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TotalEnergies Petrochemicals & Refining USA, Inc.

Refining & Chemicals

March 31, 2025

U.S. Environmental Protection Agency
1200 Pennsylvania Ave. NW
Washington, DC 20460
airaction@epa.gov

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]: TotalEnergies Petrochemicals & Refining USA, Inc.- AI 1607, Cos-Mar StyreneMonomer Plant; AI 5167, TotalEnergies Polystrene Plant; RN102457520, Port Arthur Refinery

To Whom It May Concern,

TotalEnergies Petrochemicals & Refining USA, Inc. (TEPRI) requests an exemption allowing for a two-year extension of the compliance obligations contained in 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] Specifically, TEPRI requests a two-year extension for compliance obligations associated with the installation of equipment, monitoring, recordkeeping, reporting, work practice standards, and testing related to 40 CFR 60 Subpart NNNa, 40 CFR 60 Subpart RRRa, 40 CFR 63 Subpart F, 40 CFR 63 Subpart G, and 40 CFR 63 Subpart H.

Based on the examples highlighted in this letter – which are not exhaustive – we believe it is necessary and appropriate for the President to grant an exemption under Clean Air Act (CAA) Section 112(i)(4) for TEPRI, either on an individual basis for each of TEPRI's facilities identified above, or on an industry-wide basis. If done industry-wide, we request that EPA include TEPRI's regulated facilities under that collective action.

[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).

Sierra Club FOIA - 2025-EPA-04883

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The rule contains significant new standards that are effective beginning July 15, 2027. Many of these standards will require long-lead capital projects (36-months or more). For example, the rule requires facilities to install a closed vent system and control device on internal floating roof tanks that use a continuous sweep, purge, or inert blanket. This change can only be done when the tank is completely de-inventoried and clean for entry. Considerable time and coordination are required to take tanks out of service to execute this type of project, including curtailing unit production and finding alternate suitable storage. In some cases, units may require a full shutdown to accommodate the loss of the storage tank during the project implementation. If this activity can be coordinated to occur during a planned maintenance outage, it will avoid undue shutdowns and minimize emissions. For these reasons, TEPRI is seeking a two-year extension of the compliance deadlines specified in, *inter alia,* 40 CFR 63.100(k), 40 CFR 63. 100(k)(10), 40 CFR 63.119(b), 40 CFR 63.119(b)(7), and 40 CFR 63.119(c).

Other examples of new requirements that may require full or partial facility outages include control of process vents that previously met other exemption standards. Tie-ins to existing control devices are most safely executed during full facility shutdowns. For these reasons, TEPRI is seeking a two-year extension of the compliance deadlines specified in, *inter alia,* 40 CFR 63.100(k), 40 CFR 63.100(k)(10), 40 CFR 63.113(a), 40 CFR 63.113(a)(3), and 40 CFR 63.113(a)(4).

Existing control devices subject to HON, such as flares, will require new monitoring in conformance with the standards referenced in 40 CFR 63.670 and 40 CFR 63.671. Similar to the issues identified with respect to process vents discussed above, installation of the required monitoring on process flare headers is more safely coordinated during other planned full facility outages. Therefore, TEPRI is seeking a two-year extension of the compliance deadlines specified in, *inter alia,* 40 CFR 63.100(k), 40 CFR 63.100(k)(10), and 40 CFR 63.108.

The new cooling tower monitoring requirements contained in 40 CFR 63.104(g) require the installation of sampling facilities necessary for sample collection. Sites must also procure the required El Paso sampler or find external vendors capable of providing the El Paso sampler apparatus. Both efforts require time to install the sample connections and design, fabricate, and install the El Paso sampler system or procure an external vendor capable of providing the required service. To allow appropriate time to complete these installations, TEPRI is seeking a two-year extension of the compliance deadlines specified in, *inter alia,* 40 CFR 63.100(k), 40 CFR 63.100(k)(10), and 40 CFR 63.104(g).

The fenceline monitoring requirements contained in 40 CFR 63.184 require the use of real-time sampling monitors for investigations. The time necessary to specify, design, purchase, and commission real-time monitors appropriate for the site exceeds the current compliance deadline of July 15, 2026. TEPRI requests a two-year extension to obtain the necessary real-time sampling techniques and fully implement the required monitoring, training, recordkeeping, and reporting required to comply with, *inter alia,* 40 CFR 63.184.

As the Agency well understands, each shutdown and startup of a facility results in emissions and safety hazards that exceed those of steady-state operations. It is an industry best practice to coordinate necessary tie-ins and modifications of existing equipment with

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planned maintenance events whenever possible to minimize emissions and safety hazards, and avoid unnecessary disruption of the supply chain. If the current compliance deadlines are not adjusted to allow more time and flexibility to implement the new standards, this important coordination may not be possible. In addition, unnecessary outages impact unit availability, which results in significant economic impacts, including potential disruption in energy and chemical supply chains Therefore, TEPRI requests that it be granted a Presidential Exemption and provided an additional two years to comply with all new HON Rule standards, which additional time will allow for appropriate operational coordination and avoidance of unnecessary economic, environmental, and potential safety impacts.

Sincerely,

DocuSigned by:
Ghazi Shahin
7C12L70271 9A4B2

Ghazi Shahin,
Chief Manufacturing Officer
Refining & Chemicals

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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 Tsirigotis, Director, Office of Air Quality Planning and Standards
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