

Message

From: Tisa, Nathaniel [Tisa.Nathaniel@epa.gov]
Sent: 3/19/2025 2:51:20 PM
To: Szabo, Aaron [Szabo.Aaron@epa.gov]; Donahue, Sean [donahue.sean@epa.gov]
Subject: RE: Legal Analysis of CAA 112(i)(4) - Presidential Exemption
Attachments: NESHAP Presidential Exemption DRAFT 03.19.2025.docx

Aaron,

Attaching a high-level write-up here. Feel free to call with questions.

Nathaniel Tisa
Deputy General Counsel
U.S. Environmental Protection Agency
(202) 658-5262

From: Szabo, Aaron <Szabo.Aaron@epa.gov>
Sent: Wednesday, March 19, 2025 9:35 AM
To: Tisa, Nathaniel <Tisa.Nathaniel@epa.gov>; Donahue, Sean <donahue.sean@epa.gov>
Subject: Re: Legal Analysis of CAA 112(i)(4) - Presidential Exemption

11:15am.

Thanks,

Aaron Szabo
202-564-7043

From: Tisa, Nathaniel <Tisa.Nathaniel@epa.gov>
Sent: Wednesday, March 19, 2025 9:34:01 AM
To: Szabo, Aaron <Szabo.Aaron@epa.gov>; Donahue, Sean <donahue.sean@epa.gov>
Subject: Re: Legal Analysis of CAA 112(i)(4) - Presidential Exemption

What time is the meeting? Will make sure you have at least initial answers to these questions.

From: Szabo, Aaron <Szabo.Aaron@epa.gov>
Sent: Wednesday, March 19, 2025 7:35:50 AM
To: Donahue, Sean <donahue.sean@epa.gov>; Tisa, Nathaniel <Tisa.Nathaniel@epa.gov>
Subject: RE: Legal Analysis of CAA 112(i)(4) - Presidential Exemption

Hey all – just wanted to follow up on this. I know there is a meeting today on this issue and was wondering if OGC had a memo I can read before we have the meeting today.

Thanks,

Aaron Szabo
Senior Advisor to the Administrator
202-564-7043 (office)
202-855-3241 (mobile)

From: Szabo, Aaron
Sent: Tuesday, March 11, 2025 11:54 AM
To: Donahue, Sean <donahue.sean@epa.gov>; Tisa, Nathaniel <Tisa.Nathaniel@epa.gov>
Subject: RE: Legal Analysis of CAA 112(i)(4) - Presidential Exemption

Would the end of the week be possible? I think that after the announcement tomorrow we will be getting a lot of incoming and would like to make sure we can provide the correct information.

Thanks,

Aaron Szabo
Senior Advisor to the Administrator
202-564-7043 (office)
202-855-3241 (mobile)

From: Donahue, Sean <donahue.sean@epa.gov>
Sent: Tuesday, March 11, 2025 11:53 AM
To: Szabo, Aaron <Szabo.Aaron@epa.gov>; Tisa, Nathaniel <Tisa.Nathaniel@epa.gov>
Subject: Re: Legal Analysis of CAA 112(i)(4) - Presidential Exemption

Aaron,

OGC will look into it. When would you like a response?

Sean

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From: Szabo, Aaron <Szabo.Aaron@epa.gov>
Sent: Tuesday, March 11, 2025 11:23:28 AM
To: Tisa, Nathaniel <Tisa.Nathaniel@epa.gov>
Cc: Donahue, Sean <donahue.sean@epa.gov>
Subject: Legal Analysis of CAA 112(i)(4) - Presidential Exemption

Hey Nate,

I was wondering if it would be possible for OGC to provide an analysis of **Ex. 5 AC/DP**

Ex. 5 AC/DP

I was wondering (1

Ex. 5 AC/DP

Ex. 5 AC/DP

Happy to discuss this in more detail if you would like.

(4)Presidential exemption

The President may exempt any stationary source from compliance with any standard or limitation under this section for a period of not more than 2 years if the President determines that the technology to implement such standard is not available and that it is in the national security interests of the United States to do so. An exemption under this paragraph may be extended for 1 or more additional periods, each period not to exceed 2 years. The President shall report to Congress with respect to each exemption (or extension thereof) made under this paragraph.

Thanks,

Aaron Szabo
Senior Advisor to the Administrator
202-564-7043 (office)
202-855-3241 (mobile)