

May 2, 2025

The Honorable Lee Zeldin
Administrator
U.S. Environmental Protection Agency (EPA)
1200 Pennsylvania Avenue
Washington, D.C. 20460

Dear Administrator Zeldin,

The undersigned 34 individuals and organizations from across the United States write to urge you to recommend that the President reject compliance exemptions for chemical facilities that are contaminating our communities with toxic air pollution. In particular, [requests by corporate lobbyists for broad-reaching compliance exemptions to all affected stationary sources and facilities](#) regulated by Clean Air Act New Source Performance Standards (NSPS)¹ 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), are inconsistent with the letter and intent of the Clean Air Act, and contrary to the mission of EPA. No one—including industry lobbyists and EPA— has ever identified any valid or lawful basis to determine that technology to implement these standards is not available for any chemical plant, let alone virtually every chemical plant as the industry requests. EPA’s own findings in the final rule contradict this claim. Likewise, no one has ever provided any colorable basis to claim that exempting even one chemical plant for emission control requirements is in the country’s national security. It is telling that there is no record of this ever occurring, for any chemical facility, in the 55 years that the Act has been in force. You should recommend that this not happen on your watch. It would be particularly shocking to issue this for chemical facilities where the health risks to communities, particularly children, are known to be unacceptable according to EPA’s own standards.

If implemented, such a compliance exemption would immediately freeze implementation of clean air standards that reflect long-overdue progress made by the EPA to protect the lives of workers and communities who chronically experience harmful levels of toxic air emissions from ethylene oxide and other hazardous air pollutants that pose increased cancer risk, reproductive, developmental, neurotoxic, endocrine-disrupting, and other serious health harms. For instance, the final rule requires an olefins plant in Baytown, Texas to monitor and take corrective action to repair leaks of 1-3 butadiene, a [carcinogen](#). The Baytown facility emitted [56,800 lbs of 1,3-butadiene in 2022](#), has racked up over [25 federal air quality violations in just five years](#). Thirty workers were injured in a [2019 explosion](#) at the Baytown complex. This exemption could now instead allow harm to continue for up to two more years, rather than require this and other chemical manufacturing facilities to continue implementing these vital air toxics standards to reduce their pollution.

¹ Such exemptions can never be legally granted from NSPS for any sources. See 42 U.S.C. 7412(i)(4).

The final HON rule is a step in the right direction to protect communities from harmful chemical exposure. EPA should continue that progress through implementing and building on other important requirements like those under the Risk Management Program (RMP), Emergency Planning and Community Right to Know (EPCRA) and others. Any additional resources EPA has should go into implementing, enforcing, and considering adding real-time monitoring requirements over the next 4 years – instead of exempting or weakening any of the protections. Many people in our communities either [don't have access to or aren't even aware](#) of community emergency preparedness plans in place to protect them when such harmful emissions occur from these facilities. [These comments](#) outline steps needed to strengthen the HON rule to protect all people living on the fenceline to polluting industries, including continuous monitoring and local notifications to alert communities when health harming emission levels occur.

No community should ever have to sacrifice its health and safety while private and corporate interests reap the monetary benefits and experience none of the chronic health burdens –or the economic costs for treating these health burdens– that they externalize to our communities. Companies should not get to send an email to ask that toxic air pollution standards that are designed to protect the health of communities, including children, just stop applying to them – they should follow the law like everyone else. The process you created for facilities to seek exemptions like this, that you set up without public notice or any input on the data you would collect to inform potential exemptions, runs contrary to law and your stated commitment to EPA's mission. Granting exemptions for any chemical facility would set a dangerous precedent and ignore the important implementation activities and investments that facilities have already begun. It would demonstrate that this administration has no intention of protecting communities' health or clean air, and would do nothing to protect national security interests. It instead would offer a shield to companies whose daily operations have long posed and continue to create harmful health impacts that are security threats to the communities around them. We urge you to end the exemption process that you have started and to make clear that EPA recommends declining all requests for compliance exemptions from chemical facilities.

Sincerely,

Alaska Community Action on Toxics, Alaska and the Circumpolar Arctic
Alliance of Nurses for Healthy Environments, National
The American Sustainable Business Network, National
Beyond Pesticides, National
Breast Cancer Prevention Partners, National
Center for Progressive Reform, National
Clean+Healthy, Albany, NY
Coming Clean network, National
Comunidades Aliadas Tomando Accion, Central Valley, California
Concerned Citizens of Wagon Mound and Mora County, Mora County, New Mexico
Ecology Center, Michigan
Environmental Data & Governance Initiative (EDGI), National

Environmental Justice Health Alliance for Chemical Policy Reform (EJHA), National
Ethical And Respectful Treatment of Humans (EARTH), Atlanta, GA
Family Farm Defenders, National
Friends of the Earth, National
Greenpeace USA, National
Habitable, National
League of Conservation Voters, National
Los Jardines Institute, New Mexico
Maryland Pesticide Education Network, Annapolis, Maryland
Moms for a Nontoxic New York (MNNY), New York
People Concerned About Chemical Safety, Kanawha Valley, WV
PODER (People Organized in Defense of Earth and her Resources), Austin, TX
Pesticide Action and Agroecology Network, CA, MN, IA and national
Luna Rasheed, Environmental Data Engineer, Remote, USA
RiSE for Environmental Justice, Kansas City, KS, Kansas City, MO (Midwest)
Dr. Veena Singla, Adjunct Assistant Professor, Columbia University
Texas Environmental Justice Advocacy Services, Houston, Texas
Union of Concerned Scientists, National
U.S. Climate Action Network, National
WE ACT for Environmental Justice, Washington DC/ Harlem NY
Western Broome Environmental Stakeholders Coalition (WBESC), Broome County, New York
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