

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

**Thursday, November 12, 2020
(via a CISCO Webex Virtual Meeting (VM))**

I. CALL TO ORDER

Board Chairman Dean Bishop called the VM to order at 1:05 PM EST.

II. THOSE PRESENT AND ANNOUNCEMENTS

A. Those Present

The following were present:

Directors

Dean Bishop, Chairman	ABC Coke
Sharon Parker	ABC Coke
Rob Carlin	DTE Energy Services
Rob Gray	Hickman, Williams & Company
Dave Schoen	Koppers, Inc.
Keith Kahl	SunCoke Energy
Jeff Wozek	SunCoke Energy
Matt Kraeuter	ThyssenKrupp Industrial Solutions
Mike Rhoads	U. S. Steel

Staff

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

Chairman Bishop noted the presence of a quorum for the record.

B. Antitrust Statement

ACCCI General Counsel David Menotti made a brief anti-trust compliance statement. He referenced ACCCI's antitrust policy, which was included as pages 1 to 3 of the meeting materials. Mr. Ailor noted that he had provided the Board with all such meeting materials several days before the VM, via e-mail.

C. Discussion/Decision on Approving Ben Rankin of Hickman, Williams & Company to Fill the Board Seat That Rob Gray of That Company Is Resigning Effective January 1, 2021

Rob Gray (Hickman, Williams & Company), referring to an e-mail he had sent to Mr. Ailor on May 29, 2020 (page 4 of the meeting

materials), reported that he planned to retire from his company, effective January 1, 2021, and was resigning from the Board as of that date. He requested that the Board approve Ben Rankin, Vice President of Hickman, Williams & Company, to "... fulfill the balance of [his] term as the Sales Agency Representative" on the Board. It was **MOVED and SECONDED** to approve the request. The motion **PASSED**.

D. Other Announcements

No other announcements were made.

III. APPROVAL OF MINUTES OF MAY 27, 2020, BOARD MEETING

It was **MOVED and SECONDED** to approve the Draft Minutes of the Spring Meeting (conference call) of the Board of Directors on May 27, 2020 (pages 5 to 12 of the meeting materials). The Draft Minutes were **APPROVED**.

IV. COMMITTEE REPORTS/UPDATES

A. MESH Committee Update

Mike Rhoads (USS), Chairman of ACCCI's Manufacturing, Environmental, and Safety and Health (MESH) Committee, reported that both the Spring and Fall 2020 meetings of the Committee had been cancelled. Both cancellations were a result of the COVID-19 pandemic the Nation has been experiencing since February 2020; company-imposed travel restrictions put in place because of the pandemic; and, the poor business conditions the membership is experiencing as a result of the pandemic.

The Spring 2020 Meeting had been scheduled for April 7-8, 2020, in West Chester, OH, with SunCoke's Middletown, OH's coke plant as the host plant. The Fall 2020 Meeting, was to be held at a TBD date in the Pittsburgh, PA area with USS' Clairton, PA coke plant as the host plant. Hopefully, during 2021, the pandemic will ease such that it is safe to meet again. The agenda for the Spring 2020 Meeting, which had been fully developed before the decision was made to cancel that meeting, will serve as the starting point for an agenda for the next meeting of the Committee, whenever and wherever it is held – hopefully, during 2021.

Next, Mr. Rhoads reported that, during 2020, he, together with his team of MESH subcommittee chairs, had taken steps to restructure "in person" meetings of the Committee, when they can safely resume, to make them more beneficial for members, including providing more and better member networking opportunities. Among the steps taken are allowing all segments of ACCCI's membership to participate in the meetings, offering multiple opportunities for Industry Supplier members of ACCCI to deliver technical presentations – including presentations on what they offer to the coke and coal chemicals industry - during the meetings, and offering plant tours for meeting attendees.

Mr. Rhoads concluded by reporting that he was contemplating appointing new chairs for some or all the three MESH subcommittees, which include the MESH Manufacturing Subcommittee, the MESH Environmental Subcommittee, and the

MESH Safety and Health Subcommittee. He did not indicate whom he might appoint as new chairs, for which subcommittees, or when he might do so.

B. International Committee

Mr. Ailor summarized the Census Bureau's coke import statistics report through September 2020 (pages 13 to 17 of the meeting materials).

Mr. Kraeuter, noting that the Committee has lacked a Chair for some time, asked what purpose the Committee serves. Mr. Ailor responded that, decades ago, when U.S. coke producers were facing significant amounts of coke imports from China, the Committee had facilitated a coke industry filing with the International Trade Commission to limit Chinese coke imports to the U.S. However, at least since his return to ACCCI in 2015, it has lacked a Chair and its only function has been to report to the Board twice a year on the latest coke import statistics report released by the Census Bureau.

Mr. Kraeuter indicated that his company, ThyssenKrupp, has interests and concerns outside of the U.S. and, so, might see a benefit of an expanded role for the Committee. But, no one else present indicated any such interests/concerns.

There was some discussion on possibly "sunsetting" the Committee and removing its report as an agenda item for future Board meetings. But, no one present voiced support for doing either. Discussion of this topic concluded with no decisions being made.

C. Membership Report

Membership Committee Chairman David Schoen gave the Report, referring to page 18 of the meeting materials.

D. Regulatory Affairs Update

Mr. Ailor, who gave the Update, began by noting that, considering all the important issues before the Board this and all such meetings and in the interest of ensuring there was sufficient time to discuss them, he had revised the "Regulatory Affairs Update" PowerPoint he historically revises for each Board meeting, to remove a number of slides that only provide background information on particular issues. Board members who want such background information should contact him.

Next, referencing the latest version of the PowerPoint, which he had furnished electronically to all Board members prior to the meeting, he gave the Update. At the outset, he referred those present to two other related documents he had provided the Board prior to the meeting - the latest version of an ACCCI-maintained document entitled "Associations of Which ACCCI Is a Member/Regulatory-Focused Coalitions in Which ACCCI Participates" (pages 19 to 21 of the meeting materials); and, the latest (October 2020) version of ACCCI's "Priority Issues Update" (pages 22 to 31 of the meeting materials), which he routinely provides to ACCCI's membership each month, to update them on notable regulatory and legislative developments during the preceding month of potential interest/concern to member

companies.

As usual, his Regulatory Affairs Update provided details on sector-specific and general industry regulatory issues of concern to the U.S. coke industry, regulatory issues of concern to the coal chemicals industry, and other important regulatory affairs issues. Issues on which he focused were EPA's Risk and Technology Review (RTR) of the 2003 MACT Standards for Coke Pushing, Quenching and Battery Stacks (PQBS); ENGO's Clean Air Act 112(d)(6) RTR Deadline Litigation; EPA's CERCLA "Financial Assurance" Rulemakings for the "Coal Products Manufacturing" and "Chemical Manufacturing" Industries; and, a proposed Refined Tar Sealant (RTS) Eligibility Criterion included in EPA's Proposed 2020 Multi-Sector General Permit (MSGP) for Stormwater from Industrial Activities.

During Mr. Ailor's report on principal "general industry" environmental issues of concern to the U.S. coke industry, Mr. Rhoads, at the invitation of Mr. Ailor, reported on one such issue that USS is facing – an ENGO lawsuit alleging that USS violated 42 U.S.C. § 9603(a) of CERCLA. Following Mr. Rhoads' report, Mr. Ailor noted that, at the urging of USS, ACCCI had joined a U.S. Chamber of Commerce-led multi-association coalition that, in late October 2020, had filed an amicus brief in support of USS' position in the case.

V. Statistical Programs Report

Ms. Deitch and Mr. Ailor reported on the status of ACCCI's quarterly statistical reports and annual benchmarking surveys (page 32 of the meeting materials).

VI. Financial Report

A. Most Recent (September 2020) Financial Statement

Mr. Bishop and Mr. Ailor reviewed ACCCI's most recent monthly financial statement - that for September 2020 - reflecting income and expenses through the end of September (pages 33 to 37 of the meeting materials).

B. Approval of 2019 Audit

Mr. Ailor referred those present to the 2019 Audit report prepared by Patton and Company CPAs (pages 38 to 47 of the meeting materials). It was **MOVED and SECONDED** to accept the 2019 audit report. **MOTION PASSED.**

C. Approval of 2020 Auditor

Mr. Ailor referred those present to an August 31, 2020, proposal from Patton and Company CPAs to conduct the 2020 audit, for a cost of not-to-exceed \$3,700 (page 48 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. Discussion on 2021 Budget

Mr. Bishop referred those present to a Proposed Budget for 2021 that Mr. Ailor had developed at the direction of ACCCI's Officers (pages 49 to 52 of the meeting

materials). Mr. Ailor, in turn, explained that, at the Officers' direction, the Proposed Budget included only two face-to-face ACCCI meetings next year, due to the pandemic - ACCCI's 2021 Annual Meeting; and, one, rather than two meetings of ACCCI's MESH Committee. Additionally, the proposal reflects a budget request of the ACCCI MESH Committee's Coalitions Subcommittee for 2021 - \$35,000 - for ACCCI's membership in the associations and regulatory-focused coalitions of which the Subcommittee thinks ACCCI should be a member during 2021. Finally, it has a projected loss next year of \$28,390.00. Following a brief discussion, it was **MOVED and SECONDED** to approve the Proposed Budget. **MOTION PASSED.**

E. Report on New Effort to Revise the Format of the Monthly Financial Statement

Mr. Bishop reported on the efforts of a new Board task force of himself, ACCCI's Officers (Vice Chairman Jeff Wozek and Secretary/Treasurer Ron Burnette), immediate past Board Chairman Rob Carlin and ACCCI staff, to work towards a format that will be used going forward. He explained that, at his request, ABC Coke Comptroller John Dobie was assisting in the effort.

The goal is to streamline ACCCI's process of preparing the monthly Financial reports away from the process which ACCCI staff has historically used, to one that involves the Sage/Peachtree accounting software which staff already utilizes. As part of this process, ACCCI is repurposing one of ACCCI's checking accounts – that for COETF funds alone – such that it will hold funds for all ACCCI “special projects,” including COETF projects, where the existing account numbers for those special projects will remain unchanged from those already shown in the current Financial reports.

F. Status of Dues Collections and Discussion of Board Policy for Delinquencies

Discussion of this topic focused broadly on what to do insofar as companies that do not pay their annual dues in a timely manner, despite multiple reminders from ACCCI staff and repeated efforts by staff to contact them. As noted on page 18 of the meeting materials, two member companies are delinquent in paying their 2020 annual dues as of the Business Meeting - H Quest Vanguard Inc. and Wilson Industrial Sales Company.

Following a full discussion, decisions were made that (1) going forward, ACCCI staff would, to the best of its ability, identify which, if any, Board member had sponsored the membership of a company that is delinquent in payment of its annual dues; (2) if a sponsoring Board member is identified, staff would ask that Board member to contact said company to inquire about payment; and, (3) if a Board member cannot be identified, then staff would contact the Board chair to inform him/her of such and determine how he/she wants to proceed.

Insofar as the two companies that are delinquent in paying their 2020 annual dues - H Quest Vanguard Inc. and Wilson Industrial Sales Company – Mr. Kraeuter volunteered to contact the former, and Mr. Bishop the latter. In advance of them making these contacts, Ms. Deitch will send Mr. Kraeuter and Mr. Bishop the January 2020 invoices she sent to those companies, so they know who there received those invoices.

G. Report on the Tonawanda Coke Bankruptcy and the Status of the Claims ACCCI Filed

Ms. Deitch is monitoring for ACCCI the Tonawanda Coke bankruptcy proceedings and the status of the claims ACCCI has filed in those proceedings. She reported that there had been no recent developments on the matter.

H. Report on Whether or Not Erie Coke Is in Bankruptcy and, if so, Whether ACCCI Should File Claims in that Proceeding

Mr. Ailor reported that, this summer, he had contacted Paul Saffrin, CEO of Erie Coke, to learn whether or not Erie Coke is in bankruptcy. Mr. Saffrin reported to him that Erie Coke was not in bankruptcy at the time, but that he would alert Mr. Ailor if and when it enters bankruptcy. Mr. Ailor presumes that if/when that happens, the Board will want ACCCI to file claims in those proceedings, much as it has done in the Tonawanda Coke proceedings.

I. Other Issues

No other financial issues were discussed.

VII. Report of Task Force Charged with Offering Each of ACCCI's Three Integrated Coke Producer Member Companies with One Company-Specific Board Seat in Exchange for Annual Dues of \$25,000/Year

Mr. Rhoads, who chairs the above referenced task force, gave the report. The Board created the task force in December 2019 and includes Mr. Bishop, Mr. Schoen and Mr. Rhoads.

He reported that because business conditions are still so poor due to the pandemic, the task force has suspended further contacts with the three companies in question until conditions improve. Additionally, with Cleveland Cliffs, which purchased AK Steel earlier this year, in the middle of completing another deal to purchase ArcelorMittal by the end of 2020, the task force does not think the time will be right for further contacts until 2021, after that deal closes. When the time is right, Mr. Rhoads thinks that contacting someone at Cleveland Cliffs, who would then own two of the three integrated coke producer member companies in question, would be appropriate.

The three integrated coke producer member companies are AK Steel, ArcelorMittal and USS. The task force has been charged by the Board with offering one seat on the Board in exchange for annual dues of \$25,000 (i.e., ½ of the \$50,000 annual dues currently assessed Merchant Coke Producers).

VIII. Meetings Update

A. Meetings Calendar/History

Mr. Ailor updated those present on upcoming meetings of note and the history of ACCCI's meetings dating back to 1995 (pages 53 to 55 of the meeting materials). Upcoming meetings of note include ACCCI's 2021 Annual Meeting on April 22-23, 2021, at the Resort at Longboat Key Club on Longboat Key, FL; and, TBD meetings of ACCCI's MESH Committee in the Spring and Fall of 2021.

B. Discussion on 2021 Annual Meeting Date

Mr. Ailor reported that, considering predictions that the pandemic will continue well into 2021, company-imposed travel restrictions are still in place because of the pandemic, and the membership continues to experience poor business conditions, the Officers thought it prudent to postpone ACCCI's 2021 Annual Meeting. Currently, the meeting is scheduled for April 22-23, 2021, at the Resort at Longboat Key Club on Longboat Key, FL. The Officers recommended the Board approve postponing the meeting to the Fall of 2021.

With the blessing of Mr. Bishop, ACCCI staff had contacted the Resort at Longboat Key Club, in advance of the Business Meeting, to ascertain how willing the Resort might be to postponing our meeting to the Fall and, if it is willing, what availability the Resort might have for us in October 2021. Staff learned that the Resort would be willing to postpone the meeting, with no damages. A November 6, 2020, e-mail to ACCCI staff from Lauren Thompson, Associate Director of Sales at the Resort, indicating availability there in October 2021, was included as pages 56 to 57 of the meeting materials.

Following a full discussion, those present supported postponing the 2021 Annual Meeting to the Fall, with their preference being the first option in October that Ms. Thompson offered in her e-mail - Wednesday, September 29–Saturday, October 2, 2021. Discussion concluded with decisions being made that ACCCI staff would contact Ms. Thompson to (1) thank her for being so understanding of and accommodating to our needs; and, (2) ask that she send staff the paperwork necessary to postpone our 2021 Annual Meeting to the first option offered in her e-mail – Wednesday, September 29–Saturday, October 2, 2021.

C. Discussion on Fall 2021 Business Meeting Date/Location

No action was taken on this topic. Presumably, if the Board holds a meeting during ACCCI's 2021 Annual Meeting now being postponed to the Fall of 2021 – September 29-October 2, 2021, at the Resort at Longboat Key Club – that meeting will be the serve as the 2021 Business Meeting (i.e., the Board will not hold another Business Meeting in early November 2021, before or after the 2021 MetCoke Meeting, whenever and wherever that meeting is held).

D. Discussion on 2022 Annual Meeting Date/Location

Mr. Ailor reminded those present that, in late July 2020, following the direction of the Board, ACCCI staff had contacted the venue scheduled to host this year's Annual Meeting on October 1-2, 2020 – the Westin Hilton Head Island Resort & Spa on Hilton Head Island, SC - to discuss the possibility of cancelling the meeting there outright because of the pandemic. The Westin was very understanding and accommodating about our desire to cancel, and agreed to do so with no damages.

Since then, in view of how understanding and accommodating the Westin had been to us, the Officers voiced support for asking the Resort to provide us a proposal to host ACCCI's 2022 Annual Meeting. With their blessing, ACCCI staff did so, and the Resort followed up in October with a 2022 proposal for the time frame that ACCCI typically holds its Annual Meetings – late April to early May 2022. A

Summary Sheet on the Resort's proposal as prepared by Ms. Deitch was included as pages 58 to 59 of the meeting materials; the proposal is for Wednesday, May 4 – Saturday, May 7, 2022.

Following a full discussion, those present supported moving forward to lockin ACCCI's 2022 Annual Meeting for the dates proposed by the Resort. Discussion concluded with decision being made that ACCCI staff would contact staff at the Resort to ask that they send staff the paperwork necessary to lockin those dates in May 2022 for ACCCI's 2022 Annual Meeting.

E. Other Issues

Mr. Ailor asked those present if they wanted to lockin a date and time for the Spring 2021 Meeting of the Board which, presumably, will be a Virtual Meeting due to the pandemic. No one wanted to do so.

No other meeting-related issues were discussed.

IX. Old and New Business

A. Appointment of Nominating Committee for Directors with Terms Expiring in 2021 (Sharon Parker, Dave Schoen, Keith Kahl, Jeff Wozek and Mike Rhoads)

Chairman Bishop asked for volunteers for a Nominating Committee for Directors with terms expiring in 2021 (i.e., Parker, Schoen, Kahl, Wozek and Rhoads). Those who volunteered (or, in the case of Mr. Burnette, were volunteered) for this Committee included Mr. Carlin (Chair), Mr. Burnette and Mr. Rhoads. It was **MOVED and SECONDED** that the Board approve the membership of the Committee. **MOTION PASSED.**

B. Draft Yearend 2020 Letter from the ACCCI Board to the Membership

Mr. Ailor began by reporting that, a few minutes before the VM began, he had forwarded to Board members, via e-mail, another meeting material for review/discussion during Section IX.B of the agenda – a November 12, e-mail from Mr. Bishop setting forth Mr. Bishop's draft of a yearend 2020 letter from the ACCCI Board to the Membership. Mr. Ailor added that, following a quick comparison of what he had just forwarded with what he had provided the Board several days ago as a meeting material for Section IX.B, the two documents were one and the same.

Additionally, he reported that, several weeks ago, he had redrafted the letter that Mr. Bishop had drafted. He thought he had included that redraft in the meeting materials he had provided the Board several days ago; however, he realized during the VM that he had not done so. Upon realizing this, during the VM he sent the redraft to Board members, via e-mail, as a second discussion item under this Section.

Then, Mr. Bishop explained why he thought that sending such a letter was important. As he explained, considering that ACCCI had held no face-to-face meetings of the membership during 2020, he thought it important to update ACCCI members on all the important actions ACCCI had taken during 2020 towards, hopefully, lessening the likelihood that more members would leave the Association

during 2021 beyond the six that did so during 2020 (see page 18 of the meeting materials).

Mr. Menotti, who noted that he had read both draft versions, recommended finalizing/sending something along the lines of Mr. Ailor's version; none present disagreed. Discussion of this topic concluded with decisions being made that (1) soon after the Business Meeting, Mr. Ailor would circulate his version to the Board, with the request that Board members inform him of their questions/comments on it, if any, within about one week's time, on a "default calendar" basis; (2) in the event that no one informs Mr. Ailor of any questions/comments by the "default calendar" deadline, he would assume that none have any questions/comments on and all are agreeable to the letter as drafted, and finalize that version of the letter; and, (3) in early 2021, when ACCCI routinely sends invoices to member companies for their annual dues, ACCCI staff would include that version of the letter with the invoices, for review/consideration by member companies as they decide whether or not to pay their dues.

C. Other Business

Mr. Bishop commented that ACCCI's website looked outdated and was in need of renovation, to make it more interactive and user-friendly. He will discuss internal to his company what steps might be taken to renovate it. ACCCI's Officers will discuss "next steps" on the issue during their next monthly Virtual Meeting (VM) to discuss a draft of the latest ACCCI Financial Report (i.e., that for November 2020), before that Report is finalized/circulated to the Board. That VM is scheduled for 2:00 pm EST on Thursday, December 17.

No other business was discussed.

X. Executive Session (If Needed)

There was no expressed need for an Executive Session.

XI. ADJOURNMENT

There being no further business, the meeting was adjourned at 3:37 PM EST.

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

Approved,

/s/ Dean Bishop
Dean Bishop, Chairman

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

**American Coke and Coal Chemicals Institute
Antitrust Compliance Policy**

Summary

The antitrust laws seek to preserve a free competitive economy in the United States and in commerce with foreign countries. As a general rule, competitors may not restrain competition among themselves through understandings or agreements as to the price, the production, distribution or nature of their products or services, or other agreements that unreasonably restrict competition. They also may not act in concert to restrict the competitive capabilities or opportunities of their competitors, their suppliers, or their customers.

Statement of Policy

It is the policy of the American Coke and Coal Chemicals Institute ("ACCCI" or the "Institute") and its members to comply strictly with all laws applicable to the Institute's activities (the "Policy"). The ACCCI's Board of Directors emphasizes the ongoing commitment of the Institute and its members to full compliance with federal and state antitrust laws in the United States, and the competition laws of other countries that may apply. A reminder of this Policy is to be made orally or distributed at all appropriate ACCCI meetings to remind each member of this commitment and as a general guide for activities and meetings.

Responsibility for Antitrust Compliance

Each member of the ACCCI's staff, including outside consultants and contractors, and each Institute member is equally responsible for antitrust compliance. Each participant in ACCCI activities depends upon good judgment by all to avoid discussions and activities which could involve improper subject matter or improper procedures--or even an appearance of improper activity. All parties involved in ACCCI activities have an important and individual responsibility for assuring that the Institute activities comply with the antitrust laws. ACCCI staff and members who are responsible for the preparation of meeting agenda must strive to avoid subject matter for discussion that may have unintended implications. Counsel for ACCCI will review agendas to provide guidance with regard to these matters.

Certain antitrust violations, including most agreements to restrict or eliminate competition, can be prosecuted as criminal felonies and the penalties for conviction are severe. Government investigations and civil suits also can be very costly and disruptive to businesses. Therefore, this Policy is designed to enable ACCCI and its members to avoid even the appearance of questionable activity.

General Antitrust Guidelines

This section describes types of activities and practices found to violate the antitrust laws. ACCCI staff and members must avoid even the appearance of these activities, as well as any others that could be construed to have an anticompetitive intent or purpose. In particular, the antitrust laws prohibit anticompetitive "agreements." It is important to know that an agreement

for antitrust purposes does not have to be written or specifically stated. An agreement can be inferred from conduct, surrounding circumstances and, most commonly, from notes, minutes, memoranda and other documents that, when read together, support a claim that an agreement was reached.

Because ACCCI's activities involve cooperative undertakings and meetings among actual or potential competitors, the following matters will not be discussed by the members without prior approval of counsel:

1. Current or future prices or discounts.
2. Conditions of sale, such as credit and payment terms or delivery charges.
3. What constitutes a "fair profit level."
4. Standardization or stabilization of prices.
5. Pricing procedures.
6. The pricing practices of any industry member.
7. Who will serve specific customers, markets or geographical areas.
8. Whether or not to deal with a competitor, customer or supplier.
9. Non-public marketing, product or service plans.
10. Non-public information concerning costs, profits, customers, booked business, etc.

Procedures for Meetings

To avoid even the appearance of questionable activity, as well as to guard against inadvertent conduct, all ACCCI meetings will be conducted in accord with the following procedures:

1. There will be a written agenda which will be approved in advance, and topics not on the agenda will not be discussed.
2. There should be no rump or hallway sessions involving the discussion of business matters. All meetings should be "on the record" during the official meeting and per the approved agenda.
3. A standard antitrust reminder will be distributed with the meeting materials, and read or summarized at the outset.
4. Antitrust counsel either will monitor the meeting, or be available for questions from ACCCI staff during or after the meeting, as appropriate to the sensitivity of the topics.
5. Minutes of every meeting will be prepared, sent to ACCCI staff for retention, and approved at the next meeting.
6. In case of doubt about the propriety of a topic of discussion, consult ACCCI staff or counsel.
7. If a member has a reservation concerning remarks or discussion at a meeting, state the reservation during the meeting or to ACCCI counsel after the meeting.

Compliance in Other ACCCI Activities

ACCCI engages in a range of activities, including those set forth in its Purpose and Statement of Direction. These activities are procompetitive and as such, are lawful and permitted under the antitrust laws. These include: members and industry meetings, legislative monitoring and lobbying, promoting the industry, facilitating the exchange of information and technology, working with related industries, interaction with non-members also participating in the industry, and promoting health, safety and environmental compliance in the workplace and community. The antitrust analysis of each of these types of activities depends on the specific facts and conduct at issue. Therefore, it is important for ACCCI staff or members to keep this Policy in mind when participating in such activities, and to consult ACCCI staff or counsel with any questions regarding compliance.

Conclusion

This Policy requires ACCCI members and staff to be vigilant to avoid behavior which may raise suspicions of illegal collusion. Antitrust laws are complex and far-reaching and this statement is not a complete summary of all applicable laws. This Policy is not intended to discourage ACCCI's legitimate and procompetitive activities. Instead, it is intended to highlight and emphasize certain basic precautions to enable ACCCI and its members to conduct their business with the knowledge that if they comply with the Policy, even the appearance of antitrust problems can be avoided. If you have a question as to whether certain conduct could present antitrust issues, please seek the guidance of ACCCI staff or counsel.

For ACCCI Board of Directors Approval
October 2, 2011

From: Robert Gray
To: Ailor, David (dailor@accci.org)
Subject: Retirement
Date: Friday, May 29, 2020 8:54:34 AM

Dear David,

Per our conversation yesterday, after 40 years with Hickman, Williams & Company, I have decided to retire effective January 1, 2021. With this announcement, I am also giving my resignation from the ACCCI Board of Directors also effective January 1, 2021.

Since my ACCCI Board term does not expire until 2022, I respectfully request that Ben Rankin, Vice President of Hickman, Williams & Company be considered to fulfill the balance of my term as the Sales Agency Representative. Ben has been in the coke & coal industry for the past 26 years and is well known industry wide. Ben's deceased father, Robert Rankin was also a member of ACCCI and worked in the industry purchasing coal & coke for Inland Steel.

I believe Hickman, Williams & Company has been a part of ACCCI since it's inception in 1944. Janet and I have been involved with the organization for the past 12 years and have formed a lot of friendships over those years. We will miss those friendships and wish nothing but the best for the industries the American Coke and Coal Chemicals Institute represent.

Sincerely,

Rob Gray

Robert J. Gray

President / Chief Executive Officer
Hickman, Williams & Company

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

Wednesday, May 27, 2020
(via Teleconference)

I. CALL TO ORDER

Board Chairman Dean Bishop called the meeting to order at 3:05 PM EDT.

II. THOSE PRESENT AND ANNOUNCEMENTS

A. Those Present

Those present introduced themselves. The following were present:

Directors

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

Other Company Representatives

Scott Castleberry	ABC Coke
Sharon Parker	ABC Coke

Staff

David Ailor	President
Jan Deitch (via telephone)	Director of Administration
David Menotti	General Counsel

Chairman Bishop noted the presence of a quorum for the record.

B. Antitrust Statement

ACCCI General Counsel David Menotti made a brief anti-trust compliance statement. He referenced ACCCI's antitrust policy, which was included as pages 1 to 3 of the meeting materials.

C. Other Announcements

Mr. Ailor noted that, in advance of the meeting, he had provided Board members,

via e-mail, all meeting materials that would be referenced during the meeting.

III. DISCUSSION/DECISION ITEMS

A. Recommendations of Nominating Committee for Directors with Terms Expiring in 2020 (Carlin, Burnette, Kraeuter and Wiggins)

Mr. Bishop asked Mike Rhoads (USS), who chaired a 2020 Nominating Committee for Directors with terms expiring in 2020, to report on the Committee's recommendations. Mr. Rhoads, referencing a summary of the report that was included as page 4 of the meeting materials, reported that the Committee, which included Ron Burnette (DTE Energy Systems), Rob Gray (Hickman, Williams and Company), David Schoen (Koppers, Inc.) and himself, proposed the following slate of Directors for three-year terms beginning May 27, 2020:

Ron Burnette	DTE-EES
Rob Carlin	DTE-EES

and a two-year term, also beginning on May 27, 2020, for the Board's Industry Supplier representative:

Matt Kraeuter	ThyssenKrupp
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Mr. Rhoads noted that, as indicated on the summary document, Bluestone Coke's membership in ACCCI is suspended and, hence, Mr. Wiggins is not eligible for Board membership.

During the 2020 Meeting of ACCCI's Membership which immediately preceded the Board call, ACCCI's Voting Members elected the recommended slate.

B. ABC Coke's Request That the Board Approve Sharon Parker As Dickie Owens' Replacement on the Board Whereby She Would Assume Mr. Owens' Seat, Which Expires in April 2021

Dickie Owens (ABC Coke), referring to a May 7, 2020, memorandum he had sent to Mr. Ailor (page 5 of the meeting materials), reported that he planned to retire from ABC Coke on July 1, 2020, and was resigning from the Board. He requested that the Board approve Sharon Parker, Vice President of ABC Coke, to "... fulfill [his] term/board responsibility as [a Board] representative for ABC Coke." Copies of the materials distributed to Board before the call were also provided to Ms. Parker in anticipation of her attending. It was **MOVED** and **SECONDED** to approve the request. The motion **PASSED**.

C. Approval of Minutes of November 8, 2019, Business Meeting; December 11, 2019, Board Call; and, January 10, 2020, Board Call

It was **MOVED** and **SECONDED** to approve the Draft Minutes of the 2019 Business Meeting of the Board of Directors on November 8, 2019, in Nashville, TN; a December 11, 2019, conference call of the Board;

and, a January 10, 2020, conference call of the Board (pages 6-22 of the meeting materials). The Draft Minutes were **APPROVED**.

D. Committee Reports/Updates

1. MESH Committee Update – Committee Chairman Mike Rhoads

Mr. Rhoads reported that the Spring 2020 Meeting of ACCCI's MESH Committee - which had been scheduled for April 7-8, 2020, in West Chester, OH, with SunCoke's Middletown, OH's coke plant being the host plant - had been cancelled due to the COVID-19 pandemic. And, considering company-imposed travel restrictions that are now in place because of the pandemic and the poor business conditions the membership is experiencing, he doubted that the Committee's next meeting – the Fall 2020 Meeting, which is to be held at a TBD date in the Pittsburgh, PA area with USS's Clairton, PA coke plant being the host plant – would be held.

2. International Committee

Mr. Ailor summarized the Census Bureau's coke import statistics report through August 2020 (pages 23-26 of the meeting materials).

3. Membership Report

Membership Committee Chairman David Schoen gave the Report (page 27 of the meeting materials).

4. Regulatory Affairs Update

Considering all the important issues before the Board this meeting and in the interest of ensuring there was sufficient time to discuss them, Mr. Ailor gave only an abbreviated summary of the highlights from his "Regulatory Affairs Update" PowerPoint presentation for the meeting (furnished electronically to all meeting attendees prior to the meeting). As usual, his Update provided details on sector-specific and general industry regulatory issues of concern to the U.S. coke industry, regulatory issues of concern to the coal chemicals industry, and other important regulatory affairs issues.

Documents to which he referred during his summary were his PowerPoint presentation; and, the latest version of an ACCCI-maintained document entitled "Associations of Which ACCCI Is a Member/Regulatory-Focused Coalitions in Which ACCCI Participates" (pages 28-31 of the meeting materials). Issues on which he focused were EPA's Risk and Technology Review (RTR) of the 2003 MACT Standards for Coke Pushing, Quenching and Battery Stacks (PQBS); ENGO's Clean Air Act 112(d)(6) RTR Deadline Litigation; EPA's CERCLA "Financial Assurance" Rulemakings for the "Coal Products Manufacturing" and "Chemical Manufacturing" Industries; and, a proposed Refined Tar Sealant (RTS) Eligibility Criterion included in EPA's Proposed 2020 Multi-Sector General Permit (MSGP) for Stormwater from Industrial Activities.

E. Statistical Programs Report

Mr. Ailor and Ms. Deitch reported on the status of ACCCI's quarterly statistical reports and annual benchmarking surveys (page 32 of the meeting materials). Mr. Ailor noted that one 2019 Annual Report – "Total U.S. Coke Production" – remained incomplete because of his inability to obtain the fourth-quarter 2019 coke production data from Bluestone Coke, whose membership in ACCCI has been suspended by the Board. Mr. Owens commented that he doubted the ownership of Bluestone Coke would ever bother with providing such data, and suggested that Mr. Ailor pro-rate the company's third-quarter 2019 production data to estimate its data for the fourth quarter. Mr. Bishop agreed that consideration should be given to how to deal with a case such as this, but no decision was reached on how to proceed.

F. Finance Report

1. Report on New Effort to Revise the Format of the Monthly Financial Statement

Mr. Ailor began by reporting that, in the last couple of months, Ms. Deitch had alerted him that the new format that she had begun using in the Spring of 2019 at the direction of then-Chairman Rob Carlin was proving problematic. More specifically, some of the formulas in the financial statement are not working as intended. Because of those problems, Ms. Deitch has not been able to complete any monthly financial statements thus far in 2020. Mr. Ailor concluded by reporting that he, working with Ms. Deitch, had developed a revised draft format that appeared to correct these problems, and had provided the same to Mr. Bishop for review/consideration.

Mr. Bishop reported that he had created a new Board task force of Mr. Carlin, ACCCI's other Officers (Vice Chairman Jeff Wozek and Secretary/Treasurer Ron Burnette) and ACCCI staff, to work towards a format that will be used going forward. And, considering that it appears the 2020 budget will be much lower than that originally approved by the Board (i.e., because of the likelihood that there will be few, if any, face-to-face ACCCI meetings due to the pandemic), the task force will also look at revising the 2020 budget to reflect this.

2. Status of Dues Collections and Discussion of Board Policy for Delinquencies

This topic (pages 33-45 of the meeting materials) was not discussed during the call.

3. Other Issues

No other issues related to the finance report were discussed.

G. Report of Task Force Charged with Offering Each of ACCCI's Three Integrated Coke Producer Member Companies with One Company-Specific Board Seat in Exchange for Annual Dues of \$25,000/Year

Mr. Rhoads, who chairs the above referenced Board task force, reported on what the task force had done, to date. Mr. Rhoads reported that the task force, which the Board created in December 2019 and includes Mr. Bishop, Mr. Schoen and himself, had made some initial contacts to the Integrated Coke Producers in question - AK Steel, ArcelorMittal and USS - to offer one seat on the Board in exchange for annual dues of \$25,000 (i.e., ½ of the \$50,000 annual dues currently assessed Merchant Coke Producers). But, the companies' business conditions are so poor because of the pandemic that the task force is suspending further contacts under conditions improve.

H. Meetings Update

1. Meetings Calendar/History

Mr. Ailor updated those present on upcoming meetings of note and the history of ACCCI's meetings dating back to 1995 (pages 46-48 of the meeting materials). Upcoming meetings of note include ACCCI's 2020 Annual Meeting on October 1-2, 2020, at the Westin Hilton Head Island Resort & Spa on Hilton Head Island, SC; the Fall 2020 Meeting of ACCCI's MESH Committee at a TBD date, in the Pittsburgh, PA area, during which USS will host a tour of its Clairton, PA coke plant; the MetCoke 2020 Conference on November 11-12, 2020, at the Omni William Penn Hotel Pittsburgh in Pittsburgh, PA; the Board's 2020 Business Meeting on November 12, 2020, at the Omni William Penn Hotel Pittsburgh; and, ACCCI's 2021 Annual Meeting on April 22-23, 2021, at the Resort at Longboat Key Club on Longboat Key, FL. ACCCI already has a contract in place with the venue for the 2021 Annual Meeting.

2. Possibility of Postponing/Cancelling ACCCI's 2020 Annual Meeting, scheduled for October 1-2 at the Westin Hilton Head Island Resort & Spa on Hilton Head Island, SC, because of the COVID-19 Pandemic

Mr. Bishop commented that, considering company-imposed travel restrictions that are now in place because of the pandemic and the poor business conditions the membership is experiencing, he thought the Board needed to consider postponing or cancelling ACCCI's 2020 Annual Meeting. All present agreed. Mr. Ailor noted, though, that to do so this far out from the meeting (i.e., four months) might be viewed as a breach of contract by the Westin, potentially making us liable for \$30,000 to \$35,000 of cancellation penalties. He recommended that we wait to decide how to proceed until closer to the meeting (i.e., early August), to see where things stand insofar as the pandemic and business conditions. Doing so, he thought, would put us in a stronger negotiating position with the Westin.

Following a full discussion, the Board decided that (1) in the near term, Mr. Ailor would contact the venue for ACCCI's 2021 Annual Meeting – the Resort at Longboat Key Club on Longboat Key, FL – to gauge its willingness to ACCCI's shifting our meeting there to the Spring of 2022, such that we could suggest to the Westin that we postpone our meeting there by six months, from October 2020 to April 2021; (2) in mid-July, Mr. Ailor would poll the membership to see if they are facing any coronavirus-related or business-related, company-imposed travel restrictions that may keep them

from attending the 2020 Annual Meeting; and, (3) the Board would meet in early August, via conference call, to weigh the findings from 1 and 2 above, towards deciding what, if anything, to ask of the Westin insofar as postponing or cancelling the 2020 Annual Meeting.

3. Possibility of Postponing/Cancelling the Yet-to-Be-Scheduled Fall 2020 Meeting of ACCCI's MESH Committee Planned for October in the Pittsburgh, PA area, because of the COVID-19 Pandemic

Mr. Bishop commented that he agreed with what MESH Committee Chairman Mike Rhoads indicated earlier in the meeting – that considering company-imposed travel restrictions that are now in place because of the pandemic and the poor business conditions the membership is experiencing, he doubted that the Committee's next meeting – the Fall 2020 Meeting, which is to be held at a TBD date in the Pittsburgh, PA area with USS's Clairton, PA coke plant being the host plant – would be held. He suggested – and, Mr. Rhoads agreed – that a virtual meeting of the Committee (e.g., via Zoom or TEAMS) should be considered as an alternative to a face-to-face meeting.

4. Scheduling of/Formatting for the 2020 Business Meeting of the Board this Fall

Mr. Ailor noted that ACCCI staff had not made any arrangements or signed any contract for the Board's 2020 Business Meeting, which is historically held at the same venue and in the same timeframe as (i.e., immediately before or after) the annual MetCoke conference. Hence, the Board has full flexibility to decide when, how and where to meet.

Considering all the uncertainty as to how the pandemic and company-imposed travel restrictions might be this fall, the Board took no action to schedule a Business Meeting. Mr. Bishop said that he envisioned the Board holding several "virtual" meetings over the remainder of the year, rather than a single Business Meeting. None disagreed.

5. Other Issues

No other meeting-related issues were discussed.

I. Old and New Business

1. Discussion/Decision on ERP Coke/Bluestone Coke's Failure to Pay its 2019/2020 Annual Dues

Mr. Ailor reminded those present that, as the Board had decided during its January 10, 2020, conference call, ACCCI staff had removed ERP Compliant Coke/Bluestone Coke from all ACCCI Distribution lists and notified the company that its membership in ACCCI had been suspended. ACCCI staff has heard nothing from the company since taking those actions.

Mr. Menotti counseled that, considering the company's membership is now

suspended, there was really no need to take the next (and final) step - striking the company from the membership list. Nonetheless, all present wanted to formally strike the company from the membership. The Board directed Mr. Ailor to send a letter to this effect to the company management. Mr. Ailor said he would do so, with the assistance of Mr. Menotti.

2. New Byproduct Coke Industry-Related Legislation Being Worked on Capitol Hill (The "Steel Industry Preservation Act") – Mr. Ailor [pp. 49-53]

Mr. Ailor reported that, beginning in mid-April 2020, one member company representative – Dan Deer of AKJ Steel Industries, Inc. – had been requesting that ACCCI send a letter to Capitol Hill discussing "ACCCI's Strong Support for the Steel Industry Preservation Act." A draft letter that Mr. Deer has provided ACCCI for consideration explains that the legislation "... would be a much-needed shot in the arm to the integrated steel and coke making industries and help increase demand for metallurgical coal, iron ore, coke, coke plant by-products and other steel inputs from across the country." The letter further explains that "The modest incentives from this legislation are enough to help sustain coke-making in the United States and assure a reliable, consistent and continued access to domestically produced coke plant by-products critical to manufacturing essential medicines in the pharmaceutical industry." Background information on the legislation and the draft letter itself are included as pages 49-53 of the meeting materials.

Mr. Ailor noted that he had been in contact with an association he thought would surely be supportive of the legislation, to see where it stands on the matter and, if it supports the legislation, whether it would be agreeable to a joint letter with ACCCI on it – the American Iron and Steel Institute (AISI). An AISI representative informed him in mid-May that "... unfortunately [it] cannot do a joint letter with any other group on this." Beyond that, he indicated that "... it's still not clear that we're going to issue a letter at all." He did not elaborate as to why that's the case, and Mr. Ailor is attempting to find out.

In any event, Mr. Ailor does not think the matter is "ripe" yet for a Board decision. He will be back in touch with the Board after he obtains more information on it (including why AISI may not be supportive of the legislation) and the time is right for a potential letter from ACCCI to Capitol Hill.

J. Other Business

No other business was discussed.

IV. Executive Session (If Needed)

There was no expressed need for an Executive Session.

V. ADJOURNMENT

There being no further business, the meeting was adjourned at 4:26 PM EDT.

Respectfully submitted,

David C. Ailor, P.E., President

Dean Bishop, Chairman

David E. Menotti, Esq., General Counsel

DRAFT

Imports 0081 - September

Time			September 2020				September 2020 YTD			
Measures			Count	QTY-1	Custom Val	CIF Val	Count	QTY-1	Custom Val	CIF Val
Commodity	Country	District								
2704000011 Coke A Smck Of Cl Fr Fl Nt In Brqts Gt 100mm(50%) (t)	World Total	All Districts					16	36,479	13,665,085	14,771,685
		Baltimore, MD					3	242	156,000	162,600
		Buffalo, NY					1	3,000	1,110,000	1,139,500
		Chicago, IL					12	33,237	12,399,085	13,469,585
	Czech Republic	All Districts					3	31,964	11,747,657	12,637,157
		Buffalo, NY					1	3,000	1,110,000	1,139,500
		Chicago, IL					2	28,964	10,637,657	11,497,657
	Italy	All Districts					10	4,273	1,761,428	1,971,928
		Chicago, IL					10	4,273	1,761,428	1,971,928
	South Africa	All Districts					3	242	156,000	162,600
		Baltimore, MD					3	242	156,000	162,600
	2704000025 Coke/semicoke Of Coal, Nesoi (t)	World Total	All Districts	6	20,153	3,449,824	3,860,924	53	35,930	7,563,251
Baltimore, MD							1	80	52,000	54,200
Charleston, SC							5	1,058	372,106	403,954
Cleveland, OH			1	20,014	3,412,320	3,812,320	2	33,845	6,842,529	7,518,529
Detroit, MI			4	84	22,447	23,047	34	744	186,445	192,781
Los Angeles, CA							2	57	35,254	44,254
New York City, N			1	55	15,057	25,557	5	70	30,057	46,582
Pembina, ND							4	76	44,860	47,529
Canada		All Districts	5	20,098	3,434,767	3,835,367	40	34,665	7,073,834	7,758,839
		Cleveland, OH	1	20,014	3,412,320	3,812,320	2	33,845	6,842,529	7,518,529
		Detroit, MI	4	84	22,447	23,047	34	744	186,445	192,781
		Pembina, ND					4	76	44,860	47,529
Germany		All Districts					2	57	35,254	44,254
		Los Angeles, CA					2	57	35,254	44,254
Japan		All Districts					4	1,055	369,106	399,204

2704000050 Coke/semicoke Of Lignite Or Peat; Retort Carbon (t)	Japan	Charleston, SC					4	1,055	369,106	399,204
	South Africa	All Districts					1	80	52,000	54,200
		Baltimore, MD					1	80	52,000	54,200
	Spain	All Districts	1	55	15,057	25,557	1	55	15,057	25,557
		New York City, NY	1	55	15,057	25,557	1	55	15,057	25,557
	United Kingdom	All Districts					5	18	18,000	25,775
		Charleston, SC					1	3	3,000	4,750
		New York City, NY					4	15	15,000	21,025
	World Total	All Districts					24	8,510	4,326,089	4,736,161
		Baltimore, MD					5	440	244,157	283,217
		Charleston, SC					5	600	418,529	466,029
		Detroit, MI					2	34	11,865	19,665
		Houston-Galveston, TX					1	18	12,420	12,421
		New Orleans, LA					5	7,322	3,479,083	3,773,694
		New York City, NY					6	96	160,035	181,135
	Canada	All Districts					2	34	11,865	19,665
		Detroit, MI					2	34	11,865	19,665
	China	All Districts					5	83	137,989	155,589
		New York City, NY					5	83	137,989	155,589
	Egypt	All Districts					1	13	22,046	25,546
New York City, NY						1	13	22,046	25,546	
India	All Districts					1	18	12,420	12,421	
	Houston-Galveston, TX					1	18	12,420	12,421	
South Africa	All Districts					14	8,322	4,120,909	4,499,580	
	Baltimore, MD					4	400	223,297	259,857	
	Charleston, SC					5	600	418,529	466,029	
	New Orleans, LA					5	7,322	3,479,083	3,773,694	
United Kingdom	All Districts					1	40	20,860	23,360	
	Baltimore, MD					1	40	20,860	23,360	
	All Districts	95	28,363	4,403,867	5,269,553	1,006	447,497	47,266,215	53,113,418	
	Buffalo, NY					1	81	3,560	3,760	
	Cleveland, OH	3	0	0	0	19	0	0	0	

World Total	Detroit, MI	6	511	20,974	22,774	110	9,225	381,675	427,975
	Duluth, MN	38	2,931	114,000	121,600	373	29,325	1,744,415	1,819,015
	Houston-Galves	19	0	0	0	164	52	23,715	23,716
	Los Angeles, CA	6	0	0	0	88	0	0	0
	Mobile, AL	5	0	0	0	44	0	0	0
	New Orleans, LA	6	24,921	4,268,893	5,125,179	91	302,131	35,137,972	39,614,712
	Philadelphia, PA	11	0	0	0	78	0	0	0
	Port Arthur, TX					29	106,683	9,974,878	11,224,240
	Seattle, WA	1	0	0	0	9	0	0	0
Argentina	All Districts	1	24,921	4,268,893	5,125,179	11	175,774	17,113,704	21,278,793
	New Orleans, LA	1	24,921	4,268,893	5,125,179	8	145,889	15,119,095	18,289,805
	Port Arthur, TX					3	29,885	1,994,609	2,988,988
Brazil	All Districts					34	94,620	13,532,305	14,758,441
	Houston-Galveston, TX					2	52	23,715	23,716
	Los Angeles, CA					18	0	0	0
	Mobile, AL					9	0	0	0
	New Orleans, LA					5	94,568	13,508,590	14,734,725
Canada	All Districts	49	3,442	134,974	144,374	526	38,631	2,129,650	2,250,750
	Buffalo, NY					1	81	3,560	3,760
	Cleveland, OH	3	0	0	0	19	0	0	0
	Detroit, MI	6	511	20,974	22,774	110	9,225	381,675	427,975
	Duluth, MN	38	2,931	114,000	121,600	373	29,325	1,744,415	1,819,015
	Houston-Galves	1	0	0	0	13	0	0	0
	Los Angeles, CA					1	0	0	0
	Seattle, WA	1	0	0	0	9	0	0	0
Colombia	All Districts	11	0	0	0	65	0	0	0
	Houston-Galves	5	0	0	0	34	0	0	0
	Los Angeles, CA	2	0	0	0	10	0	0	0
	Mobile, AL	4	0	0	0	13	0	0	0
	New Orleans, LA					8	0	0	0
	All Districts					22	0	0	0
	Houston-Galveston, TX					11	0	0	0

2713110000
 Petroleum Coke,
 Not Calcined (t)

Ecuador	Los Angeles, CA					5	0	0	0
	Mobile, AL					1	0	0	0
	New Orleans, LA					5	0	0	0
Germany	All Districts					3	49,322	5,161,093	5,416,075
	New Orleans, LA					1	14,424	1,622,700	1,622,701
	Port Arthur, TX					2	34,898	3,538,393	3,793,374
Ghana	All Districts					2	0	0	0
	Los Angeles, CA					2	0	0	0
Guatemala	All Districts					5	0	0	0
	Houston-Galveston, TX					5	0	0	0
Guyana	All Districts	1	0	0	0	5	0	0	0
	Houston-Galves	1	0	0	0	1	0	0	0
	Los Angeles, CA					4	0	0	0
India	All Districts					2	26,250	2,663,063	2,742,955
	New Orleans, LA					2	26,250	2,663,063	2,742,955
Iraq	All Districts	4	0	0	0	40	0	0	0
	Houston-Galveston, TX					9	0	0	0
	Los Angeles, CA	1	0	0	0	24	0	0	0
	Mobile, AL					2	0	0	0
	New Orleans, LA	3	0	0	0	5	0	0	0
Kazakhstan	All Districts					2	0	0	0
	Philadelphia, PA					2	0	0	0
Kuwait	All Districts					1	0	0	0
	New Orleans, LA					1	0	0	0
Mexico	All Districts	8	0	0	0	87	0	0	0
	Houston-Galves	6	0	0	0	39	0	0	0
	Los Angeles, CA					5	0	0	0
	Mobile, AL	1	0	0	0	7	0	0	0
	New Orleans, LA	1	0	0	0	14	0	0	0
	Port Arthur, TX					22	0	0	0
Nigeria	All Districts					7	0	0	0
	Los Angeles, CA					7	0	0	0

	Oman	All Districts					4	62,900	6,666,400	6,666,404
		New Orleans, LA					2	21,000	2,224,524	2,224,526
		Port Arthur, TX					2	41,900	4,441,876	4,441,878
	Russia	All Districts	8	0	0	0	37	0	0	0
		New Orleans, LA					7	0	0	0
		Philadelphia, PA	8	0	0	0	30	0	0	0
	Saudi Arabia	All Districts	11	0	0	0	125	0	0	0
		Houston-Galves	5	0	0	0	47	0	0	0
		Los Angeles, CA	3	0	0	0	12	0	0	0
		New Orleans, LA	1	0	0	0	33	0	0	0
		Philadelphia, PA	2	0	0	0	33	0	0	0
	Trinidad and To	All Districts	1	0	0	0	13	0	0	0
		Houston-Galves	1	0	0	0	3	0	0	0
		Mobile, AL					10	0	0	0
	United Kingdom	All Districts	1	0	0	0	15	0	0	0
		Mobile, AL					2	0	0	0
		Philadelphia, PA	1	0	0	0	13	0	0	0

ACCCI MEMBERSHIP REPORT

In early 2020, ACCCI's Membership Committee, including Committee Chair Dave Schoen, Mike Rhoads, Matt Kraeuter, Ron Burnette, and Rob Gray, developed, with the assistance of ACCCI President David Ailor, a Membership Recruitment Invitation letter that Committee members sent to potentially interested industry suppliers. Seven new companies joined ACCCI this year:

- **JT THORPE (Leetsdale, PA)**
- **Vanocur Refractories (Tonawanda, NY)**
- **AKJ Steel Industries (West Mifflin, PA)**
- **ChemTreat (Glen Allen, VA)**
- **Avalotis Corporation (Verona, PA)**
- **JR Industrial, Inc. (Tarrant, AL)**
- **Bisco Refractories (Carnegie, PA)**

Six companies did not renew their ACCCI memberships this year due to company cutbacks in expenses:

- **AKJ Industries**
- **CSX Transportation**
- **Fluid Power Technologies**
- **Intertek Caleb Brett**
- **Matrix NAC, Inc.**
- **Norfolk Southern Corporation**

Two companies have not paid their 2020 memberships and have not responded to multiple reminders from ACCCI staff and repeated efforts by staff to contact them:

- **H Quest Vanguard Inc.**
- **Wilson Industrial Sales Company**

Each year, ACCCI staff sends reminders, as necessary, to companies that are delinquent in paying their company and associate dues invoices.

Board members are urged to promote ACCCI membership to their business partners and suppliers.

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

ASSOCIATIONS

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

COALITIONS

Employee Safety Coalitions

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

Environmental Coalitions

- **American Alliance for Innovation (AAI):** AAI, which is led by the American Chemistry Council (ACC), is advocating with EPA Capitol Hill for fair and balanced policies in the first reform of the Toxic Substances Control Act (TSCA) in a generation.
- **Boiler MACT Reconsideration Litigation Coalition:*** This coalition has intervened in ENGO litigation over EPA's 2015 Boiler MACT Reconsideration Rule. On August 24, 2020, EPA issued a proposal to "... amend several numeric emission limits for new and existing boilers and process heaters consistent with [a 2016] opinion [of the U.S. Court of Appeals for the D.C. Circuit] and set compliance dates for these new emission limits." On October 23, 2020, the deadline for commenting, the Coalition filed extensive comments with EPA on the proposal.
- **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.

- **CERCLA Amicus Brief Coalition:*** On July 21, 2020, ACCCI member USS contacted ACCCI staff to request that ACCCI consider filing an amicus brief in an ENGO lawsuit alleging that USS violated 42 U.S.C. § 9603(a) of CERCLA because it failed to report to the National Response Center (NRC) HAP emissions exceeding its CAA permit limits and the reportable quantities threshold under CERCLA. Per USS, in the ENGO's view, "... U. S. Steel cannot take advantage of the 'federally permitted release' exception to the reporting requirement set forth in CERCLA § 9603(a) because the releases at issue were not lawfully permitted." The District Court that heard the case, after briefing and argument on USS' motion, adopted USS' position and held that the "federally permitted release" exception applied and dismissed the lawsuit. But, the ENGO is appealing that decision to the Third Circuit.

During August 2020, ACCCI joined a U.S. Chamber of Commerce-led coalition then planning to file an amicus brief in the case. Other organizations joining the Chamber-led coalition were the American Petroleum Institute, the National Mining Association and the Pennsylvania Chamber of Business & Industry. On October 30, 2020, the deadline for filing a brief, counsel to the coalition submitted a brief to the court

- **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.
- **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."
- **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.
- **Metals Industries Recycling Coalition:*** In the interest of preserving legal options/leverage, MIRC has filed a protective Motion to Intervene on EPA's "Definition of Solid Waste" (DSW) Final Rule because environmental groups filed Petitions challenging the rule as insufficiently restrictive.
- **NAAQS Implementation Coalition (NIC):*** NIC, which is comprised of trade associations, companies, and other entities who confront challenges in the permitting of new or expanded facilities under new and increasingly stringent NAAQS, advocates against outdated EPA policies and models that contribute to these challenges.
- **NAAQS Regulatory Review & Rulemaking Coalition (NR3C):*** During the Trump Administration, EPA has been engaged in the process of reviewing the national ambient air quality standards (NAAQS). As part of this process, EPA has been considering significant reforms to the procedures and substance of the program. These actions could have lasting consequences for industry. The NR3C, which was formed in the Fall of 2019 and is managed by Hunton Andrews Kurth, is composed of associations and companies sharing a common interest

in these issues. The general purpose of the NR3C is to facilitate, with the assistance of NR3C counsel, effective industry participation throughout the entire NAAQS development process, including identifying and explaining key findings of the various documents prepared in the course of each NAAQS review; preparing timely written and oral comments to EPA and the Clean Air Scientific Advisory Committee (CASAC) on draft documents and formal rulemaking proposals that impact industry interests; and, advising members on the ramifications of legal proceedings related to NAAQS reviews and, where the Coalition deems it appropriate, participating in legal proceedings.

On April 30, 2020, EPA proposed to retain, without changes, the NAAQS for particulate matter (PM), including both fine particles (PM_{2.5}) and coarse particles (PM₁₀). On June 29, 2020, the deadline for commenting, the NR3 Coalition filed extensive, supportive comments with EPA on the proposal.

On August 14, 2020, based on EPA's review of the air quality criteria and the National Ambient Air Quality Standards (NAAQS) for photochemical oxidants including ozone (O₃), the Agency proposed to retain the current standards, without revision. On October 1, 2020, NR3C submitted extensive, supportive comments with EPA on the proposal.

- **NEPA Coalition:** In January 2020, the Trump Administration proposed sweeping revisions to the National Environmental Protection Act (NEPA). NEPA requires federal agencies to assess the environmental impacts of proposed major federal actions, including the issuance of federal permits and other approvals, as well as when providing federal funding. The goal of NEPA is to ensure well-informed decision-making. The Council on Environmental Quality (CEQ) has found that the average time for federal agencies to complete Environmental Impact Statements is four and half years. Further, for highway projects, it takes over seven years on average, and many projects have taken a decade or more to complete the environmental review process.

Since late 2019, ACCCI has been a member of a U.S. Chamber of Commerce-led, multi-association coalition advocating in support of the sweeping revisions to NEPA being contemplated by CEQ. On July 16, 2020, CEQ issued a final rule (85 Fed. Reg. 43304) finalizing these revisions. The final rule marks the first comprehensive update to the NEPA regulations in over 40 years.

- **Ozone NAAQS Litigation Coalition:*** ACCCI is partnering with eight other associations in a multi-industry Ozone Litigation Coalition that is challenging EPA's October 2015 Ozone NAAQS final rule. The final rule lowers the current 2008 standard of 75 parts per billion ("ppb") down to a level of 70 ppb for both the primary and secondary standards.
- **PFAS Regulatory Coalition:*** There is increasing regulatory activity on issues regarding per- and poly-fluorinated alkyl substances (PFAS). These issues range across multiple environmental media and across multiple programs, including the Clean Water Act, Safe Drinking Water Act, remediation programs such as RCRA and CERCLA, and State programs as well. The PFAS Regulatory Coalition, which is managed by Barnes & Thornburg, was formed in the Fall of 2019 to "... share information and work together on PFAS-related issues at the Federal and State levels" across all of the relevant programs, in a coordinated way. The members of the Coalition, which is an informal consortium of potentially affected and interested parties engaged in and/or affected by PFAS-related developments, include trade associations, companies, and municipal entities and representatives.
- **Residual Risk Coalition (R2C):*** The R2C is an ad-hoc group comprised of the American Chemistry Council, the American Coke and Coal Chemicals Institute, the American Forest & Paper Association, the American Fuel & Petrochemical Manufacturers, the American Iron and Steel Institute, the American Petroleum Institute, the National Oilseed Processors Association, and the Rubber Manufacturers Association. Each R2C organization has members that are subject to "MACT" standards that have been (or will be) subject to residual risk and technology

review (“RTR”) pursuant to § 112. The R2C is dedicated to working constructively with the Environmental Protection Agency (“EPA”) to develop a practical and environmentally responsible approach to satisfying EPA’s technology review requirements under § 112(d)(6) and its residual risk review obligations under § 112(f).

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

* Shared-Cost Coalition



ACCCI'S "PRIORITY ISSUES" UPDATE October 1-31, 2020

Environment

EPA's Residual Risk and Technology Review (RTR) Review/Rulemaking for the Coke Pushing, Quenching, and Battery Stack (PQBS) NESHAP. On October 15, Donna Lee Jones, EPA-OAQPS Project Officer on the Agency's Pushing-Quenching-Battery Stack (PQBS) RTR Review/Rulemaking, provided coke producers for review EPA's "... physical parameters in the model file, what [EPA] call[s] the 'shell' of the model file." She explained that "The physical parameters in the model shell include data such as stack heights (point and fugitive heights), diameters, latitude and longitude (to five decimal places, confirmed in Google Maps), flowrate, temperature, and velocity that were reported in the Coke ICR Enclosure 1, obtained from the 2014 or the 2017 EIS, or estimated (calculated from other stack parameters, e.g., velocity from stack diameter and flowrate), values from the 2003 RTR modeling report, values from 2001 BID, values from EPA's Stack Parameter Default database, or values from Coke Enclosure 2 test data (e.g., Temperature and Velocity) for facilities that did not participate in the ICR. The model shell includes battery physical dimensions of fugitive length, fugitive width, and fugitive height that have been updated with ... comments [industry has provided] on the emission factor data [EPA] received in the last few weeks." **She is asking for comments on the draft model shell by November 9.**

EPA's Boiler MACT Final Rule. On October 23, the deadline for commenting, a **Boiler MACT Coalition of which ACCCI is a member filed comments with EPA on the Agency's August 24, proposal** to "... amend several numeric emission limits for new and existing boilers and process heaters consistent with [a 2016] opinion [of the U.S. Court of Appeals for the D.C. Circuit] and set compliance dates for these new emission limits." During October, leading up to comment submittal, ACCCI participated in a detailed review of the Coalition's draft comments.

Startup, Shutdown and Malfunction (SSM) Provisions in MACT Standards. On October 9, after OMB completed its review and released **EPA's guidance on allowable SSM provisions in State Implementation Plans (SIPs) "consistent with change," EPA posted the guidance.** It is described here: <https://www.epa.gov/air-quality-implementation-plans/guidance-inclusion-provisions-governing-periods-startup-shutdown>. As expected, **it concludes that SSM provisions, including "affirmative defense" provisions, can be permissible in light of the entirety of a SIP.** ACCCI is a member of an "SSM Coalition" which is addressing developments in EPA rulemaking activity 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.

EPA's "Once In, Always In" (OIAI) Rulemaking. On October 1, EPA **released a final rule to "implement the clear language of the Clean Air Act that allows a 'major source' of hazardous air pollutants (HAP) to reclassify as an 'area source' at any time after acting to limit emissions."** According to EPA, the final rule will encourage facilities to pursue innovations in pollution-reduction technologies and relieve regulatory requirements intended for much larger emitters. EPA states that the "once in, always in" policy discouraged facilities from modernizing and implementing voluntary pollution abatement and prevention efforts. States and stakeholders voiced concern that the "once in, always in" policy discouraged voluntary pollution abatement and prevention efforts. By removing unnecessary monitoring, recordkeeping, and reporting associated with being a major source, EPA states that the final rule will relieve unnecessary compliance and financial burdens from regulated entities and encourage other sources to reduce emissions. EPA notes that emissions requirements will not change for existing major sources that choose not to reclassify. Sources that choose to reclassify will be subject to any applicable "area source" requirements. **The final rule will be effective 60 days after publication in the Federal Register.**

EPA's Announcement of \$5 Million in Community-Scale Air Toxics Monitoring Grant Winners. On September 28, EPA **announced** the selection of 11 air toxics monitoring projects to receive \$5 million in funding under the **Community-Scale Air Toxics Ambient Monitoring grants program**. According to EPA, the grants will help monitor and provide important information to communities on air toxics, including ethylene oxide, chloroprene, benzene, 1,3-butadiene, and toxic metals. The 11 state and local agencies selected to receive grants will conduct projects in characterizing the impacts of air toxics in a community (community-scale monitoring); assessing the impacts of air toxics emissions from specific sources (near-source monitoring); and, evaluating new and emerging testing methods for air toxics. **Once all legal and administrative requirements are satisfied by the grantees, EPA states that it anticipates providing selected agencies funding for their work in fiscal years (FY) 2021 and 2022.**

EPA's Revision to NAAQS. On October 1, a coalition of which ACCCI is a member which is participating throughout the entire NAAQS development process - the "NAAQS Regulatory Review & Rulemaking Coalition (NR3C)" – submitted comments to EPA on the Agency's August 14 **proposal to retain the National Ambient Air Quality Standards (NAAQS) for photochemical oxidants including ozone (O₃)**. The Agency has proposed to retain the current standards, without revision. The existing primary and secondary standards, established in 2015, are 0.070 parts per million (ppm), as the fourth-highest daily maximum eight-hour concentration, averaged across three consecutive years.

On October 15, EPA **proposed revisions to the Cross-State Air Pollution Rule (CSAPR) Update to address interstate air quality impacts for the 2008 ozone air quality standards.** EPA explained that "The proposed revision would reduce summertime emissions of nitrogen oxides (NO_x) from power plants in 12 states that contribute to downwind ozone problems, improving air quality for millions of Americans." EPA estimates that the Revised CSAPR Update proposal would reduce NO_x emissions from power plants in 12 states in the eastern United States by 17,000 tons in 2021 compared to projections without the rule. Due to this proposed rule and other changes already underway in the power sector, ozone season NO_x emissions in these 12 states would be nearly 26,000 tons lower in 2021 than in 2019, a reduction of nearly 20 percent. EPA will accept comments for 45 days after publication in the Federal Register and will hold a virtual public hearing two weeks after publication. See <https://www.epa.gov/airmarkets/proposed-cross-state-air-pollution-rule-update>.

On October 16, EPA released a **Proposed Rule on Standards of Performance for Volatile Organic Liquid Storage Vessels (Including Petroleum Liquid Storage Vessels) for Which Construction, Reconstruction, or Modification Commenced After July 23, 1984.** See <https://www.govinfo.gov/content/pkg/FR-2020-10-16/pdf/2020-22568.pdf>.

On October 19, EPA released a **Notice of Availability for Final Integrated Science Assessment for Oxides of Nitrogen, Oxides of Sulfur, and Particulate Matter-Ecological Criteria.** Link: <https://www.govinfo.gov/content/pkg/FR-2020-10-19/pdf/2020-23100.pdf>. The full document, which is almost 2000 pages, can be downloaded at https://cfpub.epa.gov/si/si_public_file_download.cfm?p_download_id=541298&Lab=NCEA. The next step in the review of NAAQS to address ecological effects of these pollutants will be the release of a draft Policy Assessment. **EPA has said that will occur early in 2021.**

On October 20, EPA released a **Notice of 2020 Annual Meeting of the Ozone Transport Commission.** See <https://www.govinfo.gov/content/pkg/FR-2020-10-20/pdf/2020-23122.pdf>.

And, on October 28, a coalition of which ACCCI is a member that is addressing NAAQS implementation issues – the **NAAQS Implementation Coalition (NIC)** – met with EPA-OAQPS to seek updates from the Agency on a number of implementation issues of interest/concern to the coalition. ACCCI staff participated in the meeting. Among the issues on which NIC sought updates were the status of the release of the Final 179B Guidance; the status of options for EPA to respond to recent South Coast rulings on standard revocation and anti-backsliding requirements; what EPA is hearing from states, regional offices, and other stakeholders regarding the Final Ambient Air Guidance; what

EPA is hearing from states, regional offices, and other stakeholders regarding the Ozone/PM2.5 Modeling Guidance; and, bug fixes and enhancements to be included in the 2021 AERMOD update, and how this update fits into EPA's current modeling priorities overall.

Federal Water Quality Coalition (FWQC) Issues/Activities. On March 2, EPA published in the Federal Register its proposed 2020 National Pollutant Discharge Elimination System (NPDES) Multi-Sector General Permit (MSGP) for stormwater discharges associated with industrial activity in areas where EPA is the NPDES permitting authority. The Federal Register notice, proposed permit documents, and all supporting information can be found on the docket at <https://www.regulations.gov/docket?D=EPA-HQ-OW-2019-0372>. On June 1, the Federal Water Quality Coalition (FWQC) of which ACCCI is a member submitted comments on the proposal.

EPA's MSGP will serve as a model for all of the state industrial stormwater permits – and for other individual and general permits issued by states. During October, counsel to the FWQC alerted the Coalition that Oregon had released for comment a draft permit that uses some of the concepts in EPA's current draft MSGP. You can view Oregon's draft permit, along with supporting documents, at <https://www.oregon.gov/deq/Regulations/rulemaking/Pages/r12007.aspx>. The comment period closed on October 30, and the FWQC commented, focusing on Oregon's incorporation of Appendix Q from EPA's draft MSGP in its draft permit. Additionally, the FWQC commented on several other issues of concern, including (1) expansion of the scope of the permit, for some sectors, to include the entire industrial site; (2) the metals benchmarks being expressed as total metals; and, (3) binding effluent limits for pH.

TSCA Reform Implementation. During October, EPA continued accepting public comments for all candidates under consideration for membership on the TSCA Science Advisory Committee on Chemicals (SACC). Biographies for all candidates are available in [Docket ID EPA-HQ-OPPT-2020-0135](https://www.regulations.gov/docket?D=EPA-HQ-OPPT-2020-0135). The comment deadline closed on October 30. EPA will use public comments to assist in selecting multiple members of the SACC over the next year. EPA anticipates appointing approximately 15 members to the SACC by March 2021.

On October 9, EPA proposed SNURs under TSCA for chemical substances that are the subject of PMNs. 85 Fed. Reg. 64280. This action would require persons to notify EPA at least 90 days before commencing manufacture (defined by statute to include import) or processing of any of these chemical substances for an activity that is designated as a significant new use by this proposed rule. This action would further require that persons not commence manufacture or processing for the significant new use until they have submitted a Significant New Use Notice (SNUN), and EPA has conducted a review of the notice, made an appropriate determination on the notice, and has taken any risk management actions as are required as a result of that determination. **The deadline for commenting is November 9.**

On October 26, members of ACCCI's Coal Chemicals Environmental Subcommittee held a virtual meeting to share company plans for complying with their 2020 reporting obligations under TSCA's Chemical Data Reporting (CDR) rule. On April 9, EPA took two actions which impacted the 2020 CDR reporting obligations. First, EPA promulgated a final rule amending the CDR rule. According to EPA, the amendments are intended to reduce the burden for certain CDR reporters, improve the quality of CDR data collected, and align reporting requirements with the Lautenberg Act's amendments to TSCA. Second, EPA promulgated a final rule extending the reporting period for CDR data submitters from September 30, 2020, to November 30, 2020, to provide additional time for the regulated community to familiarize themselves with the amendments and to allow time for reporters to familiarize themselves with an updated public version of the reporting tool. The reporting period began, as usual, on June 1, 2020. **The same day as the virtual meeting, the American Chemistry Council (ACC) submitted a letter to EPA requesting a further extension of the CDR reporting period, from November 30, 2020, to January 31, 2021, due to "... the significant problems associated with**

EPA's Central Data Exchange (CDX) electronic reporting system." Members of the Subcommittee will hold another virtual meeting on November 17 to continue sharing company plans for reporting.

EPA's CERCLA Program. On July 21, ACCCI member **USS contacted ACCCI staff to request that ACCCI consider filing an amicus brief in an ENGO lawsuit alleging that USS violated 42 U.S.C. § 9603(a) of CERCLA because it failed to report to the National Response Center (NRC) HAP emissions exceeding its CAA permit limits and the reportable quantities threshold under CERCLA.** Per USS, in the ENGO's view, "... U. S. Steel cannot take advantage of the 'federally permitted release' exception to the reporting requirement set forth in CERCLA § 9603(a) because the releases at issue were not lawfully permitted." The District Court that heard the case, after briefing and argument on USS' motion, adopted USS' position and held that the "federally permitted release" exception applied and dismissed the lawsuit. But, the ENGO is appealing that decision to the Third Circuit.

During August, ACCCI joined a U.S. Chamber of Commerce-led coalition planning to file an amicus brief in the case. Other organizations joining the Chamber-led coalition were the American Petroleum Institute, the National Mining Association and the Pennsylvania Chamber of Business & Industry. **On October 30, the deadline for filing a brief, counsel to the coalition submitted a brief to the court.** During October, leading up to submittal, ACCCI participated in a detailed review of the coalition's draft brief.

EPA's ANPRM for RCRA Standards for Coal Combustion Residues (CCR). On October 14, EPA published an **advance notice of proposed rulemaking (ANPRM), seeking comments and data on inactive coal combustion residuals (CCR) surface impoundments at inactive facilities to assist in the development of future regulations for these CCR units.** 85 Fed. Reg. 65015. The ANPRM also discusses the related research conducted to date, describes EPA's preliminary analysis of that research, and seeks additional data and public input on issues that may inform a future proposed rule. **The deadline for commenting on the ANPRM is December 14.**

EPA's Toxics Release Inventory (TRI) Program. On October 27, EPA released **updated 2019 Toxic Release Inventory (TRI) data, to provide the public with important data and information about chemicals in their communities.** The updated data builds upon the preliminary data EPA released in July, including revised submissions and additional data quality checks, and will be used to develop the 2019 TRI National Analysis. The 2019 data set contains data about chemical releases and other waste management practices and pollution prevention activities that took place during 2019 at more than 21,000 federal and industrial facilities across the country. You can use these data to identify how many TRI facilities operate in a certain geographic area and where they are located, as well as what chemicals facilities are managing and in what quantities. EPA has conducted various data quality reviews to help verify the submitted data.

The data publication includes summary and trend information, but does not include EPA's full analysis of the 2019 data. That analysis will be published early next year in the TRI National Analysis, and will examine different aspects of the data, including trends in releases, other waste management practices, and P2 activities. **The 2019 data are available in the online TRI tools and data files, including the location-based TRI factsheets.**

PFAS Developments. During September, the **U.S. Department of Agriculture (USDA) Food Safety and Inspection Service, Office of Public Health Science, published a method which became effective September 30 entitled "Screening, Determination and Confirmation of PFAS by UPLC-MS-MS."** The method is suitable for identifying select per- and poly-fluorinated compounds in tissue and plasma matrices at levels as low as 0.5 nanograms per- and polyfluorinated alkyl substances (PFAS) per gram of matrix. Analysis is performed by Ultra Performance Liquid Chromatography tandem mass spectrometry (UPLC/MS/MS) on a triple quadrupole mass spectrometer in negative electrospray ionization (ESI) mode.

On October 7, the **PFAS Regulatory Coalition of which ACCCI is a member held its monthly update call for October**. ACCCI staff participated in the call. Among the PFAS issues discussed were IL's sampling program for community water supplies (see <https://www2.illinois.gov/epa/topics/water-quality/pfas/Pages/pfas-statewide-investigation-network.aspx>); WI DNR's public listening sessions on a draft PFAS Action Plan (see <https://dnr.wisconsin.gov/topic/Contaminants/ActionPlan.html>); EPA's PFAS destruction guidance; National Defense Authorization Act (NDAA) legislation; final (September 13) Coalition comments on a California Draft Product/Chemical Profile for food packaging containing PFAS (see <https://calsafer.dtsc.ca.gov/cms/commentpackage/?rid=12752>); State actions to implement model legislation from the Toxics in Packaging Clearinghouse; and, an October 26-30 Michigan PFAS Great Lakes summit (see https://www.michigan.gov/egle/0,9429,7-135-3308_3333-518324--00.html). **On October 30, the Coalition submitted comments to the Wisconsin DNR on its draft PFAS Action Plan.**

On October 20, **Washington State's Department of Ecology (Ecology) and the Department of Health jointly released the Draft Chemical Action Plan (CAP) for PFAS**. The Draft CAP will be available for public comment through December 7. CAPs are advisory and do not themselves create new restrictions, but the recommendations in a CAP may lead to legislative or regulatory action. The Draft CAP builds on previous work by Ecology to recommend actions to study and address PFAS in the environment, including an Interim CAP in April 2018 and Preliminary CAP recommendations in May 2019. Ecology has developed four broad categories of recommendations spanning multiple programs, including ensuring safe drinking water; managing environmental contamination; reducing PFAS in products; and, evaluating PFAS in wastewater treatment, landfills and biosolids. **Ecology will host a series of public comment webinars on the Draft PFAS CAP in November.**

On October 26-27, the **National Academies of Sciences, Engineering, and Medicine (NASEM) held a workshop to review Federal government human health research on PFAS and to identify research and data gaps**. Among the topics discussed were the state of the science and ongoing Federal research regarding human exposure to PFAS; experimental toxicology studies to identify human risks from PFAS; human health outcomes from PFAS exposures; and, cross-cutting issues, such as mixtures and class-based approaches.

Pavement Coatings Developments. On October 26, Anne LeHuray, Executive Director of the Pavement Coatings Technology Council (PCTC) of which ACCCI is a member, reported that **PCTC would hold its Fall 2020 meeting "virtually" on Wednesday, November 18**. ACCCI staff plans to participate.

One important issue to be discussed during the meeting will be **PCTC's selection of the successor to Dr. LeHuray as the organization's Executive Director**. The **new Executive Director, effective January 2021, will be Brian Riggs of Riggs Enterprise**. Dr. LeHuray reports that she will be "taking a step back," available as PCTC may need her. The transition period began on October 1.

Trump Administration Deregulatory Actions/Activities. On August 31, OMB's Office of Information and Regulatory Affairs (OIRA) issued **memorandum M-20-31, on the implementation of Section 6 of Executive Order (EO) 13924, "Executive Order on Regulatory Relief to Support Economic Recovery."** Section 6 of the EO directs the "heads of all agencies" to "consider the principles of fairness in administrative enforcement and adjudication" enumerated in the EO and to "revise their procedures and practices in light of them, consistent with applicable law and as they deem appropriate in the context of particular statutory and regulatory programs and the policy considerations identified in section 1 of this order." **The memorandum requests that agencies coordinate with OIRA staff to issue any needed final rules by November 26 (absent a waiver granted by the Administrator), with a request for public comment that agencies may consider in any future revisions.**

On October 7, **EPA announced a proposal that offers regulatory flexibility to petroleum, chemical, and coal products manufacturing facilities**, as well as petroleum bulk stations and terminals by amending

Clean Air Act regulations to allow an alternate, less cumbersome mode of inspection for certain liquid storage vessels (tanks). EPA explained that **"This proposal would offer flexibility for more than 3,500 storage vessels to conduct 'in-service' rather than out-of-service inspections."** The Agency estimates this proposal could save \$768,000 – \$1,091,000 in regulatory costs annually and reduce emissions of volatile organic compounds by as much as 83-tons per year. **The proposal would allow owners/operators of certain large tanks known as Volatile Organic Liquid Storage Vessels to conduct less cumbersome "in-service" inspections of the tanks, without emptying and degassing the storage tank.** More information, including pre-publication versions of the Federal Register notices and related fact sheet, is available at <https://www.epa.gov/stationary-sources-air-pollution/volatile-organic-liquid-storage-vessels-including-petroleum-storage>.

On October 13, President Trump signed an Executive Order on Modernizing America's Water Resource Management and Water Infrastructure. **The EO creates an Interagency Water Subcabinet that will be co-chaired by DOI Secretary David Bernhardt and EPA Administrator Andrew Wheeler, and will include senior officials from USDA, the Department of Commerce, DOE, and the Department of the Army.** According to EPA's October 13, press release, the Water Subcabinet will work in close coordination with senior officials from the White House Council on Environmental Quality, OMB, and the Office of Science and Technology Policy (OSTP), and other federal agencies as appropriate. Under the EO, the Water Subcabinet will promote effective and efficient water resources management by reducing duplication between Federal agencies developing water policy; develop a national water strategy to ensure the reliability of water supplies, water quality, water systems, and water forecasting; protect taxpayer investments and improve water infrastructure planning by promoting integrated planning and coordination for drinking water, wastewater, water reuse, water storage and delivery, and water resource management; and support and enhance workforce development to recruit, train, and retain water sector professionals.

On October 19, EPA released a **Final Rule on Environmental Protection Agency Acquisition Regulation (EPAAR); Scientific Integrity** (see <https://www.govinfo.gov/content/pkg/FR-2020-10-19/pdf/2020-20665.pdf>). That same day, EPA issued a **Final Rule on EPA Guidance; Administrative Procedures for Issuance and Public Petitions** (see <https://www.govinfo.gov/content/pkg/FR-2020-10-19/pdf/2020-20519.pdf>).

On October 21, **OMB received EPA's final rule entitled "Increasing Consistency and Transparency in Considering Benefits and Costs in the Clean Air Act Rulemaking Process"** for review. See here: <https://www.reginfo.gov/public/do/eoDetails?rrid=131294>.

Over the last year, **ACCCI has been a member of a U.S. Chamber of Commerce-led, multi-association coalition advocating for a new rule (85 Fed. Reg. 43304) issued on July 16, 2020, by the White House Council on Environmental Quality (CEQ) finalizing major revisions to the regulations implementing the National Environmental Policy Act (NEPA).** The final rule marks the first comprehensive update to the NEPA regulations in over 40 years, implements sweeping changes to the environmental review process for federal projects and projects that require Federal permits and approvals, including infrastructure and energy projects. On October 23, the Chamber provided updates on litigation on the final rule, as well as NEPA-related legislation. Insofar as litigation, **five lawsuits have been filed by environmental groups and state attorneys general challenging the final rule.** Insofar as NEPA-related legislation, in mid-October, Senator Mike Lee (R-UT) introduced the NEPA Legal Reform Act; **this bill is designed to address the large number of special interest lawsuits that are contributing to NEPA delays.** And, on October 23, the UNSHACKLE Act was introduced in the Senate; **this bill combines variations of each of these five NEPA reform bills that has introduced over the last several months into one comprehensive bill.**

EPA Nominees/Staffing. On October 14, EPA announced the selection of Dr. John Graham as the new **Chair of the Science Advisory Board (SAB)** and Dr. Barbara Beck as **SAB Vice-Chair.** EPA also announced the appointment of members who will serve on the SAB and four subcommittees,

including the Agricultural Science Committee (ASC), the Chemical Assessment Advisory Committee (CAAC), the Drinking Water Committee (DWC), and the Radiation Advisory Committee (RAC).

Environmental Legislation Being Considered on Capitol Hill. On October 1, a bill that would amend TSCA to prohibit the manufacturing, processing, and distribution of asbestos or any mixture or article containing asbestos was pulled from the floor of the House of Representatives. That day, Representatives Frank Pallone, Jr. (D-NJ), Chair of the House Energy and Commerce Committee, Paul Tonko (D-NY), Chair of the House Energy and Commerce Subcommittee on Environment and Climate Change, and Representative Suzanne Bonamici (D-OR) issued a statement "condemning House Republicans for blocking the long-awaited, previously bipartisan Alan Reinstein Ban Asbestos Now Act from being passed." Also that day, Representatives Greg Walden (R-OR), Ranking Member of the House Energy and Commerce Committee, and John Shimkus (R-IL), Ranking Member of the House Energy and Commerce Subcommittee on Energy and Climate Change, issued a statement to "set the record straight" on the bill (H.R. 1603). According to the statement, after an agreement was reached in Committee, House Democrats added language written "by trial lawyers." The language at issue states that the bill would have no effect on the definition of asbestos for purposes of regulating cosmetics under the Federal Food, Drug, and Cosmetic Act (FFDCA) and for determining whether a cosmetic contains asbestos either as an ingredient or as an accessory mineral to an ingredient such as talc. The House was expected to pass the bill easily.

On October 5, **Representative Raúl M. Grijalva (D-AZ), Chair of the House Natural Resources Committee, released a discussion draft of legislation to reduce climate crisis impacts on U.S. territories and freely associated states.** The Committee's October 5, press release, lists the following key features, including creation within the Department of Energy (DOE) of an Office of Insular Area Energy Policy and Programs to direct energy management, planning, delivery, and conservation programs in the U.S. territories; establishment within the Office of Insular Area Energy Policy and Programs of an Energy Efficient Appliance Rebate Program to provide funding allocations to reduce energy demand in the U.S. territories; creation within the National Oceanic and Atmospheric Administration of a Climate Change Insular Research Grant Program to provide grants to institutions of higher education for monitoring, collecting, synthesizing, analyzing, and publishing local climate change data; and, a waiver of non-federal share funding requirements associated with disaster relief and long-term recovery funding made available to U.S. territories and freely associated states pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act.

Other Issues

Coronavirus Pandemic. Five months ago, 80% of workers were expected to return to their job site according to a survey by global consulting firm, McKinsey and Co. However, as the spread of COVID-19 continues, remote work is expected to remain a fixture in the American workplace. The pandemic has also increased efforts to control business costs by boosting flexibility. As a result, **78% of executives now plan to hire more temporary workers and freelancers for on-site work in the next two years.** Read more here.

On September 30, OSHA announced that it had released frequently asked questions (FAQs) regarding the need to report employees' in-patient hospitalizations and fatalities resulting from work-related cases of the coronavirus. According to OSHA, the new FAQs provide information to help employers apply the agency's existing injury and illness recording and reporting requirements to the coronavirus. In particular, the FAQs provide guidance on how to calculate reporting deadlines for in-patient hospitalizations and fatalities, and clarify the meaning of the term "incident" as it relates to work-related coronavirus in-patient hospitalizations and fatalities.

During October, the U.S. Food and Drug Administration (FDA), along with the Centers for Disease Control and Prevention's (CDC) National Institute for Occupational Safety and Health (NIOSH) and the Occupational Safety and Health Administration (OSHA), held two in a series of one-hour webinars to

share information and address questions regarding the use of respirators and other PPE during the pandemic. All such webinars are available [here](#).

As of October 2, the **National Association of Manufacturers (NAM)** of which ACCCI is a member was **holding discussions with Congressional leadership and the Trump Administration to keep advancing our policy priorities from the "American Renewal Action Plan."** Among the priorities are additional Paycheck Protection Program funding, resources for testing and targeted pandemic liability protections for manufacturers

Meanwhile, **NAM's legal, policy and advocacy teams pulled together a webinar with its state partner organizations in South Carolina, Missouri and Idaho for an update on the efforts to advance state liability protections.** Click [here](#) to access a recording of the webinar.

On October 7, the **Board leadership of NAM issued a call to all Americans to observe COVID-19 safety protocols so manufacturers can continue to work to rebuild the economy.** The message is clear; "Manufacturers know the science, and we have the tools. We all must follow best practices and look out for each other so we can keep the country open, supply the world and defeat this invisible enemy." You can access the statement [here](#).

The **Centers for Disease Control and Prevention released an update on how COVID-19 spreads through the air.** A freshly updated CDC [webpage](#) acknowledged that the virus can spread through airborne transmission, which means that infected droplets can suspend in the air for minutes or hours, even if the infected person has left the room.

On October 8, the **Small Business Administration issued a new loan forgiveness application form for Paycheck Protection Program borrowers that received a loan of \$50,000 or less.** The new form is designed to make the process easier and only requires attestation that businesses complied with the terms of the program rather than the calculations and documentation required of larger borrowers. You can view the new forgiveness application form [here](#).

On October 14, **EPA released a much-anticipated draft guidance that will allow companies to demonstrate that their products have "long-lasting" or "residual" effectiveness on surfaces against viruses like SARS-CoV-2, the coronavirus that causes COVID-19.** As most know, EPA had not previously provided guidance on how stakeholders could demonstrate to EPA's satisfaction that their product remains efficacious for periods of time, given the broad diversity of contact opportunities and scenarios. Importantly, EPA states that pursuant to Title VII of the Coronavirus Aid, Relief, and Economic Security (CARES) Act, it is providing notice of its intention to expedite reviews for addition of residual (*i.e.*, extended or long-lasting) efficacy claims for currently registered or new product registrations that are on EPA's Disinfectant List N, that would qualify for List N, or products that can be used as a residual supplement to disinfectants on List N. The guidance specifies scientific testing requirements for two different types of products, supplemental residual antimicrobial products and residual disinfectants. According to EPA, supplemental residual antimicrobial products work within two hours of a virus or bacteria coming into contact with a surface and can remain effective for weeks to years. EPA notes that these products can supplement, but do not replace, routine cleaning and disinfection using products from [EPA's List N: Disinfectants for Use Against SARS-CoV-2 \(COVID-19\)](#). Approved supplemental residual antimicrobial products are not eligible for inclusion on List N, but EPA will add them to a separate [List N appendix](#). In addition to releasing the draft residual efficacy protocols, EPA also released an [updated draft testing protocol for evaluating a copper surface's ability to kill bacteria](#) and a [draft protocol for evaluating the efficacy of antimicrobial surface coatings](#). According to EPA, "[t]hese laboratory testing methods act as a foundation for EPA's interim guidance to registrants regarding residual effectiveness."

On October 19, **OSHA reported on several actions it had taken during the pandemic.** Included among these were OSHA levying \$1,222,156 in coronavirus violations (see

in coronavirus violations); OSHA inspectors removing 634,515 workers from COVID-19 hazards during the coronavirus pandemic; and, OSHA's publishing a set of [Frequently Asked Questions \(FAQ\)](#) on how N95 respirators effectively protect wearers from coronavirus exposure.

On October 21, EPA announced that it had approved more than 500 surface disinfectant products for use against SARS-CoV-2. In early March, EPA released its initial [List N: Disinfectants for Use Against SARS-CoV-2](#). This list began with 85 products and continues to be updated on a weekly basis. The list is searchable and sortable, [comes with helpful tips on how to use disinfectants properly](#), and features [frequently asked questions](#) to ensure correct product usage.

Trump Administration's Tariffs and Trade Policies. On September 30, President Trump signed an **Executive Order (EO)** and declared a National Emergency to expand the domestic mining industry, support mining jobs, alleviate unnecessary permitting delays, and reduce U.S. dependence on China for critical minerals. 85 Fed. Reg. 62539. According to a [White House fact sheet](#) on the EO, the EO begins the process for the U.S. Department of the Interior (DOI) to develop a program to use its authorities under the Defense Production Act to fund mineral processing that protects U.S. national security. The fact sheet states that the action will cut down on unnecessary delays in permitting actions, providing opportunities for jobs, and improving economic and national security. **Through the EO, federal agencies will use their authorities to investigate and work to decrease U.S. reliance on mineral imports.**

ACCCI &
Coalition
News

Upcoming Meetings. With the COVID-19 pandemic appearing to worsen over the course of the summer, the ACCCI Board of Directors decided to cancel ACCCI's 2020 Annual Meeting. ACCCI's 2021 Annual Meeting is scheduled for April 22-23, 2021, at The Resort at Longboat Key Club in Longboat Key, FL.

The MESH Committee's Fall 2020 Meeting was scheduled to be held "in person" at a TBD date in the Pittsburgh, PA area, with USS-Clairton as the host plant. However, with the COVID-19 pandemic worsening over the course of the fall and considering company-imposed travel restrictions now in place because of the pandemic and the poor business conditions the membership is experiencing, **the Fall 2020 Meeting will probably not be held – either "in person" or virtually.**

The 2020 Annual MetCoke World Summit was scheduled for November 11-12, in Pittsburgh, PA. But, Smithers, which manages the Summit, has decided that ***it will not be holding a live event this year because of the COVID-19 pandemic.*** Instead, on November 11, Smithers will host a free webinar, sponsored by SunCoke, entitled "Industry Resilience: The Impact of COVID-19 and Steps Toward Recovery." To register, click [HERE](#).

For further information, please contact:

David C. Ailor, P.E., President
American Coke and Coal Chemicals Institute
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American Coke and Coal Chemicals Institute

Status of Statistical Reports

(as of November 9, 2020)

Quarterly Reports

- Coke Plant Injury/Illness (Safety) 1Q20, 2Q20, 3Q20 data requests have been sent out
- Merchant Coke Production/Shipments 1Q20, 2Q20, 3Q20 data requests have been sent out
- Tar Distillation 1Q20, 2Q20, 3Q20 data requests have been sent out

Monthly Trade Reports

- Coke Imports Complete through September 2020. The next report will be for October 2020 and will be posted by the Census Bureau on December 4, 2020.

Annual Reports

- Tar Refiner Safety Benchmarking 2019 complete (7 plants)
- Total U.S. Coke Production 2019 complete

The Annual Benchmarking reports for 2020 will be completed after yearend 2020.

AMERICAN COKE AND COAL CHEMICALS INSTITUTE
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BALANCE SHEET

ASSETS			
	ACCCI - Commercial Checking - PNC Bank \$	93,867.73	
	COETF - Commercial Checking - PNC Bank \$	74,249.77	
	ACCCI Reserve (Insured Savings) - PNC Bank	68,462.77	
	Accounts Receivable	10,490.00	
	Prepaid Expenses	2,000.00	
TOTAL ASSETS:			249,070.27
RESTRICTED FUNDS FOR SPECIAL PROJECTS			
	COETF Account	74,874.77	
	PAH Project Tar Refiners	-0.01	
	CERCLA Project Tar Refiners	-0.01	
	PCTC	0.00	
TOTAL RESTRICTED FUNDS:			74,874.75
TOTAL FUND BALANCE			174,195.52
Fund Balance as of January 1, 2020		189,419.89	
EXCESS OF RECEIPTS OVER DISBERSEMENTS		59,650.38	
TOTAL ASSETS			249,070.27
TOTAL ASSETS MINUS RESTRICTED FUNDS			174,195.52

**Footnote: "Accounts Receivable" is money expected but not collected in the budget.
At the end of the Fiscal year budget this could be a net loss if not collected.**

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INCOME			BUDGET 2020	BUDGET YTD 09/30/2020	ACTUAL YTD 9/30/2020	2019 Actual YTD
General / Administration			274,680.00	270,483.00	308,490.00	323,597.92
Annual Mtgs.						
	Spring		56,660.00	56,660.00	18,080.00	44,940.00
	Fall		1,000.00	1,000.00	0.00	0.00
Total Income			332,340.00	328,143.00	326,570.00	368,537.92
EXPENSE						
General / Administration			149,190.00	149,190.00	103,210.35	104,894.46
Committees			15,000.00	15,000.00	0.00	3,372.73
Regulatory Affairs (Staff and Projects)			112,300.00	112,300.00	85,383.50	119,478.80
Annual Meetings						
	Spring		58,200.00	58,200.00	2,500.00	69,625.22
	Fall		6,000.00	6,000.00	0.00	0.00
Total Expense			340,690.00	340,690.00	191,093.85	297,371.21
Net Balance (Income to Expenses)			(8,350.00)	58,209.00	135,476.15	71,166.71
GENERAL & ADMINISTRATIVE:			BUDGET 2020	BUDGET YTD 09/30/2020	ACTUAL YTD 09/30/2020	2019 Actual YTD
INCOME						
Company Dues	16-3020-01		257,890.00	257,890.00	273,090.00	307,890.00
Company Dues - New Members	16-3025-01		0.00	0.00	30,000.00	1,400.00
Associate Dues	16-3030-01		5,560.00	4,170.00	5,400.00	6,060.00
Interest and Dividends	16-3800-01		230.00	173.00	See line 149	132.59
MESH Committee Meeting Registrations	16-3900-01		11,000.00	8,250.00	0.00	8,115.33
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
Total ACCCI General/ Admin. Income			274,680.00	270,483.00	308,490.00	323,597.92
EXPENSES			BUDGET 2020	BUDGET YTD 09/30/2020	ACTUAL YTD 09/30/2020	2019 Actual YTD
Audit and Bond	16-4060-01		3,600.00	2,700.00	0.00	0.00
Computer Services	16-4070-01		1,000.00	750.00	220.00	0.00
Dues and Subscriptions	16-4100-01		1,690.00	1,268.00	1,690.00	1,690.00
Insurance (O&D Liability)	16-4170-01		3,000.00	2,250.00	2,504.00	2,504.00
Legal Counsel (Fees)	16-4188-01		15,000.00	11,250.00	7,500.00	7,500.00
Legal Counsel (Expenses)	16-4189-01		1,200.00	900.00	288.20	432.34
Management (Staff)	16-4240-01		116,800.00	87,600.00	87,309.00	87,309.00
Headquarters	16-4250-01		500.00	375.00	0.00	0.00
Board of Dir./F&B Comm mtgs.	16-4320-01		1,500.00	1,125.00	5.95	1,241.40
Meeting Expense	16-4325-01		0.00	0.00	0.00	0.00
Miscellaneous	16-4360-01		1,000.00	750.00	391.00	381.00
Postage/Freight/Delivery	16-4400-01		250.00	188.00	77.72	100.72
Stationery/Printing/Supplies	16-4440-01		350.00	263.00	318.26	165.33
Gifts/Awards	16-4447-01		500.00	375.00	960.74	0.00
Statistical Programs	16-4450-01		500.00	375.00	211.30	197.14
Administrative/Accounting/Mailroom	16-4460-01		800.00	600.00	816.93	758.63
Taxes	16-4470-01		0.00	0.00	0.00	0.00
Telephone/FAX/Equip/Reception	16-4480-01		500.00	375.00	349.50	349.50
Travel--Staff	16-4500-01		0.00	0.00	0.00	1,826.65
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
Foundry Facts	16-4700-01		0.00	0.00	0.00	0.00
Steiner Consulting	16-4907-01		0.00	0.00	0.00	0.00
Transition	16-4908-01		0.00	0.00	0.00	0.00
Web Site Development/Maintenance	16-4909-01		1,000.00	750.00	567.75	438.75
Sub Total General/ Admin. Expense			149,190.00	111,894.00	103,210.35	104,894.46

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COMMITTEES:		BUDGET 2020	BUDGET YTD 09/30/2020	ACTUAL YTD 09/30/2020	2019 Actual YTD
Coke Committee	16-4341-01	0.00	0.00	0.00	0.00
MESH Committee	16-4344-01	15,000.00	11,250.00	0.00	3,372.73
Coal Chemicals	16-4347-01	0.00	0.00	0.00	0.00
International Committee	16-4348-01	0.00	0.00	0.00	0.00
Integrated Steel Committee	16-4349-01	0.00	0.00	0.00	0.00
International Committee	16-4348-01	0.00	0.00	0.00	0.00
Gov't Relations Committee	16-4351-01	0.00	0.00	0.00	0.00
Total Committee Expense		15,000.00	11,250.00	0.00	3,372.73
Total ACCCI General/ Admin and Committee. Expenses		164,190.00	123,144.00	103,210.35	108,267.19
REGULATORY AFFAIRS STAFF and ADMIN.					
EXPENSES		BUDGET 2020	BUDGET YTD 09/30/2020	ACTUAL YTD 09/30/2020	2019 Actual YTD
Dues & Subscriptions	16-4413-01	0.00	0.00	0.00	0.00
Meeting Expense	16-4415-01	500.00	375.00	162.00	426.92
BGOV Subscription	16-4416-01	6,456.00	4,842.00	4,821.50	0.00
Miscellaneous	16-4420-01	0.00	0.00	0.00	0.00
Postage/Freight/Delivery	16-4425-01	0.00	0.00	0.00	0.00
Stationary/Printing/Office Supplies	16-4430-01	0.00	0.00	0.00	0.00
Administrative/Accounting/Mailroom	16-4435-01	0.00	0.00	0.00	0.00
Telephone/Fax	16-4449-01	0.00	0.00	0.00	0.00
Staff Specialist	16-4411-01	88,800.00	66,600.00	67,900.00	78,300.00
Travel	16-4412-01	3,000.00	2,250.00	0.00	1,320.63
Total Regulatory Affairs Expenses		98,756.00	74,067.00	72,883.50	80,047.55
REGULATORY AFFAIRS PROJECTS (LEGAL/CONSULTANTS)					
OSHA COE Standard		BUDGET 2020	BUDGET YTD 09/30/2020	ACTUAL YTD 09/30/2020	2019 Actual YTD
Legal	16-4925-01	0.00	0.00	0.00	0.00
Consultant	16-4926-01	0.00	0.00	0.00	0.00
ELG Project					
Legal	16-4927-01	0.00	0.00	0.00	0.00
Consultant	16-4928-01	0.00	0.00	0.00	0.00
Meeting/Telephone	16-4414-01	0.00	0.00	0.00	0.00
OSHA Misc.					
Legal	16-4945-01	0.00	0.00	0.00	0.00
Consultant	16-4946-01	0.00	0.00	0.00	0.00
Environmental Misc.					
Legal	16-4950-01	13,544.00	10,158.00	12,500.00	32,816.25
Consultant	16-4951-01	0.00	0.00	0.00	0.00
TSCA Test Rule					
Consultant/Legal	16-4954-01	0.00	0.00	0.00	0.00
Tar Refiners Misc.					
Consultant/Legal (PCTC Dues)	16-5720-13	0.00	0.00	0.00	6,615.00
Total Regulatory Project Expense		13,544.00	10,158.00	12,500.00	39,431.25
Total Regulatory Affairs Expenses (Staff and Projects)		112,300.00	84,225.00	85,383.50	119,478.80

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ACCCI ANNUAL MEETINGS					
SPRING MEETING INCOME		BUDGET 2020	BUDGET YTD 09/30/2020	ACTUAL YTD 09/30/2020	2019 Actual YTD
Spring Meeting Registrations	16-3500-02	47,660.00	35,745.00	13,580.00	35,940.00
Spring Meeting Sponsorships	16-3504-02	9,000.00	6,750.00	4,500.00	9,000.00
Total Spring Meeting Income		56,660.00	42,495.00	18,080.00	44,940.00
EXPENSES					
Theme Party	16-5201-02	0.00	0.00	0.00	0.00
Entertainment	16-5202-02	4,000.00	3,000.00	1,250.00	992.00
Hotel Master Acct. (F&B, A/V, etc.)	16-5204-02	48,000.00	36,000.00	1,250.00	44,113.32
Miscellaneous/Staff Support	16-5206-02	500.00	375.00	0.00	0.00
Printing/Graphic Design	16-5208-02	1,200.00	900.00	0.00	892.92
Speaker Fees/Travel	16-5210-02	0.00	0.00	0.00	19,708.65
Gifts/Awards	16-5214-02	2,000.00	1,500.00	0.00	1,917.98
Staff Travel	16-5212-02	2,500.00	1,875.00	0.00	2,000.35
Total Spring Meeting Expense		58,200.00	43,650.00	2,500.00	69,625.22
FALL MEETING INCOME		BUDGET 2020	BUDGET YTD 09/30/2020	ACTUAL YTD 09/30/2020	2019 Actual YTD
Fall Meeting Registrations	16-3600-03	1,000.00	750.00	0.00	0.00
Fall Meeting Sponsorships	16-3604-03	0.00	0.00	0.00	0.00
Total Fall Meeting Income		1,000.00	750.00	0.00	0.00
EXPENSES					
Theme Party	16-5301-03	0.00	0.00	0.00	0.00
Entertainment	16-5302-03	0.00	0.00	0.00	0.00
Master Acct. (F&B, A/V, etc.)	16-5304-03	3,000.00	2,250.00	0.00	0.00
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	0.00	0.00
Staff Travel	16-5312-03	2,500.00	1,875.00	0.00	0.00
Gifts/Awards	16-5314-03	0.00	0.00	0.00	0.00
Total Fall Meeting Expenses		6,000.00	4,500.00	0.00	0.00
Net Balance (Income to Expenses)		(8,350.00)	58,209.00	135,476.15	71,166.71
ACCCI Reserve Account Balance		BUDGET 2020	BUDGET YTD 09/30/2020	ACTUAL YTD 09/30/2020	2019 Actual YTD
ACCCI Reserve (Insured Savings) Account Balance carried forward January 1, 2020			0.00	68,399.86	
Interest Income to ACCCI Reserve (Insured Savings) Account (16-3800-01)		230.00	173.00	62.91	
ACCCI Expenses Paid from ACCCI Reserve Account		0.00	0.00	0.00	
Balance in ACCCI Reserve (Insured Savings) Account		0.00	0.00	68,462.77	

AMERICAN COKE AND COAL CHEMICALS INSTITUTE
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ACCOUNTING FOR SPECIAL PROJECTS					
COETF		TRANSFERS IN FROM DECEMBER 2019		TRANSFERS IN 09/2020	TOTAL TRANSFERS IN 09/2020
INCOME					
COETF Transfers In	16-3930-01	92,603.94		178,198.64	270,802.58
Total COETF Transfers In					270,802.58
EXPENSES				TRANSFERS OUT 09/2020	TOTAL TRANSFERS OUT 09/2020
Staff Specialist	16-9100-01				
Consultant / Legal	16-9115-01			185,527.81	185,527.81
Mtg / Telephone	16-9120-01			0.00	0.00
Total COETF Transfers Out					195,927.81
BALANCE COETF					74,874.77
PCTC (Total Invoiced of Tar Refiners in 01/2020: \$413,400.00)					TOTAL TRANSFERS IN YTD
INCOME					
Transfers In from Tar Refiners	16-3915-01				
Total PCTC Transfers In					413,400.00
EXPENSES					
Transfers Out to PCTC	16-4335-01				
Total Transfers Out to PCTC					413,400.00
BALANCE PCTC					0.00
Tar Refiners PAH Project (2015 - 2017)					
Tar Refiner PAH Project Reserve Account Balance carried forward from 2017 to October 2019					51,422.19
PAH Project Funds "Repurposed" in October 2019 for New Tar Refiner CERCLA Project					12,178.95
Balance in Tar Refiner PAH Project Reserve Account on January 1, 2020					39,243.24

**AMERICAN COKE AND COAL
CHEMICALS INSTITUTE
FINANCIAL STATEMENTS
AND
AUDITOR'S REPORT
DECEMBER 31, 2019 AND 2018**

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PATTON AND COMPANY CPAs

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MEMBER:
AMERICAN INSTITUTE OF CPAs
PENNSYLVANIA INSTITUTE OF CPAs

INDEPENDENT AUDITOR'S REPORT

September 30, 2020

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

I have audited the accompanying financial statements of American Coke and Coal Chemicals Institute (a nonprofit organization), which comprise the statements of financial position as of December 31, 2019 and 2018, 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

My responsibility is to express an opinion on these financial statements based on my audits. I conducted my audits in accordance with auditing standards generally accepted in the United States of America. Those standards require that I 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, I 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.

I believe that the audit evidence I have obtained is sufficient and appropriate to provide a basis for my audit opinion.

Opinion

In my 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, 2019 and 2018, 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.

Report on Supplementary Information

My 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 my 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, 2019 AND 2018

ASSETS

	<u>2019</u>	<u>2018</u>
<u>CURRENT ASSETS</u>		
Cash and Cash Equivalents:		
Cash - Checking	\$ 25,482	\$ 23,268
Cash - Savings	68,400	122,232
Cash - Checking - COETF	<u>92,604</u>	<u>98,484</u>
 Total Cash and Cash Equivalents	 186,486	 243,984
Accounts Receivable	2,934	3,094
Prepaid Expenses	<u>-0-</u>	<u>14,000</u>
 TOTAL ASSETS	 <u>\$ 189,420</u>	 <u>\$ 261,078</u>

LIABILITIES AND NET ASSETS

CURRENT LIABILITIES

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

NET ASSETS

Without Donor Restrictions	<u>189,420</u>	<u>261,078</u>
 Total Net Assets	 <u>189,420</u>	 <u>261,078</u>
 TOTAL LIABILITIES AND NET ASSETS	 <u>\$ 189,420</u>	 <u>\$ 261,078</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, 2019
(WITH COMPARATIVE TOTALS FOR THE YEAR ENDED DECEMBER 31, 2018)**

	<u>2019</u>	<u>2018</u>
<u>REVENUE</u>		
Membership Dues:		
Company	\$ 258,490	\$ 272,180
Associate	5,560	6,660
Total Membership Dues	264,050	278,840
Annual Meetings:		
Spring	44,940	45,720
Fall	1,294	500
Total Annual Meetings	46,234	46,220
Special Projects:		
TAR RFNR CERCLA PR	7,821	-0-
COETF Assessments	128,711	113,465
Total Special Projects	136,532	113,465
Other Revenue:		
MESH Meeting Registration	8,115	10,101
Interest Income	168	301
Total Other Revenue	8,283	10,402
 TOTAL REVENUE	 455,099	 448,927
<u>EXPENSES</u>		
Program Services:		
Special Projects	7,699	16,540
Regulatory Affairs	150,608	194,459
COETF	134,590	28,426
Total Program Services	292,897	239,425
Supporting Services:		
General and Administrative	233,860	238,936
 TOTAL EXPENSES	 526,757	 478,361
 <u>CHANGE IN NET ASSETS</u>	 (71,658)	 (29,434)
 <u>NET ASSETS - BEGINNING OF YEAR</u>	 261,078	 290,512
 <u>NET ASSETS - END OF YEAR</u>	 \$ 189,420	 \$ 261,078

**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, 2019 AND 2018**

	<u>2019</u>	<u>2018</u>
<u>CASH FLOWS FROM OPERATING ACTIVITIES</u>		
Change in Net Assets	\$ (71,658)	\$ (29,434)
Changes in Assets and Liabilities:		
(Increase) Decrease in Accounts Receivable	160	(791)
(Increase) Decrease in Prepaid Expenses	<u>14,000</u>	<u>2,000</u>
NET CASH PROVIDED (USED) BY OPERATING ACTIVITIES	(57,498)	(28,225)
<u>CASH - BEGINNING OF YEAR</u>	<u>243,984</u>	<u>272,209</u>
<u>CASH - END OF YEAR</u>	<u>\$ 186,486</u>	<u>\$ 243,984</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, 2019
(WITH COMPARATIVE TOTALS FOR THE YEAR ENDED DECEMBER 31, 2018)

	<u>SPECIAL PROJECTS</u>	<u>REGULATORY AFFAIRS</u>	<u>COETF</u>	<u>GENERAL & ADMINISTRATIVE</u>	<u>2019 TOTAL</u>	<u>2018 TOTAL</u>
Audit and bond	\$ -0-	\$ -0-	\$ -0-	\$ 3,500	\$ 3,500	\$ 3,500
Computer Services	-0-	-0-	-0-	-0-	-0-	500
Dues and Subscriptions	-0-	-0-	-0-	1,690	1,690	1,500
Gifts/Awards	-0-	-0-	-0-	-0-	-0-	462
Insurance	-0-	-0-	-0-	2,504	2,504	2,704
Legal	-0-	43,509	134,170	16,230	193,909	129,705
Management Fees (Note 2)	-0-	-0-	-0-	116,412	116,412	116,412
Meeting - Fall	-0-	-0-	-0-	-0-	-0-	4,300
Meeting - Other	-0-	427	-0-	16,785	17,212	19,132
Meeting - Spring	-0-	-0-	-0-	69,625	69,625	68,401
Miscellaneous	-0-	-0-	-0-	522	522	787
Postage	-0-	-0-	-0-	124	124	180
Administration	-0-	-0-	-0-	759	759	731
Specialist	-0-	104,400	-0-	-0-	104,400	104,400
Statistics Program	-0-	-0-	-0-	197	197	211
Printing/Supplies	-0-	-0-	-0-	165	165	253
MSDS Coal Tar Consulting	6,615	-0-	-0-	-0-	6,615	16,540
TAR RFNR CERCLA	1,084	-0-	-0-	-0-	1,084	-0-
Telephone	-0-	-0-	420	409	829	409
Travel	-0-	2,272	-0-	4,499	6,771	7,695
Web Site	-0-	-0-	-0-	439	439	539
TOTAL	<u>\$ 7,699</u>	<u>\$ 150,608</u>	<u>\$ 134,590</u>	<u>\$ 233,860</u>	<u>\$ 526,757</u>	<u>\$ 478,361</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, 2019 and 2018

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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. The Organization maintains its bank accounts with PNC Bank. Accounts at an institution are insured by the Federal Deposit Insurance Corporation (FDIC) up to \$250,000. At December 31, 2019 the balances in the bank were \$186,986 which is less than the insured ceiling.

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, 2019 and 2018

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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 2018 financial statements have been reclassified to conform to the 2019 presentation.

FINANCIAL STATEMENT PRESENTATION

In August 2016, the Financial Accounting Standards Board (FASB) issued Accounting Standards Update (ASU) 2016-14, *Not-for-Profit Entities* (ASU 2016-14) which improves current reporting requirements for not-for-profit entities. The most significant provisions of the ASU require not-for-profit entities to 1) report only two classes of net assets, 2) change the cash flow presentation or disclosure requirements for entities using the direct method of presenting cash flows, and 3) provide enhanced disclosure related to liquidity, underwater endowments, board designated net assets and time-restricted net assets. This update was effective for fiscal years beginning after December 15, 2017. The Organization has adopted this ASU 2016-14 for its financial statements.

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 the ACCCI's financial statements for the year ended December 31, 2019, from which the summarized information was derived.

NOTE 2 – MANAGEMENT CONTRACT

ACCCI is managed by Ailor Consulting.

NOTE 3 – COMMITMENTS AND CONTINGENCIES

The Organization receives a substantial amount of its revenue from a limited number of its members. If a significant reduction in the level of this revenue were to occur it may have an effect on the Organization's programs and activities.

NOTE 4 – EVALUATION OF SUBSEQUENT EVENTS

The Organization has evaluated subsequent events through September 30, 2020, 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
email@pattonandcompany.com

MEMBER:
AMERICAN INSTITUTE OF CPAs
PENNSYLVANIA INSTITUTE OF CPAs

August 31, 2020

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

Dear Janis:

In response to your request, I would submit a cost estimate of \$3,700 to perform an audit of the financial statements of American Coke and Coal Chemicals Institute for the year ended December 31, 2020. This would include preparation of the Organization's Form 990 income tax return.

I 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

**AMERICAN COKE AND COAL CHEMICALS INSTITUTE
PROPOSED BUDGET 2021**

INCOME			BUDGET 2020	PROJECTED 12/31/2020 YEAR END	PROPOSED BUDGET 2021
General / Administration			274,680.00	297,890.00	269,500.00
Annual Mtgs.					
	Spring		56,660.00	56,660.00	48,000.00
	Fall		1,000.00	1,000.00	0.00
Total Income			332,340.00	355,550.00	317,500.00
EXPENSE					
General / Administration			149,190.00	149,190.00	149,390.00
Committees			15,000.00	15,000.00	7,500.00
Regulatory Affairs (Staff and Projects)			112,300.00	112,300.00	132,500.00
Annual Meetings					
	Spring		58,200.00	58,200.00	56,500.00
	Fall		6,000.00	6,000.00	0.00
Total Expense			340,690.00	340,690.00	345,890.00
Net Balance (Income to Expenses)			(8,350.00)	58,306.11	(28,390.00)
GENERAL & ADMINISTRATIVE:			BUDGET 2020	PROJECTED 12/31/2020 YEAR END	PROPOSED BUDGET 2021
INCOME					
Company Dues	16-3020-01		257,890.00	263,090.00	260,000.00
Company Dues - New Members	16-3025-01		0.00	30,000.00	0.00
Associate Dues	16-3030-01		5,560.00	4,800.00	4,000.00
Interest and Dividends	16-3800-01		230.00	See line 149	See line 149
MESH Committee Meeting Registrations	16-3900-01		11,000.00	0.00	5,500.00
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
Total ACCCI General/ Admin. Income			274,680.00	297,890.00	269,500.00
EXPENSES			BUDGET 2020	PROJECTED 12/31/2020 YEAR END	PROPOSED BUDGET 2021
Audit and Bond	16-4060-01		3,600.00	3,600.00	3,700.00
Computer Services	16-4070-01		1,000.00	1,000.00	1,000.00
Dues and Subscriptions	16-4100-01		1,690.00	1,690.00	1,690.00
Insurance (O&D Liability)	16-4170-01		3,000.00	2,504.00	2,600.00
Legal Counsel (Fees)	16-4188-01		15,000.00	15,000.00	15,000.00
Legal Counsel (Expenses)	16-4189-01		1,200.00	288.20	1,000.00
Management (Staff)	16-4240-01		116,800.00	116,412.00	116,800.00
Headquarters	16-4250-01		500.00	500.00	500.00
Board of Dir./F&B Comm mtgs.	16-4320-01		1,500.00	5.95	1,500.00
Meeting Expense	16-4325-01		0.00	0.00	0.00
Miscellaneous	16-4360-01		1,000.00	391.00	1,000.00
Postage/Freight/Delivery	16-4400-01		250.00	100.00	250.00
Stationery/Printing/Supplies	16-4440-01		350.00	350.00	350.00
Gifts/Awards	16-4447-01		500.00	960.74	500.00
Statistical Programs	16-4450-01		500.00	400.00	500.00
Administrative/Accounting/Mailroom	16-4460-01		800.00	1,500.00	1,500.00
Taxes	16-4470-01		0.00	0.00	0.00
Telephone/FAX/Equip/Reception	16-4480-01		500.00	500.00	500.00
Travel--Staff	16-4500-01		0.00	0.00	0.00
Travel--Staff International	16-4550-01		0.00	0.00	0.00
Foundry Facts	16-4700-01		0.00	0.00	0.00
Foundry Facts	16-4700-01		0.00	0.00	0.00
Steiner Consulting	16-4907-01		0.00	0.00	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
Sub Total General/ Admin. Expense			149,190.00	146,201.89	149,390.00

**AMERICAN COKE AND COAL CHEMICALS INSTITUTE
PROPOSED BUDGET 2021**

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COMMITTEES:		BUDGET 2020	PROJECTED 12/31/2020 YEAR END	PROPOSED BUDGET 2021
Coke Committee	16-4341-01	0.00	0.00	0.00
MESH Committee	16-4344-01	15,000.00	0.00	7,500.00
Coal Chemicals	16-4347-01	0.00	0.00	0.00
International Committee	16-4348-01	0.00	0.00	0.00
Integrated Steel Committee	16-4349-01	0.00	0.00	0.00
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		15,000.00	0.00	7,500.00

Total ACCCI General/ Admin and Committee. Expenses	164,190.00	146,201.89	156,890.00
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REGULATORY AFFAIRS STAFF and ADMIN.

EXPENSES		BUDGET 2020	PROJECTED 12/31/2020 YEAR END	PROPOSED BUDGET 2021
Dues & Subscriptions	16-4413-01	0.00	0.00	0.00
Meeting Expense	16-4415-01	500.00	162.00	200.00
BGOV Subscription	16-4416-01	6,456.00	6,456.00	7,000.00
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	0.00	0.00	0.00
Staff Specialist	16-4411-01	88,800.00	88,800.00	88,800.00
Travel	16-4412-01	3,000.00	0.00	1,500.00
Total Regulatory Affairs Expenses		98,756.00	95,418.00	97,500.00

REGULATORY AFFAIRS PROJECTS (LEGAL/CONSULTANTS)

OSHA COE Standard		BUDGET 2020	PROJECTED 12/31/2020 YEAR END	PROPOSED BUDGET 2021
Legal	16-4925-01	0.00	0.00	0.00
Consultant	16-4926-01	0.00	0.00	0.00
ELG Project				
Legal	16-4927-01	0.00	0.00	0.00
Consultant	16-4928-01	0.00	0.00	0.00
Meeting/Telephone	16-4414-01	0.00	0.00	0.00
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	13,544.00	13,544.00	32,000.00
Consultant	16-4951-01	0.00	0.00	0.00
TSCA Test Rule				
Consultant/Legal	16-4954-01	0.00	0.00	0.00
Tar Refiners Misc.				
Consultant/Legal (PCTC Dues)	16-5720-13	0.00	0.00	3,000.00
Total Regulatory Project Expense		13,544.00	13,544.00	35,000.00
Total Regulatory Affairs Expenses (Staff and Projects)		112,300.00	108,962.00	132,500.00

AMERICAN COKE AND COAL CHEMICALS INSTITUTE
PROPOSED BUDGET 2021

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ACCCI ANNUAL MEETINGS				
SPRING MEETING		BUDGET 2020	PROJECTED	PROPOSED
INCOME			12/31/2020 YEAR	BUDGET 2021
			END	
Spring Meeting Registrations	16-3500-02	47,660.00	13,580.00	40,000.00
Spring Meeting Sponsorships	16-3504-02	9,000.00	4,500.00	8,000.00
Total Spring Meeting Income		56,660.00	18,080.00	48,000.00
EXPENSES				
Theme Party	16-5201-02	0.00	0.00	0.00
Entertainment	16-5202-02	4,000.00	1,250.00	2,000.00
Hotel Master Acct. (F&B, A/V, etc.)	16-5204-02	48,000.00	1,250.00	48,000.00
Miscellaneous/Staff Support	16-5206-02	500.00	0.00	500.00
Printing/Graphic Design	16-5208-02	1,200.00	0.00	1,500.00
Speaker Fees/Travel	16-5210-02	0.00	0.00	0.00
Gifts/Awards	16-5214-02	2,000.00	0.00	2,000.00
Staff Travel	16-5212-02	2,500.00	0.00	2,500.00
Total Spring Meeting Expense		58,200.00	2,500.00	56,500.00
FALL MEETING		BUDGET 2020	PROJECTED	PROPOSED
INCOME			12/31/2020 YEAR	BUDGET 2021
Fall Meeting Registrations	16-3600-03	1,000.00	0.00	0.00
Fall Meeting Sponsorships	16-3604-03	0.00	0.00	0.00
Total Fall Meeting Income		1,000.00	0.00	0.00
EXPENSES				
Theme Party	16-5301-03	0.00	0.00	0.00
Entertainment	16-5302-03	0.00	0.00	0.00
Master Acct. (F&B, A/V, etc.)	16-5304-03	3,000.00	0.00	0.00
Miscellaneous/Staff Support	16-5306-03	500.00	0.00	0.00
Printing/Graphic Design	16-5308-03	0.00	0.00	0.00
Speaker Fees/Travel	16-5310-03	0.00	0.00	0.00
Staff Travel	16-5312-03	2,500.00	0.00	0.00
Gifts/Awards	16-5314-03	0.00	0.00	0.00
Total Fall Meeting Expenses		6,000.00	0.00	0.00
Net Balance (Income to Expenses)		(8,350.00)	58,306.11	(28,390.00)
ACCCI Reserve Account Balance		BUDGET 2020	PROJECTED	PROPOSED
			12/31/2020 YEAR	BUDGET 2021
			END	
ACCCI Reserve (Insured Savings) Account Balance carried forward January 1, 2021			68,500.00	68,500.00
Interest Income to ACCCI Reserve (Insured Savings) Account (16-3800-01)		230.00	75.00	75.00
ACCCI Expenses Paid from ACCCI Reserve Account		0.00	0.00	0.00
Balance in ACCCI Reserve (Insured Savings) Account		0.00	0.00	68,575.00

AMERICAN COKE AND COAL CHEMICALS INSTITUTE
PROPOSED BUDGET 2021

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ACCOUNTING FOR SPECIAL PROJECTS			
COETF		TRANSFERS IN FROM DECEMBER 2019	TRANSFERS IN 08/2020
INCOME			
COETF Transfers In	16-3930-01	92,603.94	108,904.69
Total COETF Transfers In			
EXPENSES			TRANSFERS OUT 08/2020
Staff Specialist	16-9100-01		9,100.00
Consultant / Legal	16-9115-01		154,103.31
Mtg / Telephone	16-9120-01		0.00
Total COETF Transfers Out			
BALANCE COETF			
PCTC (Total Invoiced of Tar Refiners in 01/2020: \$413,400.00)			
INCOME			
Transfers In from Tar Refiners	16-3915-01		
Total PCTC Transfers In			
EXPENSES			
Transfers Out to PCTC	16-4335-01		
Total Transfers Out to PCTC			
BALANCE PCTC			
Tar Refiners PAH Project (2015 - 2017)			
Tar Refiner PAH Project Reserve Account Balance carried forward from 2017 to October 2019			
PAH Project Funds "Repurposed" in October 2019 for New Tar Refiner CERCLA Project			
Balance in Tar Refiner PAH Project Reserve Account on January 1, 2020			

American Coke and Coal Chemicals Institute
2020 - 2021 Meetings Calendar

November 12, 2020	2020 Business Meeting	Virtual Meeting
TBD	Spring 2021 MESH Meeting	TBD
April 22 - 23, 2021	2021 Spring (Annual) Meeting	Resort at Longboat Key Club Longboat Key, FL
TBD	Fall 2021 MESH Meeting	TBD

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

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

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

David Ailor

From: Lauren Thompson <Lauren.Thompson@ophotels.com>
Sent: Friday, November 6, 2020 2:39 PM
To: David Ailor
Cc: jdeitch@accci.org
Subject: Availability in October 2021

Hi David,

It was great catching up with you today (Jan, we missed you) and thank you very much for keeping me up to date on the discussions and plans for April 2021's Annual Meeting, it is greatly appreciated. I went ahead and checked October 2021 dates while this was fresh on my mind and below are available dates with some modifications that would need to be made to the function space due to other groups already on the books. The very best option would be the last weekend in October but the others certainly work as well. Looking into the rates, I did speak too soon since the pattern is still over the weekends where we actually did very well this year. I would match the contract April rates that you have for the dates below.

Wednesday 9/29 – Saturday 10/2

Rooms: (can match April block)

Available Event Space:

- Wednesday Reception/Dinner @ Latitudes Deck (new poolside space – Spike 'n Tees is not available)
- Thursday Breakfast/Board Meeting @ Gillespie Room
- Thursday Golf – open
- Thursday Reception/Dinner @ Barefoots Lower Deck or can change to Spike 'n Tees this evening
- Friday Breakfast/Meeting @ John Ringling Ballroom or Island House (Gillespie is booked)
- Friday Reception/Dinner @ John Ringling East and Pre-Function (Island House/Spike n Tees is not available)

Wednesday 10/6 – Saturday 10/9

Rooms (can match April block)

Available Event Space:

- Wednesday Reception/Dinner @ Spike 'n Tees
- Thursday Breakfast/Board Meeting @ Gillespie Room
- Thursday Golf – open
- Thursday Reception/Dinner @ Spike n' Tees this evening (Barefoot's is booked, I would suggest switching Wednesday to Barefoot's)
- Friday Breakfast/Meeting @ Island House/Gillespie
- Friday Reception/Dinner @ Island House/Spike n Tees

Wednesday 10/13 – Saturday 10/16

Rooms (can match April block)

Available Event Space:

- Wednesday Reception/Dinner @ Spike 'n Tees
- Thursday Breakfast/Board Meeting @ John Ringling East
- Thursday Golf – open
- Thursday Reception/Dinner @ Barefoot's Lower Deck
- Friday Breakfast/Meeting @ John Ringling Room (Gillespie/Island House booked)
- Friday Reception/Dinner @ Island House/Spike n Tees

Wednesday 10/27 – Saturday 10/30

Rooms & Event Space – identical to April block and function agenda

Please let me know if there is a set up dates that work best prior to your Board meeting and I will place a soft hold or we can wait until after the meeting next Thursday if it is unknown at this time.

Thank you again for your time today and open communication on ACCCI's plans. Hope you have a wonderful weekend and I look forward to hearing back next week.

Warm Regards,

Lauren

Lauren Thompson
Associate Director of Sales
(941) 387-1181
Resort at Longboat Key Club
Zota Beach Resort, Longboat Key
Lido Beach Resort
Holiday Inn Lido Beach
Sandcastle Resort at Lido Beach
Edgewater Beach Hotel, Naples
Sanibel Island Beach Resort

American Coke and Coal Chemicals Institute

**Summary Sheet on
The Westin Hilton Head Island Resort & Spa's Offer
for ACCCI's 2022 Annual Meeting**

Westin Hilton Head Island Resort & Spa

2 Grasslawn Avenue

Hilton Head Island, SC 29928

<https://www.marriott.com/hotels/travel/hhhwi-the-westin-hilton-head-island-resort-and-spa>

Main Phone Number: 843.681.4000

ACCCI Guest Room Details (Wednesday, May 4, 2022 – Saturday, May 7, 2022)

- Ocean View Rooms - \$306 per night (valued at \$378 per night at Marriott Member's Standard Rates)
- Rates are subject to applicable state and local taxes (currently 11%), \$3 destination fee, \$28 daily taxable resort service fee and other fees that may be in effect at the time of check-in

Resort Service Fee Inclusions

- Complimentary self-parking
- Shuttle service to Port Royal Golf & Racquet Club, Shelter Cove Marina, and Shelter Cove Town Centre
- Golf and tennis discounts at Port Royal
- WestinWorkout fitness classes and RunWESTIN concierge services
- One hour of steam room use at The Heavenly Spa
- Daily kids activities with Westin Family
- Access to The Westin Savannah water taxi and self-parking
- Guest room wi-fi access
- Free 15 minutes at the business center daily
- 2 bottled waters replenished daily with housekeeping service

Concessions

- Exclusive group discounted Ocean View Room at \$306 per night
- One (1) Ocean View Staff Room at \$229 per night
- One (1) complimentary guest room for every fifty (50) revenue generated guest rooms

- Discounted resort fee at \$20 per room per night (valued at \$28 per room per night)
- 85% Attrition cumulative (normally 90% per night)
- Waive the \$1,000 per meeting per day room rental fee with met Catering Minimum of \$16,000, excluding taxes and service charges
- Waive fees for Customized Registration Folders to be handed out to guests upon check-in only (normally \$5 per folder)
- Earn Double Marriott Bonvoy Points with a maximum allotment of 120,000 (normally 60,000 points)
- 10% Discount on in-house Audio Visual Rentals 10% Discount on meeting room wi-fi, 5% Discount on 2021 Catering Menus, exclusive of service charge and tax

DRAFT OF YEAR END LETTER TO MEMBERSHIP. 10-21-20

We hope this letter finds you and your loved ones both safe and healthy.

As 2020 draws to a close, it's time to reflect on our accomplishments and assess our position in what is becoming a more challenging industry. Although the Covid pandemic is forcing many changes within the ACCCI and it's membership this year, your board of Directors and officers have been steadily working this year to meet the challenges, and reinforce the spirit and foundation of ACCCI. All meetings have been virtual or conference call.

As example, as we all know, member networking through our MESH Committee meetings, and Coalition Partnerships on key industry issues, are two of the most valuable functions of the ACCCI to its membership.

Mike Rhodes, and his Team of sub-committee chairs of the MESH Committee, are doing an outstanding job restructuring the MESH meetings to provide better member networking opportunities through technical presentations and plant tours. Meeting venues and agenda planning for our next meetings are underway now so we will be ready as soon as restrictions are lifted.

Jay Cornelius accepted the Chair of a new "Coalitions sub-committee" of MESH to lead the vetting and performance review process of all ACCCI sponsored Coalitions, as well as prospective coalitions.

The board is also in discussions about our next Spring/member and Fall/ board meetings. Travel bans will dictate final planning on all face to face meetings as member safety and wellbeing is paramount.

Meeting registration fees that were paid by members in 2020 will apply against our next scheduled meetings.

As this pandemic hopefully draws to a close soon, and we begin to resume normal operations in our daily lives and businesses, we will keep you informed on future meetings and activities of your ACCCI as soon as they are finalized.

Thanks for your patience this year, and we look forward to seeing everyone again soon.

The Board