

April 25, 2012

The Honorable Lisa Jackson, Administrator
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, N.W.
Washington, DC 20460

Dear Administrator Jackson:

**Re: Proposed National Emissions Standards for Hazardous Pollutants (NESHAP) rule:
Ferroalloys Production (issued November 23, 2011)**

It has come to our attention that one of our members, Eramet Marietta, Marietta, Ohio (EMI), and Felman Production, Letart, West Virginia, the two remaining United States smelters of Manganese ferroalloys, will be severely impacted by the above-referenced rule. We understand EPA's rule may be finalized despite objections from the two companies, as well as the Manganese Interest Group (MIG). MIG is an ad hoc coalition of trade associations and companies interested in the scientifically sound evaluation and regulation of manganese compounds (other members include: AISI, SMA, Steel Slag Association, Specialty Steel Industry of North America, the International Manganese Institute, Afton Chemical Corporation, and US Steel).

We are writing to encourage you to use the best available, peer-reviewed science in the amendments proposed (76 FR 72508.) This proposed rule would supplement existing regulations and require ferroalloys production facilities to install additional costly emissions control equipment. The President has directed federal agencies in Executive Order 13563 to base regulations on the best available science, and to employ the least burdensome tools for achieving regulatory ends.

Manganese ferroalloys are a critical ingredient of steelmaking and are important to national interests. A Department of Commerce investigation found that ferroalloy production is critical to national defense. Final promulgation of the NESHAP standards proposed last November could result in the closure of the last two manganese ferroalloy plants in the United States with no commensurate public health benefit. Plant closures will impact over 450 high wage manufacturing jobs, mostly among members of the United Steel Workers Union, with significant impacts on the communities of Marietta, Ohio and Letart, West Virginia.

It is our understanding that the scientific justification for the proposed rule is outdated and may not be supported by real world data, and that the standards may not be achievable in practice by real-world facilities. In establishing the proposed standards, EPA relies upon a science assessment issued in 1993, neglecting recent peer-reviewed scientific information. To achieve the proposed standards, EPA's proposal assumes that the affected facilities would install technologies that may not be appropriate or effective as applied to ferroalloys production facilities.

Given the importance of relying upon the best available science to protect the public health, jobs and the economy, we strongly urge the EPA to take the following steps before promulgating a final rule:

1. Ensure that any determinations or standards developed by EPA to address residual risk are based on the best available scientific and technical information.
2. Work with stakeholders, including the two remaining domestic manganese ferroalloy producers, to identify feasible technologies to achieve protections in a way that also protects jobs and the economy.
3. We encourage you to consider seeking an extension of the court-imposed deadline for issuing the final rule, in order to give adequate attention to our requests.

Sincerely,



Sal Miraglia
President – Steel Business
The Timken Company
President/Chairman of the Board, Ohio Steel Council

Cc: Ohio Congressional Delegation

About the Ohio Steel Council

Comprised of steel producers, processors and suppliers, the Ohio Steel Council serves as the voice of the steel industry in Ohio. By promoting the benefits of a healthy steel sector, the Council strives to educate key constituents about the industry's overall importance and significant economic impact. A participant in the legislative process, the Ohio Steel Council provides insight on policy issues, including their potential effects on Ohio's steel industry and the state's economy. Additional information about the Ohio Steel Council is available at www.ohiosteelcouncil.org.

Ohio Steel Council Members: AK Steel Corporation, AMG Vanadium, ArcelorMittal, Charter Steel, Cliffs Natural Resources, Inc., Eramet Marietta, Inc., Nucor Steel Marion, Inc., Republic Steel, Stein, Inc., The Timken Company, Tata Steel, Tube City IMS, US Steel Corporation, V&M Star, Wheeling & Lake Erie Railway