

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

**Thursday, October 20, 2016
Pittsburgh Marriott City Center
Pittsburgh, Pennsylvania**

I. CALL TO ORDER

Chairman Saffrin called the meeting to order at 12:45 PM EDT and noted the presence of a quorum.

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

II. THOSE PRESENT AND ANNOUNCEMENTS

A. INTRODUCTIONS

Those present introduced themselves. The following persons were present:

Directors

Paul Saffrin, Chairman	Tonawanda Coke
Dean Bishop	ABC Coke
Dickie Owens	ABC Coke
Ron Burnette	DTE Energy Services
Rob Carlin	DTE Energy Services
Scott Castleberry	ERP Compliant Coke
Don Wiggins	ERP Compliant Coke
Joe Dowd	Koppers, Inc.
Dovie Majors	SunCoke
Jeff Wozek	SunCoke
Mike Durkin	Tonawanda Coke

Staff

David Ailor	President
Jan Deitch	Director of Administration
David Menotti, Esq.	General Counsel

B. ANTITRUST STATEMENT

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

C. OTHER ANNOUNCEMENTS

Mr. Ailor reviewed the logistics for the meeting. Chairman Saffrin announced that dinner that evening would be at 6:30 PM at McCormick and Schmick's in downtown Pittsburgh a short walk from the Marriott. Guests at dinner will be former Board members Andrew Aloe and Ray Terza, who formerly represented Shenango Inc. and USS, respectively. Ray will be joined by his wife, Linda. David Menotti will be joined by his wife, Anne.,

III. APPROVAL OF MINUTES OF APRIL 30, 2016, BOARD OF DIRECTORS MEETING

There was no discussion. It was **MOVED** and **SECONDED** to approve the Minutes of the last meeting of the Board of Directors held on Saturday, April 30, 2016, at the Hyatt Regency Coconut Point Resort and Spa in Bonita Springs, FL (pages 3-7 of the meeting materials). There being no additions or corrections, the minutes were **APPROVED** without exception.

IV. COMMITTEE REPORTS/UPDATES

A. REGULATORY AFFAIRS UPDATE

Mr. Ailor 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 "Regulatory-Focused Coalitions in Which ACCCI Participates" (pages 8-10 of the meeting materials); his "ACCCI Issues Update" for September 1-30, 2016 (pages 11-21 of the meeting materials); and, his "Regulatory Affairs Update" PowerPoint presentation for the meeting (furnished electronically to all meeting attendees prior to the meeting).

Mr. Ailor reported on the COETF and noted that COETF Chairman Mark Poling (ABC Coke) is retiring, thus creating the need for a new COETF Chair.

B. INTERNATIONAL COMMITTEE

Mr. Ailor summarized the coke import statistics through August 2016 (pages 22-23 of the meeting materials). There was a brief discussion regarding the need for a Chair of the International Committee. The Board decided that the International Committee would remain without a Chair for now.

C. MEMBERSHIP REPORT

Ms. Deitch and Mr. Ailor reported on changes in membership since the April 30, 2016, Board meeting. They referred those present to page 24 of the meeting materials where it was reported that J.G. Jr. Consulting & Associates and McKeown International, Inc. are not renewing their memberships. Patriot Coal Sales and Norfolk Southern Corporation have not yet sent in their 2016 dues and Ms. Deitch will be contacting them again in an attempt to secure their dues payments.

Discussion ensued, with no decisions being made, about filling the two vacant Board positions, including the integrated steel company position. Next, discussion turned to the need for a Chair for the Membership Committee. Rob Carlin volunteered to be the Chair of this Committee, and the Board accepted his offer. As at prior meetings of the Board, the Board was urged to promote ACCCI membership to their business contacts.

V. STATISTICAL PROGRAMS REPORT

Ms. Deitch and Mr. Ailor reported on the status of ACCCI's quarterly statistical reports and annual benchmarking reports (page 25 of the meeting materials). Mr. Ailor noted that ACCCI staff was having difficulty obtaining benchmarking information/data from some companies on two of the four annual benchmarking reports – the Tar Refiner Energy Benchmarking report and the Coke Producers HR Benchmarking report – and wanted guidance from the Board on how to proceed. Joe Dowd noted that Koppers had not provided information/data for the Tar Refiner Energy Benchmarking report, and explained why – namely, that its information/data would be easily identifiable on ACCCI's report as Koppers' information/data, where the information/data is not aggregated, but listed on a blinded, plant-by-plant basis.

Mr. Menotti counseled that all such reports needed to follow the “rule of three,” meaning that at least three companies must provide information/data, and the information/data need to be aggregated to ensure the confidentiality of each company's information/data. After fully discussing the matter, it was **MOVED, SECONDED** and **APPROVED** to discontinue the Tar Refiner Energy Benchmarking report and the Coke Producers HR Benchmarking report because of concerns about the potential lack of confidentiality of the tabulated information/data..

VI. FINANCIAL REPORT

A. MOST RECENT (SEPTEMBER 2016) FINANCIAL STATEMENT

Mr. Saffrin and Mr. Ailor led a review of ACCCI's most recent monthly financial statement - that for September 2016, reflecting income and expenses through the end of September (pages 26-32 of the meeting materials). Focusing on the income and expense lines for the 2016 Annual Meeting, Mr. Saffrin asked if ACCCI historically incurred a loss on the Spring (now Annual) Meeting, as it did for the 2016 Meeting. Ms. Deitch explained that historically ACCCI showed a gain for the Spring (now Annual) Meeting, but with rising food and beverage costs and other related meeting expenses and a decline in meeting registrations, there has been a loss shown for the Spring (now Annual) Meeting over the past few years.

B. APPROVAL OF 2015 AUDIT

The 2015 Audit report prepared by Patton and Company CPAs was reviewed and discussed (pages 33-42 of the meeting materials). It was **MOVED** and **SECONDED** to accept the 2015 audit report. **MOTION PASSED.**

C. APPROVAL OF 2016 AUDITOR

A proposal from Patton and Company CPAs to conduct the 2016 audit, with a \$100 increase over the cost for the 2015 audit for a cost of not-to-exceed \$3,500, was discussed (page 43 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. APPROVAL OF 2017 BUDGET

Mr. Ailor presented a proposed 2017 budget (pages 44-49 of the meeting materials). It was **MOVED** and **SECONDED** to approve the 2017 budget. **MOTION PASSED.**

VII. MEETINGS UPDATE

A. MEETINGS CALENDAR

Mr. Ailor and Ms. Deitch updated those present on upcoming ACCCI meetings (page 50 of the meeting materials), including a tentative January 2017 Board conference call (if needed); the Spring 2017 Meeting of the MESH Committee on April 6-7, 2017 in Hilton Head Island, SC; and, the 2017 Annual Meeting on April 29-April 30, 2017, at the Resort at Longboat Key Club in Longboat Key, FL.

B. DISCUSSION ON FALL 2017 BUSINESS MEETING DATE/LOCATION

Those present agreed that, like the Fall 2016 Business Meeting of the Board of Directors, the Fall 2017 Business Meeting should be held in same time frame and at the same hotel as the Met Coke World Summit. Discussion concluded with the decision being made once the date and location of the Met Coke World Summit 2017 are known, Mr. Ailor would poll the Board as to whether Board members wanted to meet the day before or the last day of the World Summit and, based on the results, schedule the meeting accordingly.

C. DISCUSSION ON 2018 ANNUAL MEETING DATE/LOCATION

Mr. Ailor explained that ACCCI staff would like direction from the Board on when and where the 2018 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 1998 – 2017 (pages 51-52 of the meeting materials). Discussion concluded with the decision being made that the 2018 Annual Meeting would be held at the Resort at Longboat Key Club in Longboat Key, FL, over a weekend on or about April 28-29, 2018, depending on resort availability, .

VIII. OLD AND NEW BUSINESS

A. ACCCI'S CONTINUING TO PROVIDE DIALIN AND WEB CONFERENCE OPTIONS FOR PARTICIPATING IN MESH COMMITTEE MEETINGS

Dean Bishop, Chairman of the MESH Committee, and Mr. Ailor reported that one topic discussed during the Fall 2016 Meeting of the MESH Committee held on October 6-7, 2016, in Birmingham, AL was whether or not ACCCI should continue providing dialin and web conference options for company representatives unable to attend but wanting to participate in the semiannual meetings. Mr. Ailor noted that in preparation for the Board meeting, he had requested and obtained feedback from MESH Committee members on the matter. The feedback was along clearly delineated lines, with all integrated coke producers (who, typically, are unable to attend the meetings) wanting to continue the practice, and all merchant coke producers wanting to end it, primarily over fears about discussing sensitive industry and company issues without knowing exactly who is listening in to the discussion. The e-mails Mr. Ailor had received from integrated coke producers voicing support for continuation were included in the meeting materials (pages 53-58 of the meeting materials).

Mr. Menotti counseled against discontinuing the option, on the basis that doing so would upset an important segment of ACCCI's membership – integrated coke producers. Dovie Majors thought that she could identify a cost effective dialin/web conference option that would provide some certainty about who was participating via this option, and volunteered to research it. Discussion concluded with the decision being made that Ms. Majors would research it, towards the Board making an informed decision on the matter.

B. OTHER BUSINESS

Mr. Ailor reported that Ms. Deitch and he had prepared written descriptions of their job responsibilities, for the Board's information and use should something befall either of them. The two descriptions were included in the meeting materials (pages 59-66 of the meeting materials).

IX. EXECUTIVE SESSION

A. OCTOBER 13, 2016, PROPOSAL FROM ACCCI GENERAL COUNSEL DAVID MENOTTI TO CONTINUE SERVING AS GENERAL COUNSEL FOLLOWING HIS FEBRUARY 2017 RETIREMENT FROM CROWELL & MORING

An Executive Session was held to discuss an October 13, 2016, proposal from General Counsel David Menotti to continue serving as General Counsel following his February 2017 retirement from Crowell & Moring (pages 68-70 of the meeting materials). Before the Executive Session began, Chairman Saffrin asked Mr. Menotti to step out of the room. Before doing so, Mr. Menotti delegated to Mr. Ailor the responsibility for ensuring that the discussion was in accordance with ACCCI's antitrust policy, which was included as page 2 of the meeting materials. Once Mr. Menotti was out of the room, the Board began discussing Mr. Menotti's proposal.

In his proposal, Mr. Menotti explained:

“As you know, I am retiring from Crowell & Moring in February of 2017. I am willing to continue to serve as General Counsel of the American Coke and Coal Chemicals Institute (ACCCI) following my retirement from Crowell, under the same arrangement that has governed my service while at Crowell, i.e., a fixed annual retainer of \$20,000, payable in two installments (June and December) over the course of the year, plus expenses. At this time, I am prepared to commit to continuing to serve through the end of 2017, and will evaluate in the Fall of 2017 whether I am willing to serve for a longer period.”

The Board concluded a full discussion of Mr. Menotti's proposal by making several decisions, including decisions that (1) Chairman Saffrin, acting on behalf of the Board, would meet “one on one” with Mr. Menotti, at the earliest opportunity, to (a) ask that Mr. Menotti reduce the retainer he is proposing, considering the difficult economic climate the industry now faces; and, (b) convey to Mr. Menotti that the Board would like more than a few months' notice concerning his willingness to serve beyond the end of 2017; and, (2) Chairman Saffrin would inform Mr. Ailor once he had met with Mr. Menotti, towards his scheduling a conference call of the Board during which Chairman Saffrin would report on his meeting and, subsequently, the Board would review/discuss and decide “next steps” on the matter.

B. OTHER BUSINESS

No other business was discussed.

X. ADJOURNMENT

Mr. Saffrin presented closing remarks. There being no further business, the meeting was adjourned at 5:00 PM.

Respectfully submitted,

/s/ David C. Ailor

David C. Ailor, P.E., President

Approved,

/s/ Paul Saffrin

Paul Saffrin, Chairman

/s/ David E. Menotti

David E. Menotti, Esq., General Counsel

2016 Business Meeting
of the ACCCI Board of Directors
Pittsburgh, PA
October 20, 2016

Name	Company	October 20 Lunch	October 20 Meeting	October 20 Dinner	REGRETS
Dean Bishop	ABC Coke	1	1	1	
Dickie Owens	ABC Coke	1	1	1	
Ron Burnette	DTE	1	1	1	
Rob Carlin	DTE	1	1	1	
Scott Castleberry	ERP Coke	1	1	1	
Don Wiggins	ERP Coke	1	1	1	
Rob Gray	Hickman, Williams & Company				1
Joe Dowd	Koppers	1	1	1	
Bruce Kingsbury	Matrix NAC				1
Dovie Majors	SunCoke	1	1	1	
Jeff Wozek	SunCoke	1	1	1	
Mike Durkin	Tonawanda Coke	1	1	1	
Paul Saffrin	Tonawanda Coke	1	1	1	
David Ailor	ACCCI	1	1	1	
Jan Deitch	ACCCI	1	1	1	
David Menotti	Crowell & Moring (Anne Menotti)	1	1	2	
Andrew Aloe	Former Board Membner (Michelle)			1	
Ray Terza	Former Board Membner (Linda)			2	
	TOTALS	14	14	18	2

ANTITRUST REMINDER

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

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

Saturday, April 30, 2016
Hyatt Regency Coconut Point Resort and Spa
Bonita Springs, Florida

I. CALL TO ORDER

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

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

Dickie Owens, Chairman	ABC Coke
Dean Bishop	ABC Coke
Ron Burnette	DTE Energy Services
Rob Carlin	DTE Energy Services
Rob Gray	Hickman & Williams
Joe Dowd	Koppers, Inc.
Bruce Kingsbury	Matrix NAC
Dovie Majors	SunCoke
Jeff Wozek	SunCoke
Mike Durkin	Tonawanda Coke

Staff

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

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 1 of the meeting materials.

B. Other Announcements

Mr. Owens reviewed the logistics for the meeting, including the emergency exit locations, rest room locations, and the details of the golf tournament that would follow adjournment of the Board meeting.

Next, Mr. Ailor reported on the 2016 Spring Meeting of ACCCI’s MESH Committee held on April 7-8 in Savannah, GA. During his report, he noted that no steel company representatives were in physical attendance at the meeting; those who participated, did so via a web conference option provided by ACCCI. Additionally, Mr. Ailor reported that ACCCI had incurred more than \$2,000 in penalties from the hotel where the meeting was held, due to ACCCI’s failure to utilize all the guest rooms the hotel was holding for meeting attendees. This failure was due primarily to two factors, including (1) late cancellations by expected attendees; and, (2) some attendees booking their rooms outside of the ACCCI room block (i.e., on third-party websites such as Expedia, where they could obtain a cheaper room rate than was available under the room block). Mr. Menotti suggested that for future meetings, ACCCI staff seek to have the meeting hotel include a provision in the meeting contract whereby ACCCI would earn credit towards the room block for any reservations made through an independent source.

Lastly, Mr. Ailor reported that each person/couple in attendance at ACCCI’s May 1 General Session would receive a copy of Speaker, Alex Epstein’s book, “The Moral Case for Fossil Fuels.”

III. APPROVAL OF MINUTES OF OCTOBER 3, 2015, BOARD OF DIRECTORS MEETING

It was **MOVED** and **SECONDED** to approve the minutes of the October 3, 2015, Board of Directors meeting held on Saturday, October 3, 2015, at the Omni Grove Park Inn in Asheville, NC (pages 2-6 of the meeting materials). There being no additions or corrections, the minutes were **APPROVED** without exception.

IV. COMMITTEE REPORTS/UPDATES

A. REGULATORY AFFAIRS UPDATE

Mr. Ailor reported on issues being addressed by the MESH Committee, the Coke Oven Environmental Task Force, and the Coal Chemicals Committee. Documents to which he referred during his report were a document entitled “Regulatory-Focused Coalitions in Which ACCCI Participates” (pages 7-9 of the meeting materials) in which Mr. Ailor highlighted each of the various regulatory-focused environmental and safety coalitions in which ACCCI participates; and, a “Regulatory Affairs Update” PowerPoint presentation he had prepared for the meeting and furnished electronically to all meeting attendees prior to the meeting. Mr. Ailor’s presentation generated a full discussion on the topics covered, particularly “EPA’s Risk and Technology Review (RTR) of 2003 MACT Standards for Coke PQBS” (pages 6–11 of his PowerPoint presentation); and, “CAA 112(c)(6) Litigation” (pages 12-14 of his PowerPoint presentation).

B. INTERNATIONAL COMMITTEE

Mr. Ailor summarized coke import statistics through February 2016 (page 10 of the meeting materials).

C. MEMBERSHIP REPORT

Ms. Deitch and Mr. Ailor reported on changes in membership since the October 3, 2015, Board meeting, referring those present to page 11 of the meeting materials. They highlighted the fact that a new coke producer company -- ERP Compliant Coke, LLC, which had acquired the assets of Walter Coke, Inc. -- had joined ACCCI as a "merchant" coke producer. As at prior meetings of the Board, they urged Board members to promote ACCCI membership to their business contacts.

V. STATISTICAL PROGRAMS REPORT

Ms. Deitch and Mr. Ailor reported on the status of ACCCI's quarterly statistical reports and annual benchmarking surveys (page 12 of the meeting materials). There was a discussion about whether or not to keep compiling the Coke Producers HR Benchmarking report, considering the poor participation rate. Mr. Menotti counseled that it is acceptable to continue doing so provided that the data are aggregated following the "rule of three," because the report is antitrust sensitive.

VI. FINANCE REPORT

A. Most Recent (March 2016) Financial Statement

Mr. Owens and Mr. Ailor led a review of ACCCI's most recent monthly financial statement - that for March 2016, reflecting income and expenses through the end of March (pages 13-19 of the meeting materials). Ms. Deitch answered questions regarding the new format, which reflects the changes made to the financial statement to satisfy the Directors' desire for clear and complete transparency on the ACCCI monthly financial statements insofar as income and expenses related to the COETF, and dues collected for the PCTC. She pointed out that COETF funds are now being administered via a separate ACCCI checking account, as was the practice until 2011 when the Board approved consolidating all banking and investment instruments to facilitate administration of funds and necessary transactions. At the direction of the Board, ACCCI staff had consulted with a professional corporate accountant and with ACCCI Auditor Bob Patton of Patton and Company on the best way to convey the requested clear and complete transparency for the COETF and PCTC accounts on the ACCCI financial statements moving forward.

B. Other Issues

No other financial issues were reviewed/discussed.

VII. NOMINATING COMMITTEE REPORT

Mr. Owens informed the Board of the report of the 2016 Nominating Committee (page 20 of the meeting materials). The Committee consisted of Mr. Carlin, Mr. Saffrin and Mr. Owens.

A. Proposed Slate of Directors

The proposed slate of Directors are Messrs. Bishop, Castleberry, Gray and Kingsbury. They will be nominated for election by the Voting Members during the Annual Membership Meeting on May 1. Messrs. Bishop, Castleberry and Gray are to be nominated for three-year terms; Mr. Kingsbury is to be nominated for a two-year term.

B. Proposed Slate of New Officers and Vote on Same

The proposed slate of Officers for the next two years are Mr. Saffrin as Chairman; Mr. Carlin as Vice Chairman; and, Ms. Majors as Secretary/Treasurer. There being no additional nominees, it was **MOVED** and **SECONDED** to elect the slate as proposed. **MOTION PASSED UNANIMOUSLY.**

VIII. MEETINGS UPDATE

A. MEETINGS CALENDAR

Mr. Ailor updated those present on upcoming ACCCI meetings (page 21 of the meeting materials), including the Fall 2016 Meeting of the MESH Committee on October 6-7, 2016 in Birmingham, AL; the 2016 Business Meeting of the Board on the afternoon of October 17 at Pittsburgh Marriott City Center in Pittsburgh, PA (i.e., the day before Met Coke 2016 scheduled for October 18-20 at the Pittsburgh Marriott City Center); and, the 2017 Annual Meeting on April 29-April 30, 2017, at the Resort at Longboat Key Club in Longboat Key, FL.

Regarding the date of the 2016 Business Meeting, the Board decided that, before the meeting was formally scheduled, Mr. Ailor should poll Board members on their availability for a meeting at the Pittsburgh Marriott City Center during the week of the Met Coke World Summit, with the two possible meeting dates being the afternoon of Monday, October 17, *the day before* the 20th Annual Met Coke World Summit; and, the afternoon of Thursday, October 20, *immediately after* the 20th Annual Met Coke World Summit. Whichever date was selected, the meeting would be preceded that day by a group lunch of the Board and concluded that evening by a group dinner of the Board.

The Board directed Mr. Ailor to invite former Board members Andrew Aloe and Ray Terza and their spouses to the Reception/Dinner.

B. Other Issues

The Board will discuss sites for the 2018 Annual Meeting during the 2016 Business Meeting. No other issues were discussed.

IX. OLD AND NEW BUSINESS

A. Other Business

No other business was discussed.

B. Executive Session

There was no expressed need for an Executive Session.

X. ADJOURNMENT

Mr. Owens presented closing remarks. There being no further business, the meeting was adjourned at 11:21 AM.

Respectfully submitted,

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

Approved,

Dickie Owens, Chairman

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

DRAFT

Regulatory-Focused Coalitions in Which ACCCI Participates

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.

Environmental Coalitions

- **American Alliance for Innovation (AAI)**: AAI, which is led by the American Chemistry Council (ACC), is advocating on Capitol Hill for fair and balanced policies in the first reform of the Toxic Substances Control Act (TSCA) in a generation.
- **API-Led "Ad Hoc" Benzo(a)pyrene Risk Assessment Coalition**:* This coalition was formed in May 2016 for the sole purpose of commenting to EPA during a June 29-30 meeting of invited scientists and the public in Arlington, VA to discuss potential approaches to estimate the risk of skin cancer following dermal exposure to benzo[a]pyrene, a coal tar constituent.
- **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.
- **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.
- **Coarse PM NAAQS Coalition**:* The Coalition is working with EPA towards scientifically sound regulation of coarse particulate matter (PM) in air.
- **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.”

- **Executive Order 13650 Coalition:** On August 1, 2013, President Obama issued an Executive Order (EO), EO 13650 (“Improving Chemical Facility Safety and Security”), in response to an April 2013 explosion at a fertilizer facility in West, Texas, that killed 15 people and injured many others. EPA and OSHA, respectively, acting in response to this EO, are moving forward aggressively to implement significant revisions to their Risk Management Plan (RMP) and Process Safety Management (PSM) rules that apply to facilities that use extremely hazardous substances. The Coalition is monitoring the agencies’ efforts to implement the EO.
- **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.
- **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.
- **Multi-Sector General Permit (MSGP) Litigation Coalition:*** The MSGP Litigation Coalition has intervened in an NGO lawsuit that could fundamentally change the scope, liability, and cost of compliance for regulated parties that rely upon stormwater general permits necessary to comply with the Clean Water Act.
- **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.
- **NIC “Ad Hoc” SILs Guidance Document Coalition:*** This Coalition formed in August 2016 to comment by September 30 on an August 1 EPA draft guidance and supporting documents recommending Significant Impact Levels (SILs) for ozone and Fine Particles (PM_{2.5}) that may be used in the Prevention of Significant Deterioration (PSD) permitting program.
- **Ozone and PM_{2.5} SILs Guidance Coalition:*** This is a new, “ad hoc” coalition that ACCCI joined to comment by September 30, 2016, on an August 1 EPA draft guidance and supporting documents recommending Significant Impact Levels (SILs) for ozone and Fine Particles (PM_{2.5}) that may be used in the Prevention of Significant Deterioration (PSD) permitting program.
- **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.

- **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.
- **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)."
- **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

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Environment

EPA's Coke Pushing, Quenching, and Battery Stack (PQBS) RTR Rulemaking. During September, the ACCCI-managed **Coke Oven Environmental Task Force (COETF)** agreed on the **text of a footnote** for companies to consider including in their "Group 2" (Sections IV and V) submissions to EPA on the Agency's April 2016 Information Collection Request (ICR) for the PQBS RTR Rulemaking. The footnote advocates for EPA to use the **buoyant volume source approach** for modeling coke battery fugitive emissions. On September 13, EPA issued another **update to the list of questions and answers** it has prepared on the ICR.

Startup, Shutdown and Malfunction (SSM) Provisions in MACT Standards. On September 26, Industry Petitioners, including the SSM Coalition of which ACCCI is a member, filed their reply brief **with the U.S. Court of Appeals for the D.C. Circuit in the SSM SIP Call Rule litigation consolidated cases.** Also filing reply briefs that day were State Petitioners and Texas Petitioners. The states' brief was very supportive of Industry Petitioners' brief. Next, the court will schedule oral argument in the case.

Boiler MACT Final Rule. On September 12, **four rehearing petitions were filed** in the Boiler MACT and Boiler GACT reconsideration cases:

- **The government** filed a petition for panel rehearing in the Boiler MACT case. It argued that vacatur of the standards where EPA set aside data should be converted to a remand. This would cause the currently-vacated standards to remain in place during the period until EPA puts replacement rules in place.
- **AMP Ohio** filed a petition for panel and *en banc* rehearing in the Boiler MACT case. It asked the court to reverse the panel decision upholding EPA's approach to malfunctions and, in doing so, to reverse the *Sierra Club* General Provisions SSM case.
- **Sierra Club** filed a petition for panel and *en banc* rehearing in the Boiler MACT case. It asked the court to reverse the panel decision upholding EPA's use of the UPL in determining MACT floors.
- **Sierra Club** filed a petition for panel and *en banc* rehearing in the Boiler GACT case. It sought reversal of the panel decision.

Nothing was filed in the CISWI case. No response to the petitions may be filed unless the court gives leave. The court often denies rehearing petitions without asking for any input from the parties. The court rules specify that, if the court is inclined to grant rehearing, responses typically will be allowed.

On September 20, EPA filed its brief in the Boiler MACT reconsideration case. The deadline has been pushed back to November 16 for filing of the intervenor-respondent brief by the new litigation coalition ACCCI has joined that has intervened in ENGO litigation over the Boiler MACT Reconsideration Rule. The ENGO reply brief is now due on January 12, 2017.

Global Climate Change. On September 27, **oral argument** for the 160+ petitioners' challenge to the Clean Power Plan was heard *en banc* by the U.S. Court of Appeals for the D.C. Circuit. The *en banc* hearing is unique, as the court decided in May, without any litigants asking, that it would have all of the judges hear the case, something that has not happened since 2000. Given the complexity of the issues, the arguments in case were divided into five sections: statutory interpretation; section 112 of

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the Clean Air Act; constitutional; notice; and, other record-based issues. **A decision in the case is expected in early 2017.**

An Interagency Working Group has added methane and nitrous oxide (N₂O) to the Administration's **social cost of carbon** tool for assessing the climate change impact of regulatory and permitting decision making. Because the global warming potentials of methane and N₂O are 25 and 298 times greater than carbon dioxide, respectively, the change will establish a basis for higher economic benefits when assessing and comparing costs and benefits of proposed energy-related projects involving emissions of those gases.

On September 8, the environmental group Center for Biological Diversity filed a lawsuit in the U.S. District Court for DC to **compel EPA to respond to the organization's 2013 petition** to amend water quality standards and publish guidance to address **ocean acidification** believed to be caused by increases in absorbed carbon dioxide attributed to climate change.

On September 8, California Gov. Jerry Brown signed into law two bills that will **extend the state's climate change program** established in 2006 by setting a new target to reduce carbon dioxide emissions 40% below 1990 levels by 2030 and will assure that funds from cap-and-trade auctions go to disadvantaged communities.

On September 3, President Obama and Chinese President Xi Jinping both **formally accepted the December 2015 Paris Agreement** on climate change on behalf of their countries during Obama's attendance of the G-20 economic summit in China. Some U.S. legislators have claimed the agreement is an international treaty that requires Senate ratification, which the Administration has disputed. For the agreement to take effect, 55 countries representing at least 55% of global emissions must sign the agreement. On September 21 at the United Nations meeting, numerous other countries joined the agreement, which brought the number of participating nations to 60 representing 48% of global emissions. The EU has signaled its intention to join and its 12% would be enough for the agreement to take effect later this year.

EPA's Revision to NAAQS. On September 2, OMB received and began its **review of Appendix-W** ("Revision to the Guideline on Air Quality Models: Enhancements to the AERMOD Dispersion Modeling System and Incorporation of Modeling Techniques to Address Fine Particulate Matter and Ozone"). EPA issues these guidelines for use by state and tribal regulators in reviewing permits submitted under the New Source Review program and to create state plans for the implementation of national ambient air quality standards. Some of the proposed changes include an update to EPA's preferred dispersion modeling system and the incorporation of a new approach for addressing the secondary formation of ozone and fine particulate matter. EPA's rulemaking effort would be the first update to the air modeling guidelines in more than a decade. EPA sent the "draft final" version of Appendix W to OMB with the request that interagency review last only 30 days, in any case no longer than 45. EPA has not heard a response from OMB on the length of review. **EPA anticipates Appendix W to be out for review prior to a November EPA modeling workshop in New Orleans.**

During September, the Association of Air Pollution Control Agencies (AAPCA) posted on its website presentations from AAPCA's Fall Business Meeting. Of particular note are a presentation by Tyler Fox of EPA entitled "EPA Air Quality Modeling Updates," a presentation entitled "NAAQS and Other Implementation Updates," and personal monitor presentations from the session conducted on Wednesday, September 21.

On September 14, counsel to the industry coalition litigation effort in which ACCCI is participating on EPA's Ozone NAAQS Final Rule filed the **coalition's Reply Brief** with the court hearing the case, the U.S. Court of Appeals for the D.C. Circuit.

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On September 19, EPA published **revisions to its Exceptional Events (EE) Rule** to establish criteria and procedures for use in determining if air quality monitoring data have been influenced by exceptional events. These changes and clarifications should make the EE rule much more effective for industry than it has been in the past, though the analysis will continue to require substantial time and effort from states.

The **final rule is consistent with a September 12 decision by the 9th Circuit**, in *Bahr v. EPA*, on EPA's application of the EE rule. The court rejected a citizen suit challenging various aspects of EPA's approval of the PM-10 SIP for the Phoenix area, including a challenge to exclusion of 135 exceedances under the EE Rule. The court held that EPA can exclude exceedances caused by emissions from manmade sources provided they are reasonably well-controlled, and gave deference to EPA's judgment on that issue. The court found that the control requirement has been met when a source is in compliance with the controls required in a SIP that accurately reflects the area's attainment status. Some of the SIP controls on which EPA relied had not been updated within three years – the general benchmark under EPA's EE guidance – but others had been and the court found the three-year requirement to be flexible. The court also upheld a "conceptual analysis" of upwind contributions that did not clearly distinguish between natural and manmade sources or specifically examine every potential contributing source. While the decision technically applies to the guidance that EPA was using prior to issuing the final regulations, it upholds several of the key decisions that EPA finalized and should be very helpful should opposing groups decide to file suit over these regulations.

On September 27, **environmental organizations sued EPA for missing Clean Air Act deadlines** - this time over various decisions the Agency was supposed to make on fine particulate matter (*Ctr. for Biological Diversity v. McCarthy*, N.D. Cal., No. 4:16-cv-5492, 9/27/16). The process for implementing national ambient air quality standards includes a number of decisions that EPA is required to make by law, including decisions on state pollution plans and determinations of whether areas have met deadlines for coming into compliance.

Environmental advocates frequently file lawsuits when the Agency misses a deadline to take a mandatory action, such as completing a periodic review of national air standards or taking action when states do not submit required pollution plans. The legal strategy, of which some lawmakers and industry groups are critical, typically results in a settlement with the EPA or a favorable judgment by the court, either of which results in a new, legally enforceable deadline for EPA to take action. The environmental plaintiffs are represented by Jonathan Evans, environmental health legal director at the Center for Biological Diversity in Oakland, CA.

The Sierra Club, a power company, and several groups have filed **petitions for review in U.S. appeals courts challenging EPA's July designations of areas not attaining the 2010 SO₂ ambient air quality standards**.

On September 19, EPA released a **final rule** (yet to be published in the *Federal Register*) concluding that both the current primary (health-based) and secondary (welfare-based) air quality standards for lead will be retained without revision. The last revision in 2008 reduced the primary standard by an order of magnitude, but environmental groups wanted a further reduction.

On September 22, EPA published a **notice of the availability and request for comments** of an external draft of its policy assessment in connection with the Agency's review of the primary ambient air quality standards for NO₂ to facilitate review by the Agency's Clean Air Scientific Advisory Committee. The document concludes that the existing standards are adequate. Comments are requested by December 8.

As was reported in ACCCI's August "Issues Update," on August 1, EPA posted draft guidance and supporting documents recommending **Significant Impact Levels for ozone and Fine Particles (PM_{2.5})**

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that may be used in the Prevention of Significant Deterioration (PSD) permitting program. On September 30, an *ad hoc* coalition of which ACCCI was a member submitted comments to EPA on this draft guidance. EPA indicates that it intends to complete a revised version of the guidance later this year.

EPA's Power Plant Cross-State Air Regulations. On September 7, EPA released its final rule (yet to be published in the *Federal Register*) to **update the 2011 Cross-State Air Pollution Rule (CSAPR)**, which originally established sulfur SO₂ and nitrogen oxide (NO_x) emission limits for power plants in 28 eastern states for the purpose of limiting air pollution effects in downwind states. CSAPR is intended to help states meet the 2008 ozone standard of 75 parts per billion (ppb) in light of the role of SO₂ and NO_x as ozone precursors. In July 2015, the U.S. Court of Appeals for the D.C. Circuit largely upheld the 2011 rule but ruled that EPA had set more stringent limits than necessary for a few states and sent the rule back to the Agency to reconsider SO₂ and NO_x emission budgets for those states. The updated rule does not address needs to achieve the more recently revised ozone standard of 70 ppb, revises the NO_x budgets for some states, and now establishes additional NO_x emission reductions in only 22 states. See www.epa.gov/airmarkets/final-cross-state-air-pollution-rule-update for a pre-publication version of the rule.

EPA's Regional Consistency Rulemaking. On August 3, EPA finalized its amendments to the Regional Consistency regulations under the Clean Air Act. Last fall, on November 3, 2015, ACCCI and 15 other trade associations filed comments in response to EPA's proposed rule to modify the Regional Consistency Regulation; this is a longstanding regulation that **requires EPA to apply its policies uniformly across all regions of the country.**

The comments noted the **fundamental change that EPA was proposing** in this rulemaking by, in some cases and at its discretion, only applying certain policies or court decisions to select regions of the country, rather than uniformly across all regions. The comments also noted that EPA was under no requirement to take this action. Finally, the comments called on the Agency — to the extent it elects to finalize this regulation — to go through a public notice and comment process before diverging from applying policies in a regionally consistent manner. The comments can be viewed at http://documents.nam.org/erp/Regional_Consistency_Coalition_Comments_11315.pdf.

The Regional Consistency regulations are supposed to **promote consistency among EPA Regional Offices and states** during implementation of the Clean Air Act, including judicial decisions interpreting the Act. The final amendments remain relatively unchanged from the proposal. Under the amended regulations, EPA can forego applying a circuit or district court decision nationwide if it determines that the judicial decision impacts only a regional or local issue.

Waters of the U.S. Litigation. In the ongoing dispute over which federal appeals courts and district courts have jurisdiction to hear the numerous cases challenging the EPA and Corps of Engineers on federal jurisdiction of water bodies under the Clean Water Act, on September 2 the **National Association of Manufacturers of which ACCCI is a member petitioned the U.S Supreme Court** to rule on where those challenges should be heard.

Federal Water Quality Coalition (FWQC) Activities. On September 13, the FWQC of which ACCCI is a member submitted comments to EPA on the **Agency's draft Guidance for Conducting Fish Consumption Surveys.** The proposal was made available to interested parties on July 15, 2016.

On September 27, the FWQC commented on **new draft aquatic life water quality criteria for copper in estuarine/marine waters** - <https://www.federalregister.gov/articles/2016/07/29/2016-18014/request-for-scientific-views-draft-aquatic-life-ambient-estuarinemarine-water-quality-criteria-for> . The draft criteria document is at <http://www.regulations.gov/document?D=EPA-HQ-OW-2016-0332-0002> . While most FWQC members are not directly affected by the copper estuarine/marine criteria, there are a

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number of aspects of EPA's proposal that, if implemented for other waters and other criteria, would pose significant problems for many members.

FWQC counsel reported during September that **EPA is planning to revise its guidelines for developing aquatic life water quality criteria**, which were last issued in 1985. Counsel expects that the revisions will focus increased attention on protection of endangered species, and will also provide "expedited" methods to derive criteria-like values in situations where there is not sufficient data on a pollutant to meet the current EPA criteria requirements. This EPA activity is one that the FWQC will monitor closely. EPA is currently taking an important initial step in the guidance development process – the Agency is putting together an SAB panel to review draft EPA documents. The Agency is seeking nominations for that panel -

<https://yosemite.epa.gov/sab/sabproduct.nsf/WebFRNotices/E43E8B747F0DFC568525801F0069E0C2?OpenDocument> . The nominations were due by September 20. After review of the nominations, EPA will put together a list of qualified candidates, and will seek public comment on that list.

MSGP Settlement Agreement. As was reported in ACCCI's August "Issues Update," during August EPA reached a settlement in Clean Water Act (CWA) lawsuits filed over its **2015 Multi-Sector General Permit (MSGP) for Stormwater Discharges from Industrial Activities**. 80 Fed. Reg. 34403 (June 16, 2015). The MSGP is the collective term for the CWA National Pollutant Discharge Elimination System (NPDES) program's general permits for stormwater discharges from industrial facilities spanning **29 sectors**, including, but not limited to, chemical manufacturing, textile mills, and timber products. **EPA reissues the MSGP every five years**. Under the terms of the recent **settlement agreement** in *Waterkeeper Alliance v. EPA* (2d Cir. 15-02091), EPA agreed to take certain steps in its proposal for the **2020** MSGP reissuance, and also will propose specific permit changes and provisions not included in the current MSGP.

On September 30, a multi-association coalition of which ACCCI is a member which was an intervenor in the lawsuit met, via conference call, to **discuss the settlement agreement, answer questions, and talk about next steps**. At 12:00 Noon EDT on Tuesday, October 11, ACCCI will hold a similar call - of ACCCI's Coal Chemicals and MESH Environmental subcommittees and coalition counsel - to discuss the settlement agreement, answer questions, and talk about next steps, particularly insofar as one particular provision that was negotiated during the settlement negotiations:

"Eligibility Criterion Regarding Coal Tar Sealants: In the next proposed permit, EPA shall propose for comment a condition of eligibility that operators who will use coal tar sealant to initially seal or re-seal pavement and, as a result, discharge PAHs are not eligible for this permit, and must instead either eliminate such discharge or apply for an individual permit."

ACCCI has invited staff and members of the Pavement Coatings Technology Council (PCTC) of which ACCCI is a member to participate in this call.

TSCA Reform Implementation. During September, EPA continued to make progress on implementing the **Lautenberg Chemical Safety Act (LCSA)**, focusing on prioritization, risk evaluation, the Science Advisory Committee on Chemicals (SACC), fees, and import certification. EPA's First Year Implementation Plan is, as follows:

- **New Chemicals.** Review and make an affirmative determination on all pre-manufacture notices (PMNs) and significant new use notices (SNUNs) before manufacturing can commence.
- **Prioritization Process Rule.** Procedural rule to establish the EPA's process and criteria for identifying high priority chemicals for risk evaluation and low priority chemicals.

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- **Risk Evaluation Process Rule.** Procedural rule to establish the EPA's process for evaluating the risk of high priority chemicals.
- **Fees Rule.** EPA is authorized to promulgate a rule to collect fees to help defray the cost of implementing certain provisions and to fully defray the cost of industry-requested risk evaluations.

EPA must establish a committee – the Science Advisory Committee on Chemicals (SACC) - to provide independent advice and expert consultation with respect to the scientific and technical aspects of issues related to implementation of the statute. EPA is seeking public comments and nominations until October 11, 2016. For more information, including how to submit comments or nominations to serve, please visit the Federal Register Notice.

EPA's Ammonia Risk Assessment. On September 20, EPA released a **final toxicological review** of ammonia under the Agency's Integrated Risk Information System (IRIS) program. IRIS toxicological profiles are often used as a basis for remediation and regulatory decision making. The analysis assesses only the inhalation health effects of ammonia and defers evaluation of cancer data and oral health effects. The recommended inhalation reference concentration (RfC) is 0.5 milligrams per cubic meter (mg/m³), which is less stringent than the 0.1 mg/m³ value in the previous assessment conducted in 1991 and the 0.3 mg/m³ value contained in a 2013 draft. See https://cfpub.epa.gov/ncea/iris/iris_documents/documents/toxreviews/0422tr.pdf.

California – Chemicals for Consultation by the Carcinogen Identification Committee (CIC). During September, the California Office of Environmental Health Hazard Assessment (OEHHA) announced a 45-day comment period on five chemicals, including "**Asphalt and Asphalt Emissions Associated with Road Paving and Asphalt and Asphalt Emissions Associated with Roofing.**" Following a November 15, 2016, meeting, the CIC will provide OEHHA with advice on the prioritization of the chemicals for possible preparation of hazard identification materials. Comments must be submitted to OEHHA by **Monday, October 24, 2016**. Additional information is available online at <http://oehha.ca.gov/proposition-65/cnr/prioritization-2016-chemicals-consultation-carcinogen-identification-committee>.

European Classification of Coal Tar Pitch. On September 16, the European Chemicals Commission published for comment a **listing of 12 chemicals, including "pitch, coal tar, high temp" (CAS No. 65996-93-2), as "substances of very high concern"** that would be subject to phase-out and bans under the REACH Annex XIV program unless granted authorization for specific uses. The deadline for discontinuing use of coal tar pitch would be **39 months after final listing**, but companies would have 18 months to submit applications for authorization to continue use. See https://ec.europa.eu/info/law/better-regulation/initiatives/ares20165404950_en. Comments on the draft regulation must be submitted by October 14.

Pavement Coatings Developments. On September 21-22, ACCCI staff attended the **Fall 2016 meeting of the Pavement Coatings Technology Council (PCTC)** in Nashville, TN. A key topic of discussion was the settlement agreement resulting from the MSGP litigation discussed above. ACCCI has invited PCTC staff and members to participate in an ACCCI conference call at 12:00 Noon EDT on Tuesday, October 11 to discuss the settlement agreement, answer questions, and talk about next steps.

CDR Reporting. On September 19, EPA posted a notice on the Chemical Data Reporting website that it has amended the CDR regulations to **extend the 2016 submission deadline from September 30, 2016, to October 31, 2016**. According to the pre-publication version of the *Federal Register* notice for the final rulemaking, EPA received a request for an extension, citing problems with certain aspects of the electronic reporting system that impact a business's ability to submit within the required timeframe, and agreed that additional time should be afforded. EPA clearly states, however, that the extension

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is a **one-time extension for the 2016 reporting period only**. The action does not impact the reporting timeframe for the 2020 CDR.

Because the original reporting deadline of September 30 was imminent, **EPA will utilize discretion under the Administrative Procedure Act** that allows it to issue a final rule if standard public review and comments are impracticable (Section 553(b)(3)(B)) and for "good cause" (Section 553(d)).

The ACCCI-managed Coke Oven Environmental Task Force (COETF) and ACCCI's Coal Chemicals Environmental Subcommittee decided during September that there was no need/interest in proceeding with a **new effort to develop draft CDR guidance for ACCCI's by-product recovery coke producer members and tar refiner members, respectively**. Both groups undertook such an effort in 2012, when member companies last had an obligation to report to EPA under CDR.

Use of Drones for Environmental Monitoring. On August 29, a new rule issued by the U.S. Department of Transportation (DOT) went into effect for **unmanned aircraft systems (UAS), or drones**. The new rule **establishes a waiver process for certain operators**, covering such areas as speed and altitude. The use of drones for environmental monitoring in the U.S. is expected to grow now that the first rule for governing their non-recreational use is in effect, but more work is ahead for regulating them.

During September, **ACCCI signed on to a multi-association "position paper"** developed by the United Drone Network (UDN) in which ACCCI participates. UDN, which is led by the American Fuel and Petrochemical Manufacturers (AFPM), will use the position paper in advocating UDN positions on drone use with the FAA.

New FAA rules broadly authorizing commercial drone operations are now in effect and the utility sector stands to benefit significantly. The new rules, **released by the FAA on August 29**, provide utilities the opportunity to utilize drones to reduce costs and increase worker safety. The drone rules, also known as Part 107, will implement clear requirements and parameters for the commercial use of drones – replacing the unduly burdensome Section 333 exemption process.

Regulatory Reform Legislation. On September 20, ACCCI was a party to a U.S. Chamber of Commerce-developed, multi-association letter to Capitol Hill in support of regulatory reform legislation being considered by our legislators. The letter, which was sent to the U.S. House of Representatives and included over 175 associations and chambers from across the country, advocated for passage of **H.R. 3438 the "Require Evaluation before Implementing Executive Wishlists (REVIEW) Act of 2016."** This legislation is designed to **stay the effective date of "high impact" rules** – those expected to cost \$1 billion or more per year – until they have gone through judicial review.

Passage of H.R. 3438 would avoid the situation where industry must spend millions of dollars to comply with a new high-impact rule, only to have the rule subsequently thrown out by the court, saddling industry with pointless expense. The REVIEW Act would also prevent situations in which an agency attacks a particular industry, and harms its competitiveness before a court can review the validity of the regulation. On the afternoon of September 21, the U.S. House of Representatives **passed H.R. 3438** by a bipartisan vote of **244-180**.

Legal Settlement Third-Party Donation Legislation. On September 7, the House passed a bill (H.R. 5063) that would **bar federal government donations to third-party groups** as part of civil legal case settlements. The legislation is intended to block financial contributions to litigants such as environmental groups and funding of supplemental environmental projects. A companion bill has been introduced in the Senate (S. 3050) but has not yet been considered. The White House has threatened to veto the legislation.

"Midnight Regulation" Legislation. On September 14, the House Judiciary Committee approved a bill (H.R. 5982) that **would allow Congress to overturn rules issued in the last days of an administration** under a Congressional Review Act resolution of disapproval. Full House approval is likely but Senate passage is questionable. The President has threatened to veto the bill if it reaches his desk.

Coal Mining Self-Bonding Policy. Following the August release by the Office of Surface Mining Reclamation & Enforcement (OSMRE) of a policy advisory urging states to disallow the practice of self-bonding to cover cost of surface mining remediation activities until the coal market stabilizes, on September 7 OSMRE published a *Federal Register* notice that the Agency is **granting a petition from an environmental group to revise current regulations relating to self-bonding** and will initiate a rulemaking process to propose changes to bonding regulations generally.

Petition to Consider Regulatory Employment Impacts. On September 14, the Cause of Action Institute, a conservative legal group, filed a petition for rulemaking with EPA to **ask the Agency to establish rules governing the process and standards for investigations into job losses arising from Clean Air Act regulations** as specified in Section 321 of the Act. The petition cites such regulations that have already been adopted relative to Clean Water Act rules. The issue is central to a pending lawsuit in the U.S. District Court for the Northern District of West Virginia over coal industry job losses caused by air pollution regulations, but the group claims the petition is unrelated to the lawsuit.

Drinking Water Legislation. On September 22, **a bill (H.R. 6116) to amend the Safe Drinking Water Act** was introduced by House Democrats. It is not expected to move in this Congress but is seen as a basis for legislation in the next Congress. It would include increased state drinking water revolving funds, provide funding for lead line replacements and monitoring technology, require water authorities to address risks to their systems, and enhance EPA's authority to set drinking water standards.

Federal Budget. On September 28, before adjourning until after the election, **Congress passed and the next day the President signed a continuing budget resolution** that authorizes spending at current FY 2016 levels through December 9. Congress will consider a permanent FY 2017 budget when it returns in mid-November.



Two ACCCI Projects Regarding Coal Tar and Coal Tar Pitch. During September, ACCCI's Coal Chemicals Committee reached agreement on the **governing scope of work** for one of two projects being funded by ACCCI's five tar refiner member companies focused on "increasing awareness about the true hazards of coal tar and coal tar pitch" – **testing for antagonism among PAHs in coal tar**. Both projects are being undertaken by ARCADIS U.S., Inc. With the scope being finalized, ARCADIS is now moving forward towards sending designated company representatives the sample containers to be used by companies in shipping RT-12 samples to ARCADIS for analysis.

Lawsuit Filed Against OSHA on "Walkarounds." On September 8, in a lawsuit filed in Texas (*Nat'l Fed'n of Indep. Bus. v. Dougherty*, No. 3:16-cv-02568 (N.D. Tex. Sept. 8, 2016)), the National Federation of Independent Business filed a lawsuit against OSHA alleging that the **Agency overstepped its authority in expanding union representation at "walk-arounds" in non-union workplaces**.

MSHA Safety Alert About Roof Falls. Following 10 incidents of roof collapses in July and August, the Mine Safety and Health Agency (MSHA) has issued a safety alert to **warn employers and employees about the dangers of roof falls**. MSHA said the roof failures occurred while employees were working in sections in which the roofs had been bolted. It said there were no injuries from those falls, but roof fall-ins by the loading point are "particularly dangerous because they occur where most miners work." In the new safety alert, the agency said that, if miners use certain "best practices," these types of roof falls can be reduced, and even eliminated.

MSHA Safety Alert About Water Hazards. Working around, over, or near water is a safety hazard that may result in entrapment and drowning, the Mining Safety and Health Administration (MSHA) has warned in a hazard alert. The Agency said 24 miners have died at metal and nonmetal mines and facilities while working on or near water since 2005.

States Raising Objections to OSHA's Fine Increases. State workplace safety agencies are **raising objections to adopting OSHA's penalty increases** in letters to the Department of Labor on OSHA's interim final rule, Federal Civil Penalties Inflation Adjustment Act Catch-Up Adjustment. State agencies with OSHA-approved job safety and health programs maintain that OSHA exceeded its authority in imposing the new fine structure on State Plans.



Department of Justice's Proposed Rule to Alter Discrimination Investigations. As was reported in ACCCI's August "Issues Update," on August 16, the Department of Justice (DOJ) issued a notice of proposed rulemaking expanding its authority and investigative power over employment discrimination and the employment eligibility verification process. Specifically, the proposed rule seeks to, among other things, expand the scope of activities during the employment verification process that could be deemed "discriminatory" as well as the definition of "discriminatory intent," for employers. Additionally, the rule would repeal the statute of limitations by expanding the current time bar of 180 days to five years in which DOJ is able to bring an investigation against employers for alleged discrimination based on a variety of grounds including; citizenship, immigration status, national origin discrimination and unfair documentary practices.

The comment period was only 30 days. The National Association of Manufacturers (NAM) of which ACCCI is a member requested an extension to further review the proposed rule's effect on manufacturers. On September 8, NAM received notice that DOJ was extending the comment period by 30 additional days, until **October 14**. NAM plans to comment on the proposed rule.

EEOC's New Retaliation Guidance. For the first time since 1998, the Equal Employment Opportunity Commission (EEOC) has issued new enforcement guidance on retaliation. Retaliation claims have been a growth industry over the last 18 years. Back in 1998 retaliation claims constituted 24 percent of all EEOC claims, behind both race and sex charges. Since then, however, retaliation has become the most common type of claim filed with the EEOC, leapfrogging to **45 percent of all EEOC charges filed** in 2015.

EEOC's EEO-1 Form Change. On September 29, the EEOC announced it had finalized the **proposal to include employee pay data in the annual Employer Information Form (EEO-1)** submitted to the Agency. Beginning with the 2017 form, private employers and federal contractors with 100 or more employees will have to report the employee wage data from employees' W-2's.

The EEO-1 report will be due for the first time with pay data on March 31, 2018, and the EEO-1 will be due every March 31 thereafter. Employers will have 18 months between the 2016 and 2017 EEO-1 deadlines to prepare for the change. The Chair of the EEOC, Jenny R. Yang, stated "Collecting pay data is a significant step forward in addressing discriminatory pay practices. This information will assist employers in evaluating their pay practices to prevent pay discrimination and strengthen enforcement of our federal antidiscrimination laws." Secretary of Labor Thomas E. Perez also stated "Collecting data is a critical step in delivering on the promise of equal pay."

The Administration suggests this "revision would increase the annual cost to all businesses of completing an EEO-1 by \$25 million, and would also impose a one-time compliance cost of \$27 million." However, a Labor Study released during September by the National Association of

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Manufacturers (NAM) of which ACCCI is a member, indicates this form change will cost manufacturers "\$1.9 Billion with 18 million hours of paperwork over the next ten years." EEOC has published a fact sheet with more details.

DOL's Contractor Paid Sick Leave Rule. On September 29, the Department of Labor (DOL) **finalized the federal contractor paid leave rule**, which requires that all employees working on a federal contract be afforded seven days of paid leave annually, "... including for family care and absences resulting from domestic violence, sexual assault and stalking. Any days not used within 12 months are permitted to be carried over to the next year." The rule will take effect in 60 days, or November 28. The Administration "estimates that the Final Rule will provide paid sick leave to about 1.15 million workers employed by Federal contractors, including 600,000 who previously had none."

Fair Pay & Safe Work Places Regulation. The Department of Labor and the Federal Acquisition Regulatory Council have issued **final guidance and rules implementing President Obama's Executive Order 13673 signed in July 2014**. The rules include requirements for federal contractors and subcontractors to disclose labor rule violations (whether adjudicated or not) when bidding for federal contracts.

Federal Minimum Wage. On September 20, the Department of Labor's Wage & Hour Division published a notice **raising the minimum wage** for workers on federal contracts from \$10.15 to \$10.20 per hour effective January 1, 2017. The increase is consistent with the annual increase provision of Executive Order 13658.

Retired Miner Benefits Legislation. On September 21, the Senate Finance Committee, following active lobbying by West Virginia legislators and the United Mine Workers of American (UMWA), **approved a bill (S. 1714)** that would provide for the transfer of federal funds earmarked for a mine cleanup program to help underwrite union coal miner retirement plans. Critics of the legislation oppose selective assistance for the UMWA but not other weak pension programs and the use of federal funds to help a private union.

Tax Regulations Regarding Marital Status. On September 2, the Internal Revenue Service published **final amendments to tax regulations related to health care and other benefits election and reimbursement for same-sex spouses** to align its rules with the 2013 Supreme Court decision, which held the Defense of Marriage Act to be unconstitutional and mandated federal government recognition of same-sex marriage. The rules make no changes to existing retirement plan rules already covered in prior directives.

Lawsuits Seeking to Block DOL's "White Collar" Overtime Rule. Twenty-one states, led by Texas and Nevada, have filed a lawsuit against the Department of Labor (DOL) seeking a **preliminary and permanent injunction** declaring unlawful the DOL's Final Rule amending the overtime exemption for executive, administrative, and professional employees (the "white collar" exemptions) under the Fair Labor Standards Act. The U.S. Chamber of Commerce, along with more than 50 other business groups, including the National Automobile Dealers Association, National Association of Manufacturers, and National Retail Federation, filed a separate lawsuit also challenging the DOL's Final Rule. Both suits were filed in the **U.S. District Court for the Eastern District of Texas**, a jurisdiction that has been receptive to challenges made to regulatory changes proposed by the Obama Administration.

The Final Rule, scheduled to go into effect on December 1, 2016, more than doubles the salary level requirement for the standard white collar exemptions from \$23,660 per year to \$47,476 per year and increases the salary level for the highly compensated exemption from \$100,000 per year to \$134,004 per year. It also, for the first time, requires the salary levels to be adjusted automatically, every three years, to reflect increases to the average salary levels for full-time employees, instead of requiring separate rulemaking by the DOL each time an increase is sought. The Final Rule also will allow

ACCCI "Issues Update"
September 1-30, 2016

employers to satisfy the standard salary level requirement with payment of non-discretionary incentive compensation, but this form of compensation is limited to 10 percent and must be paid at least quarterly.



ACCCI Leadership Changes. Tommy Pike (ABC Coke), who has served as Chairman of **ACCCI's MESH Quality Subcommittee** since 2001, has retired and, with that, is stepping down as Chairman of the Subcommittee. With much appreciation to all who volunteered to replace Tommy as chair, Dean Bishop (ABC Coke), in his capacity as Chairman of the MESH Committee, has appointed **Jeff McCord**, also of

ABC Coke, as the new Chairman of the Subcommittee. Jeff will assume the chairmanship following Tommy's last meeting as Chairman, which will be the Fall 2016 Meeting of the MESH Committee on October 6-7 at the Hyatt Regency Birmingham.

Also, as was reported in ACCCI's August "Issues Update," Tracy Laxton (SunCoke) had agreed to be the next chair of the **MESH Human Resources Subcommittee**, a position that had been vacant for an extended period of time. During September, Tracy decided that her new responsibilities within SunCoke were such that she would no longer be able to assume the role of Subcommittee chair. However, a SunCoke colleague of Tracy, **Larry Walker**, has graciously offered himself as the next chair, and his first ACCCI meeting in this capacity will be the Fall 2016 Meeting of the MESH Committee.

Upcoming Meetings. Upcoming meetings of note include the **Fall 2016 Meeting of ACCCI's MESH Committee** on October 6 - 7, 2016, at the Hyatt Regency Birmingham in Birmingham, AL; the **20th Annual Met Coke World Summit** from October 18 - 20 at the Pittsburgh Marriott City Center in Pittsburgh, PA; the **2016 Business Meeting of the ACCCI Board of Directors** on October 20, 2016, at the Pittsburgh Marriott City Center; and, **ACCCI's 2017 Annual Meeting** on April 29-30, 2017, at The Resort at Longboat Key Club in Longboat Key, FL.

As in years past, **ACCCI will be a sponsor of this year's Met Coke World Summit.** SMITHERS Apex is providing ACCCI members a **discounted registration rate** of \$1,099 to attend. In order to obtain the discounted rate, please visit www.metcokemarkets.com/register. There, either log in if you have registered before or create a new login entirely. Then, proceed through the registration process to the "summary" page, where the order is listed. On that page, there is a place to "Apply coupon code" - click that and enter the discount code - "**ACCCI16**." Afterwards, hit "apply" and it should change to a price of \$1,099.

For further information, please contact:

David C. Ailor, P.E., President
American Coke and Coal Chemicals Institute
dailor@accci.org or 703-795-3541

Country	CSC District	Count	Current Month				Cumulative, January to Date				
			QTY-1	QTY-2	Custom Val	C.I.F. Val	Count	QTY-1	QTY-2	Custom Val	C.I.F. Val
2704000011 COKE AND SEMICOKE OF COAL COMRCIALLY SUTABL FOR FUEL, NT IN BRIQUETTES GT 100MM,LEAST50%											
U KING	OGN HOUSTON	0	0 T	0	0	0	1	4 T	0	3100	4555
U KING	OGN TOTAL	0	0 T	0	0	0	1	4 T	0	3100	4555
ITALY	OGN BALT	0	0 T	0	0	0	10	864 T	0	250984	338985
ITALY	OGN CHICAGO	2	299 T	0	87420	135420	22	6364 T	0	1815131	2415229
ITALY	OGN TOTAL	2	299 T	0	87420	135420	32	7228 T	0	2066115	2754214
2704000011	TOTAL	2	299 T	0	87420	135420	33	7232 T	0	2069215	2758769

2704000025 COKE AND SEMICOKE OF COAL WETHER OR NOT AGGLOMERATED, NESOI

CANADA	OGN BUFFALO	1	22 T	0	4290	5060	178	3985 T	0	802230	941615
CANADA	OGN DETROIT	2	70 T	0	11433	11733	16	530 T	0	91646	94866
CANADA	OGN TOTAL	3	92 T	0	15723	16793	194	4515 T	0	893876	1036481
COLOMB	OGN HOUSTON	0	0 T	0	0	0	1	33708 T	0	5411819	5412119
COLOMB	OGN TOTAL	0	0 T	0	0	0	1	33708 T	0	5411819	5412119
U KING	OGN NY CITY	1	3 T	0	3000	4750	2	6 T	0	6000	9000
U KING	OGN PHILA	0	0 T	0	0	0	1	8 T	0	6230	9225
U KING	OGN TOTAL	1	3 T	0	3000	4750	3	14 T	0	12230	18225
RUSSIA	OGN SAVANNH	0	0 T	0	0	0	1	30000 T	0	3115413	3565413
RUSSIA	OGN TOTAL	0	0 T	0	0	0	1	30000 T	0	3115413	3565413
JAPAN	OGN CHRLSTN	0	0 T	0	0	0	5	1051 T	0	367580	383648
JAPAN	OGN TOTAL	0	0 T	0	0	0	5	1051 T	0	367580	383648
2704000025	TOTAL	4	95 T	0	18723	21543	204	69288 T	0	9800918	10415886

2704000050 COKE/SEMICOKE OF LIGNITE OR PEAT; RETORT CARBON

CANADA	OGN CHICAGO	0	0 T	0	0	0	1	13940 T	0	1603077	1653077
CANADA	OGN TOTAL	0	0 T	0	0	0	1	13940 T	0	1603077	1653077
GERMANY	OGN LOS ANG	0	0 T	0	0	0	1	70 T	0	18057	30237
GERMANY	OGN TOTAL	0	0 T	0	0	0	1	70 T	0	18057	30237

Country	CSC District	Count	Current Month				Cumulative, January to Date				
			QTY-1	QTY-2	Custom Val	C.I.F. Val	Count	QTY-1	QTY-2	Custom Val	C.I.F. Val
2704000050 COKE/SEMICOKE OF LIGNITE OR PEAT; RETORT CARBON											
INDNSIA	OGN NY CITY	1	28 T	0	24750	28750	5	132 T	0	128634	151134
INDNSIA	OGN TOTAL	1	28 T	0	24750	28750	5	132 T	0	128634	151134

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CHINA	0	0	0	0	1	220	7106	18091
CHINA	0	0	0	0	1	220	7106	18091
2704000050	1	24750	28750	8	14362	1756874	1844539	
OGN LOS ANG								
OGN TOTAL								
TOTAL								

C. MEMBERSHIP REPORT

There has been a change in membership since the previous meeting. J.G. Jr. Consulting & Associates and McKeown International, Inc. are not renewing their memberships. Patriot Coal Corporation and Norfolk Southern Corporation have not yet sent in their 2016 dues. As requested at all meetings, all Directors are urged to promote ACCI membership based on business contacts.

American Coke and Coal Chemicals Institute

Status of Statistical Reports

(as of October 20, 2016)

Quarterly Reports

Merchant Coke Production/Shipments	1Q16 and 2Q16 to be posted 10/30/16
Tar Production	1Q16 and 2Q16 to be posted 10/30/16
Tar Distillation	1Q16 and 2Q16 to be posted 10/30/16
Coke Plants Injury/Illness (Safety)	1Q16 and 2Q16 to be posted 10/30/16

Monthly Trade Reports

Coke Imports	Complete through August 2016. The next report will be for the September'16 data to be posted by the Census Bureau on November 4, 2016.
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Annual Reports

Tar Refiners Safety Benchmarking	2015 complete (7 plants)
Tar Refiners Energy Benchmarking	2014 complete (7 plants)
Coke Producers HR Benchmarking	2014 complete (9 plants)
- Wages	
- Fringe Benefits	
- Workers' Compensation	
- Health Care	
Total U.S. Coke Production	2015 complete

The Annual Benchmarking Reports for 2016 will be compiled after the 2016 year-end.

**AMERICAN COKE & COAL CHEMICALS INSTITUTE (including COETF)
BALANCE SHEET
NINE-MONTH FINANCIAL STATEMENT
September 30, 2016**

ASSETS	
ACCCI - Commercial Checking - PNC Bank	\$ 235,772.42
COETF - Commercial Checking - PNC Bank	13,084.91
Insured Savings - PNC Bank	221,599.65
Accounts Receivable	7,903.68
Prepaid Expenses - 2017 Sprg Mtg Dpst	<u>2,000.00</u>
TOTAL ASSETS:	\$ <u>480,360.66</u>
 LIABILITIES	
Accounts Payable	\$ 0.00
Prepaid Income	<u>0.00</u>
TOTAL LIABILITIES:	\$ <u>0.00</u>
 FUND BALANCE:	
Fund Balance at January 1, 2016	\$ 320,732.66
Excess of Receipts over Disbursements	<u>159,628.00</u>
TOTAL FUND BALANCE	\$ <u>480,360.66</u>
TOTAL LIABILITIES AND FUND BALANCE:	\$ <u>480,360.66</u>

ACCCI (including COETF)

NET INCOME/(EXPENSE) SUMMARY
September 30, 2016

	<u>BUDGET 2016</u>	<u>BUDGET YTD 09/30/16</u>	<u>ACTUAL YTD 09/30/16</u>	<u>COMPARISON YTD 09/30/15</u>
<u>NET GAIN (LOSS)</u>				
General / Administration	(3,200.00)	80,600.00	186,976.37	72,274.31
COETF	(16,600.00)	(12,450.00)	4,770.55	(31,098.44)
PCTC	0.00	0.00	0.00	0.00
Annual Mtgs.				
Spring	(6,100.00)	(4,575.00)	(27,443.94)	(7,927.94)
Fall	(3,000.00)	(2,250.00)	(4,674.98)	14,036.30
Total Net Gain (Loss)	<u>(28,900.00)</u>	<u>61,325.00</u>	<u>159,628.00</u>	<u>47,284.23</u>
NOTES:				
BEGINNING FUND BALANCE	339,924	339,924	320,733	410,452
END OF YEAR PROJECTED FUND BALANCE	<u>311,024</u>	<u>401,249</u>	<u>480,361</u>	<u>457,736</u>

NET INCOME/(EXPENSE) SUMMARY
September 30, 2016

		BUDGET 2016	BUDGET YTD 09/30/16	ACTUAL YTD 09/30/16	COMPARISON YTD 09/30/15
<u>INCOME</u>					
General / Administration Annual Mtgs.		337,400.00	336,050.00	468,680.13	334,882.01
	Spring	47,000.00	35,250.00	42,180.00	50,760.00
	Fall	0.00	0.00	0.00	29,585.00
Total Income		384,400.00	371,300.00	510,860.13	415,227.01
<u>EXPENSE</u>					
General / Administration Committees Regulatory Affairs Annual Meetings		172,500.00 9,000.00 159,100.00	129,375.00 6,750.00 119,325.00	113,970.88 10,826.64 156,906.24	138,200.57 5,227.11 119,180.02
	Spring	53,100.00	39,825.00	69,623.94	58,687.94
	Fall	3,000.00	2,250.00	4,674.98	15,548.70
Total Expense		396,700.00	297,525.00	356,002.68	336,844.34
COETF		(16,600.00)	(12,450.00)	4,770.55	(31,098.44)
PCTC		0.00	0.00	0.00	0.00
Surplus/(Deficit)		(28,900.00)	61,325.00	159,628.00	47,284.23

NET INCOME/(EXPENSE) SUMMARY
September 30, 2016

GENERAL & ADMINISTRATIVE:

		BUDGET	BUDGET	ACTUAL	COMPARISON
<u>INCOME</u>		2016	YTD 09/30/16	YTD 09/30/16	YTD 09/30/15
Company Dues	16-3020-01	324,000.00	324,000.00	323,780.00	323,780.00
Company Dues - New Members	16-3025-01	0.00	0.00	0.00	600.00
Associate Dues	16-3030-01	8,000.00	8,000.00	7,380.00	7,930.00
Interest and Dividends	16-3800-01	400.00	300.00	198.98	212.01
MESH Committee Meeting Registrations	16-3900-01	5,000.00	3,750.00	4,769.52	2,360.00
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	129,551.63	0.00
Dermal PAH IRIS Cmnts In	16-3965-01	0.00	0.00	3,000.00	0.00
Total Reg. Admin. Income		337,400.00	336,050.00	468,680.13	334,882.01

		BUDGET	BUDGET	ACTUAL	COMPARISON
<u>EXPENSES</u>		2016	YTD 09/30/16	YTD 09/30/16	YTD 09/30/15
Audit and Bond	16-4060-01	3,400.00	2,550.00	3,414.68	3,400.00
Computer Services	16-4070-01	1,000.00	750.00	220.00	200.00
Dues and Subscriptions	16-4100-01	1,400.00	1,050.00	1,405.00	1,365.00
Insurance (O&D Liability)	16-4170-01	5,000.00	3,750.00	2,504.00	2,504.00
Legal Counsel (Fees)	16-4188-01	20,000.00	15,000.00	10,000.00	10,000.00
Legal Counsel (Expenses)	16-4189-01	3,000.00	2,250.00	706.31	755.14
Management	16-4240-01	116,800.00	87,600.00	87,309.00	87,068.00
Headquarters	16-4250-01	500.00	375.00	0.00	0.00
Board of Dir./F&B Comm mtgs.	16-4320-01	2,000.00	1,500.00	1,051.05	929.18
Meeting Expense	16-4325-01	0.00	0.00	0.00	0.00
Miscellaneous	16-4360-01	1,000.00	750.00	370.62	1,700.66
Postage/Freight/Delivery	16-4400-01	400.00	300.00	116.05	59.00
Stationery/Printing/Supplies	16-4440-01	500.00	375.00	358.35	389.98
Gifts/Awards	16-4447-01	500.00	375.00	0.00	533.30
Statistical Programs	16-4450-01	500.00	375.00	161.30	432.50
Administrative/Accounting/Mailroom	16-4460-01	1,000.00	750.00	630.15	558.54
Taxes	16-4470-01	0.00	0.00	0.00	0.00
Telephone/FAX/Equip/Reception	16-4480-01	500.00	375.00	421.56	349.49
Travel--Staff	16-4500-01	2,000.00	1,500.00	810.06	910.89
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	12,000.00	9,000.00	3,825.00	1,050.00
Transition	16-4908-01	0.00	0.00	0.00	25,527.14
Web Site Development/Maintenance	16-4909-01	1,000.00	750.00	667.75	467.75
Total Regular Admin. Expense		172,500.00	129,375.00	113,970.88	138,200.57

<u>COMMITTEES:</u>		BUDGET	BUDGET	ACTUAL	COMPARISON
		2016	YTD 09/30/16	YTD 09/30/16	YTD 09/30/15
Coke Committee	16-4341-01	0.00	0.00	0.00	0.00
MESH Committee	16-4344-01	8,000.00	6,000.00	10,402.29	5,191.81
Coal Chemicals	16-4347-01	1,000.00	750.00	424.35	35.30
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		9,000.00	6,750.00	10,826.64	5,227.11

GAIN (LOSS) ADMINISTRATION		155,900.00	199,925.00	343,882.61	191,454.33
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NET INCOME/(EXPENSE) SUMMARY
September 30, 2016

REGULATORY AFFAIRS:

EXPENSE		BUDGET 2016	BUDGET YTD 09/30/16	ACTUAL YTD 09/30/16	COMPARISON YTD 09/30/15
Dues & Subscriptions	16-4413-01	0.00	0.00	0.00	0.00
Meeting Expense	16-4415-01	0.00	0.00	3,001.87	0.00
Note(Paid from Account# 16441501): COETF Conference Call Payments Year-To-Date are: \$3,001.87					
Miscellaneous	16-4420-01	0.00	0.00	0.00	0.00
Postage/Freight/Delivery	16-4425-01	0.00	0.00	0.00	0.00
Stationary/Printing/Office Supplies	16-4430-01	0.00	0.00	0.00	0.00
Administrative/Accounting/Mailroom	16-4435-01	0.00	0.00	0.00	0.00
Telephone/Fax	16-4449-01	100.00	75.00	0.00	0.00
Staff Specialist	16-4411-01	90,000.00	67,500.00	78,300.00	66,700.00
Note(Paid from Account# 16441101): COETF Staff Specialist Salary Year-To-Date is: \$11,700.00					
Travel	16-4412-01	4,000.00	3,000.00	2,684.81	2,980.02
Total Regulatory Affairs Expense		94,100.00	70,575.00	83,986.68	69,680.02

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	30,000.00	22,500.00	35,468.06	14,500.00
Consultant	16-4951-01	20,000.00	15,000.00	0.00	20,000.00
TSCA Test Rule					
Consultant/Legal	16-4954-01	0.00	0.00	0.00	0.00
Tar Refiners Misc.					
Consultant/Legal	16-5720-13	15,000.00	11,250.00	15,750.00	15,000.00
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	3,000.00	0.00
2 PAH Proj Out	16-5723-15	0.00	0.00	18,701.50	0.00
Total Regulatory Project Expense		65,000.00	48,750.00	72,919.56	49,500.00
Total Regulatory Affairs Expense		159,100.00	119,325.00	156,906.24	119,180.02

TOTAL GENERAL/ADMINISTRATION

		(3,200.00)	80,600.00	186,976.37	72,274.31
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COETF

INCOME		BUDGET 2016	BUDGET YTD 09/30/16	ACTUAL YTD 09/30/16	COMPARISON YTD 09/30/15
COETF Transfers In	16-3930-01	200,000.00	150,000.00	36,365.75	0.00
Total COETF Transfers In		200,000.00	150,000.00	36,365.75	0.00
EXPENSES					
Staff Specialist	16-9100-01	15,600.00	11,700.00	0.00	11,700.00
Consultant / Legal	16-9115-01	200,000.00	150,000.00	31,595.20	19,019.95
Mtg / Telephone	16-9120-01	1,000.00	750.00	0.00	378.49
Total COETF Transfers Out		216,600.00	162,450.00	31,595.20	31,098.44
TOTAL COETF		(16,600.00)	(12,450.00)	4,770.55	(31,098.44)

PCTC

INCOME		BUDGET 2016	BUDGET YTD 09/30/16	ACTUAL YTD 09/30/16	COMPARISON YTD 09/30/15
PCTC Transfers In	16-3915-01	377,000.00	282,750.00	409,750.00	377,000.00
Total PCTC Transfers In		377,000.00	282,750.00	409,750.00	377,000.00
EXPENSES					
PCTC Transfers Out	16-4335-01	377,000.00	282,750.00	409,750.00	377,000.00
Total PCTC Transfers Out		377,000.00	282,750.00	409,750.00	377,000.00
TOTAL PCTC		0.00	0.00	0.00	0.00

ACCI ANNUAL MEETINGS

NET INCOME/(EXPENSE) SUMMARY
September 30, 2016

SPRING MEETING		BUDGET	BUDGET	ACTUAL	COMPARISON
INCOME		2016	YTD 09/30/16	YTD 09/30/16	YTD 09/30/15
Spring Meeting Registrations	16-3500-02	40,000.00	30,000.00	32,180.00	40,260.00
Spring Meeting Sponsorships	16-3504-02	7,000.00	5,250.00	10,000.00	10,500.00
Total Spring Meeting Income		47,000.00	35,250.00	42,180.00	50,760.00
EXPENSES					
Theme Party	16-5201-02	0.00	0.00	0.00	0.00
Entertainment	16-5202-02	4,000.00	3,000.00	2,350.00	3,950.00
Hotel Master Acct. (F&B, AV, etc.)	16-5204-02	35,000.00	26,250.00	47,540.28	46,154.62
Miscellaneous/Staff Support	16-5206-02	500.00	375.00	0.00	0.00
Printing/Graphic Design	16-5208-02	800.00	600.00	961.19	921.57
Speaker Fees/Travel	16-5210-02	10,000.00	7,500.00	15,929.07	5,845.50
Gifts/Awards	16-5214-02	800.00	600.00	2,206.24	1,105.94
Staff Travel	16-5212-02	2,000.00	1,500.00	637.16	710.31
Total Spring Meeting Expense		53,100.00	39,825.00	69,623.94	59,687.94
GAIN (LOSS) SPRING MEETING		(6,100.00)	(4,575.00)	(27,443.94)	(7,927.94)
FALL MEETING		BUDGET	BUDGET	ACTUAL	COMPARISON
INCOME		2016	YTD 09/30/16	YTD 09/30/16	YTD 09/30/15
Fall Meeting Registrations	16-3600-03	0.00	0.00	0.00	21,585.00
Fall Meeting Sponsorships	16-3604-03	0.00	0.00	0.00	8,000.00
Total Fall Meeting Income		0.00	0.00	0.00	29,585.00
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
Hotel Master Acct. (F&B, AV, etc.)	16-5304-03	1,000.00	750.00	0.00	5,000.00
Miscellaneous/Staff Support	16-5306-03	500.00	375.00	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	4,674.98	10,000.00
Staff Travel	16-5312-03	1,500.00	1,125.00	0.00	0.00
Gifts/Awards	16-5314-03	0.00	0.00	0.00	548.70
Total Fall Meeting Expenses		3,000.00	2,250.00	4,674.98	15,548.70
GAIN (LOSS) FALL MEETING		(3,000.00)	(2,250.00)	(4,674.98)	14,036.30
GAIN (LOSS) ANNUAL MEETINGS		(9,100.00)	(6,825.00)	(32,118.92)	6,108.36

ACCCI				
GAIN (LOSS) ADMINISTRATION	(3,200.00)	80,600.00	186,976.37	72,274.31
COETF	(16,600.00)	(12,450.00)	4,770.55	(31,098.44)
PCTC	0.00	0.00	0.00	0.00
GAIN (LOSS) ANNUAL MEETINGS	(9,100.00)	(6,825.00)	(32,118.92)	6,108.36
TRANSFER TO(FROM) SURPLUS	(28,900.00)	61,325.00	159,628.00	47,284.23

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10/12/2016

**AMERICAN COKE AND COAL
CHEMICALS INSTITUTE
FINANCIAL STATEMENTS
AND
AUDITOR'S REPORT
DECEMBER 31, 2015 AND 2014**

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PATTON AND COMPANY CPAs

2040 WEST END AVENUE
POTTSVILLE, PA 17901
570-581-8095

ROBERT B. PATTON, CPA

ALBERT D. MARAZAS, CPA
KELLY E. ZWIEBEL, CPA

MEMBERS:
AMERICAN INSTITUTE OF CPAs
PENNSYLVANIA INSTITUTE OF CPAs

INDEPENDENT AUDITOR'S REPORT

August 17, 2016

Board of Directors
American Coke and Coal Chemicals Institute
25 Massachusetts Avenue NW Suite 800
Washington, DC 20001

We have audited the accompanying financial statements of American Coke and Coal Chemicals Institute (a nonprofit organization), which comprise the statement of financial position as of December 31, 2015 and 2014, and the related statements of activities and cash flows for the years then ended, and the related notes to the financial statements.

Management's Responsibility for the Financial Statements

Management is responsible for the preparation and fair presentation of these financial statements in accordance with accounting principles generally accepted in the United States of America; this includes the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error.

Auditor's Responsibility

Our responsibility is to express an opinion on these financial statements based on our audit. We conducted our audit in accordance with auditing standards generally accepted in the United States of America. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statements are free from material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial statements. The procedures selected depend on the auditor's judgment, including the assessment of the risks of material misstatement of the financial statements, whether due to fraud or error. In making those risk assessments, the auditor considers internal control relevant to the entity's preparation and fair presentation of the financial statements in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the entity's internal control. Accordingly, we express no such opinion. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluating the overall presentation of the financial statements.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinion.

Opinion

In our opinion, the financial statements referred to above present fairly, in all material respects, the financial position of American Coke and Coal Chemicals Institute as of December 31, 2015 and 2014, and the changes in its net assets and its cash flows for the years then ended in accordance with accounting principles generally accepted in the United States of America.

Other Matter

Our audit was conducted for the purpose of forming an opinion on the financial statements as a whole. The schedule of functional expenses on page 6 is presented for purposes of additional analysis and is not a required part of the financial statements. Such information is the responsibility of management and was derived from and relates directly to the underlying accounting and other records used to prepare the financial statements. The information has been subjected to the auditing procedures applied in the audit of the financial statements and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the financial statements or to the financial statements themselves, and other additional procedures in accordance with auditing standards generally accepted in the United States of America. In our opinion, the information is fairly stated in all material respects in relation to the financial statements as a whole.

Patton and Company CPAs

Patton and Company CPAs

AMERICAN COKE AND COAL CHEMICALS INSTITUTE
STATEMENTS OF FINANCIAL POSITION
DECEMBER 31, 2015 AND 2014

ASSETS

	<u>2015</u>	<u>2014</u>
<u>CURRENT ASSETS</u>		
Cash and cash equivalents: (Note 1)		
Cash - Checking	\$ 76,582	\$ 177,140
Cash - Savings	221,401	221,122
Cash - Checking - COETF	<u>8,314</u>	<u>-0-</u>
Total Cash and Cash Equivalents	306,297	398,262
Accounts Receivable	2,436	5,190
Prepaid Expenses	<u>12,000</u>	<u>7,000</u>
TOTAL ASSETS	<u>\$ 320,733</u>	<u>\$ 410,452</u>

LIABILITIES AND NET ASSETS

CURRENT LIABILITIES

Dues Received in Advance	\$ <u>-0-</u>	\$ <u>-0-</u>
Total Liabilities	-0-	-0-

NET ASSETS

Unrestricted	<u>320,733</u>	<u>410,452</u>
Total Net Assets	<u>320,733</u>	<u>410,452</u>
TOTAL LIABILITIES AND NET ASSETS	<u>\$ 320,733</u>	<u>\$ 410,452</u>

**THE NOTES TO THE FINANCIAL STATEMENTS ARE AN INTEGRAL
PART OF THESE STATEMENTS**

AMERICAN COKE AND COAL CHEMICALS INSTITUTE
STATEMENT OF ACTIVITIES
FOR THE YEAR ENDED DECEMBER 31, 2015
(WITH COMPARATIVE TOTALS FOR THE YEAR ENDED DECEMBER 31, 2014)

	<u>UNRESTRICTED</u> <u>2015</u>	<u>UNRESTRICTED</u> <u>2014</u>
<u>REVENUE</u>		
Membership Dues:		
Company	\$ 323,780	\$ 297,600
Associate	7,930	6,400
New Member	600	4,700
Total Membership Dues	<u>332,310</u>	<u>308,700</u>
Annual Meetings:		
Spring	50,760	55,520
Fall	40,580	43,945
Total Annual Meetings	<u>91,340</u>	<u>99,465</u>
Special Projects:		
COETF Assessments	16,000	63,243
Total Special Projects	<u>16,000</u>	<u>63,243</u>
Other Revenue:		
MESH Meeting Registration	6,456	7,472
Interest Income	279	349
Miscellaneous	-0-	696
Total Other Revenue	<u>6,735</u>	<u>8,517</u>
 TOTAL REVENUE	 446,385	 479,925
<u>EXPENSES</u>		
Program Services:		
Special Projects	23,527	15,000
Regulatory Affairs	144,217	123,470
COETF	66,938	24,740
Total Program Services	<u>234,682</u>	<u>163,210</u>
Supporting Services:		
General and administrative	<u>301,422</u>	<u>270,340</u>
 TOTAL EXPENSES	 <u>536,104</u>	 <u>433,550</u>
 <u>CHANGE IN NET ASSETS</u>	 (89,719)	 46,375
<u>NET ASSETS - BEGINNING OF YEAR</u>	<u>410,452</u>	<u>364,077</u>
<u>NET ASSETS - END OF YEAR</u>	<u>\$ 320,733</u>	<u>\$ 410,452</u>

**THE NOTES TO THE FINANCIAL STATEMENTS ARE AN INTEGRAL
PART OF THESE STATEMENTS**

**AMERICAN COKE AND COAL CHEMICALS
STATEMENTS OF CASH FLOWS
FOR THE YEARS ENDED DECEMBER 31, 2015 AND 2014**

	<u>2015</u>	<u>2014</u>
<u>CASH FLOWS FROM OPERATING ACTIVITIES</u>		
Change in Net Assets	\$ (89,719)	\$ 46,375
Changes in Assets and Liabilities:		
(Increase) Decrease in accounts receivable	2,754	(3,219)
(Increase) Decrease in prepaid expenses	(5,000)	13,500
Increase (Decrease) in dues received in advance	<u>-0-</u>	<u>(40,000)</u>
 NET CASH PROVIDED (USED) BY OPERATING ACTIVITIES	 (91,965)	 16,656
 <u>CASH - BEGINNING OF YEAR</u>	 <u>398,262</u>	 <u>381,606</u>
 <u>CASH - END OF YEAR</u>	 <u>\$ 306,297</u>	 <u>\$ 398,262</u>

**THE NOTES TO THE FINANCIAL STATEMENTS ARE AN INTEGRAL
PART OF THESE STATEMENTS**

AMERICAN COKE AND COAL CHEMICALS INSTITUTE
SCHEDULE OF FUNCTIONAL EXPENSES
FOR THE YEAR ENDED DECEMBER 31, 2015
(WITH COMPARATIVE TOTALS FOR THE YEAR ENDED DECEMBER 31, 2014)

	<u>SPECIAL</u> <u>PROJECTS</u>	<u>REGULATORY</u> <u>AFFAIRS</u>	<u>COETF</u>	<u>GENERAL</u> <u>&</u> <u>ADMINISTRATIVE</u>	<u>2015</u> <u>TOTAL</u>	<u>2014</u> <u>TOTAL</u>
Audit and bond	\$ -0-	\$ -0-	\$ -0-	\$ 3,400	\$ 3,400	\$ 3,400
Computer Services	-0-	-0-	-0-	450	450	210
Consultant	-0-	20,000	45,403	1,875	67,278	29,140
Dues and Subscriptions	-0-	-0-	-0-	1,525	1,525	1,485
Gifts/Awards	-0-	-0-	-0-	533	533	1,134
Insurance	-0-	-0-	-0-	2,504	2,504	3,289
Legal	-0-	29,821	-0-	21,543	51,364	31,052
Management Fees (Note 2)	-0-	-0-	-0-	116,171	116,171	113,520
Meeting - Fall	-0-	-0-	-0-	45,657	45,657	49,480
Meeting - Other	-0-	-0-	5,935	15,161	21,096	10,498
Meeting - Spring	-0-	-0-	-0-	58,689	58,689	56,594
Miscellaneous	-0-	-0-	-0-	2,004	2,004	851
Postage	-0-	-0-	-0-	88	88	73
Administration	-0-	-0-	-0-	559	559	516
Specialist	-0-	88,900	-0-	-0-	88,900	90,000
Staff Support	-0-	-0-	15,600	-0-	15,600	15,600
Statistics Program	-0-	-0-	-0-	482	482	111
Transition Expense	-0-	-0-	-0-	25,527	25,527	4,227
Printing/Supplies	-0-	-0-	-0-	550	550	891
MSDS Coal Tar Consulting	17,500	-0-	-0-	-0-	17,500	15,000
PAH	6,027	-0-	-0-	-0-	6,027	-0-
Telephone	-0-	-0-	-0-	419	419	334
Travel	-0-	5,496	-0-	3,417	8,913	5,737
Web Site	-0-	-0-	-0-	868	868	408
TOTAL	<u>\$ 23,527</u>	<u>\$ 144,217</u>	<u>\$ 66,938</u>	<u>\$ 301,422</u>	<u>\$ 536,104</u>	<u>\$433,550</u>

THE NOTES TO THE FINANCIAL STATEMENTS ARE AN INTEGRAL
PART OF THESE STATEMENTS

**AMERICAN COKE AND COAL CHEMICALS INSTITUTE
NOTES TO THE FINANCIAL STATEMENTS
DECEMBER 31, 2015 and 2014**

NOTE 1 – SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

PURPOSE

The American Coke and Coal Chemicals Institute (ACCCI) was created in 1944 to promote the interest of the Coke and Coal Chemicals Industry. ACCCI advances the interest of the metallurgical coke and coal chemicals industry by communicating industry positions to members of Congress and Federal regulatory officials; cooperating with governmental agencies having jurisdiction over the industry; providing a forum for the exchange of information and discussion of issues; collecting statistics related to the industry; and, promoting the use of coke and its byproducts in the marketplace.

INCOME TAXES

ACCCI is exempt from federal income tax under Section 501(c)(6) of the Internal Revenue Code. ACCCI is also exempt from District of Columbia income tax.

BASIS OF ACCOUNTING

The accompanying financial statements have been prepared on the accrual method of accounting, whereby revenue is recognized in the year in which it is earned, and expenses are recognized in the year in which they are incurred.

CASH AND CASH EQUIVALENTS

Cash and cash equivalents consist of demand deposits with financial institutions. ACCCI's demand deposits with financial institutions at times exceeded federally insured limits. ACCCI has not experienced any losses in such accounts, and management believes it is not exposed to any significant credit risks.

ACCOUNTS RECEIVABLE

ACCCI recognizes bad debts when, in the opinion of management, a specific account becomes uncollectible.

DUES RECEIVED IN ADVANCE

Amounts received before year end for the succeeding year dues are reflected as a current liability classified as dues received in advance.

FUNCTIONAL EXPENSES

ACCCI allocates its expenses on a functional basis among its various programs. Expenses that can be identified with a specific program or general and administrative service are allocated directly according to their natural expenditure classification. Other expenses that are common to several functions are allocated by various statistical bases.

AMERICAN COKE AND COAL CHEMICALS INSTITUTE
NOTES TO THE FINANCIAL STATEMENTS
DECEMBER 31, 2015 and 2014

NOTE 1 – SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES – (Continued)

USE OF ESTIMATES

The preparation of financial statements in conformity with accounting principles generally accepted in the United States of America requires management to make estimates and assumptions that affect certain reported amounts and disclosures. Accordingly, actual results could differ from those estimates.

RECLASSIFICATIONS

Certain amounts in the 2014 financial statements have been reclassified to conform to the 2015 presentation.

BASIS OF PRESENTATION

Financial statement presentation follows the recommendations of the Financial Accounting Standards board in its Accounting Standards Codification 958. Under ASC 958, the Organization is required to report information regarding its financial position and activities according to three classes of net assets; unrestricted net assets, temporarily restricted net assets, and permanently restricted net assets. In addition, the Organization is required to present a statement of cash flows.

The financial statements include certain prior-year summarized comparative information in total but not by net asset class. Such information does not include sufficient detail to constitute a presentation in conformity with U.S. generally accepted accounting principles. Accordingly, such information should be read in conjunction with ACCCI's financial statements for the year ended December 31, 2014, from which the summarized information was derived.

NOTE 2 – MANAGEMENT CONTRACT

From February 1, 2007 through December 31, 2014 ACCCI was managed by Steiner Environmental Services, LLC. Since then, the management is through Ailor Consulting.

NOTE 3 – EVALUATION OF SUBSEQUENT EVENTS

The Organization has evaluated subsequent events through August 17, 2016 the date which the financial statements were available to be issued.

PATTON AND COMPANY CPAs

2040 WEST END AVENUE
POTTSVILLE, PA 17901
570-581-8095

ROBERT B. PATTON, CPA

ALBERT D. MARAZAS, CPA
KELLY E. ZWIEBEL, CPA

MEMBERS:
AMERICAN INSTITUTE OF CPAs
PENNSYLVANIA INSTITUTE OF CPAs

July 19, 2016

American Coke and Coal Chemicals Institute
c/o Janis R. Deitch
911 Whitewater Drive
Mars, PA 16046

Dear Janis:

In response to your request we would submit a cost estimate of \$3,500 to perform an audit of the financial statements of American Coke and Coal Chemicals Institute for the year ended December 31, 2016. This would include preparation of the Organization's Form 990 income tax return.

We would anticipate performing the audit in June, July and August with completion in September for your annual meeting.

Very truly yours,



Robert B. Patton, CPA
Patton and Company CPAs

PROPOSED ACCCI BUDGET FOR 2017

ACCCI (including COETF)

	<u>BUDGET 2016</u>	<u>12/31/16 YR. END PROJECTION</u>	<u>PROPOSED BUDGET 2017</u>
<u>NET GAIN (LOSS)</u>			
General / Administration	(3,200.00)	(16,676.70)	(10,450.00)
COETF	(16,600.00)	0.00	0.00
PCTC	0.00	0.00	0.00
Annual Mtgs.			
Spring	(6,100.00)	(27,443.94)	(17,500.00)
Fall	(3,000.00)	(9,224.98)	(5,050.00)
Total Net Gain (Loss)	<u>(28,900.00)</u>	<u>(53,345.62)</u>	<u>(33,000.00)</u>
NOTES:			
BEGINNING FUND BALANCE	339,924	339,924	339,924
END OF YEAR PROJECTED FUND BALANCE	<u>311,024</u>	<u>286,578</u>	<u>306,924</u>

		BUDGET 2016	12/31/16 YR. END PROJECTION	PROPOSED BUDGET 2017
<u>INCOME</u>				
General / Administration		337,400.00	474,073.61	344,400.00
Annual Mtgs.				
	Spring	47,000.00	42,180.00	47,000.00
	Fall	0.00	1,200.00	1,200.00
Total Income		384,400.00	517,453.61	392,600.00
<u>EXPENSE</u>				
General / Administration		172,500.00	162,348.68	159,000.00
Committees		9,000.00	21,000.00	21,000.00
Regulatory Affairs		159,100.00	307,401.63	174,850.00
Annual Meetings				
	Spring	53,100.00	69,623.94	64,500.00
	Fall	3,000.00	10,424.98	6,250.00
Total Expense		396,700.00	570,799.23	425,600.00
COETF		(16,600.00)	0.00	0.00
PCTC		0.00	0.00	0.00
Surplus/(Deficit)		(28,900.00)	(53,345.62)	(33,000.00)

GENERAL & ADMINISTRATIVE:

		BUDGET	12/31/16 YR. END	PROPOSED BUDGET
		2016	PROJECTION	2017
INCOME				
Company Dues	16-3020-01	324,000.00	323,780.00	324,000.00
Company Dues - New Members	16-3025-01	0.00	0.00	0.00
Associate Dues	16-3030-01	8,000.00	7,380.00	8,000.00
Interest and Dividends	16-3800-01	400.00	300.00	400.00
MESH Committee Meeting Registrations	16-3900-01	5,000.00	10,061.98	12,000.00
Miscellaneous Income	16-3920-01	0.00	0.00	0.00
TSCA Test Rule	16-3940-01	0.00	0.00	0.00
Coal Chemicals	16-3950-01	0.00	0.00	0.00
PAH Scpg Proj/2 PAH Proj In	16-3960-01	0.00	129,551.63	0.00
Dermal PAH IRIS Cmnts In	16-3965-01	0.00	3,000.00	0.00
Total Reg. Admin. Income		337,400.00	474,073.61	344,400.00
EXPENSES				
Audit and Bond	16-4060-01	3,400.00	3,414.68	3,500.00
Computer Services	16-4070-01	1,000.00	1,000.00	1,000.00
Dues and Subscriptions	16-4100-01	1,400.00	1,405.00	1,500.00
Insurance (O&D Liability)	16-4170-01	5,000.00	2,504.00	3,000.00
Legal Counsel (Fees)	16-4188-01	20,000.00	20,000.00	20,000.00
Legal Counsel (Expenses)	16-4189-01	3,000.00	1,500.00	3,000.00
Management	16-4240-01	116,800.00	116,800.00	116,800.00
Headquarters	16-4250-01	500.00	500.00	500.00
Board of Dir./F&B Comm mtgs.	16-4320-01	2,000.00	2,000.00	2,000.00
Meeting Expense	16-4325-01	0.00	0.00	0.00
Miscellaneous	16-4360-01	1,000.00	1,000.00	1,000.00
Postage/Freight/Delivery	16-4400-01	400.00	400.00	400.00
Stationery/Printing/Supplies	16-4440-01	500.00	500.00	500.00
Gifts/Awards	16-4447-01	500.00	1,000.00	500.00
Statistical Programs	16-4450-01	500.00	500.00	500.00
Administrative/Accounting/Mailroom	16-4460-01	1,000.00	1,000.00	1,000.00
Taxes	16-4470-01	0.00	0.00	0.00
Telephone/FAX/Equip/Reception	16-4480-01	500.00	500.00	800.00
Travel-Staff	16-4500-01	2,000.00	2,000.00	2,000.00
Travel-Staff International	16-4550-01	0.00	0.00	0.00
Foundry Facts	16-4700-01	0.00	0.00	0.00
Steiner Consulting	16-4907-01	12,000.00	5,325.00	0.00
Transition	16-4908-01	0.00	0.00	0.00
Web Site Development/Maintenance	16-4909-01	1,000.00	1,000.00	1,000.00
Total Regular Admin. Expense		172,500.00	162,348.68	159,000.00
COMMITTEES:				
Coke Committee	16-4341-01	0.00	0.00	0.00
MESH Committee	16-4344-01	8,000.00	20,000.00	20,000.00
Coal Chemicals	16-4347-01	1,000.00	1,000.00	1,000.00
International Committee	16-4348-01	0.00	0.00	0.00
Gov't Relations Committee	16-4351-01	0.00	0.00	0.00
Total Committee Expense		9,000.00	21,000.00	21,000.00
GAIN (LOSS) ADMINISTRATION		155,900.00	290,724.93	184,400.00

REGULATORY AFFAIRS:

<u>EXPENSE</u>		<u>BUDGET 2016</u>	<u>12/31/16 YR. END PROJECTION</u>	<u>PROPOSED BUDGET 2017</u>
Dues & Subscriptions	16-4413-01	0.00	0.00	0.00
Meeting Expense	16-4415-01	0.00	5,000.00	5,000.00
Note(Paid from Account# 16441501): COETF Conference Call Payments Year-To-Date are: \$3,001.87				
Miscellaneous	16-4420-01	0.00	0.00	0.00
Postage/Freight/Delivery	16-4425-01	0.00	0.00	0.00
Stationary/Printing/Office Supplies	16-4430-01	0.00	0.00	0.00
Administrative/Accounting/Mailroom	16-4435-01	0.00	0.00	0.00
Telephone/Fax	16-4449-01	100.00	100.00	100.00
Staff Specialist	16-4411-01	90,000.00	90,000.00	90,000.00
Note(Paid from Account# 16441101): COETF Staff Specialist Salary Year-To-Date is: \$11,700.00				
Travel	16-4412-01	4,000.00	4,000.00	4,000.00
Total Regulatory Affairs Expense		94,100.00	99,100.00	99,100.00

REGULATORY AFFAIRS (LEGAL/CONSULTANTS)

OSHA Misc.					
	Legal	16-4945-01	0.00	0.00	0.00
	Consultant	16-4946-01	0.00	0.00	0.00
Environmental Misc.					
	Legal	16-4950-01	30,000.00	40,000.00	40,000.00
	Consultant	16-4951-01	20,000.00	20,000.00	20,000.00
TSCA Test Rule					
	Consultant/Legal	16-4954-01	0.00	0.00	0.00
Tar Refiners Misc.					
	Consultant/Legal	16-5720-13	15,000.00	15,750.00	15,750.00
	PAH Scpg Proj Out	16-5720-15	0.00	0.00	0.00
	Dermal PAH IRIS Cmnts Out	16-5721-15	0.00	3,000.00	0.00
	2 PAH Proj Out	16-5723-15	0.00	129,551.63	0.00
Total Regulatory Project Expense		65,000.00	208,301.63	75,750.00	
Total Regulatory Affairs Expense		159,100.00	307,401.63	174,850.00	

TOTAL GENERAL/ADMINISTRATION (3,200.00) (16,676.70) (10,450.00)

COETF

		<u>BUDGET 2016</u>	<u>12/31/16 YR. END PROJECTION</u>	<u>PROPOSED BUDGET 2017</u>
INCOME				
COETF Transfers In	16-3930-01	200,000.00	40,000.00	50,000.00
Total COETF Transfers In		200,000.00	40,000.00	50,000.00
EXPENSES				
Staff Specialist	16-9100-01	15,600.00	0.00	0.00
Consultant / Legal	16-9115-01	200,000.00	40,000.00	50,000.00
Mtg / Telephone	16-9120-01	1,000.00	0.00	0.00
Total COETF Transfers Out		216,600.00	40,000.00	50,000.00
TOTAL COETF		(16,600.00)	0.00	0.00

PCTC

		<u>BUDGET 2016</u>	<u>12/31/16 YR. END PROJECTION</u>	<u>PROPOSED BUDGET 2017</u>
INCOME				
PCTC Transfers In	16-3915-01	377,000.00	409,750.00	410,000.00
Total PCTC Transfers In		377,000.00	409,750.00	410,000.00
EXPENSES				
PCTC Transfers Out	16-4335-01	377,000.00	409,750.00	410,000.00
Total PCTC Transfers Out		377,000.00	409,750.00	410,000.00
TOTAL PCTC		0.00	0.00	0.00

ACCCI ANNUAL MEETINGS

<u>SPRING MEETING</u>		BUDGET	12/31/16 YR. END	PROPOSED BUDGET
<u>INCOME</u>		2016	PROJECTION	2017
Spring Meeting Registrations	16-3500-02	40,000.00	32,180.00	40,000.00
Spring Meeting Sponsorships	16-3504-02	7,000.00	10,000.00	7,000.00
<u>Total Spring Meeting Income</u>		<u>47,000.00</u>	<u>42,180.00</u>	<u>47,000.00</u>

<u>EXPENSES</u>		BUDGET	12/31/16 YR. END	PROPOSED BUDGET
		2016	PROJECTION	2017
Theme Party	16-5201-02	0.00	0.00	0.00
Entertainment	16-5202-02	4,000.00	2,350.00	4,000.00
Hotel Master Acct. (F&B, AV, etc.)	16-5204-02	35,000.00	47,540.28	40,000.00
Miscellaneous/Staff Support	16-5206-02	500.00	0.00	500.00
Printing/Graphic Design	16-5208-02	800.00	961.19	1,000.00
Speaker Fees/Travel	16-5210-02	10,000.00	15,929.07	15,000.00
Gifts/Awards	16-5214-02	800.00	2,206.24	2,000.00
Staff Travel	16-5212-02	2,000.00	637.16	2,000.00
<u>Total Spring Meeting Expense</u>		<u>53,100.00</u>	<u>69,623.94</u>	<u>64,500.00</u>

<u>GAIN (LOSS) SPRING MEETING</u>	<u>(6,100.00)</u>	<u>(27,443.94)</u>	<u>(17,500.00)</u>
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<u>FALL MEETING</u>		BUDGET	12/31/16 YR. END	PROPOSED BUDGET
<u>INCOME</u>		2016	PROJECTION	2017
Fall Meeting Registrations	16-3600-03	0.00	1,200.00	1,200.00
Fall Meeting Sponsorships	16-3604-03	0.00	0.00	0.00
<u>Total Fall Meeting Income</u>		<u>0.00</u>	<u>1,200.00</u>	<u>1,200.00</u>

<u>EXPENSES</u>		BUDGET	12/31/16 YR. END	PROPOSED BUDGET
		2016	PROJECTION	2017
Theme Party	16-5301-03	0.00	0.00	0.00
Entertainment	16-5302-03	0.00	0.00	0.00
Hotel Master Acct. (F&B, AV, etc.)	16-5304-03	1,000.00	3,500.00	4,000.00
Miscellaneous/Staff Support	16-5306-03	500.00	500.00	500.00
Printing/Graphic Design	16-5308-03	0.00	0.00	0.00
Speaker Fees/Travel	16-5310-03	0.00	4,674.98	0.00
Staff Travel	16-5312-03	1,500.00	1,500.00	1,500.00
Gifts/Awards	16-5314-03	0.00	250.00	250.00
<u>Total Fall Meeting Expenses</u>		<u>3,000.00</u>	<u>10,424.98</u>	<u>6,250.00</u>

<u>GAIN (LOSS) FALL MEETING</u>	<u>(3,000.00)</u>	<u>(9,224.98)</u>	<u>(5,050.00)</u>
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<u>GAIN (LOSS) ANNUAL MEETINGS</u>	<u>(9,100.00)</u>	<u>(36,668.92)</u>	<u>(22,550.00)</u>
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ACCCI			
GAIN (LOSS) ADMINISTRATION	(3,200.00)	(16,676.70)	(10,450.00)
COETF	(15,600.00)	0.00	0.00
PCTC	0.00	0.00	0.00
GAIN (LOSS) ANNUAL MEETINGS	(9,100.00)	(36,668.92)	(22,550.00)
TRANSFER TO(FROM) SURPLUS	(28,900.00)	(53,345.62)	(33,000.00)

9
10/14/2016

American Coke and Coal Chemicals Institute

2016-2017 Meetings Calendar

April 7-8, 2016	Spring MESH Meeting	Hyatt Regency Savannah Savannah, GA
April 30-May 1, 2016	Spring (Annual) Meeting	Hyatt Regency Coconut Point Bonita Springs, FL
October 6-7, 2016	Fall MESH Meeting	Hyatt Regency Birmingham Birmingham, AL
October 18-20, 2016	Met Coke 2016 Conference	Pittsburgh Marriott City Center Pittsburgh, PA
October 20, 2016	2016 Business Meeting	Pittsburgh Marriott City Center Pittsburgh, PA
January 2017 (Tentative)	Board Conference Call (if needed)	
April 6-7, 2017	Spring MESH Meeting	Hilton Head, SC area
April 29-30, 2017	Spring (Annual) Meeting	Resort at Longboat Key Club Longboat Key, FL

**American Coke and Coal Chemicals Institute
Prior/Planned Meetings (1995-2017)**

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 Fall ¹	Hyatt Coconut Point (Bonita Springs, FL) Pittsburgh Marriott City Center
2017	Spring Fall ¹	Longboat Key Club (FL) TBD

¹ Business Meeting of the ACCCI Board of Directors

David Ailor

From: David Ailor <dailor@accci.org>
Sent: Saturday, October 8, 2016 12:54 AM
To: Amy Smith-Yoder; ben.larocco@aksteel.com; 'Bill Molnar'; 'Bill Osborn'; 'Bob Murphy'; 'Bob Weaver'; Brett J Tunno; 'Brian Bishop'; 'Brian Bokovoy'; Charles Jones; Chris Hardin; 'Chuck Gibson'; Coleen Davis; 'Dale Rupp'; Dan Belack; 'Dan Groves'; 'Dave Hacker'; 'Dave Miracle'; 'David Ailor'; David Fish; 'Dean Bishop'; 'Dickie Owens'; dmenotti@crowell.com; 'Don Vichitvongsa'; Don Wiggins; Doug Harris; 'Dovie Majors'; 'Dusty McCain'; 'Ernie Serrano'; 'Fadi Mourad'; 'Frank Jere'; George Canoles; hardenb@dteenergy.com; HARNER, KIM M; James Hosfield; Janis Deitch; 'Jay Cornelius'; Jeff McCord; 'Jeffrey Dierdorf'; 'Jim Skipworth'; Jimmy Reed; 'Joe Clute'; 'Joe Hanning'; 'John Benson'; 'John Hill'; 'John Irvine'; 'John Leopold'; Jonelle Scheetz; 'Julianne Kurdila'; 'Katie Batten'; 'Katie Chan'; 'Katie Kistler'; 'Keith Nagel'; Krista Armentrout; Larry Walker; LAXTON, TRACY T.; Logan Cottingim; 'Marian Gammon'; 'Mark Adkins'; 'Mark Ball'; 'Mark Jeffrey'; 'Mark Poling'; 'Matt Hall'; May, Pamela; 'Michael McLean'; Michael Rhoads; 'Mike Durkin'; 'Mike Dzurinko'; 'Mike Shafer'; 'Mike Trembowicz'; Nelson, Kelly L.; Nicole Sivi; 'Olaf Rowland'; Pamela May; 'Parker Adams'; Parker E Tracey; 'Pat Gallo'; 'Patrick Smith'; 'Paul Saffrin'; 'Pete Schiestel'; 'Randy Wiler'; 'Renee Moran'; 'Rich Zavoda'; Robert H Carlin; Robert J. Kuberka; 'Robin E. Birk'; 'Robyn Lafferty'; 'Ron Burnette'; 'Sam Sheyn'; Scott Castleberry; 'Scott Kiechle'; Skolnekovich, Danielle L; Solomon Nyathi; 'Stacey McKinney'; 'Steve Guzy'; Taylor Mackey; 'Terry Wagaman'; Thompson, Stephen; 'Tim Candiano'; Tishie Woodwell; 'Tommy Pike'; 'Traci Self'; Victor King; 'Victoria Morton'; Wayne Shaw; Westerhoff, Donald
Cc: 'David Schoen'; Domenic Paolucci; 'E. Alan Morris'; Gordon Gilmet; Hagerty, Daniel P; Hyde, Leslie; 'Joe Dowd'; Kelsey Cameron; 'Mike Mancione'; 'Mike Sylvester'; mmorris@cooperscreekchemical.com; 'Patrick Kirkham'; 'Patrick Stark'; 'Pedro Gomez'; 'Scott Morris'
Subject: ACTION - REQUEST FOR FEEDBACK ON ACCCI'S CONTINUING TO PROVIDE DIALIN AND WEB CONFERENCE OPTIONS FOR PARTICIPATING IN MESH COMMITTEE MEETINGS COMMITTEE (Contact Me with Any Feedback by COB on Thursday, October 13)

TO: ACCCI MESH COMMITTEE

cc: ACCCI Coal Chemicals Committee

FROM: David C. Ailor, P.E., ACCCI President

DATE: October 8, 2016

RE: *ACTION* – REQUEST FOR FEEDBACK ON ACCCI'S CONTINUING TO PROVIDE DIALIN AND WEB CONFERENCE OPTIONS FOR PARTICIPATING IN MESH COMMITTEE MEETINGS COMMITTEE (*Contact Me with Any Feedback by COB on Thursday, October 13*)

Ladies/Gentlemen:

Since the Fall 2015 Meeting of ACCCI's MESH Committee, ACCCI has been providing dialin and web conferencing options to Committee members unable to attend but wanting to participate in the meetings. One issue reviewed/discussed during the just concluded Fall 2016 Meeting of the Committee on October 6-7 in Birmingham, AL was whether or not to continue offering these options.

Those in attendance at the meeting did not support continuing the practice for a number of reasons:

- **Very few dialin/web conference participants in the meetings considering the cost involved (about \$1,200/year, including a conference call service licensing fee of \$500/year, \$200/meeting for hotel speakerphone and WIFI charges twice a year, and \$250 of conference call charges twice a year);**
- **Little-to-no involvement in subcommittee roundtable discussions by those participating via dialin/web conference;**
- **In cases where dialin/web conference participants have involved themselves in the discussions, a disruptive flow of communications with those in attendance;**
- **Lack of certainty of exactly who is participating via dialin/web conference, and when.**

As typically has been the case for such roundtable discussions, no dialin/web conference participants were present when those in attendance discussed the issue.

Review/discussion concluded with decisions being made that (1) I would solicit feedback from Committee members, via e-mail, to afford everyone, including those who did not participate in the discussion, an opportunity to offer their views; and, (2) I would present the resulting feedback to the ACCCI Board of Directors during the 2016 Business Meeting of the Board scheduled for October 20 in Pittsburgh, PA.

Following up on decision no. 1 above, ***THIS E-MAIL IS TO REQUEST THAT YOU INFORM ME OF YOUR VIEWS ON WHETHER OR NOT ACCCI SHOULD CONTINUE OFFERING DIALIN/WEB CONFERENCE OPTIONS FOR PARTICIPATING IN MESH COMMITTEE MEETINGS BY CLOSE OF BUSINESS (COB) ON THURSDAY, OCTOBER 13.***

Thank you for your prompt attention to this request. Please contact me if you have any questions. DCA

David C. Ailor, P.E.
President
American Coke and Coal Chemicals Institute
25 Massachusetts Avenue, N.W.
Suite 800
Washington, D.C. 20001
Phone: 703-795-3541
eFax.: 866-422-7794
dailor@accci.org
www.accci.org

David Ailor

From: Katie.Kistler@aksteel.com
Sent: Thursday, October 13, 2016 1:29 PM
To: Christopher W Hardin
Cc: E. Alan Morris; Amy Smith-Yoder; ben.larocco@aksteel.com; Brian Bokovoy; Brett J Tunno; Bill Osborn; Brian Bishop; Ron Burnette; Coleen Davis; Chuck Gibson; Charles Jones; Joe Clute; David Ailor; Dale Rupp; Dusty McCain; Skolnekovich, Danielle L; Dave Miracle; David Fish; Dan Belack; Dean Bishop; Dovie Majors; dmenotti@crowell.com; Domenic Paolucci; Westerhoff, Donald; Doug Harris; Joe Dowd; Don Vichitvongsa; David W Hacker; Don Wiggins; Ernie J Serrano; Kiechle, Fredric S; George Canoles; Gordon Gilmet; Dan Groves; Steve Guzy; Hagerty, Daniel P; hardenb@dteenergy.com; Hyde, Leslie; John Irvine; John Benson; Jay Cornelius; Janis Deitch; Joseph E Hanning; Frank Jere; Jim Skipworth; James Hosfield; John G Leopold; Jeff McCord; Hill, John R; Jeffrey Dierdorf; Jimmy Reed; Jonelle S Scheetz; Kurdila, Julianne; Kelsey Cameron; Katie Chan; Krista D Armentrout; Nagel, Keith; Katie Batten; HARNER, KIM M; Robyn Lafferty; Logan Cottingim; Larry Walker; Mark Ball; Gammon, Marian; Mark Adkins; Stacey McKinney; Mike Durkin; Mike Dzurinko; Michael McLean; Mark Jeffrey; Matthew J Hall; Mike Mancione; mmorris@cooperscreekchemical.com; Renee Moran; Fadi Mourad; Mark Poling; Mike Rhoads; Mike Sylvester; Mike Trembowicz; Nicole A Sivi; Nelson, Kelly L; Olaf Rowland; May, Pamela; Patrick Smith; Pat Gallo; Pedro Gomez; Parker H Adams; Patrick Kirkham; Pamela May; Paul Saffrin; Peter Schiestel; Patrick Stark; Robin Birk; Bob Weaver; Zavoda, Rich; Robert J. Kuberka; Robert H Carlin; Dickie Owens; Bob Murphy; Randy Wiler; Sam Sheyn; Scott Castleberry; David Schoen; Mike Shafer; Scott Morris; Nyathi, Solomon; Thompson, Stephen; Mackey, Taylor; Candiano, Timothy L; LAXTON, TRACY T.; Tommy Pike; Parker E Tracey; Self, Traci I; Tishie Woodwell; Victor King; Victoria L Morton; Terry Wagaman; Bill Molnar; Wayne Shaw
Subject: Re: [External]-RE: ACTION - REQUEST FOR FEEDBACK ON ACCCI'S CONTINUING TO PROVIDE DIALIN AND WEB CONFERENCE OPTIONS FOR PARTICIPATING IN MESH COMMITTEE MEETINGS COMMITTEE (Contact Me with Any Feedback by COB on Thursday, October 13)

AK Steel also agrees with ArcelorMittal.

Katie Kistler
Environmental Manager of Air Programs
AK Steel Corporate Office
513-425-2972 Phone
513-519-9822 Cell
513-425-2635 Fax

From: Christopher W Hardin <CWHardin@uss.com>
To: "Kurdila, Julianne" <julianne.kurdila@arcelormittal.com>,
Cc: "David Ailor" <dailor@accci.org>, Amy Smith-Yoder <ASmith-Yoder@uss.com>, "ben.larocco@aksteel.com" <ben.larocco@aksteel.com>, "Bill Molnar" <wjmolnar@suncoke.com>, "Bill Osborn" <bosborn@abccoke.com>, "Bob Murphy" <rpmurphy@suncoke.com>, "Bob Weaver" <reweaver@suncoke.com>, Brett J Tunno <BJTunno@uss.com>, "Brian Bishop" <brian.bishop@aksteel.com>, "Brian Bokovoy" <bjbokovoy@suncoke.com>, "Charles Jones" <cjones@erpcoke.com>, "Chuck Gibson" <chuck.gibson@aksteel.com>, Coleen Davis <CDavis@uss.com>, "Dale Rupp" <dale.rupp@aksteel.com>, Dan Belack <DBelack@uss.com>, "Dan Groves" <grovesdr@koppers.com>, David W Hacker <DWHacker@uss.com>, "Dave Miracle" <dave.miracle@aksteel.com>, "David Fish" <david.fish@mscarbonllc.com>, "Dean Bishop" <dbishop@abccoke.com>, "Dickie Owens" <rowens@abccoke.com>, "dmenotti@crowell.com" <dmenotti@crowell.com>, "Don Vichitvongsa" <dvichitvongsa@suncoke.com>, "Don Wiggins" <DWiggins@erpcoke.com>, "Doug Harris" <Doug.Harris@mscarbonllc.com>, "Dovie Majors" <ddmajors@suncoke.com>, "Dusty McCain" <damccain@suncoke.com>, Ernie J Serrano

<EJSerrano@uss.com>, "Fadi Mourad" <mouradf@ddeenergy.com>, "Frank Jere" <jeref@ddeenergy.com>, "George Canoles" <gcanoles@erpcoke.com>, "hardenb@ddeenergy.com" <hardenb@ddeenergy.com>, "HARNER, KIM M" <KMHARNER@suncoke.com>, James Hosfield <JHosfield@uss.com>, "Janis Deitch" <jdeitch@acccl.org>, "Jay Cornelius" <jcornelius@abccoke.com>, "Jeff McCord" <jmccord@abccoke.com>, "Jeffrey Dierdorf" <jrdierdorf@uss.com>, "Jim Skipworth" <jgskipworth@suncoke.com>, "Jimmy Reed" <jreed@erpcoke.com>, "Joe Clute" <clutej@ddeenergy.com>, Joseph E Hanning <JEHanning@uss.com>, John Benson <JBenson@uss.com>, "Hill, John R" <john.hill@arcelormittal.com>, "John Irvine" <irvinejk@koppers.com>, John G Leopold <JLeopold@uss.com>, Jonelle S Scheetz <JSScheetz@uss.com>, "Katie Batten" <kmbatten@suncoke.com>, Katie Chan <KChan@uss.com>, "Katie Kistler" <katie.kistler@aksteel.com>, "Nagel, Keith" <Keith.Nagel@arcelormittal.com>, Krista D Armentrout <KDArmentrout@uss.com>, "Larry Walker" <ltwalker@suncoke.com>, "LAXTON, TRACY T." <tlaxton@suncoke.com>, "Logan Cottingim" <logan.cottingim@aksteel.com>, "Gammon, Marian" <Marian.Gammon@arcelormittal.com>, "Mark Adkins" <mark.adkins@aksteel.com>, "Mark Ball" <maball@suncoke.com>, Mark Jeffrey <MJeffrey@uss.com>, "Mark Poling" <mpoling@abccoke.com>, Matthew J Hall <MJHall@uss.com>, "May, Pamela" <pamela.may@walterenergy.com>, "Michael McLean" <memclean@uss.com>, Mike Rhoads <MRhoads@uss.com>, "Mike Durkin" <mdurkin@tonawandacoke.com>, Mike Dzurinko <MDzurinko@uss.com>, "Mike Shafer" <shaferm@ddeenergy.com>, "Mike Trembowicz" <mtrembowicz@tonawandacoke.com>, "Nelson, Kelly L." <NelsonKL@koppers.com>, Nicole A Sivily <NASivily@uss.com>, "Olaf Rowland" <orowland@abccoke.com>, "Pamela May" <pmay@erpcoke.com>, Parker H Adams <PHAdams@uss.com>, "Parker E Tracey" <traceyp@ddeenergy.com>, "Pat Gallo" <pat.gallo@aksteel.com>, "Patrick Smith" <patrick.smith@mscarbonllc.com>, "Paul Saffrin" <psaffrin@tonawandacoke.com>, Peter Schiestel <PSchiestel@uss.com>, "Randy Wiler" <rwiler@erpecoke.com>, "Renee Moran" <moranr@ddeenergy.com>, "Zavoda, Rich" <Rich.Zavoda@arcelormittal.com>, "Robert H Carlin" <robert.carlin@ddeenergy.com>, "Robert J. Kuberka" <rkuberka@tonawandacoke.com>, Robin Birk <RBirk@uss.com>, "Robyn Lafferty" <laffertyr@ddeenergy.com>, "Ron Burnette" <burnetter@ddeenergy.com>, "Sam Sheyn" <samuel.sheyn@aksteel.com>, "Scott Castleberry" <SCastleberry@erpcoke.com>, "Kiechle, Fredric S" <Fredric.Kiechle@arcelormittal.com>, "Skolnekovich, Danielle L" <Danielle.Skolnekovich@arcelormittal.com>, "Nyathi, Solomon" <solomon.nyathi@arcelormittal.com>, "Stacey McKinney" <mckinneysa@koppers.com>, "Steve Guzy" <guzys@ddeenergy.com>, "Mackey, Taylor" <taylor.mackey@arcelormittal.com>, "Terry Wagaman" <wagaman@ddeenergy.com>, "Thompson, Stephen" <Stephen.Thompson@arcelormittal.com>, "Candiano, Timothy L" <Timothy.Candiano@arcelormittal.com>, Tishie Woodwell <TWoodwell@uss.com>, "Tommy Pike" <tpike@abccoke.com>, "Self, Traci I" <traci.self@arcelormittal.com>, "Victor King" <vhking@suncoke.com>, Victoria L Morton <VLMorton@uss.com>, "Wayne Shaw" <wshaw@erpcoke.com>, "Westerhoff, Donald" <Donald.Westerhoff@arcelormittal.com>, "David Schoen" <schoendr@koppers.com>, "Domenic Paolucci" <domenic.paolucci@ruetgers-group.com>, "E. Alan Morris" <amorris@cooperscreekchemical.com>, "Gordon Gilmet" <gord.gilmet@ruetgers-group.com>, "Hagerty, Daniel P" <HagertyDP@koppers.com>, "Hyde, Leslie" <HydeLS@koppers.com>, "Joe Dowd" <dowdjp@koppers.com>, "Kelsey Cameron" <kcameron@lonestarspecialties.net>, "Mike Mancione" <mmancione@lonestarspecialties.net>, "Mike Sylvester" <msylvester@stella-jones.com>, "mmorris@cooperscreekchemical.com" <mmorris@cooperscreekchemical.com>, "Patrick Kirkham" <pkirkham@stella-jones.com>, "Patrick Stark" <pstark@stella-jones.com>, "Pedro Gomez" <pedro.gomez@ruetgers-group.com>, "Scott Morris" <smorris@cooperscreekchemical.com>

Date: 10/13/2016 01:21 PM

Subject: Re: [External]-RE: ACTION - REQUEST FOR FEEDBACK ON ACCCI'S CONTINUING TO PROVIDE DIALIN AND WEB CONFERENCE OPTIONS FOR PARTICIPATING IN MESH COMMITTEE MEETINGS COMMITTEE (Contact Me with Any Feedback by COB on Thursday, October 13)

U. S. Steel concurs with ArcelorMittal.

Sent from my iPhone

On Oct 13, 2016, at 11:50 AM, Kurdila, Julianne <julianne.kurdila@arcelormittal.com> wrote:

I sent this message earlier to Dave, but am now sending it to the Group:

It is very important to ArcelorMittal that a call-in option remain available. During the most recent call, I heard people enter the call but they did not identify themselves. Stressing the importance of identifying yourself would be one way to know who was on the call.

As for the "flow" of the communications, not every company has the resources to send individuals to every Trade meeting at the state and federal levels. In our opinion, that is a minor issue that we have all experienced when we have attended meetings in person and others were on a call.

ArcelorMittal's participation in ACCCI committees relies on this option.

Julianne Kurdila | Lead Specialist, Environmental Compliance & Policy
ArcelorMittal USA | 4020 Kinross Lakes Parkway, Richfield, OH 44286
 T +1 330 659 7471 | F +1 330 659 7434 www.arcelormittal.com

 PLEASE CONSIDER THE ENVIRONMENT BEFORE PRINTING THIS E-MAIL.

NOTICE: The information contained in this electronic mail transmission is intended by ArcelorMittal Steel for the use of the named individual or entity to which it is addressed and may contain information that is privileged or otherwise confidential. It is not intended for transmission to, or receipt by, any individual or entity other than the named addressee (or a person authorized to deliver it to the named addressee) except as otherwise expressly permitted in this electronic mail transmission. If you have received this electronic transmission in error, please delete it without copying or forwarding it, and notify the sender of the error by reply email to Mailssupport@arcelormittal.com

From: David Ailor [<mailto:dailor@acccl.org>]

Sent: Saturday, October 08, 2016 12:54 AM

To: Amy Smith-Yoder; ben.larocco@aksteel.com; 'Bill Molnar'; 'Bill Osborn'; 'Bob Murphy'; 'Bob Weaver'; Brett J Tunno;

'Brian Bishop'; 'Brian Bokovoy'; Charles Jones; Chris Hardin; 'Chuck Gibson'; Coleen Davis; 'Dale Rupp'; Dan Belack; 'Dan Groves'; 'Dave Hacker'; 'Dave Miracle'; 'David Ailor'; David Fish; 'Dean Bishop'; 'Dickie Owens'; dmenotti@crowell.com; 'Don Vichitvongsa'; Don Wiggins; Doug Harris; 'Dovie Majors'; 'Dusty McCain'; 'Ernie Serrano'; 'Fadi Mourad'; 'Frank Jere'; George Canoles; hardenb@dtenergy.com; HARNER, KIM M; James Hosfield; Janis Deitch; 'Jay Cornelius'; Jeff McCord; 'Jeffrey Dierdorf'; 'Jim Skipworth'; Jimmy Reed; 'Joe Clute'; 'Joe Hanning'; 'John Benson'; Hill, John R; 'John Irvine'; 'John Leopold'; Jonelle Scheetz; Kurdila, Julianne; 'Katie Batten'; 'Katie Chan'; 'Katie Kistler'; Nagel, Keith; Krista Armentrout; Larry Walker; LAXTON, TRACY T.; Logan Cottingim; Gammon, Marian; 'Mark Adkins'; 'Mark Ball'; 'Mark Jeffrey'; 'Mark Poling'; 'Matt Hall'; May, Pamela; 'Michael McLean'; Michael Rhoads; 'Mike Durkin'; 'Mike Dzurinko'; 'Mike Shafer'; 'Mike Trembowicz'; Nelson, Kelly L.; Nicole Sivi; 'Olaf Rowland'; Pamela May; 'Parker Adams'; Parker E Tracey; 'Pat Gallo'; 'Patrick Smith'; 'Paul Saffrin'; 'Pete Schiestel'; 'Randy Wiler'; 'Renee Moran'; Zavoda, Rich; Robert H Carlin; Robert J. Kuberka; 'Robin E. Birk'; 'Robyn Lafferty'; 'Ron Burnette'; 'Sam Sheyn'; Scott Castleberry; Kiechle, Fredric S; Skolnekovich, Danielle L; Nyathi, Solomon; 'Stacey McKinney'; 'Steve Guzy'; Mackey, Taylor; 'Terry Wagaman'; Thompson, Stephen; Candiano, Timothy L; Tishie Woodwell; 'Tommy Pike'; Self, Traci I; Victor King; 'Victoria Morton'; Wayne Shaw; Westerhoff, Donald

Cc: 'David Schoen'; Domenic Paolucci; 'E. Alan Morris'; Gordon Gilmet; Hagerty, Daniel P; Hyde, Leslie; 'Joe Dowd'; Kelsey Cameron; 'Mike Mancione'; 'Mike Sylvester'; mmorris@cooperscreekchemical.com; 'Patrick Kirkham'; 'Patrick Stark'; 'Pedro Gomez'; 'Scott Morris'

Subject: ACTION - REQUEST FOR FEEDBACK ON ACCCI'S CONTINUING TO PROVIDE DIALIN AND WEB CONFERENCE OPTIONS FOR PARTICIPATING IN MESH COMMITTEE MEETINGS COMMITTEE (Contact Me with Any Feedback by COB on Thursday, October 13)

TO: ACCCI MESH COMMITTEE

cc: ACCCI Coal Chemicals Committee

FROM: David C. Ailor, P.E., ACCCI President

DATE: October 8, 2016

RE: ***ACTION*** – REQUEST FOR FEEDBACK ON ACCCI'S CONTINUING TO PROVIDE DIALIN AND WEB CONFERENCE OPTIONS FOR PARTICIPATING IN MESH COMMITTEE MEETINGS COMMITTEE (*Contact Me with Any Feedback by COB on Thursday, October 13*)

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- **Very few dialin/web conference participants in the meetings considering the cost involved (about \$1,200/year, including a conference call service licensing fee of \$500/year, \$200/meeting for hotel speakerphone and WIFI charges twice a year, and \$250 of conference call charges twice a year);**
- **Little-to-no involvement in subcommittee roundtable discussions by those participating via dialin/web conference;**
- **In cases where dialin/web conference participants have involved themselves in the discussions, a disruptive flow of communications with those in attendance;**
- **Lack of certainty of exactly who is participating via dialin/web conference, and when.**

As typically has been the case for such roundtable discussions, no dialin/web conference participants were present when those in attendance discussed the issue.

Review/discussion concluded with decisions being made that (1) I would solicit feedback from Committee members, via e-mail, to afford everyone, including those who did not participate in the discussion, an opportunity to offer their views; and, (2) I would present the resulting feedback to the ACCCI Board of Directors during the 2016 Business Meeting of the Board scheduled for October 20 in Pittsburgh, PA.

Following up on decision no. 1 above, ***THIS E-MAIL IS TO REQUEST THAT YOU INFORM ME OF YOUR VIEWS ON***

WHETHER OR NOT ACCCI SHOULD CONTINUE OFFERING DIALIN/WEB CONFERENCE OPTIONS FOR PARTICIPATING IN MESH COMMITTEE MEETINGS BY CLOSE OF BUSINESS (COB) ON THURSDAY, OCTOBER 13.

Thank you for your prompt attention to this request. Please contact me if you have any questions. DCA

David C. Ailor, P.E.
President
American Coke and Coal Chemicals Institute
25 Massachusetts Avenue, N.W.
Suite 800
Washington, D.C. 20001
Phone: 703-795-3541
eFax.: 866-422-7794
dailor@accci.org
www.accci.org

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DAVID C. AILOR, P.E.
PRESIDENT

General Description

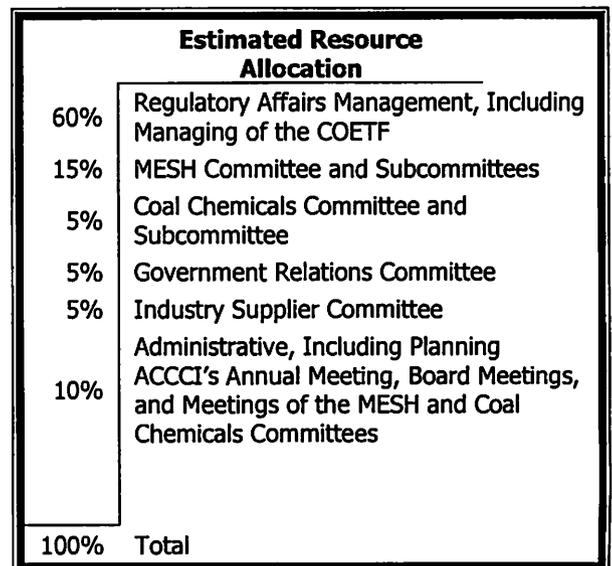
Responsible for:

- o Overall Association Management
- o Board of Directors & Committees
- o Staff Administration
- o Policy Coordination
- o Program Implementation
- o Coalition Activities
- o Budget & Financial Matters
- o Communications Oversight
- o Planning & Executing Board Meetings
- o Managing the MESH Committee and Subcommittees
- o Managing the Coal Chemicals Committee and Subcommittee
- o Managing the Government Relations Committee
- o Managing the Industry Supplier Committee
- o Managing the "Coke Oven Environmental Task Force" (COETF)
- o Environmental Issues, Regulations & Legislation
- o Employee Safety/Health Issues, Regulations & Legislation
- o Human Resource Issues, Regulations & Legislation
- o Chemical Security Issues, Regulations & Legislation
- o Statistics
- o Regulatory Policy Formulation
- o Regulatory Response Development
- o Regulatory/Legislative Analysis
- o Regulatory Agency Interaction
- o Technical Support/Guidance/Response

Detailed Job Description

Overview:

- o Overall Association Management
- o Strategic and Tactical Administration
- o Oversee Headquarters and all Staff/Consultants
- o Manage ACCCI resources – Financial & Staff
- o Communicate with:
 - o Board of Directors
 - o Officers & Committee Chairs
 - o Committees
- o Supervise staff/consultants to accomplish ACCCI priority goals
- o Ensure full compliance w/ legal/antitrust regulations
- o Design effective meetings, conference calls, etc.
- o Allied Trade Associations
- o Oversee Activities/Meetings of MESH Committee and MESH subcommittees
- o Prepare Monthly ACCCI "Issues Update" Report
- o Represent ACCCI in issue-specific, multi-association coalitions



Oversee ACCCI Activities on Environmental Issues, Regulations & Legislation:

- Industry litigation on EPA's Final Greenhouse Gas (GHG) Regulations (via a GHG coalition being led by National Association of Manufacturers)
- Industry advocacy efforts for use by the Federal Government of Social Cost of Carbon (SCC) estimates that are based on transparent processes, accurate information, rational assumptions, and within the reach of the current scientific understanding and impact models (via the multi-association "Social Cost of Carbon (SCC) Coalition")
- Industry litigation on EPA's Final Boiler "Maximum Achievable Control Technology" (MACT) Rule (via the "Boiler Industry Coalition" (BIC))
- Industry efforts on Startup, Shutdown and Malfunction (SSM) Provisions in EPA's MACT Standards (via the "SSM Coalition")
- Industry efforts on litigation challenging EPA's June 12, 2015, SSM SIP Call rule declaring the "State Implementation Plans" (SIPs) issued by 36 states "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)" (via the multi-association "SSM Litigation Coalition")
- Industry efforts on Implementation Issues associated with EPA's National Ambient Air Quality Standards (NAAQS) (via the multi-association "NAAQS Implementation Coalition")
- Industry efforts on an August 1, 2016, EPA draft guidance and supporting documents recommending Significant Impact Levels (SILs) for ozone and Fine Particles (PM 2.5) that may be used in the Prevention of Significant Deterioration (PSD) permitting program (via the multi-association "Ozone and PM2.5 SILs Guidance Coalition")
- Industry efforts on Implementation of TSCA Reform Legislation enacted in 2016 (via the multi-association "American Alliance for Innovation")
- Efforts of the "Coke Oven Environmental Task Force" (COETF) on EPA's Residual Risk and Technology Review (RTR) Project for Coke Pushing, Quenching and Battery Stacks (PQBS)
- Industry efforts on EPA's AP-42 Emission Factor Improvement Program (via the multi-association "Coalition for Emissions Accuracy")
- Industry efforts on 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 (via the multi-association "CAA Section 112(c)(6) Coalition")
- Industry efforts 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 (via the multi-association "Corrosivity Characteristic Coalition")
- Industry advocacy efforts on regulatory and policy decisions made pursuant to the Federal Water Pollution Control Act (the Clean Water Act) (via the multi-association "Federal Water Quality Coalition" (FWQC))
- Industry efforts on an NGO lawsuit that could fundamentally change the scope, liability, and cost of compliance for regulated parties that rely upon stormwater general permits necessary to comply with the Clean Water Act (via the "Multi-Sector General Permit (MSGP) Litigation Coalition")
- Industry efforts on litigation filed by environmental groups challenging EPA's "Definition of Solid Waste" (DSW) Final Rule as insufficiently restrictive (via the multi-association "Metals Industries Recycling Coalition")
- Industry efforts on EPA's Risk Management Plan (RMP) Review/Rulemaking
- Industry efforts on state/local bans of refined tar-based pavement sealants being considered by a number of states and localities (via the "Pavement Coatings Technology Council" (PCTC))

- Industry efforts to comment to EPA during 2016 on approaches to estimate the risk of skin cancer following dermal exposure to benzo[a]pyrene, a coal tar constituent (via the multi-association American Petroleum Institute-Led "Ad Hoc" "Benzo(a)pyrene Risk Assessment Coalition")
- Industry efforts on Federal policymaking related to the manufacture and use of Unmanned Aircraft Systems (UAS)/drones (via the multi-association "United Drone Network")
- Industry efforts on litigation filed by ENGOs in 2015 on EPA's 2015 Multi-Sector General Permit (MSGP) for Stormwater Discharges from Industrial Activities (via the multi-association Multi-Sector General Permit Coalition")

Oversee ACCCI Activities on Employee Safety/Health Issues, Regulations & Legislation:

- Industry efforts on regulatory, product stewardship, research, and related matters pertinent to H2S uses and manufacturing applications (via the multi-association H2S Coalition")
- Industry advocacy efforts for fair and balanced legislative and regulatory policies that impact employee safety (via the multi-association "Coalition for Workplace Safety (CWS)")
- Industry efforts on OSHA's MSD Rulemaking
- Industry efforts on OSHA's Walking/Working Surfaces Standard
- Industry efforts on the OSHA PEL Issue
- Industry efforts on OSHA's Injury and Illness Prevention Programs (I2P2) Rule
- Industry efforts on a Globally Harmonized System for Classification and Labeling of Chemicals (GHS)
- Industry efforts on OSHA's Process Safety Management (PSM) Review/Rulemaking
- Industry efforts on OSHA Reform Legislation

Oversee ACCCI Activities on Chemical Security Issues, Regulation & Legislation:

- Industry efforts on Chemical Security Legislation (via a multi-association coalition being led by the American Petroleum Institute)

Oversee ACCCI Activities on Human Resource (HR) Issues, Regulation & Legislation:

- Industry HR efforts (via the National Association of Manufacturers (NAM) of which ACCCI is a member)



**JANIS R. DEITCH, MLIS
DIRECTOR OF ADMINISTRATION**

General Description

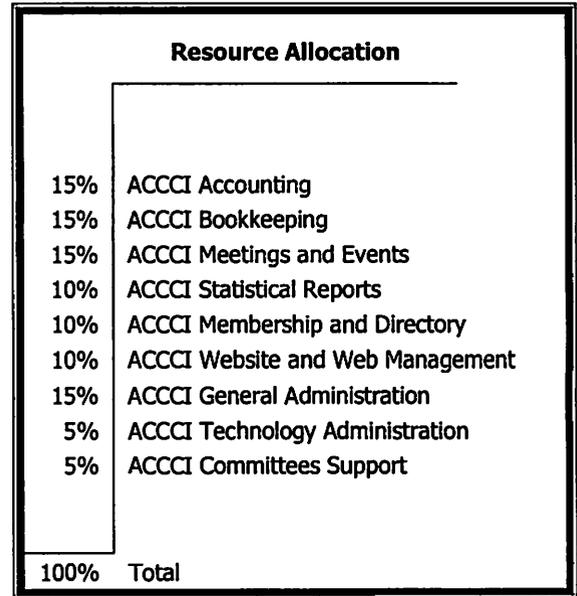
Responsible for:

- Accounting
 - Tax Filings to IRS
 - Financial Reports
 - Audit Coordination
 - Published Statistics Reports
 - Events and Meetings
 - MESH Committee Support
 - Coal Chemicals Committee Support
 - ISQ Solutions Liaison
 - Sage Peachtree Software Support
 - PCTC Invoicing
 - MESH Invoicing
 - Physical On-site Record Storage
 - Insurance
 - Industry Document Filings
 - Membership Communication & Dist. Lists
 - Staying Apprised of MESH Mtg Activities
 - Staying Apprised of COETF Mtg Activities
 - General Administration
 - Graphics Creation for Institute
 - Special Projects as Requested by President
 - Reading Presidential E-mails to Stay Informed
 - Fielding, Responding, Referral Public Requests
 - DC Office Liaison
 - Expense Statements Processing
 - Institutional History of ACCCI Docs. Collection
 - Overall Support to President as Requested
 - Bookkeeping
 - Accounts Receivables/Invoicing
 - Accounts Payables/Billing
 - Monthly Staff Salaries Payment
 - Assist Legal as Required
 - Familiarity with Coalition Involvements
 - Promoting ACCCI Membership Value
 - By-laws Retention
 - Information Number at Website
 - Overall Web Management
 - Membership Personal Contacts
 - Member & Vendor Phone Requests
 - Information Requests from President
 - Website Content Posting and Updating
 - Available on a Daily Basis to ACCCI President
 - Board Meetings Support & Creating Minutes
 - Published Membership Report
 - Review BOD Mtg Minutes & Do Action Items
 - ASCAP Filing
 - Publish Membership Directory
 - Attend Meetings when Requested
 - Hard Copy/Elec. Storage of All ACCCI Records
 - Archives Updating
 - Coal Chemicals Invoicing
 - COETF Invoicing
 - Bank Accounts Facilitation
 - Census Bureau Coke Imports Report
 - Email Issues
 - Information Searches
 - Partnering & Promoting Sponsorship as Appropriate
 - PCTC Support
 - Pragmatic Liaison
 - Technology Support & Guidance
-

Detailed Job Description

Overview:

- o Oversee All Aspects of ACCCI Accounting
- o Oversee All Aspects of ACCCI Bookkeeping
- o Prepare Monthly Financial Reports
- o Oversee Annual Meeting and Fall Board Meeting
- o Coordinate All Phases of ACCCI Statistical Reports
- o Archive & Secure ACCCI Documents
- o Manage All Aspects of ACCCI Technology
- o Provide Committees Support to ACCCI President
- o Review & Renew ACCCI Insurance
- o Liaison to the DC ACCCI Office
- o Administer ACCCI Website
- o Prepare Annual Membership Directory
- o Prepare Board Meeting Minutes
- o Prepare Membership Reports
- o Attend ACCCI Meetings as Requested
- o Facilitate ACCCI Document Filings
- o Facilitate Membership Communications
- o Disseminate Coke Imports Report
- o Manage General Administration
- o Store all ACCCI Documents in Hard Copy and Electronically



Oversee All Aspects of ACCCI Accounting:

- o Organize and Maintain Financial Records
- o Prepare Monthly Financial Reports and Statements
- o Examine Financial Statements to Ensure that they are Accurate and Comply with Laws and Regulations
- o Ensure that Account Books and Accounting Systems are Efficient and Adhere to Accepted Accounting Procedures and Practices
- o Ensure that Taxes are Paid Properly and On Time
- o Coordinate Yearly ACCCI Audit through Patton and Company
- o Renew Yearly Sage Peachtree Accounting Software
- o Assess Financial Operations and Make Best-Practices Recommendations to President
- o Monitor Cost Reductions and Increases with President
- o Review and Evaluate ACCCI Yearly Budget with President
- o Troubleshoot Accounting Issues as Required

Oversee All Aspects of ACCCI Bookkeeping:

- o Daily Posts of ACCCI Financial Transactions in Sage Peachtree Accounting Software
- o Monitor Accuracy in Figures, Postings, and Reports
- o Receive and Record ACCCI Checks, EFTs, and Deposits
- o Keep Records of ACCCI Expenditures, Receipts, Accounts Payables, Accounts Receivables, and Profit and Loss
- o Create and Maintain Accounts

- Reconcile, Note, and Report on Bookkeeping Records
- Produce Reports, such as Balance Sheets, Income Statements, General Journal Entries, and General Ledgers
- Track and Follow-up on Overdue Invoices and Payments Due
- Invoice Yearly Membership Dues

Manage and Coordinate Events and Meetings:

- Evaluate Potential Meeting Venues
- Establish Best Dates
- Solicit Bids from Venues and Service Providers
- Contract Meeting Venue
- Contract Golf Course
- Contract Entertainment
- Contract Tour
- Contract Audio Visual Services
- Confirm Event Locations with Venue
- Draft Registration Brochure including Registration Fee and Email to Members
- Book Staff & Speakers Rooms
- Monitor Room Blocks
- Design Meeting and Sponsor Graphics
- Coordinate with Speakers' for their Presentations
- Coordinate Menus and Setups with Venue
- Publish Meeting Program
- Pair Golf Foursomes
- Create Registration and Sponsor Invoices
- Review Event Bills and Pay with Approval
- Coordinate Amenities and Gifts
- Prepare Attendee Packets
- Purchase Prize Gift Cards
- Guarantee Banquet Orders with Venue
- Finalize All Meeting Details
- Monitor Event Activities to Ensure Attendees' Satisfaction
- Market the Value of Meetings and Events to Members
- Work with President as Requested and Required on Any Meetings
- Troubleshoot All Issues as Required

Oversee Statistical Reports:

- Administer ACCCI's Statistical Reports Program
- Maintain Automated Data Forms for Data Collection
- Renew Yearly Subscription for Data Forms
- Update Yearly Opt-In Participating Companies
- Verify Company Respondent Individuals
- Request Quarterly Data
- Collect Data, Compile, and Publish Quarterly Safety Reports
- Collect Data, Compile, and Publish Quarterly Tar Distillation Reports
- Collect Data, Compile, and Publish Quarterly Carbon Reports
- Collect Data, Compile, and Publish Quarterly Byproduct Reports
- Troubleshoot Statistical Program Issues

Oversee Website Management:

- Update and Maintain 6 Web Pages
- Post Reports at Members Only Web Page
- Review Site Content
- Contribute to Site Content and Site Overall Look
- Renew Yearly Security Certificates
- Renew Yearly Domain Name
- Report and Fix Technical Problems
- Troubleshoot Website Issues

Oversee Membership Directory and Communications and Distribution Lists:

- Publish Annual Membership Directory
- Maintain and Update Membership Distribution Lists
- Review Membership Communications Processes
- Identify Potential Enhancements to Membership Communications

Oversee Census Bureau Coke Imports Information:

- Download the Monthly Coke Imports Data from the U.S. Census Bureau Website
- Publish Coke Imports Report
- Email Coke Imports Report to Coke Imports Distribution List
- Renew Yearly Subscription for Coke Imports Data

Oversee Technology Support & Guidance:

- Liaise with ISQ Solutions to Support ACCCI's Web Hosting
- Manage ACCCI Email System
- Initiate Help Desk Requests as Required
- Monitor Webmail Quotas and Keep Webmail From Going Over Quota
- Renew Web Hosting Yearly Subscription
- Troubleshoot Technology Issues as Appropriate

Oversee General Administration:

- Liaison to DC ACCCI Office Via AISI Office Staff Individual
- Manage ACCCI Phone Including Calls from Members, Potential Members, and Vendors
- Review Emails, Mail Solicitations, and Mail Documents and Provide Referrals and Recommendations to President
- Primary Contact to FedEx Expedited Delivery Services
- Primary Contact to Pragmatic Teleconference Services
- Communicate and Ensure Compliance and Consistency with Office Practices and Policies
- Make Certain that All Administrative Systems and Processes are Reliable, Finely Tuned and Well Delivered with an Aim Toward Pro-action Rather Than Reaction
- Research and Recommend Relevant Products for the Institute Including Maintaining Relevant Insurance Files.
- Coordinate ACCCI Bank Accounts Along with the Use of Online Banking
- Monitor Costs Containments for ACCCI
- Provide Back Up to President
- Maintain the ACCCI Archives and Documents
- Respond to Questions from Members and Legal Services that Require Document Searches

- Process Non-Profit Filings. Examples of These Filings are: the ASCAP Yearly Fee (Covers the Music at ACCCI Meetings), the CSC Yearly Fee (They Are ACCCI's Registered Agent and Compliance Partner), and the General Not For Profit Corporation Act ANNUAL REPORT (Sent to the State of Illinois on Behalf of ACCCI).
- Submit Claim Forms for Funds Owed to ACCCI (From Member Companies in Bankruptcy)
- Attend Meetings as Required or Requested
- Provide Board Meetings Support & Creation of Minutes
- Troubleshoot Administrative Issues
- Other Responsibilities as Agreed with President

Support Committees:

- Process MESH Committee Invoicing and Tracking
- Process Coal Chemicals Invoicing and Tracking
- Process PCTC Invoicing and Tracking
- Process COETF Invoicing and Tracking
- Read Email Messages to All Groups In Order To Stay Informed on the Issues
- Facilitate Special Projects as Requested by President

AMERICAN COKE AND COAL CHEMICALS INSTITUTE

Fall 2016 Business Meeting of the ACCCI Board of Directors
Thursday, October 20, 2016
1:00 PM – 5:00 PM EDT
Pittsburgh Marriott City Center
112 Washington Place
Pittsburgh, PA 15219

MEETING EVALUATION FORM

On a scale of 1 to 5, with 1 being "poor" and 5 being "excellent," please rate the meeting relative to the following:

MEETING

Poor -----> Excellent

- Overall Meeting Format: 1 2 3 4 5
- Overall Meeting Content: 1 2 3 4 5
- Meeting Management: 1 2 3 4 5
- Length of Meeting (circle one): Too short Ideal Too long

Suggested Improvements: _____

FACILITY

Poor -----> Excellent

- Hotel Accommodations: 1 2 3 4 5
- Hotel Location: 1 2 3 4 5
- Food Quality and Selection: 1 2 3 4 5
- Hotel Personnel: 1 2 3 4 5

Suggested Improvements: _____

GENERAL COMMENTS

OPTIONAL

Name: _____ Company: _____

**Please return this form to Dave Ailor at ACCCI Headquarters:
866-422-7794 (eFax) or dailor@accci.org**

October 13, 2016

David:

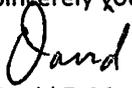
As you know, I am retiring from Crowell & Moring in February of 2017.

I am willing to continue to serve as General Counsel of the American Coke and Coal Chemicals Institute (ACCCI) following my retirement from Crowell, under the same arrangement that has governed my service while at Crowell, i.e., a fixed annual retainer of \$20,000, payable in two installments (June and December) over the course of the year, plus expenses. At this time, I am prepared to commit to continuing to serve through the end of 2017, and will evaluate in the Fall of 2017 whether I am willing to serve for a longer period.

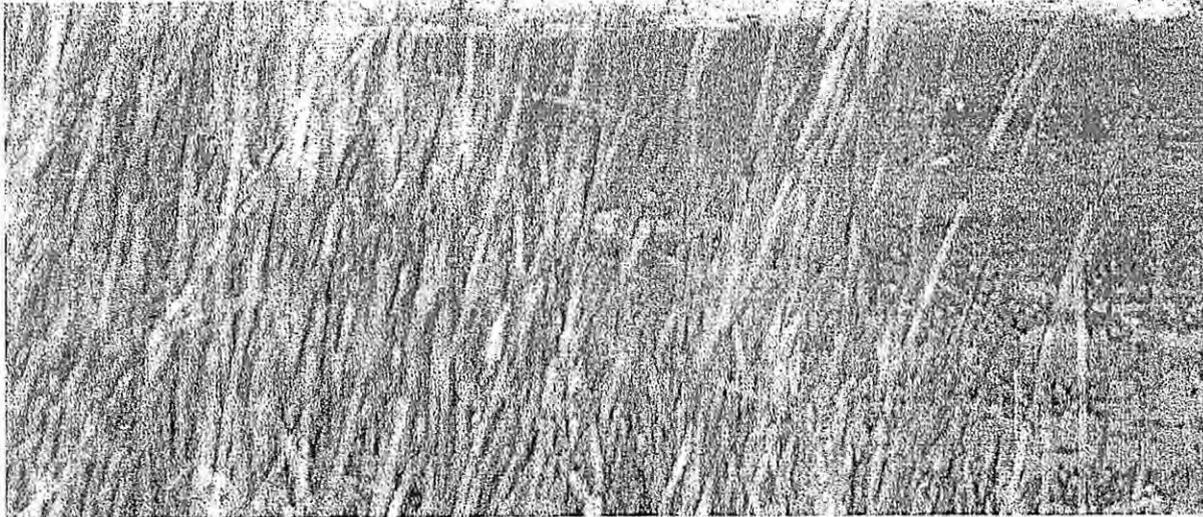
I should clarify my plans for continued professional activities once I retire from Crowell and Moring. The ACCCI General Counsel position is the only matter from my practice that I plan to continue. I also have just accepted a position on the Board of Directors of the Chesapeake Legal Alliance (CLA). CLA is, in effect, a clearing house for advocacy groups looking for lawyers to represent them on a pro bono basis in bringing legal actions to address environmental issues affecting the Bay; it does not bring such actions itself, nor does it enter appearances in actions brought by others. I have attached their statement of purpose from their website; more information about CLA is available there if it is needed. I have agreed to join the CLA Board because we own a house on the Bay, and I have a personal interest in doing what I can to help protect and maintain this important resource. I do not believe my service on the CLA Board presents a conflict of interest as a general matter, and would recuse myself from participating in any particular CLA Board activity which I thought might raise concerns in this regard.

I would be happy to respond to any questions you or the Board may have about this proposal.

Sincerely yours,



David E. Menotti
Senior Counsel
Crowell & Moring LLP
1001 Pennsylvania Ave, NW
Washington, DC 20004
202-624-2984



[skip to page content](#)

Chesapeake Legal Alliance



The Chesapeake Legal Alliance is a network of attorneys that provides *pro bono* legal assistance to those who work to protect and restore the Chesapeake Bay.

Together, we can be the

LEGAL CHAMPIONS FOR THE CHESAPEAKE BAY

and turn the dream of a healthy Bay into reality!



The Chesapeake Legal Alliance, Inc. (CLA) is a not-for-profit organization dedicated to using the law to improve the quality of the Chesapeake Bay. CLA coordinates a network of lawyers who volunteer their time and professional skills to representing environmental organizations, citizens' groups, and individuals in their efforts to improve the health of the Chesapeake and its watershed. Too often, the health of the Bay and the humans and animals that inhabit its watershed are subjugated to the agendas of interest groups represented by well-paid attorneys. CLA seeks to level the playing field by finding lawyers who will assist citizens and organizations, *pro bono*, in participating in government decision-making processes and enforcing underutilized laws and regulations designed to protect the Bay. CLA's goal is to effect systemic change in compliance and enforcement, as well as to improve upon and create more effective laws, regulations, and policies. The result we strive towards is a Bay with clean water, abundant native plants and animals, and opportunities for people to enjoy the Bay safely.

Legal assistance is provided throughout the Bay's 64,000 square mile watershed on a wide variety of matters that affect, directly and indirectly, the health of the Bay. These matters are addressed through litigation, administrative hearings, development of regulatory comments and legislation, advocacy, strategic advice, and assistance with corporate matters.

For Organizations and Individuals



Is there an action or initiative, proposed legislation or a question of law that affects the Chesapeake Bay directly or its watershed that you or your organization would address if you had the legal expertise and/or resources to staff the issue or hire an attorney to assist you? CLA was founded to fill this gap in resources with a mission to use the law to protect and restore the Chesapeake Bay and its watershed. CLA, a 501(c)(3) not-for-profit organization located in Annapolis, Maryland, leverages the legal talents of active and retired attorneys who care about the health of the Bay on behalf of those who would not otherwise be able to afford legal representation. CLA volunteer attorneys include some of the most experienced attorneys in their fields, with backgrounds in the private and public sectors. Armed with high quality legal representation, CLA clients are able to work towards real and lasting change for the Bay.

To request assistance, please submit a [Client Information Form](#) or email information to info@chesapeakelegal.org.

For Lawyers

You can make a difference! We are always seeking to meet lawyers and law firms who are concerned about the Chesapeake Bay and are looking for opportunities to make a difference by performing *pro bono* work directed toward preserving and improving the unique resource that is the Chesapeake Bay. Lawyers are needed to work on a wide variety of matters, including litigation in state and federal courts, representation of citizens' groups in zoning cases and other administrative proceedings, drafting and supporting changes in laws and regulations designed to improve the quality of the Chesapeake, and any other matter in which legal services may be employed in service of defending and improving the quality of the Bay and its watershed. Assistance is also needed with corporate and transactional matters, such as mergers, contract review, not-for-profit filings, and lobbying issues.

Whether you are in active practice or retired, or work in the public or private sectors, CLA will match your skills, interest and experience to a client group in need of your assistance. CLA also works with *pro bono* coordinators as a resource for law firm *pro bono* programs.

To volunteer, email us at info@chesapeakelegal.org.

Great Blue Heron photo courtesy of Diana Hornish (www.flickr.com/photos/dianahornish/)

69 Franklin Street
Annapolis, Maryland 21401
phone: (410) 216-9441
fax: (410) 216-7077
info@chesapeakelegal.org

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