



Jessica D. Nieto
Environmental Director

Phillips 66
Sweeny Refinery
P.O. Box 866
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March 31, 2025

Via electronic mail to airaction@epa.gov

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 and National Emission Standards for Hazardous Air Pollutants (NESHAP) for the Synthetic Organic Chemical Manufacturing Industry (SOCMI) and Group I & II Polymers and Resins Industry.

Phillips 66 Company Sweeny Refinery
Facility I.D. NO. 110007182360

To Whom It May Concern,

Phillips 66 Company Sweeny Refinery requests a two-year exemption from the compliance obligations of the New Source Performance Standards for the Synthetic Organic Chemical Manufacturing Industry and National Emission Standards for Hazardous Air Pollutants (NESHAP) for the Synthetic Organic Chemical Manufacturing Industry (SOCMI) 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. If done collectively, we request that EPA include our regulated facilities 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

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/>.

support on this point, we reference the separate joint coalition submission sent to EPA from associations the 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.

The Sweeny Refinery has at least 4 of process unit(s) subject to the 40 CFR Part 63 Subparts F, G, and H per the facility's Title V Permit and is subject to 40 CFR Part 60 Subpart VVb when construction, reconstruction, or modification occurs. The refinery is currently in the process of evaluating the impacts of the revised HON Rule to determine if additional capital projects are required to comply with the requirements and how those projects will impact overall energy production. Based on information available at the time of submittal, the refinery expects that implementing the requirements of the revised HON Rule may require several process units to shut down for an extended period of time, which could significantly reduce domestic energy production. Additionally, improvement projects, which could trigger some of the new requirements, may also be reconsidered given that current technology is not available to support sustainable performance and the rule encompasses practical challenges with the timeframes necessary to plan, procure, and install the required technologies. Such activities cannot occur within the current compliance timeframe.

- **Fenceline Monitoring**--As currently written, the HON Rule requires sources to implement fenceline monitoring requirements for six chemicals (benzene, 1,3-butadiene, ethylene dichloride, vinyl chloride, ETO, and chloroprene) by July 15, 2026. However, The process necessary to prepare for compliance and initiate new monitoring programs will take longer than the current time permitted. To implement a new fenceline monitoring program, the refinery would need to select contractors and laboratories after a competitive bid process and then acquire an adequate supply of canisters, flow controllers, timers, and tubes before the compliance deadline. Ex. 4 CBI

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- **Pressure Relief Devices (PRDs)**—As detailed in the AFPM/ACC submission, there are technical limitations to consider that would prevent the possibility of all PRDs being controlled. Processes are designed with these PRDs to ensure the safety of personnel and equipment, and they will need to be retained. Sweeny Refinery is still evaluating

Ex. 4 CBI

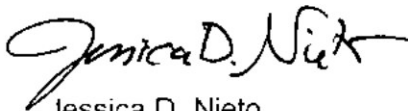
- **Real-time Sampling--**The HON Rule also requires real-time sampling techniques if the root cause of an action level exceedance has not been determined within 30 days of determining the action level has been exceeded. External contracts to employ real-time monitoring and appropriate staff and equipment are not always available within 30 days. The Sweeny Refinery anticipates that there may difficulty procuring real-time monitoring services in a timely manner, especially given its rural location.

Phillips 66 is still in the process of evaluating the full impacts of the revised HON Rule on the Sweeny Refinery's process units, including the availability of technology, total costs of compliance, and impacts on current and future domestic energy production. The refinery will provide more information to the Administration to support this request as it becomes available.

Given the uncertainty surrounding the refinery's ability to timely and feasibly comply with the new and revised HON requirements, a two-year compliance exemption is requested. Such an exemption would provide the refinery more time to fully examine the rules' applicability and determine the most technologically feasible mode of compliance with minimal impact on the refinery's domestic energy production, which this Administration has deemed critical in its Executive Order Declaring a National Energy Emergency (January 20, 2025). For these reasons, Phillips 66 Company Sweeny Refinery respectfully requests a two-year exemption from the compliance obligations of the New Source Performance Standards for the Synthetic Organic Chemical Manufacturing Industry and National Emission Standards for Hazardous Air Pollutants for the Synthetic Organic Chemical Manufacturing Industry and Group I & II Polymers and Resins Industry.

If there are questions regarding this submittal, please contact Sara Cain of my staff at 979-491-2638 or Sara.F.Cain@P66.com.

Sincerely,



Jessica D. Nieto
Environmental Director

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 Tsigotis, 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 Standard