

Celanese Corporation
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March 31, 2025

U.S. Environmental Protection Agency
1200 Pennsylvania Ave. NW
Washington, DC 20460

RE: Presidential Exemption: [New Source Performance Standards for the Synthetic Organic Chemical Manufacturing Industry (SOCMI) and National Emission Standards for Hazardous Air Pollutants (NESHAP) for the Synthetic Organic Chemical Manufacturing Industry and Group I & II Polymers and Resins Industry]: Narrows (Virginia), Clear Lake (Texas), Bishop (Texas), and Bay City (Texas) Facilities

To Whom It May Concern,

The Celanese Corporation (Celanese) requests a two-year exemption from compliance obligations of the New Source Performance Standards for the Synthetic Organic Chemical Manufacturing Industry (SOCMI) and National Emission Standards for Hazardous Air Pollutants (NESHAP) for the Synthetic Organic Chemical Manufacturing Industry and Group I & II Polymers and Resins Industry (collectively referred to as the HON Rule).¹ For the reasons highlighted in this letter, 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. We request that the U.S. Environmental Protection Agency (EPA) include our regulated facilities under that 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

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_3-10-25.pdf, 89 Fed. Reg. 42932 (May 16, 2024).

² *America First Investment Policy*, <https://www.whitehouse.gov/presidential-actions/2025/02/america-first-investment-policy/> (Feb. 21, 2025).

American Chemistry Council (ACC) and the American Fuel & Petrochemicals Manufacturers (AFPM).

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 provides 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.

1. The lack of existing and effective technology make the technology unavailable within the regulatory timeframe.

The poor quality of certain existing equipment make technology required by the HON Rule effectively unavailable to Celanese facilities. The HON Rule requires that Celanese's Narrows (Virginia), Clear Lake (Texas), Bishop (Texas), and Bay City (Texas) facilities install technology to comply with the HON Rule. Celanese's experience with certain equipment and systems, however, demonstrates that certain technology required by the HON Rule is currently ineffective. At our Clear Lake facility, for example, Celanese installed a fence-line monitoring system to monitor a HON regulated chemical in 2021. The system proved *unable to effectively monitor* the pollutant, resulting in the facility having to discontinue the monitoring program.

Celanese continues to have significant concerns about continuing to commit significant capital expenditures while the HON Rule is reconsidered by EPA. The HON Rule requires significant costs to plan, procure, and install certain unproven technology within unrealistic compliance deadlines. Moreover, Celanese expects to compete with other companies to hire a limited number of consultants to install technology, driving up infrastructure costs, extending project deadlines, and increasing the risk that facilities must implement *operation shutdowns* to install effective technology past the HON Rule's compliance dates.

2. Facilities may be required to shutdown operations to ensure compliance with the HON Rule, thereby reducing production of key products that support the security, economy, and public health and safety of the United States.

Presidential Policy Directive 21: Critical Infrastructure Security and Resilience (PPD-21) advances a national policy to strengthen and maintain secure, functioning, and resilient critical infrastructure. PPD-21 recognizes the chemical sector as a critical infrastructure sector whose assets, systems, and networks, whether physical or virtual, are considered so vital to the United States that their incapacitation or destruction would have a debilitating effect on security, national economic security, national public health or safety, or any combination thereof. Implementation of the HON Rule, however, risks millions of dollars in ineffective and costly technology requirements and operation shutdowns for a United States company that continues to play a central role in protecting the security, economy, and public health and safety of the United States. Celanese is a more than 100 year-old U.S. headquartered (Irving, TX) global leader in

chemistry and specialty material solutions. Our products are used in various industries that Americans rely on every day including medical applications, automotive, building and construction, and electronics. We have operations around the globe, including in 13 U.S. States and Territories and more than 20 countries globally. We employ over 11,000 people globally, with over 3,500 in the U.S. We support approximately 2,000 employees and contractors at our Narrows, Clear Lake, Bishop, and Bay City facilities located in Virginia and Texas.

The Narrows, Clear Lake, Bishop, and Bay City facilities, in particular, produce key products for the U.S. and world economies. Our Bishop facility is one of the only U.S. producers of formaldehyde, which is used in medical applications to produce lifesaving medical devices such as metered dose inhalers, injectable pens, and insulin delivery devices. Our Narrows facility is one of two facilities in the U.S. that produces cellulose acetate flake, which is a material used to produce a wide range of products like plastics, films, and fibers. Clear Lake and Bay City produce key products like acetic acid and vinyl acetate, which are used to produce products like paints, adhesives, energy products, and laminated glass for American-made cars and buildings. Requiring Celanese to install ineffective and costly technology and risk operation shutdowns as a result of the HON Rule would negatively impact the security, economy, and public health and safety of the U.S.

Conclusion

Granting a two-year presidential exemption ensures that Celanese continues to support the U.S. economic and national security without procuring and installing ineffective and costly technology within the rule's existing timeline and without implementing full or partial shutdowns to comply with existing effective dates and compliance obligations. We appreciate EPA's willingness to hold follow-up discussions with ACC and AFPM members to better understand the impacts of the HON Rule on American businesses.

Sincerely,



Darren Hubbard
Senior Director, Environmental and Sustainability

cc: Aaron Szabo, Senior Advisor to the Administrator, Office of the Administrator
Abigale Tardif, Principal Deputy Assistant Administrator, Office of Air and Radiation
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