

Westlake's Petrochemical Complex, Styrene Monomer Production Facility, and Styrene Marine Terminal are also subject to the new Pressure Relief Devices (PRDs) requirements under Subpart H, which will require significant evaluation and analysis to identify compliance methods which require key third party resources that may be limited or in greater demand while multiple companies undertake similar compliance planning analysis.

Next, as currently written, the HON Rule requires sources to implement fenceline monitoring requirements by July 15, 2026. See 40 C.F.R. §63.184. With new requirements for the facility fenceline monitoring program, Westlake must select contractors after a competitive bid process and then acquire an adequate supply sample equipment in time for compliance.

Westlake must rely on third-party laboratories for sample analysis. Louisiana requires that third-party laboratories be accredited through the Louisiana Department of Environmental Quality's Laboratory Accreditation Program (LELAP). According to LDEQ's website, there is only one LELAP laboratory accredited to run the required methods in accordance with the HON rule, and the entire source category in Louisiana must use an LELAP accredited laboratory.

The HON Rule also requires real-time sampling techniques if the root cause of an action level exceedance has not been determined within 30 days of determining the action level has been exceeded. Westlake must also source and select external contracts to employ real-time monitoring and appropriate staff.

As summarized above, Westlake has no control over the availability of outside resources needed. Selection and use of contractors, laboratories, and real-time monitoring technologies will be conducted in combination with the entire source category, and there is expected to be a large rush on procuring the necessary equipment to meet these requirements. Therefore, Westlake may not be able to comply with this rule by the current compliance date due to factors outside our control.

Westlake's Petrochemical Complex, Styrene Monomer Production Facility, and Styrene Marine Terminal are also subject to and impacted by the removal of the Total Resource Effectiveness (TRE) Concept under § 63.115(g), which will require significant evaluation and identification of compliance methods involving testing and analysis which require key third-party resources that may be limited or in greater demand while multiple companies undertake similar compliance planning efforts. In addition, these new HON rule requirements may require installation of new equipment or implementation of potential new capital projects, which may only be identified after the time-intensive evaluation and compliance analysis work, which is already underway across industry and at Westlake.

A summary listing of some of the key provisions of the HON rule which will impact the Westlake Petrochemical Complex, Styrene Monomer Production Facility, and Styrene Marine Terminal and from which Westlake seeks this exemption is provided below:

Short description of provision	Specific Citation
Compliance dates	40 CFR §63.100(k)
Fenceline monitoring provisions	40 CFR § 63.184
Pressure Relief Devices requirements	40 CFR § 63.165(c)
Removal of Total Resource Effectiveness	40 CFR § 63.115(g)
Removal of Startup, Shutdown, Malfunction Provisions	40 CFR § 63.113(k)
Storage Vessel Provisions	40 CFR § 63.119