UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

September 15, 2021

OFFICE OF
AIR AND RADIATION

Kathleen Riley and Emma Cheuse
Associate Attorney and Staff Attorney
Earthjustice
1001 G Street, NW, Suite 1000
Washington, D.C. 20001
Via Electronic Mail: kriley@earthjustice.org; echeuse@earthjustice.org

Adam Kron
Senior Attorney
Environmental Integrity Project
1000 Vermont Avenue NW, Suite 1100
Washington, D.C. 20005
Via Electronic Mail: akron@environmentalintegrity.org

Dear Ms. Riley, Ms. Cheuse, & Mr. Kron:

This letter is in response to the letter dated January 19, 2021, to U.S. Environmental Protection Agency (EPA) Administrator Andrew Wheeler regarding a petition for rulemaking related to the New Source Performance Standards (NSPS) and National Emission Standards for Hazardous Pollutants (NESHAP) for the Synthetic Organic Chemical Manufacturing Industry (SOCMI).

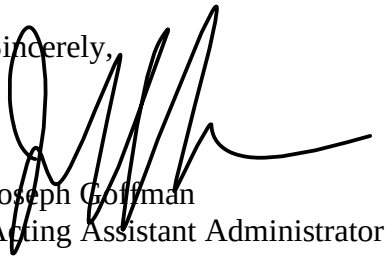
The EPA's mission is to protect public health and the environment. With this is mind, the Agency has considered your petition for rulemaking and grants in part your request that the EPA concurrently undertake a review of the current level of risk from SOCMI facilities in its upcoming Clean Air Act (CAA) section 112(d)(6) technology review of 40 CFR part 63, subparts F, G, H, and I, which are more commonly referred to together as the Hazardous Organic NESHAP (or HON). Specifically, although reserving at this time which specific CAA authorities the Agency may invoke for this purpose, the EPA intends to conduct a human health risk assessment concurrently with the section 112(d)(6) technology review and, based on the results of this risk assessment, to take appropriate action to ensure that the standards in the HON continue to provide an ample margin of safety to protect public health.

In addition, the EPA grants in part your CAA section 111-related requests for SOCMI. Specifically, the EPA grants the request in your petition that the EPA review and, if appropriate, revise the SOCMI NSPS (40 CFR part 60, subparts III, NNN, RRR, & VVa) following the procedure outlined by CAA section 111(b). The EPA currently intends to undertake this CAA section 111(b) review on the same schedule as the aforementioned concurrent risk assessment and CAA section 112(d)(6) technology review for SOCMI facilities.

If you have further questions about this partial grant of your petition for rulemaking, please contact Andrew Bouchard by phone at (919) 541-4036 or by email at bouchard.andrew@epa.gov.

Thank you for your continued interest in these rules. I appreciate the opportunity to be of service and trust the information provided is helpful.

Sincerely,



Joseph Goffman
Acting Assistant Administrator