



November 22, 2024

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Office of Air Quality Planning and Standards
U.S. Environmental Protection Agency
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Re: Vinyl Institute; Follow-Up to September 2024 Meeting Regarding Petition for Reconsideration of the HON Rule

Dear Ms. Lassiter,

On behalf of the Vinyl Institute (VI) HON Working Group ("Working Group"), thanks to you and your colleagues for taking the time to discuss the VI's Petition for Reconsideration of the U.S. Environmental Protection Agency's ("EPA" or the "Agency") *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*, 89 Fed. Reg. 42,932 (May 16, 2024). This letter clarifies and expands upon some points that we raised in our comments on the proposed rulemaking in July of 2023, in our more recent Petition for Reconsideration, and during our September 19, 2024, meeting with the Agency in North Carolina.

As described in more detail below, our comments and objections center on the Agency's misapplication of the statutory language at 42 U.S.C. § 112(d)(3)(A), gaps in and misuse of the data underlying the rule, and the Agency's failure to "examine the relevant data and articulate a satisfactory explanation for its action[s]" in several instances.¹ The 71 days afforded to our industry to comment on this combined rulemaking did not allow VI or its members sufficient time to parse all the available emissions data or to collect additional test results.² This letter illustrates the importance of the available information and identifies how the uncertainties discussed below could be resolved without additional data collection. Nevertheless, and as we noted during our meeting, VI members are willing to obtain additional information to fully inform reconsidered limits.

¹ *Motor Vehicles Mfrs. Ass'n v. State Farm Mut. Auto. Ins. Co.*, 463 U.S. 29, 43 (1983).

² *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; Extension of Comment Period*, 88 Fed. Reg. 41,369 (June 26, 2023).

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