

July 14, 2020

The Honorable Andrew Wheeler
Administrator
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue NW
Washington, D.C. 20460

RE: Document EPA-HQ-OAR-2018-0746

Dear Administrator Wheeler:

I write to follow up on the delayed publishing of the U.S. Environmental Protection Agency's (EPA) rule on Miscellaneous Organic Chemical Manufacturing: National Emission Standards for Hazardous Air Pollutants (MON NESHAP) in the *Federal Register* (FR).

Although you signed a notice of the final rule for MON NESHAP Residual Risk and Technology Review on May 29, 2020, it has not been published in the FR. As you know the FR publication is essential because it finalizes the rule so that regulated entities can be held to compliance standards. Without finalization the regulation is not revised as required under the Clean Air Act Amendments of 1990, Section 112.

This delay is felt acutely because though EPA is required to review hazardous air pollutant regulations every eight years, the EPA missed that deadline and was placed under court-order to update this and dozens of national emission standards. The text in the final rule posted on EPA's website is a critical update since the last standards were issued nearly 17 years ago.

In light of the delay despite the important role this rule will play in regulating pollution, I ask that you provide complete answers in writing to the following questions:

1. When will the official version of the rule be posted on the FR?
2. What was the cause of the publishing delay?
3. Please provide a list of the rules from the EPA awaiting publication in the FR, how long their publication has been delayed and why.

The updates to MON NESHAP are indispensable to environmental justice communities who are disproportionately impacted by the pollution regulated by this rule. In order to begin reducing the risks cause by the miscellaneous organic chemical manufacturing source category that the EPA itself found to be unacceptable, the rule needs to be published in the FR as soon as possible.

Thank you in advance for your consideration of my request.

Sincerely,



Tammy Duckworth
United States Senator

CC The Honorable Sean O'Donnell
Inspector General
Environmental Protection Agency
Office of Inspector General
1200 Pennsylvania Ave, N.W. (21410T)
Washington, D.C. 20460