



March 31, 2025

United States Environmental Protection Agency
1200 Pennsylvania Ave. NW
Washington, DC 20460

RE: Request for Presidential Exemption – Clean Air Act Section 112(i)(4)
National Emission Standards for Hazardous Air Pollutants (NESHAP) for the
Synthetic Organic Chemical Manufacturing Industry (SOCMI) – HON Regulation –
40 CFR 63 Subparts F, G, and H
Dow Louisiana Operations – Plaquemine Iberville Parish, Louisiana
Title V Operating Permit No. 2203-V13 – Glycol II Plant
Submitted via e-mail to: airaction@epa.gov

To Whom It May Concern,

The Dow Chemical Company (Dow) requests a Presidential exemption from compliance obligations of the National Emission Standards for Hazardous Air Pollutants (NESHAP) for the Synthetic Organic Chemical Manufacturing Industry (SOCMI) also referred to as the HON Rule).¹ For the reasons highlighted in this letter and attachment, we believe it is necessary and appropriate for the President to grant an exemption under Clean Air Act (CAA) Section 112(i)(4) for sources regulated by the final rule either on an individual basis or collectively. If done collectively, we request that EPA include our regulated facility under that collective action.

We urge the Administration to swiftly consider and issue such an action based on an understanding that both: 1) “availability” for the purposes of this section refers not only to the existence of technology capable of achieving compliance with the rule, but encompasses practical challenges with the timeframes necessary to plan, procure, and install required technologies and such activity cannot occur within the current compliance timeframe; and 2) national security encompasses not only military defense applications and infrastructure, but also economic security, a perspective that has been acknowledged by the President in Executive Orders and key security agencies like the Department of Defense. Indeed, as the White House has stated regarding domestic priorities, “economic security is national security”.² As additional support on this point, we reference the separate joint coalition submission sent to EPA from the American Chemistry Council (ACC) and the American Fuel & Petrochemicals Manufacturers (AFPM) detailing the critical nature of ethylene oxide as a building block to several supply chains throughout domestic manufacturing, and the potential risks to our nation’s national security interests if continued production is jeopardized.

We believe that the Administration has already been provided with sufficient information (including prior comments and the underlying petition for reconsideration on the HON rule) to support an exemption covering all regulated facilities or on a facility-specific basis. This letter

¹ National Emissions Standards for Hazardous Air Pollutants (NESHAP), Powering the Great American Comeback https://www.epa.gov/system/files/documents/2025-03/neshap_powering-the-great-american-comeback_fact-sheet_2.pdf 89 Fed. Reg. 42932 (May 16, 2024).

² <https://www.whitehouse.gov/presidential-actions/2025/02/america-first-investment-policy/>.

and the attachment provide additional detail and support on the time-critical nature of the request for relief and to address EPA's request for information. We submit both in support of a category-wide grant, as well as to provide company-specific information if the President pursues a facility-specific exemption action.

A two-year compliance exemption is especially needed for a HON implementation project at our Glycol II plant to install a process wastewater reactor system, called a Purge Glycol Reactor, to react small concentrations of ethylene oxide to other chemical compounds. The following information associated with this request for our Louisiana Operations site is included in a February 20, 2025, letter to EPA, which is included as Attachment #1 to this letter.

- Emissions standards or limitations subject to the request,
- Facility(ies) and/or affected source(s), and
- Length of compliance period being requested. The original Attachment #1 requested a one-year compliance date extension, which was the maximum allowed, but Dow is seeking a two-year compliance exemption with this letter to account for any potential delays in the project.

Information in support of the compliance exemption request is provided below:

Explanation why the technology to implement the standard is not available.

EPA's new standard for process wastewater in ethylene oxide service requires that individual process wastewater streams be managed in closed systems and then treated to remove ethylene oxide to less than 1 ppmw for each stream. Technology to implement the standard is not available prior to July 15, 2026, for the following reasons:

- Technology to implement the standard is not readily available from external vendors, therefore, Dow is designing and plans to install a custom reactor to react ethylene oxide with water under selected operating conditions to meet the 1 ppmw requirement. There is not a vendor guarantee that this technology will meet the standard, thus a performance test will be required to confirm compliance.
- Additional time is needed to properly engineer and construct this type of reactor and capital project. Typically, it takes 36 months to complete projects similar to these. More information is available in Attachment #1 on the major steps in the engineering, procurement, and construction process.
- In addition, EPA's HON rule does not have specific monitoring requirements for this type of treatment device, therefore, Dow will be required to conduct performance testing and to submit a request to establish unique monitoring parameters per § 63.151(f)(1) – (3) of the HON rule to EPA or to the LDEQ. The frequency and content of monitoring, recording, and reporting will be determined in accordance with the permitting authority.

Explanation why an exemption is in the national security interests of the United States.

With respect to the national security implications of ethylene oxide-related supply chain disruptions, we incorporate the information provided by ACC and AFPM in a letter submitted to EPA related to these exemption requests. In addition, we also supply the following information:

The Glycol II plant at Louisiana Operations produces ethylene oxide which serves as an important chemical precursor used to produce a wide range of other chemicals, including military jet fuels, pharmaceuticals, semiconductors, automotive, agricultural products, antifreeze, plastics, home and personal care products, and textiles. It also performs a crucial role as a sterilizing agent for heat-sensitive medical equipment that cannot be sterilized with steam or radiation. Dow estimates that its U.S. manufactured ethylene oxide supplies the requirements of 75% of the U.S. government's jet fuel additive, 25% of the automotive brake fluid market, and nearly 10% of aircraft deicing fluids—all essential products required for national safety and the smooth functioning of the U.S. economy.

Absent a compliance exemption, it is likely Dow will have to shut down some facilities that produce or use ethylene oxide in the second half of 2026 to comply with the HON rule, which will have downstream impacts on the derivatives of ethylene oxide with consequences for all of the sectors mentioned above. If Dow were to shut down multiple facilities simultaneously, the cascading impacts of the loss of ethylene oxide production would be widespread and felt throughout the U.S., both economically and from an essential products perspective. During these outages, employees may also face loss of work, negatively impacting the local community and individual American families' households.

As explained further in Attachment #1, Dow originally requested a one-year compliance extension to July 15, 2027, to complete construction on this project and an additional 150 days to December 12, 2027, to complete all required performance testing and establishment of operating parameters and to submit the Notification of Compliance Status Report. The Presidential Exemption under Clean Air Act Section 112(i)(4) does not require that the President provide the bare minimum of time needed to obtain and install controls. Thus, to allow for any unexpected delays in the project schedule, with this letter Dow is seeking a two-year compliance exemption under Section 112(i)(4) of the Clean Air Act to July 15, 2028, to complete the site's HON implementation projects and a compliance exemption to December 12, 2028, to submit the Notification of Compliance Status Report for those projects. Any exemption granted under this section should also contain an option for EPA to consider a renewal for facilities for which compliance processes may run longer than two years.

If you have any questions or require additional information, please contact Mr. Russell Wozniak of our Environmental Expertise organization at (361) 571-5420 or email: wozniara@dow.com.

Sincerely,



Mary Meyer
Site Responsible Care Leader
Louisiana Operations

Attachment:

cc: Aaron Szabo, Senior Advisor to the Administrator, Office of the Administrator
Abigale Tardif, Principal Deputy Assistant Administrator, Office of Air and Radiation
Sean Donahue, Principal Deputy General Counsel, Office of General Counsel
Alex Dominguez, Deputy Assistant Administrator for Mobile Sources, Office of Air and Radiation
Peter Tsirigotis, Director, Office of Air Quality Planning and Standards
Penny Lassiter, Director, Sector Policies and Programs Division, Office of Air Quality Planning and Standards
Patrick Lessard, Refining and Chemicals Group Leader, Office of Air Quality Planning and Standards
Andrew Bouchard, General Engineer, Office of Air Quality Planning and Standards

**Attachment #1 – February 20, 2025 Letter to USEPA – Submittal of Additional Information
Requested for Request for Extension of Compliance Time**

Dow Louisiana Operations – Glycol II Plant

This attachment provides additional details on the project, the covered process wastewater streams, and the HON regulatory citations impacted.



February 20, 2025

CERTIFIED MAIL NO. 7020 1810 0000 0749 4252
Return Receipt Requested

Ms. Mary Greene
Director, Air Enforcement Division
Office of Civil Enforcement
United States Environmental Protection Agency
Mail Code 2242-A
1200 Pennsylvania Ave, N.W.
William Jefferson Clinton Building/Room 1119
Washington, DC 20460-0001

Submittal of Additional Information Requested
Request for Extension of Compliance Time – One Project
Purge Glycol Reactor for Process Wastewater Streams
Compliance with the Ethylene Oxide Provisions
40 CFR 63 Subpart G — *National Emission Standards for Hazardous Air Pollutants*
for the Synthetic Organic Chemical Manufacturing Industry (HON Rule)
Dow Louisiana Operations – Plaquemine, Iberville Parish, Louisiana
Title V Operating Permit No. 2203-V13 – Glycol II Plant

Dear Ms. Greene,

This letter and the attached information provides additional information requested by USEPA in a letter December 20, 2024, regarding our request for an extension to the current July 15, 2026, due date for compliance with all ethylene oxide requirements in EPA's amendments to the HON air pollution rule (40 CFR 63 Subparts F, G, and H).

Our request for a compliance extension and this project involves the following:

- Installation of a process wastewater reactor system, called a Purge Glycol Reactor, to react small concentrations of ethylene oxide to other chemical compounds in our Glycol II Plant.

Request for an Extension of Compliance
Louisiana Operations

This project represents only a small subset of the HON implementation projects at the site and we seek an extension of compliance time only for what is absolutely necessary.

Pursuant to 40 CFR 63.6(i)(4)(i) and (ii) of the MACT rule general provisions our Louisiana Operations site is requesting a one-year extension from the compliance date of July 15, 2026, to July 15, 2027, for the project identified above. This extension is necessary in order to properly engineer the project, order and obtain the equipment, and then construct and start-up the project. Moreover, while the project is being completed, we will take steps to protect against imminent endangerment, including by prioritizing our completion of other projects at the site that have higher air emissions. More details on our request and the schedule for implementation for this project is included in the attached information, and we would be pleased to provide more details upon request.

If you have any questions or require additional information, please contact Ashlie LeBlanc at aleblanc2@dow.com or Mr. Russell Wozniak of our Environmental Expertise organization at (361) 571-5420; email: wozniara@dow.com.

Sincerely,



Mary Meyer
Site Responsible Care Leader
Louisiana Operations

cc:

Mr. Steve Thompson
Air Enforcement Branch Chief
EPA Region 6
Compliance Assurance and Enforcement Division
1201 Elm St., Suite 500
Dallas, TX 75270-2102

Dr. Amanda Vincent
Department of Environmental Quality
Office of Environmental Services
P.O. Box 4313 Baton Rouge, LA 70821-4313

Attachment

Update to Request for Extension of Compliance

SECTION I GENERAL INFORMATION

A. Print or type the following information for each facility for which you are requesting an extension of compliance (§63.9(b)(2)(i)-(ii))

Operating Permit Number (OPTIONAL)		Facility I.D. Number (OPTIONAL)	
Permit 2203-V13			
Responsible Official's Name/Title			
Dustin Hedges/ Senior Production Director			
Street Address			
21255 Louisiana Highway 1			
City	State	ZIP Code	
Plaquemine	Louisiana	70764	
Facility Name (if different from Responsible Official's Name)			
Louisiana Operations			
Facility Street Address (If different than Responsible Official's Street Address)			
Facility Local Contact Name		Title	Phone (OPTIONAL)
Ashlie LeBlanc		EH&S Leveraged Air Specialist	
City	State	ZIP Code	
Plaquemine	Louisiana	70765	

B. Indicate the relevant standard or other requirement that is the basis for this request for this compliance extension request:

Pursuant to 40 CFR 63.6(i)(4)(i) and (ii) of the MACT rule General Provisions our Louisiana Operations site is requesting a one-year extension from the compliance date of July 15, 2026, to July 15, 2027, for the following project and associated regulatory citations:

Project #1 – Purge Glycol Reactor Project - 40 CFR 63 Subpart G –

40 CFR 63.138 – Process wastewater provisions – performance standards for treatment processes managing Group 1 wastewater streams and/or residuals removed from Group 1 wastewater streams; and

40 CFR 63.138(b)(3) – Control options: Group 1 wastewater streams for Table 9 compounds – Reduce, by removal or destruction, the concentration of ethylene oxide to a level less than 1 parts per million by weight as determined in the procedures in §63.145(b) of this subpart; and the following general control provisions for Group 1 process wastewater streams:

40 CFR 63.132 – Process wastewater provisions – general
 40 CFR 63.133 – Process wastewater provisions – wastewater tanks
 40 CFR 63.134 – Process wastewater provisions – surface impoundments
 40 CFR 63.135 – Process wastewater provisions – containers
 40 CFR 63.136 – Process wastewater provisions – individual drain systems
 40 CFR 63.137 – Process wastewater provisions – oil-water separators

Project #2 – Dow is removing this project from the extension request. ~~Revised Emission Control System for Start-up Vents – 40 CFR 63 Subpart G – 40 CFR 63.124 – Process Vents and Storage Vessels that are in ethylene oxide service – procedures to determine compliance.~~

C.

Reasons why additional time is needed

A one-year extension is needed in order to properly engineer and construct this type of project. Typically, it takes 36 months to complete projects similar to these. Key steps in the engineering, procurement, and construction process are:

Major Steps in Process	Estimated Time to Complete (Months)
Testing to determine "In EO Service" and Pre-FEED Project Scoping	6
Front End Engineering Design (FEED)	12
Detailed Design Engineering	9
Procurement (Obtaining Vendor Bids, Vendor Questions & Selection, Equipment Fabrication & Delivery to site)	19 (overlaps with engineering)
Construction of Required Equipment, Piping and Instrumentation	10 (overlaps with detailed engineering)
Develop Operating Procedures, Commissioning Equipment, and Placing Into Service	1 – 1.5 months
Total Estimated Time for Project including testing to determine "In EO Service::	36

Note: Some steps like Procurement overlap with Front End Engineering Design, Detailed Design Engineering, and Construction. Construction also overlaps with Detailed Design Engineering.

SECTION II**CERTIFICATION** (Note: you may edit the text in this section as deemed appropriate)

Based upon information and belief formed after a reasonable inquiry, I, as a responsible official of the above-mentioned facility, certify the information contained in this request is accurate and true to the best of my knowledge.

Name of Responsible Official (Print or Type)	Title	Date (mm/dd/yy)
Dustin Hedges	Senior Production Director	02/20/25
Signature of Responsible Official		
		

Note: Responsible official is defined under §63.2 as any of the following: the president, vice-president, secretary, or treasurer of the company that owns the plant; the owner of the plant; the plant engineer or supervisor; a government official if the plant is owned by the Federal, State, city, or county government; or a ranking military officer if the plant is located on a military installation.

SECTION III**COMPLIANCE SCHEDULE INFORMATION**

A. Describe the controls that will be installed at your facility to ensure compliance with the relevant standard. (§63.6(i)(6)(i)(A)) – See the descriptions for each project below:

Project #1 – Installation of a process wastewater reactor system, called a Purge Glycol Reactor, to react small concentrations of ethylene oxide in process wastewater streams from the Glycol II Plant to other chemical compounds. The reactor system will be operated at an elevated temperature and pressure to react a low concentration of ethylene oxide to other organic compounds. These small process wastewater streams from the Glycol II HON covered process plant has minimal ethylene oxide emissions, but each process wastewater stream with 1 ppmw or more ethylene oxide must be controlled.

Project #2 – Dow is removing this project from the extension request. ~~Installation of a revised emission control system for start-up vents in the Glycol II Plant. These vents occur on an intermittent basis and last for only a few hours during each start-up activity. Emissions of ethylene oxide are expected to be < 0.1 tpy.~~

Due to small levels of emissions associated with these wastewater streams, the health of persons will be protected from imminent endangerment, as required by 40 CFR §63.6(i)(4)(ii).

B. Describe your compliance schedule by specifying the date by which you will complete each of the following steps toward achieving compliance: (§63.6(i)(6)(i)(B)(1)-(4)):

A compliance schedule, including the date by which each step toward compliance will be reached. At a minimum, the list of dates shall include:

(1) The date by which on-site construction, installation of emission control equipment, or a process change is planned to be initiated.

On-site construction for this project is planned to be initiated by August 1, 2026.

(2) The date by which final compliance is to be achieved.

Compliance for this project is expected to be achieved by July 15, 2027.

(3) The date by which on-site construction, installation of emission control equipment, or a process change is to be completed; and

On-site construction is planned to be completed by June 1, 2027, for this project.

(4) The date by which final compliance is to be achieved;

Start-up of this system and compliance is expected to be achieved by July 15, 2027.

**Additional Information Requested by EPA
in December 20, 2024 Letter & 40 CFR 63.6(i)(10)**

Each of the requested items is provided for Project #1. Dow is no longer seeking a compliance extension for Project #2.

Project #1 – Installation of a process wastewater reactor system, called a Purge Glycol Reactor

- Identify each affected source covered by the extension:

There are four process wastewater streams that will be collected and piped to the new treatment system:

Process Wastewater Stream	Plant
D-370 Scrubber Bottoms	Glycol 2
P-321 A/B Ethylene Recovery	Glycol 2
Hotwell #1 and #2 – Combined	Glycol 2
E-90 Scrubber Water Purge	Glycol 2

- Specify the termination date of the extension.

The termination date of the extension will be July 15, 2027, for the installation of the Purge Glycol Reactor system and the termination date of the extension will be December 12, 2027, for the Notification of Compliance Status Report and other associated requirements as detailed below.

- Specify the dates by which steps toward compliance are to be taken, if appropriate

As noted above, construction is expected to commence on this project by August 1, 2026, with the goal of completing construction by June 1, 2027. A performance demonstration along with establishment of operating parameters for continuous monitoring will be conducted after the start-up date.

- Specify other applicable requirements to which the compliance extension applies (e.g., performance tests).

Dow also proposes extensions to the following items related to the installation of the Purge Glycol Reactor and the testing, monitoring, recordkeeping, and reporting requirements:

#1 – Performance Demonstration and Establishing Parameter Monitoring Ranges – §63.146(a) and §63.151(f)(1) – (f)(3)

Dow proposes that the requirement in §63.146(a) for the owner/operator to submit a request to monitor alternative parameters according to the procedures in 63.151(f) be extended to July 15, 2027 to align with the start-up date of the Purge Glycol Reactor.

Dow proposes that all due dates to complete the requirements in §63.151(f)(1) – (3) be extended to December 12, 2027 to allow time for a performance demonstration and setting of parameters after the Purge Glycol Reactor starts operation.

Table 12 of the HON rule refers to §63.151(f), which requires compliance with paragraphs (f)(1) – (3) as copied below. Dow proposes an extension to December 12, 2027 to complete the performance demonstration, establish parameter monitoring ranges, and commence monitoring. This is five months after the requested extension date of July 15, 2027 to have the Purge Glycol Reactor installed. The rule text for §63.151(f) and (1) – (3) is provided below:

The owner or operator who has been directed by any section of this subpart that expressly references this paragraph to set unique monitoring parameters or who requests approval to monitor a different parameter than those listed in § 63.114 for process vents, § 63.127 for transfer, or § 63.143 for process wastewater of this subpart shall submit the information specified in paragraphs (f)(1), (f)(2), and (f)(3) of this section with the operating permit application or as otherwise specified by the permitting authority.
40 CFR 63.151(f).

- (1) A description of the parameter(s) to be monitored to ensure the control technology or pollution prevention measure is operated in conformance with its design and achieves the specified emission limit, percent reduction, or nominal efficiency, and an explanation of the criteria used to select the parameter(s).
- (2) A description of the methods and procedures that will be used to demonstrate that the parameter indicates proper operation of the control device, the schedule for this demonstration, and a statement that the owner or operator will establish a range for the monitored parameter as part of the Notification of Compliance Status report required in § 63.152(b) of this subpart, unless this information has already been included in the operating permit application.
- (3) The frequency and content of monitoring, recording, and reporting if monitoring and recording is not continuous, or if reports of daily average values when the monitored parameter value is outside the range established in the operating permit or Notification of Compliance Status will not be included in Periodic Reports required under § 63.152(c) of this subpart. The rationale for the proposed monitoring, recording, and reporting system shall be included.

#2 – Wastewater Parameter Exceedance Reporting - §63.146(d)(3)

Dow proposes that the due date for reporting monitoring results for each operating day during when the daily average of any monitored parameter approved in accordance with 63.151(f) was outside the range established in the Notification of Compliance Status be extended to December 12, 2027. This will allow to us conduct testing and setting of operating parameters after the system starts-up on or before July 15, 2027. This will also align with the submittal of the Notification of Compliance Status report. The identification of the treatment process, the parameter that was of range, and the date the parameter was out of range must be reported.

#3 – Wastewater Recordkeeping - §63.147(b)(4) and (e)

Dow proposes that the requirement in §63.147(b)(4) be extended to December 12, 2027. The requirement in §63.147(b)(4) is that for Item 3 of table 12 of this subpart, the owner or operator shall keep records approved by the Administrator. §63.147(e) notes that the Administrator will specify appropriate recordkeeping requirements.

#4 - Notification of Compliance Status Report - §63.152(b)

Dow proposes that the due date for this report be extended to December 12, 2027 to align with #1 above.

#5 – Periodic Report - §63.152(c)

We propose that the due date for this report be extended to December 12, 2027 to align with #1 above.

- Specify any additional conditions that the Administrator (or the State) deems necessary to assure installation of the necessary controls and protection of the health of persons during the extension period.

No additional information is being provided with this response.