

To safely install many of the instruments, control devices, and other components needed to comply with the Final Rule, it is necessary to coordinate such installation with scheduled maintenance turnarounds, which are typically scheduled to occur every three to five years. The technology to implement the requirements of the HON Rule is not available, within the meaning of CAA § 112(i)(4), as described further below:

- Ascend must make critical capital improvements at each facility to meet the requirements, such as installing several emission control devices for several storage vessels (at Decatur for example) that require significant engineering work prior to getting equipment on site. Further, extensive safety testing will be required prior to start-up to ensure safe operation. Ascend Decatur will also need to modify the existing vent collection systems to route all degassing vent emissions to a new emission control device, which will require extensive physical and process changes. The sourcing, scoping, engineering, implementation, and testing of these projects will require significantly more time than provided in the HON Rule.
- Projects to control multiple process vents are extremely complex. For major capital expenditures like those needed to meet the requirements of the HON Rule, front-end engineering alone is expected to take 10-12 months. Funding approval, project execution and construction, and commissioning are expected to take at least an additional 17 months, meaning implementation will take a minimum of 27 to 29 months from now—barring other potential delays. Completing the requisite Process Hazard Analyses for these projects within that time frame will also be difficult to impossible.
- It is also likely the schedule will include a lengthy permitting process for each control device required. These additional control devices may increase emissions of CO and NOx. Ascend also expects that a Title V permit amendment will be required. The permitting schedule is outside of Ascend's control, but the permitting alone for these projects could take up to two additional years (at the front end before construction begins) to complete.

B. An Exemption is in the National Security Interests of the United States

By way of further background, Ascend is the world's largest fully-integrated manufacturer of Nylon 6,6, a versatile material used in critical military and consumer applications. Although Ascend serves customers worldwide through its global footprint, it is the only manufacturer in the world capable of producing Nylon 6,6 entirely within its own facilities and can achieve this via its manufacturing supply chain in the southeastern United States.

Nylon 6,6 is vital to the U.S. military's logistical and soldier protection objectives. Due to its unique durability and strength, Nylon 6,6 is a component in multiple items