

REQUEST FOR PRESIDENTIAL EXEMPTION: National Emission Standards for Hazardous Air Pollutants: Lime Manufacturing Plants Technology Review, EPA Docket No. OAR-2017-0015, RIN 2060-AV59, 89 Fed. Reg. 57,738: All Major Source Lime Manufacturing Facilities Listed on the Attached List

Pursuant to Section 112(i)(4) of the Clean Air Act ("CAA"), the National Lime Association ("NLA") hereby requests and recommends that the President issue a two-year exemption from the current July 16, 2027, compliance date of emissions standards promulgated in the final rule *National Emission Standards for Hazardous Air Pollutants: Lime Manufacturing Plants Technology Review* (the "Lime Rule"), published in the *Federal Register* at 89 Fed. Reg. 57,738 (July 16, 2024), extending the compliance date to July 16, 2029, for each lime plant subject to the rule, pending EPA's reconsideration of the rule. NLA members include all major source lime plants in the United States (except for one operated by a steel company, which will submit a separate request). NLA has submitted several rounds of extensive comments and scientific data and analysis on the EPA Lime Rule.

A list of all lime plants operated by NLA members that were considered major sources at the time the Lime Rule was promulgated is attached hereto. Also attached are letters from each NLA member company with such plants delegating authority to NLA to submit this request. NLA asks that the requested exemption be granted to each lime plant listed, because all are affected as explained below.

This statement explains why an exemption is appropriate for sources impacted by the Lime Rule, because, as specified in section 112(i)(4), the technology to implement such standard is not available and an exemption is in the national security interests of the United States.

PROCEDURAL BACKGROUND

On July 16, 2024, EPA promulgated the final Lime Rule, revising maximum achievable control technology ("MACT") standards for hydrogen chloride (HCl), mercury, organic hazardous air pollutants ("oHAP"), and dioxins/furans ("D/F"). EPA claimed that this action was taken in response to the D.C. Circuit's decision in *Louisiana Environmental Action Network v. EPA* ("LEAN"), 955 F.3d 1088 (D.C. Cir. 2020). NLA filed a petition for review of the final Lime Rule in the D.C. Circuit. The Court has ordered that case to be held in abeyance, with a motion to govern further proceedings due by April 28, 2025. NLA also filed a petition for reconsideration of the rule with EPA, which was denied by the Acting EPA Administrator in the waning days of the Biden Administration on January 10, 2025.

On March 12, 2025, EPA announced its intention to reconsider the Lime Rule, citing numerous issues with a group of rules establishing or modifying various National Emission Standards for Hazardous Air Pollutants (NESHAP). EPA further indicated that the President was considering issuing exemptions from compliance dates under Clean Air Act Section 112(i)(4) where appropriate, and that affected sources should provide recommendations for such exemptions to EPA by March 31, 2025.