering controls, in the aggregate, 10 tons per year or more
12 of any hazardous air pollutant or 25 tons per year or more of any combination of hazardous air
13 pollutants.” *Id.* § 7412(a)(1).
14

15 16. Congress expressly identified “coke oven batteries” as a category of major
16 sources of hazardous air pollutants. 42 U.S.C. § 7412(d)(8).
17

18 17. EPA must promulgate emission standards for each listed category or subcategory
19 of major sources of hazardous air pollutants, including coke oven batteries. *Id.* § 7412(d). These
20 standards are often referred to as “maximum achievable control technology” or “MACT”
21 standards.
22

23 18. For the coke oven batteries source category, Congress mandated that EPA set
24 MACT standards to ensure that emissions from identified emissions points in the process of coke
25

26 ² Currently, 187 hazardous air pollutants are listed for regulation. EPA, *Technology Transfer*
27 *Network – Air Toxics Web Site: Modifications to the 112(b)(1) Hazardous Air Pollutants*,
28 <http://www.epa.gov/ttn/atw/pollutants/atwsmod.html> (last updated Feb. 23, 2016).

1 production—charging, doors, lids, and offtakes—do not exceed express statutory limits.

2 42 U.S.C. § 7412(d)(8)(A).

3 19. Once the Administrator has promulgated MACT standards for a source category,
4 “[t]he Administrator shall review, and revise as necessary (taking into account developments in
5 practices, processes, and control technologies), [MACT] standards...no less often than every 8
6 years.” *Id.* § 7412(d)(6). This provision requires the Administrator either to promulgate revised
7 MACT standards or to issue a final determination not to revise the existing standards based upon
8 a published finding that revision is not “necessary” to ensure the standards satisfy § 7412(d). *Id.*

9
10 20. Section 7412(f) requires further action “to protect health and environment.” It
11 mandates that EPA submit a report to Congress regarding residual risk—i.e. “the risk to public
12 health remaining, or likely to remain” after the application of MACT standards under § 7412(d).
13 *Id.* § 7412(f)(1). If Congress does not act on the recommendations submitted in the report,
14 Section 7412(f)(2) directs that:
15

16 (A) ...the Administrator shall, within 8 years after
17 promulgation of standards for each category or subcategory of
18 sources pursuant to [§ 7412(d)], promulgate standards for such
19 category or subcategory if promulgation of such standards is
20 required in order to provide an ample margin of safety to protect
21 public health in accordance with this section ... or to prevent,
22 taking into consideration costs, energy, safety, and other relevant
23 factors, an adverse environmental effect. Emission standards
24 promulgated under this subsection shall provide an ample margin
25 of safety to protect public health in accordance with this section (as
26 in effect before November 15, 1990) If standards promulgated
27 pursuant to [§ 7412(d)] and applicable to a category or subcategory
28 of sources emitting a pollutant (or pollutants) classified as a
known, probable or possible human carcinogen do not reduce
lifetime excess cancer risks to the individual most exposed to
emissions from a source in the category or subcategory to less than
one in one million, the Administrator shall promulgate standards
under this subsection for such source category.

...

1 (C) The Administrator shall determine whether or not to
2 promulgate such standards and, if the Administrator decides to
3 promulgate such standards, shall promulgate the standards 8 years
4 after promulgation of the [§ 7412(d) standards] for each source
5 category or subcategory concerned.

6 *Id.* § 7412(f)(2). Thus, if residual risk standards are “required in order to provide an ample
7 margin of safety to protect public health” or “to prevent ... an adverse environmental effect,”
8 then the Administrator must promulgate such standards within eight years of the promulgation of
9 § 7412(d) standards. *Id.* § 7412(f)(2)(A).

10 21. In 1999, EPA submitted a report to Congress pursuant to § 7412(f)(1). *See* EPA,
11 EPA-453/R-99-001, *Residual Risk Report to Congress* (Mar. 1999),
12 http://www.epa.gov/airtoxics/rrisk/risk_rep.pdf. Congress did not act on that report’s
13 recommendations. Congressional inaction triggered the duty of the Administrator to determine
14 whether to promulgate residual risk standards under § 7412(f)(2) for those source categories for
15 which EPA had promulgated § 7412(d) standards. 42 U.S.C. § 7412(f)(2). Therefore, under
16 § 7412(f)(2), EPA is required either to promulgate residual risk standards that will protect the
17 public with an ample margin of safety or to determine that such standards are not necessary.

18 22. The Act guarantees citizens a right to present their views and information to EPA
19 and have them considered by the agency. The Act applies § 7607(d) rulemaking requirements to
20 “the promulgation or revision of any ... emission standard or limitation under section 7412(d) of
21 this title” and “any standard under section 7412(f) of this title,” among others. *Id.*

22 § 7607(d)(1)(C). Section 7607(d) requires EPA to provide public notice of proposed rulemaking
23 accompanied by a statement of its basis and purpose, which must include the factual data on
24 which the proposed rule is based and the methodology used in obtaining and analyzing the data.

25 *Id.* § 7607(d)(3). Section 7607(d) also requires EPA to allow any person to submit written
26 comments, data, or documentary information, and to present data, views, or arguments orally.
27
28

1 27. Charging, coking, soaking, pushing, and quenching all result in the formation of
2 coke oven emissions.

3 28. Coke oven emissions are an oily, yellow-brown smoke composed of 43
4 constituent pollutants that are each listed as hazardous air pollutants under the Clean Air Act.
5 Constituent hazardous air pollutants include organic compounds—including polycyclic organic
6 matter (POM), polynuclear aromatic hydrocarbons (PAH), and volatile organic compounds
7 (VOC), such as benzene, toluene, and xylene—metals, such as lead and mercury, and other
8 hazardous air pollutants, such as hydrochloric acid and hydrofluoric acid.
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10 29. Coke oven emissions are hazardous. EPA has recognized that coke oven
11 emissions can cause serious acute and chronic human health effects. Breathing these pollutants
12 can cause cancer as well as other kinds of chronic, long-term harm. In addition, breathing coke
13 oven emissions can cause acute harm from short-term exposure.
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15 30. EPA has classified coke oven emissions as a known human carcinogen. Studies of
16 workers in coke oven batteries show an increased risk of death from cancer of the lung, trachea
17 and bronchus, kidney, prostate, and other sites. EPA has recognized that carcinogens have no
18 safe level of human exposure. *Natural Res. Def. Council v. EPA*, 824 F.2d 1211, 1215 (D.C. Cir.
19 1987) (observing that EPA determined “that known and probable carcinogens have no safe
20 threshold”); *see also* S. Rep. No. 101-228, at 175 (1989), *reprinted in* 1990 U.S.C.C.A.N. 3385,
21 3560 (“Federal Government health policy since the mid-1950s has been premised on the
22 principle that there is no safe level of exposure to a carcinogen”).
23

24 31. EPA’s own risk assessment indicates that approximately 4 million people are
25 exposed to coke oven emissions. As a result, 500,000 people face a cancer risk greater than 1 in
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1 1,000,000. National Emissions Standards for Coke Oven Batteries, 70 Fed. Reg. 19,992, 19,993
2 (Apr. 15, 2005).

3 32. In humans, coke oven emissions are associated with other chronic health disorders
4 including, blood disorders, damage to the central nervous system, and respiratory lesions, and
5 acute health disorders, including irritation of skin, eyes, and mucous membranes, and depression
6 of the central nervous system. Additionally, animal studies have reported weakness, depression,
7 shortness of breath, general edema, and effects on the liver from acute oral exposure to coke
8 oven emissions.
9

10 33. Some of the hazardous air pollutants emitted from coke ovens persist in the
11 environment or bioaccumulate.
12

13 34. For example, EPA has determined that lead, a constituent of coke oven emissions,
14 is a persistent, bioaccumulative, and toxic heavy metal that threatens the neurological
15 development of children and can precipitate high blood pressure, heart disease, kidney disease,
16 and reduced fertility in adults. Lead is likely to cause cancer. Lead and Lead Compounds;
17 Lowering of Reporting Thresholds; Community Right-to-Know Toxic Chemical Release
18 Reporting, 66 Fed. Reg. 4500, 4501-04 (Jan. 17, 2001); EPA, *Lead Compounds, Hazard*
19 *Summary*, <https://www.epa.gov/sites/production/files/2016-09/documents/lead-compounds.pdf>
20 (last updated Sep. 2011); EPA, *Basic Information About Lead Air Pollution*,
21 <https://www.epa.gov/lead-air-pollution/basic-information-about-lead-air-pollution> (last updated
22 Mar. 30, 2016). There is no safe level of human exposure to lead. Nat'l Inst. of Env'tl. Health
23 Scis., *Lead*, www.niehs.nih.gov/health/topics/agents/lead/ (last updated Oct. 12, 2018); World
24 Health Org.; *Lead poisoning and health*, www.who.int/mediacentre/factsheets/fs379/en/ (last
25 updated Aug. 2015).
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1 35. In another example, mercury, a constituent of coke oven emissions, is deposited
2 in water and accumulates in the aquatic food chain. EPA, *How People are Exposed to Mercury*,
3 <https://www.epa.gov/mercury/how-people-are-exposed-mercury> (last updated Apr. 3, 2019).
4 EPA has determined that pregnant women and developing fetuses and young children are
5 particularly vulnerable to mercury exposure. EPA, *Health Effects of Exposures to Mercury*,
6 <https://www.epa.gov/mercury/health-effects-exposures-mercury> (last updated Jan. 29, 2019);
7 National Emission Standards for Hazardous Air Pollutants from Coal- and Oil-Fired Electric
8 Utility Steam Generating Units and Standards of Performance for Fossil-Fuel-Fired Electric
9 Utility, Industrial-Commercial-Institutional, and Small Industrial-Commercial-Institutional
10 Steam Generating Units, 76 Fed. Reg. 24,976, 24,977-78 (May 3, 2011). Pollutants that persist or
11 bioaccumulate in the environment can harm human health via routes or pathways other than
12 inhalation, such as when a pollutant falls on the soil and children are exposed through playing in
13 the soil, or when people eat fish, shellfish, breast-milk, or other food in which such pollutants
14 have accumulated. *See, e.g.*, EPA, *Basic Information about Mercury*,
15 <http://www.epa.gov/mercury/basic-information-about-mercury> (last updated Jan. 29, 2019);
16 EPA, *How People are Exposed to Mercury*. In addition, EPA has found that such pollutants can
17 harm fish and plants. *See, e.g.*, EPA, *Basic Information about Mercury*; EPA, EPA-452/R-97-
18 008, *Mercury Study Report to Congress*, Vol. VI at 2-26 to 2-27 (Dec. 1997),
19 <http://www.epa.gov/sites/production/files/2015-09/documents/volume6.pdf>.

20 36. EPA has listed two categories as major sources of hazardous air pollutants that
21 involve coke oven batteries, Coke Oven Batteries and Coke Ovens: Pushing, Quenching, and
22 Battery Stacks. Initial List of Categories of Sources Under Section 112(c)(1) of the Clean Air
23 Act Amendments of 1990, 57 Fed. Reg. 31,576 (July 16, 1992); National Emission Standards for
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1 Hazardous Air Pollutants; Revision of Initial List of Categories of Sources and Schedule for
2 Standards Under Sections 112(c) and (e) of the Clean Air Act Amendments of 1990, 61 Fed.
3 Reg. 28,197 (June 4, 1996); National Emission Standards for Hazardous Air Pollutants: Revision
4 of Source Category List and Schedule for Standards Under Section 112 of the Clean Air Act,
5 64 Fed. Reg. 63,025 (Nov. 18, 1999).

7 37. As EPA has explained, the two Coke Oven Source Categories cover different
8 emission points in facilities that contain coke oven batteries. As the Clean Air Act expressly
9 singled out the emissions resulting from charging and coking—by establishing maximum limits
10 on coke oven emissions from charging and leakage during coking from doors, lids, and offtakes,
11 42 U.S.C. § 7412(d)(8)(A)—EPA established the source category entitled “Coke Oven Batteries”
12 to cover only those statutorily enumerated emissions points. EPA established a second source
13 category, entitled “Coke Oven: Pushing, Quenching, and Battery Stacks,” to cover other
14 emissions points from coke oven batteries that are not expressly enumerated in the Clean Air
15 Act.

17 38. Coke Oven Batteries

18 a. The Administrator promulgated national emission standards for hazardous air
19 pollutants for Coke Oven Batteries on April 15, 2005. 70 Fed. Reg. 19,992.

21 b. The Administrator was required to take final action to fulfill his 42 U.S.C.
22 § 7412(f)(2) and § 7412(d)(6) duties for the Coke Oven Batteries source category by April 15,
23 2013, *i.e.*, “within 8 years after promulgation” and “no less often than every 8 years.”

24 c. More than eight years have passed since the Administrator promulgated emission
25 standards under 42 U.S.C. § 7412 for Coke Oven Batteries.
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1 d. The Administrator has not completed the reviews required by § 7412(d)(6) and
2 § 7412(f)(2) for Coke Oven Batteries.

3 e. The Administrator has not published public notice of a proposed rule or
4 determination, and has not accepted comments, data, or argument on a proposed rule or
5 determination, nor has he responded to significant comments or new data, or issued a statement
6 of basis and purpose for a final rule or determination for the reviews required by § 7412(d)(6)
7 and § 7412(f)(2) for Coke Oven Batteries.

9 f. Since April 15, 2005, the Administrator has not promulgated a final rule or
10 determination pursuant to § 7412(f)(2) for Coke Oven Batteries.

11 g. Since April 15, 2005, the Administrator has not promulgated a revised final rule
12 or determination pursuant to § 7412(d)(6) for Coke Oven Batteries.

13
14 39. Coke Ovens: Pushing Quenching, and Battery Stacks

15 a. The Administrator promulgated national emission standards for hazardous air
16 pollutants for Coke Ovens: Pushing, Quenching, and Battery Stacks on April 14, 2003. 68 Fed.
17 Reg. 18,008. Those standards were challenged and, pursuant to a settlement of that challenge,
18 revised on August 2, 2005. 70 Fed. Reg. 44285.

19 b. The Administrator was required to take final action to fulfill his 42 U.S.C.
20 § 7412(f)(2) and § 7412(d)(6) duties for Coke Ovens: Pushing, Quenching, and Battery Stacks
21 source category by August 2, 2013, or, alternatively, April 14, 2011, *i.e.*, “within 8 years after
22 promulgation” and “no less often than every 8 years.”

23 c. More than eight years have passed since the Administrator promulgated emission
24 standards under 42 U.S.C. § 7412 for Coke Ovens: Pushing, Quenching, and Battery Stacks.
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1 d. The Administrator has not completed the reviews required by § 7412(d)(6) and
2 § 7412(f)(2) for Coke Ovens: Pushing, Quenching, and Battery Stacks.

3 e. The Administrator has not published public notice of a proposed rule or
4 determination, and has not accepted comments, data, or argument on a proposed rule or
5 determination, nor has he responded to significant comments or new data, or issued a statement
6 of basis and purpose for a final rule or determination for the reviews required by § 7412(d)(6)
7 and § 7412(f)(2) for Coke Ovens: Pushing, Quenching, and Battery Stacks.

9 f. Since August 2, 2005, the Administrator has not promulgated a final rule or
10 determination pursuant to § 7412(f)(2) for Coke Ovens: Pushing, Quenching, and Battery Stacks.

11 g. No rule or determination promulgated pursuant to § 7412(f)(2) for Coke Ovens:
12 Pushing, Quenching, and Battery Stacks is currently effective.

13 h. Since, August 2, 2005, the Administrator has not promulgated a revised final rule
14 or determination pursuant to § 7412(d)(6) for Coke Ovens: Pushing, Quenching, and Battery
15 Stacks.

16 i. No rule or determination promulgated pursuant to § 7412(d)(6) for Coke Ovens:
17 Pushing, Quenching, and Battery Stacks is currently effective.
18

19
20 **ALLEGATIONS OF INJURY**

21 40. Plaintiffs and their members have been, are being, and will continue to be harmed
22 by the Administrator's failures to take the actions required by 42 U.S.C. § 7412(d)(6) and
23 § 7412(f)(2) for the Coke Oven Source Categories.

24 41. Plaintiffs' members live, work, travel, recreate, and engage in a wide variety of
25 other activities near coke ovens batteries and facilities where coke oven batteries will be
26 constructed. Plaintiffs' members suffer or will suffer exposure and other harm to their health,
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1 recreational, aesthetic, educational, professional, and other interests due to breathing the
2 hazardous air pollutants emitted by coke ovens and by other pathways of exposure as described
3 in paragraphs 29-35, above. Exposure to hazardous air pollutants emitted by sources in the Coke
4 Oven Source Categories has adverse health effects which may include respiratory, neurological,
5 developmental, and reproductive harm; damage to bodily organs and the central nervous system;
6 and cancer, as well as other health effects described in paragraphs 29-35, above.

8 42. Plaintiffs' members are concerned that coke oven emissions and emissions of
9 other hazardous air pollutants are or will be present in the locations where they live, work, travel,
10 recreate, and engage in other activities. These reasonable concerns about their increased
11 exposure from such activities and other resulting harms from such exposure diminish their
12 enjoyment of activities and areas they previously enjoyed or would like to continue to engage in
13 or use and thereby harm their recreational, aesthetic, educational, professional, and other
14 interests.

16 43. Plaintiffs and their members suffer additional harm because they do not have
17 information, published findings, or determinations from the Administrator regarding: the best
18 available current pollution control methods, practices, and technologies to achieve emission
19 reductions; the health and environmental risks that remain after application of the existing
20 standards; or other information relevant to the need for stronger emission standards for the
21 sources in the Coke Oven Source Categories. This information would be provided to Plaintiffs,
22 their members, and all other interested members of the public as a result of the Administrator's
23 required actions pursuant to § 7412(d)(6) and § 7412(f)(2). *See, e.g.*, 42 U.S.C. § 7607(d)(3)-(6)
24 (describing notice and informational disclosures required as part of rulemakings under § 7412).
25 If Plaintiffs and their members had this information, they would use it to work for stronger health
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1 and environmental protections; to educate members, supporters, and the public pursuant to their
2 organizational missions; and to protect themselves and their families from hazardous air
3 pollutants and affected land, water, and food. The denial of this information impairs Plaintiffs'
4 ability to provide information and services to their members to assist them in protecting their
5 interests, hampers the ability of Plaintiffs and their members to take actions to protect their
6 health and communities, and diminishes their enjoyment of activities in their daily life.

8 44. Plaintiffs and their members suffer harm because they are denied the opportunity
9 to submit written comments, data, and documentary information to EPA and to present data,
10 views, or arguments to EPA and have them considered by EPA and responded to as part of the
11 overdue § 7412(d)(6) and § 7412(f)(2) rulemakings. The Administrator's failures to conduct the
12 overdue rulemakings deny Plaintiffs and their members the opportunity to seek greater health
13 protections and emissions reductions, and to have EPA consider and respond to such comments
14 in taking the final actions required by § 7412(d)(6) and § 7412(f)(2). Deprivation of the ability to
15 present comments and arguments and have them considered and addressed by EPA impairs
16 Plaintiffs' and their members' ability to serve and protect their interests and fulfill their
17 organizational missions.
18

19 45. Plaintiffs and their members suffer harm because the Administrator has not
20 issued a final rule or determination under § 7412(d)(6) and § 7412(f)(2) addressing matters these
21 provisions require, as discussed above. Any such rule or determination would be judicially
22 reviewable. *See id.* § 7607(b); *see also id.* § 7607(d). Deprivation of the right to judicial review
23 harms the ability of Plaintiffs and their members to protect their interests and fulfill their
24 organizational missions.
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1 46. The Administrator's failures to take actions required by § 7412(d)(6) and
2 § 7412(f)(2) deprive Plaintiffs' members of the cleaner air that would result from those actions.
3 Consequently, Defendant prolongs and increases Plaintiffs' members' exposure to hazardous air
4 pollutants and the related and resulting health, recreational, aesthetic, and other injuries as
5 described above. Defendant also prolongs and increases the hazardous air pollutant exposure of
6 wildlife, plants, water, land, local communities, and ecosystems, resulting in harm to Plaintiffs'
7 members' interests, as described above. Emission reductions required under § 7412(d)(6) and
8 § 7412(f)(2) would reduce these exposures, and would reduce the related health, recreational,
9 aesthetic, and other harms suffered by Plaintiffs' members.
10

11 47. By not taking the actions required by § 7412(d)(6) and § 7412(f)(2), the
12 Administrator deprives Plaintiffs and their members of information, published findings, and
13 determinations, as described above. *See, e.g., id.* § 7607(d)(3)-(6). In addition, the
14 Administrator's failures to take the actions required by § 7412(d)(6) and § 7412(f)(2) deprive
15 Plaintiffs and their members of the opportunity to receive judicial review of the lawfulness of the
16 final EPA actions. *See id.* § 7607(b). These failures make it more difficult for Plaintiffs and their
17 members to seek health and environmental protections from hazardous air pollutants; to shield
18 themselves, their families, and other community members from exposure to such pollutants; to
19 protect their health, recreational, aesthetic, and other interests; and to be able to enjoy activities
20 in their daily life without concerns about exposure to hazardous air pollutants. These failures also
21 impair Plaintiffs' abilities to provide educational services to their members concerning hazardous
22 air pollution from the sources in the Coke Oven Source Categories and hinder Plaintiffs' ability
23 to provide services and take actions vital to fulfilling their public health missions.
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PRAYER FOR RELIEF

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2 54. WHEREFORE, Plaintiffs respectfully request, for each of the Coke Oven Source
3 Categories enumerated in Paragraph 1, above, that the Court:

4 (1) Declare that each of the Defendant Administrator’s failures within eight years to
5 review and either revise standards promulgated under § 7412(d) or issue a final determination
6 that such revision is not necessary for each of the Coke Oven Source Categories pursuant to
7 § 7412(d)(6), constitutes a “failure of the Administrator to perform any act or duty under this
8 chapter which is not discretionary with the Administrator” within the meaning of § 7604(a)(2);
9

10 (2) Order the Defendant Administrator to review and either to revise the emission
11 standards or to issue a final determination that such revision is not necessary for each of the
12 Coke Oven Source Categories pursuant to § 7412(d)(6) in accordance with an expeditious
13 deadline specified by this Court;
14

15 (3) Declare that each of the Defendant Administrator’s failures, within eight years of
16 promulgating an emission standard, either to promulgate § 7412(f)(2) standards or to issue a final
17 determination that such standards are not required for each of the Coke Oven Source Categories
18 constitutes a “failure of the Administrator to perform any act or duty under this chapter which is
19 not discretionary with the Administrator” within the meaning of § 7604(a)(2);
20

21 (4) Order the Defendant Administrator either to promulgate § 7412(f)(2) standards or
22 to issue a final determination that such standards are not required for each of the Coke Oven
23 Source Categories pursuant to § 7412(f)(2) in accordance with an expeditious deadline specified
24 by this Court;
25

26 (5) Retain jurisdiction to ensure compliance with this Court’s decree;

27 (6) Award Plaintiffs the costs of this action, including attorney’s fees; and,
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1 (7) Grant such other relief as the Court deems just and proper.
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4 DATED: April 15, 2019

Respectfully Submitted,

5 /s/ Tosh Sagar

6 Tosh Sagar (D.C. Bar No. 1562693)

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Associations of Which ACCCI Is a Member/ Regulatory-Focused Coalitions in Which ACCCI Participates

ASSOCIATIONS

- **National Association of Manufacturers (NAM):*** NAM is the largest manufacturing association in the United States, representing small and large manufacturers in every industrial sector and in all 50 states. Manufacturing employs nearly 12 million men and women, contributes more than \$2.17 trillion to the U.S. economy annually, has the largest economic impact of any major sector, and accounts for three-quarters of private-sector research and development. The NAM is the powerful voice of the manufacturing community and the leading advocate for a policy agenda that helps manufacturers compete in the global economy and create jobs across the United States.
- **Pavement Coatings Technology Council (PCTC):*** A number of states and localities have enacted or are considering bills to ban refined tar-based pavement sealants. PCTC, to which ACCCI and several member companies belong, tracks and interacts with those advocating ban bills by rebutting false claims and presenting technical and scientific studies to support the industry's opposition to such legislation.

COALITIONS

Employee Safety Coalitions

- **Coalition for Workplace Safety (CWS):** CWS, which is led by the U.S. Chamber of Commerce, is comprised of a group of associations and employers who believe in improving workplace safety through cooperation, assistance, transparency, clarity and accountability. It advocates for fair and balanced legislative and regulatory policies that impact employee safety.

On July 30, 2018, OSHA released a Notice of Proposed Rulemaking to revise the electronic injury and illness reporting regulation originally issued by the Obama Administration (formally known as Tracking of Workplace Injuries and Illnesses). On September 28, 2018, the comment deadline, CWS submitted comments, as did the National Association of Manufacturers (NAM) of which ACCCI is a member. ACCCI joined 59 other associations on CWS' comments and 27 other associations on NAM's comments.

Environmental Coalitions

- **American Alliance for Innovation (AAI):** AAI, which is led by the American Chemistry Council (ACC), is advocating with EPA Capitol Hill for fair and balanced policies in the first reform of the Toxic Substances Control Act (TSCA) in a generation.
- **Boiler MACT Reconsideration Litigation Coalition:*** This coalition has intervened in NGO litigation over EPA's Boiler MACT Reconsideration Rule.
- **Business Network for Environmental Justice (BNEJ):** The BNEJ, which is based at the National Association of Manufacturers, was formed in 1995. It is a voluntary organization of businesses, corporations, industry trade associations, industry service providers and business groups interested in environmental justice issues. The BNEJ believes that all people should be treated fairly under all laws, including environmental laws, without discrimination based on race, color or national origin. BNEJ supports open and informed dialogue with citizens about environmental decisions that affect local communities. It also supports continued systematic, objective scientific research into factors affecting human health and the environment, and the use

of scientifically sound risk assessments in evaluating and prioritizing health and environmental risks.

- **Chemical Security Coalition (CSC):** CSC, which is led by the American Petroleum Institute (API), tracks and addresses chemical security legislation being considered on Capitol Hill.
- **CAA Section 112(c)(6) Coalition:*** ACCCI joined this coalition to participate in an amicus brief in litigation filed by the Sierra Club in July 2015 relative to EPA's June 2015 Clean Air Act (CAA) Section 112(c)(6) completion determination.
- **Clean Power Plan (CPP) Litigation Coalition:*** The CPP Litigation Coalition, which is led by the National Association of Manufacturers (NAM) of which ACCCI is a member and the U.S. Chamber of Commerce, is challenging the Obama Administration's Clean Power Plan final rules.
- **Clean Power Plan (CPP) Repeal Rule Coalition:*** On October 16, 2017, EPA proposed to repeal the stayed Obama EPA's Carbon Pollution Emission Guidelines for Existing Stationary Sources: Electric Utility Generating Units, commonly referred to as the Clean Power Plan (CPP), as promulgated on October 23, 2015 (82 Fed. Reg. 48035). During November 2017, ACCCI joined the CPP Repeal Rule Coalition, which is led by the National Association of Manufacturers (NAM) of which ACCCI is a member and the U.S. Chamber of Commerce, in commenting on the proposed CPP Repeal Rule. The deadline for commenting was April 26, 2018.
- **Clean Power Plan (CPP) Replacement Rule Coalition:*** On December 28, 2017, EPA issued an **Advanced Notice of Proposed Rulemaking (ANPRM)** seeking comment on the "next steps" to replace the CPP (82 Fed. Reg. 61507). The ANPRM is a separate, but related, action to the October 16, 2017, proposal to repeal the CPP. EPA has proposed to determine that the CPP exceeds EPA's statutory authority under the Clean Air Act (CAA). In the ANPRM, EPA specifically solicited information on systems of emission reduction that are applicable to or at an EGU facility, information on compliance measures, and information on state-planning requirements under CAA Section 111(d). Comments were due on February 26, 2018, and ACCCI joined a coalition led by the National Association of Manufacturers (NAM) of which ACCCI is a member and the U.S. Chamber of Commerce, in commenting on it.
- **Ad Hoc Coalition on DOT-FHWA October 5, 2017, GHG Proposal:** On October 5, 2017, DOT's Federal Highway Administration (FHWA) proposed to repeal an Obama Administration regulation requiring state transportation planners to track on-road greenhouse gas (GHG) emissions and set "locally appropriate" emissions targets on national highway (82 Fed. Reg. 46427). On November 6, 2017, ACCCI joined 37 other associations on a letter to FHWA on the proposal. The comments, which were developed by the American Highway Users Alliance (AHUA), urged FHWA to finalize the proposed repeal as soon as possible after the close of the comment period and opposed any extension of the comment period. In February 2017, ACCCI joined 39 other associations on a letter to DOT developed by the American Road & Transportation Builders Association (ARTBA) expressing concern over the inclusion of GHG monitoring requirements. FHWA subsequently withdrew the GHG provision from the performance measure in May 2017.
- **Coalition Commenting on EPA's August 31, 2018, Affordable Clean Energy (ACE) Proposal.** On August 31, 2018, EPA proposed a new rule, "Emission Guidelines for Greenhouse Gas Emissions From Existing Electric Utility Generating Units; Revisions to Emission Guideline Implementing Regulations; Revisions to New Source Review Program," to reduce greenhouse gas (GHG) emissions from existing coal-fired electric utility generating units and power plants across the country. This proposal (see <https://www.regulations.gov/document?D=EPA-HQ-OAR-2017-0355-21117> and EPA Fact Sheet (https://www.epa.gov/sites/production/files/2018-08/documents/ace_overview_0.pdf)), also known as the Affordable Clean Energy (ACE) Rule, establishes emission guidelines for states to use when developing plans to limit GHGs at their

power plants. The ACE Rule would replace the Obama EPA's CPP, which remains suspended after the Supreme Court in 2016 put a temporary hold on its implementation following a lawsuit from coal states. During October 2018, ACCCI, with the concurrence of ACCCI's Coal Chemicals Subcommittee and MESH Environmental Subcommittee, joined this coalition for a contribution of \$1,000. The coalition will be commenting on the proposal by the October 31, 2018, comment deadline.

- **Coalition for Emissions Accuracy:*** The Coalition is an industry organization that is working with EPA towards the development and maintenance of accurate air quality emissions factors.
- **Corrosivity Characteristic Coalition:*** The Coalition is focused on a petition filed by Public Employees for Environmental Responsibility (PEER) seeking to compel EPA to lower the upper limit of the RCRA Corrosivity Characteristic from pH 12.5 to pH 11.5, a 10-fold reduction. The Coalition is arguing that "a rule that met the petitioners' requests needlessly would subject an enormous quantity of materials, many of which currently are safely used for productive purposes, to RCRA hazardous waste requirements with no corresponding benefit in the form of improved worker, public, or environmental safety. In fact, amending the corrosivity characteristic as requested would result in classifying as 'hazardous' millions of tons more material than could be accommodated in currently available Subtitle C landfills."
- **Council of Great Lakes Industries (CGLI):*** CGLI is an organization of Canadian and US companies and industry associations committed to sustainable development in the Great Lakes region. For 25 years, CGLI has worked to ensure that industry is a substantive partner in the development of the Great Lakes regional environmental, natural resource, and other public policy.

ACCCI first joined CGLI in the 1990s to make certain that our "... industry interests [were] heard and addressed in Great Lakes policy discussions ..." involving the other stakeholders in CGLI - EPA, Environment Canada and ENGOs. Sometime after 2005, ACCCI held a joint, "shared cost" membership in CGLI with another organization of which ACCCI is a member which is pushing back aggressively against legislation banning use of coal tar-based sealants that has been enacted or is being considered in various states/localities (e.g., NY, MI, MN, IL, ME, Chicago) - the Pavement Coatings Technology Council (PCTC) - whose mission is to "... [work] with regulatory bodies to develop appropriate resolutions of [pavement coating] issues" pertaining to coal-tar based sealers.

The ACCCI-PCTC joint membership in CGLI lapsed several years ago, but PCTC expressed an interest in rejoining CGLI on a joint, "shared cost" basis with ACCCI, with the two associations splitting equally the \$5,000/year membership fee. In late 2017, ACCCI's Coal Chemicals Environmental and MESH Environmental subcommittees decided that ACCCI would rejoin CGLI, on a "shared cost" basis, with PCTC.

- **Federal Recycling and Remediation Coalition (FRRC):*** On April 5, 2010, ACCCI was a party to a multi-association comment letter to EPA on a January 6, 2010, EPA Advance Notice of Proposed Rulemaking (ANPRM) identifying additional classes of facilities, including coal products manufacturing, for development of financial responsibility requirements under Section 108(b) of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA). EPA's decision on the additional classes of facilities for development of financial responsibility requirements was based on an analysis of Toxic Release Inventory data and knowledge of chemicals found at Superfund sites.

On January 11, 2017, EPA proposed requirements in its CERCLA Financial Assurance Rule for the Hard Rock Mining Sector for demonstrating financial responsibility within the hardrock mining industry. The proposed rule could be costly: EPA estimates the costs imposed by the rule to the hardrock mining industry will exceed \$7 billion. EPA announced in the proposed rule that it has decided to propose similar rules for the chemical manufacturing, petroleum and coal products

manufacturing, and electric power generation, transmission and distribution industries. FRRRC plans to comment, and ACCCI is participating in FRRRC to that end.

- **Federal Water Quality Coalition (FWQC):*** The FWQC is a coalition of industrial companies, municipal entities, property owners, and trade associations that are directly affected, or have members that are directly affected, by regulatory and policy decisions made pursuant to the Federal Water Pollution Control Act (the Clean Water Act). It advocates for its members on said regulatory and policy decisions.

In early February 2018, ACCCI joined an “ad hoc” coalition of the FWQC focused on litigation in Maine that pertains to EPA decisions regarding the issuance of human health water quality standards. FWQC counsel recommended that this coalition “... file an amicus brief, to ensure that the court understands the concerns of the regulated community about EPA’s positions, and to point out the potential national implications of the issues being raised in the Maine case.” On February 28, 2018, with the blessing of ACCCI’s Coal Chemicals Environmental and MESH Environmental subcommittees, ACCCI joined the “ad hoc” coalition filing an amicus brief. Counsel filed the coalition’s brief on March 2, 2018.

- **H2S Coalition:*** The H2S Coalition tracks and addresses regulatory, product stewardship, research, and related matters pertinent to H2S uses and manufacturing applications.
- **Metals Industries Recycling Coalition:*** In the interest of preserving legal options/leverage, MIRC has filed a protective Motion to Intervene on EPA’s “Definition of Solid Waste” (DSW) Final Rule because environmental groups filed Petitions challenging the rule as insufficiently restrictive.
- **NAAQS Implementation Coalition (NIC):*** NIC, which is comprised of trade associations, companies, and other entities who confront challenges in the permitting of new or expanded facilities under new and increasingly stringent NAAQS, advocates against outdated EPA policies and models that contribute to these challenges.
- **New Source Review (NSR) Reform Coalition:** On October 25, 2017, EPA issued a report entitled “Final Report on Review of Agency Actions that Potentially Burden the Safe, Efficient Development of Domestic Energy Resources under Executive Order 13783.” With respect to air quality issues, the report indicated that EPA would establish task forces to review the New Source Review (NSR) program and ozone NAAQS implementation issues. Insofar as the upcoming review of the NSR program, a multi-association coalition formed to engage EPA during the review, and ACCCI has been a participant in this coalition.

On March 13, 2018, EPA Administrator Scott Pruitt issued a memorandum reinterpreting EPA regulations that determine when a project triggers NSR. Among other things, the memorandum allows companies and regulators to consider emissions increases and decreases when determining whether a project would cause a significant emissions increase for NSR purposes. In the recent past, the evaluation of emissions decreases largely was limited to determining whether a project that may cause a significant emission increase would cause a significant *net* emissions increase after taking into consideration contemporaneous increases and decreases. The U.S. Chamber of Commerce is “... relatively certain that opponents will file legal challenges to the memorandum and the Chamber is evaluating participation if that litigation occurs.” As of April 2018, the Chamber is exploring a coalition geared toward providing additional legal support for the memorandum in the courts.

On September 4, 2018, EPA released for comment draft guidance entitled “Interpreting ‘Adjacent’ for New Source Review and Title V Source Determinations in All Industries Other Than Oil and Gas” (see <https://www.epa.gov/nsr/forms/interpreting-adjacent-source-determinations>). On October 5, 2018, ACCCI joined nine other associations on a comment letter to EPA; The American Petroleum Institute, which leads the NSR Reform Coalition, took the lead in developing this letter.

- **Ozone NAAQS Coalition:*** The Ozone NAAQS Coalition, which is managed by the same counsel who manages the NAAQS Implementation Coalition (NIC) of which ACCCI is also a member (Joe Stanko (Hunton & Williams)), has a different mission from NIC and is “separate and apart” from it. NIC, which is comprised of trade associations, companies, and other entities who confront challenges in the permitting of new or expanded facilities under new and increasingly stringent NAAQS, advocates for its members against outdated EPA policies and models that contribute to these challenges. The Ozone NAAQS Coalition, on the other hand, which is comprised of most/all of the same trade associations, companies, and other entities as NIC, advocates for its members on the stringency of NAAQS.

The current focus of the Coalition, which is the only industry coalition in Washington, D.C. advocating on the stringency of NAAQS, is the Ozone NAAQS. However, its focus will shift to the PM NAAQS as EPA shifts its attention to the stringency of that NAAQS. In late 2017, ACCCI's Coal Chemicals Environmental and MESH Environmental subcommittees decided that ACCCI would join the Coalition on a “shared cost” basis, with ACCCI's annual dues (\$5,000/year) coming from ACCCI's annual budget.

- **Ozone NAAQS Litigation Coalition:*** ACCCI is partnering with eight other associations in a multi-industry Ozone Litigation Coalition that is challenging EPA's October 2015 Ozone NAAQS final rule. The final rule lowers the current 2008 standard of 75 parts per billion (“ppb”) down to a level of 70 ppb for both the primary and secondary standards.
- **PM NAAQS Research Coalitions:*** In July 2018, ACCCI joined two separate but related coalitions that are conducting research on methodology for measuring condensable PM and health effects related to PM exposure, the results from which would be used to inform upcoming EPA decisionmaking related to the PM NAAQS. The PM health effects coalition is engaged in planning for a Causality Symposium scheduled for October 3-4 in Chapel Hill, NC. A dozen EPA representatives are registered to attend, and the coalition hopes to get a greater variety of stakeholders and academics. Details on the Symposium, including the agenda, can be viewed at <http://pmcausalitysymposium.org/>.
- **Partnership for a Better Energy Future (PBEF):** The PBEF, which is led by NAM, is a coalition of business organizations representing over 80 percent of the U.S. economy. Its fundamental mission is to promote an “all-of-the-above” energy strategy that ensures the continued availability of reliable and affordable energy for American families and businesses.
- **Residual Risk Coalition (R2C):*** The R2C is an ad-hoc group comprised of the American Chemistry Council, the American Coke and Coal Chemicals Institute, the American Forest & Paper Association, the American Fuel & Petrochemical Manufacturers, the American Iron and Steel Institute, the American Petroleum Institute, the National Oilseed Processors Association, and the Rubber Manufacturers Association. Each R2C organization has members that are subject to “MACT” standards that have been (or will be) subject to residual risk and technology review (“RTR”) pursuant to § 112. The R2C is dedicated to working constructively with the Environmental Protection Agency (“EPA”) to develop a practical and environmentally responsible approach to satisfying EPA's technology review requirements under § 112(d)(6) and its residual risk review obligations under § 112(f).
- **Social Cost of Carbon (SCC) Coalition:** The SCC Coalition is challenging DOE's use of specific SCC estimates in the Agency's cost-benefit analysis for proposed energy efficiency standards for a number of consumer products. The Obama Administration is using these SCC estimates to justify numerous proposed greenhouse gas (GHG) rules. The Coalition is advocating for SCC estimates that are based on transparent processes, accurate information, rational assumptions, and within the reach of the current scientific understanding and impact models.

- **SSM Coalition:*** The SSM Coalition is commenting on various EPA rulemakings that are re-shaping the way emission standards under Clean Air Act (CAA) sections 112 and 129 will apply during startup, shutdown and malfunction (SSM) events.
- **SSM Litigation Coalition:*** The SSM Litigation Coalition has filed litigation for judicial review on EPA's June 12, 2015, SSM SIP Call rule. The Rule issues "State Implementation Plan" (SIP) calls to 36 states, declaring those states' SIPs "substantially inadequate to attain or maintain" ambient standards, mitigate interstate transport, or "otherwise comply with any requirement of" the CAA, under CAA § 110(k)(5)."
- **TSCA Inventory Update Intervention Group:*** This coalition, which is being led by the American Chemistry Council (ACC), is intervening in ENGO TSCA litigation in support of EPA and the Agency's TSCA Inventory Reset final rule. ACCCI joined this coalition in September 2017 when it was being formed.
- **TSCA Prioritization and Risk Evaluation Intervention Group:*** This coalition, which is being led by the American Chemistry Council (ACC), is intervening in ENGO TSCA litigation in support of EPA and the Agency's TSCA Prioritization and Risk Evaluation final rules. ACCCI joined this coalition in September 2017 when it was being formed.
- **United Drone Network:** UDN is a diverse coalition of trade associations representing a broad spectrum of industries who both manufacture Unmanned Aircraft Systems (UAS)/drones as well as depend on them in regular business operations. UDN supports the safe and responsible use of drones; however, drones can also pose challenging safety and security risks. There is no doubt that drone technology is advancing rapidly and drones have a bright future as long as they are used appropriately.

* Shared-Cost Coalition

American Coke and Coal Chemicals Institute

Status of Statistical Reports (as of April 17, 2019)

Quarterly Reports

Merchant Coke Production/Shipments	Q1 2019 data request has been sent out.
Tar Distillation	Q1 2019 data request has been sent out.
Coke Plants Injury/Illness (Safety)	Q1 2019 data request has been sent out.

Monthly Trade Reports

Coke Imports	Complete through February 2019. The next report will be for the March '19 data to be posted by the Census Bureau on May 9, 2019.
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Annual Reports

Tar Refiners Safety Benchmarking	2018 complete (7 plants).
Total U.S. Coke Production	2018 complete.

**AMERICAN COKE & COAL CHEMICALS INSTITUTE (including COETF)
BALANCE SHEET
THREE-MONTH FINANCIAL STATEMENT
March 31, 2019**

ASSETS

ACCCI - Commercial Checking - PNC Bank	\$	281,448.91
COETF - Commercial Checking - PNC Bank		97,655.61
Insured Savings - PNC Bank		103,276.32
Accounts Receivable		77,154.17
Prepaid Expenses		<u>0.00</u>

TOTAL ASSETS: \$ 559,535.01

LIABILITIES

Accounts Payable	\$	0.00
Prepaid Income		<u>0.00</u>

TOTAL LIABILITIES: \$ 0.00

FUND BALANCE:

Fund Balance at January 1, 2019	\$	261,077.65
Excess of Receipts over Disbursements		<u>298,457.36</u>

TOTAL FUND BALANCE \$ 559,535.01

TOTAL LIABILITIES AND FUND BALANCE: \$ 559,535.01

ACCCI (Including COETF)

NET INCOME/(EXPENSE) SUMMARY
March 31, 2019

	<u>BUDGET 2019</u>	<u>BUDGET YTD 03/31/19</u>	<u>ACTUAL YTD 03/31/19</u>	<u>ACTUAL YTD 2018</u>
<u>NET GAIN (LOSS)</u>				
General / Administration	(220.00)	235,406.00	226,990.20	242,328.56
COETF	0.00	0.00	(827.92)	7,500.00
PCTC	0.00	0.00	83,600.00	118,300.00
Annual Mtgs.				
Spring	(21,540.00)	(5,385.00)	(11,304.92)	(4,546.92)
Fall	(5,300.00)	(1,325.00)	0.00	0.00
Total Net Gain (Loss)	<u>(27,060.00)</u>	<u>228,696.00</u>	<u>298,457.36</u>	<u>363,581.64</u>
NOTES:				
BEGINNING FUND BALANCE	261,078	261,078	261,078	290,512
END OF YEAR PROJECTED FUND BALANCE	<u>234,018</u>	<u>489,774</u>	<u>559,535</u>	<u>654,094</u>

NET INCOME/(EXPENSE) SUMMARY
March 31, 2019

		BUDGET	BUDGET	ACTUAL	ACTUAL
		2019	YTD 03/31/19	YTD 03/31/19	YTD 2018
<u>INCOME</u>					
General / Administration		325,180.00	316,758.00	315,394.71	326,506.41
Annual Mtgs.					
	Spring	56,660.00	14,165.00	13,305.00	17,670.00
	Fall	1,200.00	300.00	0.00	0.00
Total Income		383,040.00	331,223.00	328,699.71	344,176.41
<u>EXPENSE</u>					
General / Administration		152,690.00	38,174.00	32,052.30	31,498.91
Committees		15,000.00	3,750.00	17.79	38.77
Regulatory Affairs		157,710.00	39,428.00	56,334.42	52,640.17
Annual Meetings					
	Spring	78,200.00	19,550.00	24,609.92	22,216.92
	Fall	6,500.00	1,625.00	0.00	0.00
Total Expense		410,100.00	102,527.00	113,014.43	106,394.77
COETF		0.00	0.00	(827.92)	7,500.00
PCTC		0.00	0.00	83,600.00	118,300.00
Surplus/(Deficit)		(27,060.00)	228,696.00	298,457.36	363,581.64

NET INCOME/(EXPENSE) SUMMARY
March 31, 2019

GENERAL & ADMINISTRATIVE:

		BUDGET	BUDGET	ACTUAL	ACTUAL
<u>INCOME</u>		2019	YTD 03/31/19	YTD 03/31/19	YTD 2018
Company Dues	16-3020-01	307,890.00	307,890.00	307,890.00	319,780.00
Company Dues - New Members	16-3025-01	0.00	0.00	1,400.00	0.00
Associate Dues	16-3030-01	6,060.00	6,060.00	6,060.00	6,660.00
Interest and Dividends	16-3800-01	230.00	58.00	44.71	66.41
MESH Committee Meeting Registrations	16-3900-01	11,000.00	2,750.00	0.00	0.00
Miscellaneous Income	16-3920-01	0.00	0.00	0.00	0.00
TSCA Test Rule	16-3940-01	0.00	0.00	0.00	0.00
Coal Chemicals	16-3950-01	0.00	0.00	0.00	0.00
PAH Scpg Proj/2 PAH Proj In	16-3960-01	0.00	0.00	0.00	0.00
Dermal PAH IRIS Crmnts In	16-3965-01	0.00	0.00	0.00	0.00
2 PAH Proj/Legal In	16-3970-01	0.00	0.00	0.00	0.00
Total Reg. Admin. Income		325,180.00	316,758.00	315,394.71	326,506.41

		BUDGET	BUDGET	ACTUAL	ACTUAL
<u>EXPENSES</u>		2019	YTD 03/31/19	YTD 03/31/19	YTD 2018
Audit and Bond	16-4060-01	3,600.00	900.00	0.00	0.00
Computer Services	16-4070-01	1,000.00	250.00	0.00	0.00
Dues and Subscriptions	16-4100-01	1,690.00	423.00	1,690.00	1,500.00
Insurance (O&D Liability)	16-4170-01	3,000.00	750.00	0.00	0.00
Legal Counsel (Fees)	16-4188-01	15,000.00	3,750.00	0.00	0.00
Note(Acct# 18418801): Budget 2017 # was amended as reflected in F18 BOD Business Mtg Minutes & subsequent 10/25/16 Email Summary to: \$15,000.00					
Legal Counsel (Expenses)	16-4189-01	1,200.00	300.00	0.00	0.00
Management	16-4240-01	116,800.00	29,200.00	29,103.00	29,103.00
Headquarters	16-4250-01	500.00	125.00	0.00	0.00
Board of Dir./F&B Comm mtgs.	16-4320-01	1,500.00	375.00	168.27	0.00
Meeting Expense	16-4325-01	0.00	0.00	0.00	0.00
Miscellaneous	16-4360-01	1,000.00	250.00	0.00	265.91
Postage/Freight/Delivery	16-4400-01	250.00	63.00	30.37	93.45
Stationery/Printing/Supplies	16-4440-01	350.00	88.00	0.00	109.12
Gifts/Awards	16-4447-01	500.00	125.00	0.00	137.98
Statistical Programs	16-4450-01	500.00	125.00	85.84	0.00
Administrative/Accounting/Mailroom	16-4460-01	800.00	200.00	40.00	40.00
Taxes	16-4470-01	0.00	0.00	0.00	0.00
Telephone/FAX/Equip/Reception	16-4480-01	500.00	125.00	229.50	229.50
Travel--Staff	16-4500-01	3,500.00	875.00	685.37	0.00
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
Steiner Consulting	16-4907-01	0.00	0.00	0.00	0.00
Transition	16-4908-01	0.00	0.00	0.00	0.00
Web Site Development/Maintenance	16-4909-01	1,000.00	250.00	19.95	19.95
Total Regular Admin. Expense		152,690.00	38,174.00	32,052.30	31,498.91

		BUDGET	BUDGET	ACTUAL	ACTUAL
<u>COMMITTEES:</u>		2019	YTD 03/31/19	YTD 03/31/19	YTD 2018
Coke Committee	16-4341-01	0.00	0.00	0.00	38.77
MESH Committee	16-4344-01	15,000.00	3,750.00	17.79	0.00
Coal Chemicals	16-4347-01	0.00	0.00	0.00	0.00
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		15,000.00	3,750.00	17.79	38.77

GAIN (LOSS) ADMINISTRATION		167,490.00	274,834.00	283,324.62	294,968.73
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NET INCOME/(EXPENSE) SUMMARY
March 31, 2019

REGULATORY AFFAIRS:

<u>EXPENSE</u>		<u>BUDGET 2019</u>	<u>BUDGET YTD 03/31/19</u>	<u>ACTUAL YTD 03/31/19</u>	<u>ACTUAL YTD 2018</u>
Dues & Subscriptions	16-4413-01	0.00	0.00	0.00	0.00
Meeting Expense	16-4415-01	2,000.00	500.00	426.92	270.17
Note(Paid from Acct# 16441501): COETF Conference Call Payments Year-To-Date are: \$426.92					
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	0.00	0.00	0.00	0.00
Staff Specialist	16-4411-01	104,400.00	26,100.00	26,100.00	26,100.00
Note(Paid from Acct# 16441101): COETF Staff Specialist Salary Year-To-Date is: \$3,900.00					
Travel	16-4412-01	3,000.00	750.00	0.00	0.00
Total Regulatory Affairs Expense		109,400.00	27,350.00	26,526.92	26,370.17

REGULATORY AFFAIRS (LEGAL/CONSULTANTS)

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	41,695.00	10,424.00	26,500.00	18,000.00
Consultant	16-4951-01	0.00	0.00	0.00	0.00
TSCA Test Rule					
Consultant/Legal	16-4954-01	0.00	0.00	0.00	0.00
Tar Refiners Misc.					
Consultant/Legal	16-5720-13	6,815.00	1,654.00	3,307.50	8,270.00
PAH Scpg Proj Out	16-5720-15	0.00	0.00	0.00	0.00
Dermal PAH IRIS Cmnts Out	16-5721-15	0.00	0.00	0.00	0.00
2 PAH Proj Out	16-5723-15	0.00	0.00	0.00	0.00
Note(Paid from Acct# 16572315): 2 PAH Proj Payments To-Date are: \$43,745.31 & Funds Remaining To-Date are: \$51,422.19					
2 PAH Proj/Legal Out	16-5725-15	0.00	0.00	0.00	0.00
Total Regulatory Project Expense		48,310.00	12,078.00	29,807.50	26,270.00
Total Regulatory Affairs Expense		157,710.00	39,428.00	88,334.42	82,640.17

TOTAL GENERAL/ADMINISTRATION

	(220.00)	235,406.00	226,990.20	242,328.56
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COETF

<u>INCOME</u>		<u>BUDGET 2019</u>	<u>BUDGET YTD 03/31/19</u>	<u>ACTUAL YTD 03/31/19</u>	<u>ACTUAL YTD 2018</u>
COETF Transfers In	16-3930-01	17,500.00	4,375.00	28,420.25	7,500.00
Total COETF Transfers In		17,500.00	4,375.00	28,420.25	7,500.00
EXPENSES					
Staff Specialist	16-9100-01	0.00	0.00	0.00	0.00
Consultant / Legal	16-9115-01	17,500.00	4,375.00	29,248.17	0.00
Mtg / Telephone	16-9120-01	0.00	0.00	0.00	0.00
Total COETF Transfers Out		17,500.00	4,375.00	29,248.17	0.00
TOTAL COETF		0.00	0.00	(827.92)	7,500.00

PCTC

<u>INCOME</u>		<u>BUDGET 2019</u>	<u>BUDGET YTD 03/31/19</u>	<u>ACTUAL YTD 03/31/19</u>	<u>ACTUAL YTD 2018</u>
PCTC Transfers In	16-3915-01	413,200.00	103,300.00	83,600.00	118,300.00
Total PCTC Transfers In		413,200.00	103,300.00	83,600.00	118,300.00
EXPENSES					
PCTC Transfers Out	16-4335-01	413,200.00	103,300.00	0.00	0.00
Total PCTC Transfers Out		413,200.00	103,300.00	0.00	0.00
TOTAL PCTC		0.00	0.00	83,600.00	118,300.00

ACCCI ANNUAL MEETINGS

**NET INCOME/(EXPENSE) SUMMARY
March 31, 2019**

		BUDGET	BUDGET	ACTUAL	ACTUAL
		2019	YTD 03/31/19	YTD 03/31/19	YTD 2018
SPRING MEETING					
INCOME					
Spring Meeting Registrations	16-3500-02	47,860.00	11,915.00	10,805.00	13,670.00
Spring Meeting Sponsorships	16-3504-02	9,000.00	2,250.00	2,500.00	4,000.00
Total Spring Meeting Income		56,860.00	14,165.00	13,305.00	17,670.00
EXPENSES					
Theme Party	16-5201-02	0.00	0.00	0.00	0.00
Entertainment	16-5202-02	4,000.00	1,000.00	992.00	1,500.00
Hotel Master Acct. (F&B, A/V, etc.)	16-5204-02	48,000.00	12,000.00	5,000.00	2,000.00
Miscellaneous/Staff Support	16-5208-02	500.00	125.00	0.00	0.00
Printing/Graphic Design	16-5208-02	1,200.00	300.00	0.00	0.00
Speaker Fees/Travel	16-5210-02	20,000.00	5,000.00	18,000.00	18,000.00
Gifts/Awards	16-5214-02	2,000.00	500.00	0.00	0.00
Staff Travel	16-5212-02	2,500.00	625.00	617.92	718.92
Total Spring Meeting Expense		78,200.00	19,550.00	24,609.92	22,216.92
GAIN (LOSS) SPRING MEETING		(21,540.00)	(5,385.00)	(11,304.92)	(4,546.92)
FALL MEETING					
INCOME					
Fall Meeting Registrations	16-3600-03	1,200.00	300.00	0.00	0.00
Fall Meeting Sponsorships	16-3604-03	0.00	0.00	0.00	0.00
Total Fall Meeting Income		1,200.00	300.00	0.00	0.00
EXPENSES					
Theme Party	16-5301-03	0.00	0.00	0.00	0.00
Entertainment	16-5302-03	0.00	0.00	0.00	0.00
Master Acct. (F&B, A/V, etc.)	16-5304-03	3,000.00	750.00	0.00	0.00
Miscellaneous/Staff Support	16-5308-03	500.00	125.00	0.00	0.00
Printing/Graphic Design	16-5308-03	0.00	0.00	0.00	0.00
Speaker Fees/Travel	16-5310-03	0.00	0.00	0.00	0.00
Staff Travel	16-5312-03	3,000.00	750.00	0.00	0.00
Gifts/Awards	16-5314-03	0.00	0.00	0.00	0.00
Total Fall Meeting Expenses		6,500.00	1,625.00	0.00	0.00
GAIN (LOSS) FALL MEETING		(5,300.00)	(1,325.00)	0.00	0.00
GAIN (LOSS) ANNUAL MEETINGS		(26,840.00)	(6,710.00)	(11,304.92)	(4,546.92)

ACCCI

GAIN (LOSS) ADMINISTRATION	(220.00)	235,406.00	226,990.20	242,328.56
COETF	0.00	0.00	(827.92)	7,500.00
PCTC	0.00	0.00	83,800.00	118,300.00
GAIN (LOSS) ANNUAL MEETINGS	(26,840.00)	(6,710.00)	(11,304.92)	(4,546.92)
TRANSFER TO(FROM) SURPLUS	(27,060.00)	228,696.00	298,457.36	363,581.64

NOTE: CURRENT FUND BALANCE (CASH RESERVES) INCLUDE \$97,655.91 OF COETF FUNDS AND \$51,422.19 OF TAR REFINER (PAH PROJECT) FUNDS.

3
4/22/2019

AMERICAN COKE AND COAL CHEMICALS INSTITUTE

BOARD OF DIRECTORS MEETING

Saturday, April 27, 2019

REPORT OF THE 2019 NOMINATING COMMITTEE

Committee

Mike Rhoads (Chairman)	USS - Clairton
Dean Bishop	ABC Coke
Rob Carlin	DTE - EES

Directors' Terms Expiring on April 28, 2019

Dean Bishop	ABC Coke
Bill Potter ¹	ERP Compliant Coke
Rob Gray	Hickman, Williams, and Company

Proposed Slate of Directors

(for Vote by the Membership on Sunday, April 28, 2019)

Three-year term:²

Dean Bishop	ABC Coke
Bill Potter ¹	ERP Compliant Coke
Rob Gray	Hickman, Williams, and Company

¹ Replaced Scott Casselberry

² Term starts on April 28, 2019.

AMERICAN COKE AND COAL CHEMICALS INSTIUTE

MINUTES OF THE MEETING
OF THE BOARD OF DIRECTORS

Sunday, September 28, 2008
The Broadmoor, Colorado Springs, Colorado

I. CALL TO ORDER

Chairman Stewart 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

Chuck Stewart, Chairman	Sloss Industries Inc.
Gary Gross, Vice-Chairman	DTE Energy Services, Inc.
Bob Mason, Secretary-Treasurer	ABC Coke
Mike Mancione (Alternate for Kevin Fitzgerald)	Koppers, Inc.
John Pearson	ABC Coke
Gary Quantock	DTE Energy Services, Inc.
Ernie Goffi	Fosbel, Inc.
Wayne Plovic	Koppers, Inc.
Ron Schoen	Sloss Industries Corp.
Ray Terza	U. S. Steel Corporation
Mike Sutton	VFT Canada Inc.

Staff

David Menotti	Counsel
Bruce Steiner	President

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

It was **MOVED** and **SECONDED** to elect Mike Mancione (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 MAY 8, 2008 BOARD OF DIRECTORS MEETING

It was **MOVED** and **SECONDED** to approve the minutes of the May 8, 2008 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 and relevant supporting documents are included in the meeting materials distributed prior to the meeting.

B. INTERNATIONAL COMMITTEE

Mr. Goffi noted the import statistics through July 2008. He also noted an upcoming iron and steel conference in Brazil and the recent European coke conference. He offered to provide further information on these conferences to anyone interested.

C. MEMBERSHIP REPORT

Mr. Steiner reported that there are two new Industry Supplier members – Peabody Energy and United Refractories. SunCoke has declined to accept the terms of a transitional membership, but efforts will continue by members to convince SunCoke of the value of membership in the organization. Overtures have also been made to Severstal in light of the company’s recent acquisition of the Wheeling-Pittsburgh operation and expanded steel industry presence in North America. Board member contacts with supplier companies were also encouraged. A discussion of membership interest shown by foreign companies led to a policy decision to condition membership on a U.S. or Canadian presence.

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 AUGUST 2008

Mr. Mason led a review of the organization’s financial statement through August 2008, including a comparison of the 2008 budget with projected year-end results. There is a projected year-end deficit of approximately \$29,000, which is about \$3,000 more than budgeted, but the projected year-end account is approximately \$316,000.

A discussion ensued regarding the distribution of ACCCI funds in light of the recent banking crisis. Staff was directed to make inquiries with Merrill Lynch and Wachovia regarding protection of ACCCI accounts.

B. APPROVAL OF 2007 AUDIT

It was **MOVED** and **SECONDED** to accept the Patton & Lettich 2007 audit report. **MOTION PASSED**. A deficiency noted by the auditor regarding checks and balances of accounting responsibilities was discussed. Staff was directed to identify possible options for addressing this concern and report back to the Board.

C. 2008 AUDIT

It was **MOVED** and **SECONDED** to accept the Patton & Lettich proposal to conduct the 2008 audit for a cost not to exceed \$3,250. **MOTION PASSED**.

D. 2009 BUDGET

Mr. Steiner presented a proposed 2009 budget as shown in the Board meeting materials, including a new dues structure. A new category for Tar Refiners producing over 75 million gallons per year has been created. It was **MOVED** and **SECONDED** to provide one Board seat for companies in this category, which is in response to a proposal by Koppers in light of the sale of its cokemaking business. **MOTION PASSED**. Mr. Plovic will continue to serve as the Koppers representative on the Board and Mr. Fitzgerald will resign effective with the sale of the company's coke plant.

It was then **MOVED** and **SECONDED** to approve the proposed 2009 budget and new dues structure. **MOTION PASSED**.

VII. NOMINATING COMMITTEE REPORT

Mr. Steiner presented the Nominating Committee report on behalf of Mr. Bloom. There were no objections to the proposed slate of Directors (Messrs. Gross, Quantock, and Schoen for 3-year terms and Mr. Goffi for a 2-year term) to be nominated for reelection by the Voting Members on September 29. It was **MOVED** and **SECONDED** to modify the recommendation of the Nominating Committee to separate the duties of Vice-Chairman and Secretary-Treasurer, with Mr. Mason to fill the former position and Mr. Schoen the latter. **MOTION PASSED**. This slate of officers will also be up for election by the Voting Members on September 29.

VIII. MEETINGS UPDATE

Mr. Steiner reported on confirmed and tentative meeting dates and locations through 2009. A discussion of meeting format and speaker ensued. Mr. Goffi and Mr. Terza volunteered to serve on a program committee with the Program Chairman (tentatively Marty Dusel) for the Spring 2009 meeting in Longboat Key. Candidate locations for 2010 meetings were discussed, and the consensus was to hold the Spring 2010 meeting in Hilton Head (actual

facility to be determined) and the 2010 Annual Meeting at The Greenbrier (subject to negotiations of terms and costs by staff).

IX. OTHER BUSINESS

It was noted that most of the work to upgrade the ACCCI website has been completed and only a few modifications remain to be made.

No Executive Session was deemed necessary

X. ADJOURNMENT

There being no further business, the meeting was adjourned at 11:00 AM.

Respectfully submitted,

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

Approved,

/s/ Charles C. Stewart
Charles C. Stewart, Chairman

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

American Coke and Coal Chemicals Institute

2018 - 2020 Meetings Calendar

April 27 - 28, 2019	2019 Spring (Annual) Meeting	Hyatt Regency Coconut Point Bonita Springs, FL
September 26 - 27, 2019	Fall 2019 MESH Meeting	Birmingham, AL Area
November 6 - 7, 2019	Met Coke 2019 Conference	DoubleTree by Hilton Hotel Nashville Downtown Nashville, TN
November 8, 2019	2019 Business Meeting	DoubleTree by Hilton Hotel Nashville Downtown Nashville, TN
January 2020 (Tentative)	Board Conference Call (if needed)	
April 23 - 24, 2020	2020 Spring (Annual) Meeting	Westin Hilton Head Island Resort & Spa Hilton Head Island, SC

**American Coke and Coal Chemicals Institute
Meeting History/Calendar (1995 - 2020)**

1995	Spring Fall	Longboat Key Club The Greenbrier
1996	Spring Fall	Hyatt Grand Champions The Greenbrier
1997	Spring Fall	Longboat Key Club The Greenbrier
1998	Spring Fall	Sheraton Torrey Pines (California) The Greenbrier
1999	Spring Fall	Longboat Key Club (Florida) The Greenbrier
2000	Spring Fall	Amelia Island Resort (Florida) The Greenbrier
2001	Spring Fall	Westin Hilton Head (South Carolina) The Greenbrier
2002	Spring Fall	Hyatt Monterey (California) The Greenbrier
2003	Spring Fall	Longboat Key Club (Florida) The Greenbrier
2004	Spring Fall	Boca Raton Resort (Florida) The Greenbrier
2005	Spring Fall	The Ritz-Carlton Key Biscayne (Florida) Kiawah Island Golf Resort (South Carolina)
2006	Spring Fall	Longboat Key Club (Florida) The Ritz-Carlton Naples (Florida)
2007	Spring Fall	Doral Golf Resort (Florida) The Homestead (Virginia)
2008	Spring Fall	Longboat Key Club (Florida) The Broadmoor (Colorado Springs)
2009	Spring Fall	Longboat Key Club (Florida) - CANCELLED Kingsmill (Williamsburg, VA)
2010	Spring Fall	Westin (Hilton Head, SC) Grove Park Inn (Asheville, NC)

2011	Spring Fall	King & Prince (St. Simons Island, GA) Lansdowne (Leesburg, VA)
2012	Spring Fall	Omni Amelia Island Plantation (FL) Broadmoor (Colorado Springs)
2013	Spring Fall	Longboat Key Club (FL) The Greenbrier
2014	Spring Fall	Westin (Hilton Head, SC) Nemacolin (Farmington, PA)
2015	Spring Fall	Ponte Vedra (Ponte Vedra, FL) Grove Park Inn (Asheville, NC)
2016	Spring (ANNUAL MEETING) Fall (BUSINESS MEETING)	Hyatt Coconut Point (Bonita Springs, FL) Pittsburgh Marriott City Center (Pittsburgh, PA)
2017	Spring (ANNUAL MEETING) Fall (BUSINESS MEETING)	Longboat Key Club (Longboat Key, FL) The Westin O'Hare
2018	Spring (ANNUAL MEETING) Fall (BUSINESS MEETING)	Longboat Key Club (Longboat Key, FL) DoubleTree by Hilton Hotel & Suites Pittsburgh - Downtown
2019	Spring (ANNUAL MEETING) Fall (BUSINESS MEETING)	Hyatt Coconut Point (Bonita Springs, FL) DoubleTree by Hilton Hotel Nashville Downtown
2020	Spring (ANNUAL MEETING) Fall (BUSINESS MEETING)	Westin (Hilton Head, SC) <i>TBD</i>

ACCCI COKE PRODUCTION CALL FORM

*Please enter "0" if not applicable.

*By-Product Coke represents all coke not sold as either Blast Furnace Coke or Foundry Coke.

*When responding, please include data for each plant in a separate submission.

Submitted by: _____

Company Name: _____

Plant Location: _____

Phone: _____

E-Mail: _____

Coal Usage (Net Short Tons): _____

Foundry Coke Production (Short Tons): _____

Blast Furnace Coke Production (Short Tons): _____

By-Product Coke Production (Short Tons): _____