

Control Projects, in my opinion, the Final Rule will require the Facility to shutdown thereby increasing the complexity and dangers of complying with the requirements of the Final Rule.

34. If DPE is not provided at least two years to complete the Section 112(f) Control Projects, as Environmental Affairs Manager, I fully expect that the Facility will need to immediately shift its attention, time, and resources toward completing a safe and effective shutdown of the Facility for an indefinite period of time. This comes at the cost of planning successful implementation of EPA's Final Rule requirements.

35. Once the shutdown occurs, DPE will be unable to field test the effectiveness of any emission reduction projects in a functional, operational setting. This prevents me or other DPE personnel from evaluating effective methods to address potential process safety hazards. In order to evaluate the effectiveness and safety of both large- and small-scale ERPs, DPE requires an operational facility. DPE already faces process hazard challenges during normal operations when evaluating emission reduction projects on accelerated timelines and a shutdown would just pose further challenges. Also, I am concerned about an indefinite shutdown's impact on the allocation of process safety resources and personnel. Additionally, I have serious concerns about the ability of DPE to maintain its personnel if DPE were forced to meet an unreasonable and infeasible compliance deadline of 90 days.

36. Lastly, as Environmental Affairs Manager, I am not aware of a single time in the plant's history in which DPE was required to restart operations after a prolonged shutdown of 3-6 months or longer. A shutdown here would last significantly longer due to the time needed to safely

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requirements in EPA's Proposed Rule, which are substantially similar to the requirements of the Final Rule. For example, EPA's expert opined that it would take 90 days or more just to plan certain projects, let alone fully implement them. It is unreasonable for EPA to now demand compliance timeframes that are shorter than what EPA already represented to the district court were necessary.