

Message

From: AirAction [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=FA78B98923384078995E04A73D258D83-AIRACTION]
Sent: 4/1/2025 1:45:13 PM
To: Mullen, Dale G. [dmullen@whitefordlaw.com]
CC: Wagner, Chandra [CWagner@whitefordlaw.com]; Brady, Michael H. [mbrady@whitefordlaw.com]; Shaia, Lauren [lshaia@whitefordlaw.com]; Kelly Boyle [kboyle@jsmith-sons.com]; Travis Smith [tsmith@jsmith-sons.com]
Subject: RE: Summary of Presidential Exemption Request for Smith Industries Facilities

Thank you for emailing the AirAction mailbox to request a Presidential Exemption under section 112(i)(4) of the Clean Air Act and for engaging with EPA in advancing President Trump's Executive Orders and Powering the Great American Comeback. We have received your email and will be in contact soon. If you have Confidential Business Information (CBI) that you'd like to submit, please submit it in electronic version to the CBI@epa.gov inbox or in hardcopy to:

USEPA, OAQPS
CORE CBI Office
4930 Old Page Road
Durham, NC 27703

From: Mullen, Dale G. <dmullen@whitefordlaw.com>
Sent: Monday, March 31, 2025 4:33 PM
To: AirAction <AirAction@epa.gov>
Cc: Wagner, Chandra <CWagner@whitefordlaw.com>; Brady, Michael H. <mbrady@whitefordlaw.com>; Shaia, Lauren <lshaia@whitefordlaw.com>; Kelly Boyle <kboyle@jsmith-sons.com>; Travis Smith <tsmith@jsmith-sons.com>
Subject: Summary of Presidential Exemption Request for Smith Industries Facilities

Caution: This email originated from outside EPA, please exercise additional caution when deciding whether to open attachments or click on provided links.

Subject: Summary of Presidential Exemption Request for Smith Industries Facilities

To: airaction@epa.gov

Dear EPA Team,

I hope this email finds you well. Please find below a summary of the attached letter regarding Smith Industries' request for a Presidential Exemption under the Clean Air Act.

Summary:

Smith Industries, through its counsel, is requesting a Presidential Exemption under Section 112(i)(4) of the Clean Air Act for its recycling facilities, Joseph Smith and Sons (JSS) and Recovermat, located in Maryland. The exemption seeks relief from compliance with VOC emissions standards for up to four years due to the unavailability of required technology and the critical role these operations play in national security and economic stability.

Key Points:

Technology Unavailability: The current technology to meet the required VOC reduction standards is not available for the specific operations of JSS and Recovermat. The emission factors used by the EPA are based on outdated data, leading to an overestimation of potential emissions.

National Security Interests: The recycling industry, including JSS and Recovermat, is vital for national security. These facilities provide essential raw materials for various industries, including defense, infrastructure, and manufacturing, thereby reducing reliance on imports and enhancing economic security.

Economic and Environmental Benefits: Smith Industries supports thousands of jobs and contributes significantly to the economy. In 2021, the company recovered over 1.6 billion pounds of metals, eliminating the need for 3.4 million tons of ores and saving energy equivalent to the annual usage of approximately 471,000 U.S. households. This also prevented nearly 1.9 million tons of carbon dioxide emissions.

Alignment with EPA Initiatives: Granting the exemption aligns with the EPA's "Powering the Great American Comeback" initiative, supporting clean air, energy independence, permitting reform, American innovation, and the protection of American auto jobs.

Requested Compliance Period: Smith Industries is requesting a compliance period extension of four years to develop and implement feasible VOC control technologies.

We appreciate your consideration of this request to allow JSS and Recovermat to continue their essential operations while working towards compliance with VOC reduction standards.

Attachment

Sincerely,

Dale.

WHITEFORD

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