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Sent: 3/31/2025 5:36:37 PM
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CC: Brian Cruz [bcruz@anduril.com]; Ann Marie Rosas [amr@anduril.com]; Suhas Gowda [sgowda@anduril.com]
Subject: Presidential Exemption: National Emission Standards for Hazardous Air Pollutants from Hazardous Waste Combustors: Anduril Industries, Inc. - Mississippi
Attachments: smime.p7s

Environmental Protection Agency personnel.

Anduril Industries Inc. is requesting a Presidential Exemption under section 112(i)(4) of the Clean Air Act regarding National Emission Standards for Hazardous Air Pollutants from Hazardous Waste Combustors, specifically for our combustors in McHenry Mississippi.

- **Background:**

- Anduril is currently a research and development facility developing cutting edge rocket motor systems that intends to ramp up to a full-scale rocket motor systems production facility. Anduril has a contract with the United States military to develop new solid rocket motors as the U.S. is resupplying its missile stockpiles. There is reportedly a shortage of solid rocket motors to outfit the missiles needed to handle future military contingencies. The site intends to install a hazardous waste incineration unit onsite in order to safely dispose of hazardous waste generated from production operations, including energetic propellant and materials contaminated with energetic propellant. The site has been working with El Dorado Engineering to design a unit that complies with the requirements of the National Emission Standards for Hazardous Air Pollutants from Hazardous Waste Combustors (EEE NESHAP) and the Resource Conservation and Recovery Act (RCRA). Concurrently, the site has been preparing Clean Air Act and RCRA permit applications expected to be submitted to the Mississippi Department of Environmental Quality (MDEQ) in May 2025. Currently, the Notification of Intent to Comply is available for public review at the McHenry Public Library. However, the United States Environmental Protection Agency (U.S. E.P.A.) is required by a court order to promulgate a revised EEE NESHAP rule in 2025. A revised rule with new emissions standards has the potential to require a redesign of the proposed incineration unit and rework of the permit applications while the permit applications are in review with MDEQ. Thus, the revised rule is expected to delay the completion of the unit design, completion of permit approval, ordering of the parts required to fabricate the equipment, and actual installation of the unit. Although Anduril intends to design and install a unit compliant with EEE NESHAP, Anduril is requesting an exemption from EEE NESHAP in order to streamline the installation of the unit.

- **Request Summary:**

- **Emissions standards or limitations subject to the request:** 40 CFR Part 63 Subpart EEE—National Emission Standards for Hazardous Air Pollutants from Hazardous Waste Combustors (EEE NESHAP)
- **Facility(ies) and/or affected source(s):** Anduril Industries, Inc. Mississippi proposed hazardous waste incinerator.
- **Length of compliance period being requested:** 2 years

- **Request Justification:**

- **Technology:** Anduril expects the U.S. E.P.A. to issue a proposed rule change to the EEE NESHAP by May 2025 and a final rule by December 2025. This rule is expected to contain new emissions standards based on a Risk and Technology Review conducted by U.S. E.P.A. The current design and permitting efforts for the incinerator are at risk of being delayed due to the unknown nature of the proposed rule. Anduril is currently designing the unit to meet the current new source standards for an incinerator and redesigning to meet new emissions standards will cause significant delays to design and permitting timelines. Anduril is requesting a 2-year extension on the compliance deadline for new sources (source must comply upon startup if construction has not commenced before proposed rule is published in federal register). This compliance extension would allow Anduril to permit, construct, and begin operation of their proposed combustor while meeting the current new source standards. This timing is necessary to meet the National security interests of the United States as described below. Anduril will ensure

compliance with any and all final standards in the upcoming EEE NESHAP within 2 years of publication of the final rule in the federal register.

- o **National security interests of the United States:** Anduril has a contract with the U.S. military to develop new solid rocket motors as the U.S. is resupplying its missile stockpiles. There is reportedly a shortage of solid rocket motors to outfit the missiles needed to handle future military contingencies. Anduril is proposing to install a hazardous waste incinerator to thermally treat energetic waste associated with the production of these rocket motors. Anduril will be designing the unit to comply with the current EEE NESHAP new source standards; however, redesigning and re-permitting to meet not-yet-published proposed standards is expected to significantly delay the installation and implementation of this waste treatment unit. Delaying installation of the unit has the potential to hinder Anduril's ability to scale up production of the rocket motors to meet national security needs.

V/r,
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