

laboratory minimum quantification and detection limits, and delays in receiving analytical results. Deployment and collection of samples using the summa canisters experienced multiple problems, including loss of vacuum, inability to verify that sample valves properly closed, and similar problems.

- In many cases, determining the source, if any, of ethylene oxide detected at the incredibly low action level selected is impossible. This is because the action levels and minimum detection limits are below background levels of ethylene oxide and that wind directions that have been historically recorded in the Port Neches area vary throughout the day. Nonetheless, the requirements force Indorama to act as a regulator, investigating possible sources of the detection – which could be attributable to another facility, a non-HON process, or simply background levels.

Elimination of TRE

- In eliminating the TRE concept, EPA mandated unreasonably costly controls for any stream containing ethylene oxide at extremely low concentrations and flow rates. Indorama will be forced to install additional emission control systems, requiring significant design, planning, and permitting, as well as significant costs. This expands the technical availability concerns above, since units would have been Group 2 under TRE can no longer rely on that provision to avoid technically unavailable control requirements.
- These controls will not only be onerously expensive to install and operate, but they will result in an increase in consumption of valuable natural resources, consequently increasing emissions of greenhouse gases and ozone pre-cursors.
- Indorama has determined that to achieve the required 99.9% destruction efficiency will require the use of thermal oxidizers. Due to the complexity of the Port Neches site, geography, and number of production units, it is technically infeasible to connect all of the potential emissions sources to a single control device. Indorama will need to install multiple control devices, which will exponentially increase the cost and time needed to complete the project. Alternatively, the Rule would require use of a flare capable of receiving all emission sources. It is unlikely such projects can be completed in the time provided in the HON.

Even to the extent controls can be engineered, to meet the HON's aggressive deadlines, Indorama would have needed to initiate the first phase of the required control projects (feasibility assessment and initial design) well before the final rule was even published. Realistically, none of the technical solutions can be completed in time to comply with the HON's current compliance deadlines. Further, EPA's recently proposed rule Review of National Emission Standards for Hazardous Air Pollutants for Polyether Polyols Production Industry, 89 Fed. Reg. 105,986 (Dec. 27, 2024) would impose many of the same requirements as the HON, thereby increasing demand for the specialized engineering, design, and construction contractors whose resources are already limited due to companies implementing the HON.