

petroleum fuels, aviation fuels, petrochemical products, chemicals, asphalt, alternative fuels like ethanol, and beyond. In particular, the U.S. gasoline distribution industry comprises a vast infrastructure network that moves finished gasoline and other liquid fuels from petroleum refineries to end markets, including government, commercial and industrial facilities, and retail fueling stations.

A strong gasoline distribution industry delivers affordable energy to America and ensures liquid fuels are available wherever they are needed.

Many of the same infrastructure assets that deliver gasoline also deliver jet fuel to military and commercial air facilities, and diesel to America's farms, food producers and manufacturing facilities. Reliable access to gasoline and other fuels is crucial for maintaining operational readiness and ensuring military bases can function independently, especially in times of crisis. Our national security relies on the services and logistical support that the bulk liquid storage industry brings to the nation's energy supply chain.

On May 8, 2024, EPA issued a final rule entitled *National Emission Standards for Hazardous Air Pollutants: Gasoline Distribution Technology Reviews and New Source Performance Standards Review for Bulk Gasoline Terminals* (89 Fed. Reg. 39304)

(May 8, 2024) ("Gasoline Distribution Rule"). This rulemaking includes significant changes to two National Emission Standards for Hazardous Air Pollutants (NESHAP) for the gasoline distribution industry, viz., Subpart R for major sources of Hazardous Air Pollutants (HAP) and Subpart BBBBBB for area sources. The rulemaking also comprises one New Source Performance Standard (NSPS), Subpart XXa, for gasoline loading racks and associated equipment at the bulk gasoline terminal segment of this industry. The NESHAP subparts rely on the NSPS Subpart XXa provisions for emissions monitoring requirements for loading racks.

These NESHAP have a compliance date of May 8, 2027 for most requirements.^[1]

We are writing to indicate why sources affected by these NESHAP subparts may require Presidential Exemption. We suggest that the Agency provide a means for affected sources to request an Exemption if needed.

Unavailable Technologies

ILTA has separately petitioned the EPA Administrator to reconsider certain unworkable and onerous provisions of the Gasoline Distribution Rule.^[2] ILTA members support effective emission standards for clean air, with reasonable and effective monitoring requirements. We encourage the Administrator to refer to our petitions and supporting documents for further detail.

In the attached table, we provide examples of availability limitations of the technologies required under the 2024 revised standards. While availability considerations vary from facility to facility, we expect many of the affected sources in the source category to face one or more availability concerns.

A National Security Matter

The gasoline distribution industry is of unique national security interest because of its importance to American energy and because of its role in military readiness. At the core of the nation's energy supply chain, bulk liquid terminals store and handle national security-critical products like oil & gasoline products, jet fuel, sustainable aviation fuels, asphalt, and more as they make their way from extraction and refining to the end-point user. Connecting and coordinating with various modes of liquid commodity transportation like oil tankers, pipelines, barges, and tanker trucks, workers at terminal facilities are tasked with protecting the sites they work at and, subsequently, the communities, airports, military installations, and industrial sites they operate in. Terminal facilities undergo extensive, routine physical and cyber-security review given the liquids of interest they house, ensuring that the nation's liquid energy products can continue to move freely and safely.

ILTA and its members appreciate EPA's attention to this letter. If you have any questions about this submittal, please contact us and we would be pleased to discuss this matter.

Sincerely,