

March 31, 2025

Via electronic mail to enruction@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: Indorama Ventures Xylenes and PTA

To Whom It May Concern,

Indorama Ventures Xylenes and PTA (IVXP) requests an 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 lack 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. "Availability" also encompasses considerations of cost and its impact on selection of controls. High costs may lead to controls that are functionally unavailable and unreasonable timelines may force a facility to select suboptimal often more costly control options; 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 associations the American Chemistry Council (ACC) and the American Fuel & Petrochemicals Manufacturers (AFPM) detailing the severe impact to several supply chains throughout domestic manufacturing, and the potential risks to our nation's national security interests if continued production is jeopardized.

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/>.

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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.

Our facility in Decatur, Alabama, is a major producer of purified terephthalic acid (PTA) in the United States. IVXP is an integrated site that also produces para-xylene (PX) which is the feedstock to the PTA production units. PTA is the backbone for numerous essential products such as plastic bottles, polyester clothing, and films. IVXP is committed to producing PX and PTA in a safe and environmentally responsible manner.

IVXP's PX and PTA process units are subject to the HON Rule and absent immediate relief, these overreaching HON Rule revisions threaten the viability of our PTA units, which would ultimately result in the PX unit shutting down as well. Due to the Rule's unrealistic timeline, there is a risk that, even with IVXP expediting the process of design, permitting, and construction, implementation of the new control devices will take more than the 3-year compliance period due to the lack of available control technologies to achieve the required compliance in a cost effective manner. Without an extension, IVXP may have to settle with suboptimal control design which raises the risk for possible compliance issues post project installation. In addition to the concern with the compliance date deadline, IVXP estimates that the HON rule will require over thirty million US Dollars (\$30,000,000) in new controls and associated modifications due to the revised definition for HON Group 1 process vents (HON Subpart F and Subpart G).

Without EPA granting our request for a 2-year extension to the compliance date, there is a real risk our efforts to meet the HON Rule's requirements within the current designated timelines will fail – thereby putting the production of PX and PTA at risk. To put this risk in greater perspective, this would result in the loss of domestic production of up to 2.25 billion pounds per year of PTA. The lack of PTA production from IVXP would also have a downstream impact of sites that use PTA as a raw material which presents an unacceptable strain on the domestic supply of chemicals that are critical to national security and central to the Country's strategic position in the global economy in key markets.

IVXP's project team has retained external engineering firms to assist in identifying and designing a viable compliance technology solution. The PTA process employed by IVXP, which derived from heritage BP-Amoco technology, is proprietary and does not readily lend itself to collaboration with other sites or licensors addressing similar regulatory requirements in the United States. Consequently, the proposed technology must be a standalone, grassroots design tailored to our site's specific needs.

To date, a key consideration in this effort is the requirement for a compression system to take Hazardous Air Pollutants (HAPs) from PTA atmospheric vents to the pressures necessary for effective destruction using conventional Catalytic Oxidation (Catox) technologies. This approach, while feasible, has thus far indicated a substantial increase in operating costs, which adds to the already significant economic impact the site has to consider when selecting the final control design. The 2-year extension would provide the project team a more realistic timeline to identify and design a control device to achieve the onerous HON Rule requirements.

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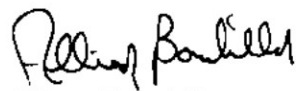
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In addition to the specific risks mentioned regarding the PTA Group 1 process vents, the site is also aggressively working to meet the HON Rule's flare monitoring requirements for the PX unit flare (HON Subpart F) and develop a benzene fence line monitoring program (HON Subpart H) by their respective compliance dates. Considering the fundamental problems with the regulations, the significant impact on Indorama's business, and the interference with production of a chemical that is vital to the national security interests of the United States, IVXP respectfully requests that the agency grants our request for an exemption under the CAA Section 112(i)(4) for not only the HON Group 1 Process Vent requirements but the entire rule.

If you have any questions or need additional information, please call Teresa McGee at (256) 340-5733 (Teresa.McGee@IVXP.Indorama.net). However, please direct any written correspondence to me.

Sincerely,



Allison Bouchillon
Site Manager

cc:

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