

From: [Randy Ammons](#)
To: larry.bailey@abilenetx.gov
Cc: [OCE](#); [Ramiro Garcia](#)
Subject: Re: Enforcement Discretion Request
Date: Wednesday, August 5, 2020 8:02:29 AM
Attachments: [TDCJ Covid-19 Email.pdf](#)

Good afternoon Mr. Bailey.

This is in response to your August 3, 2020 enforcement discretion request regarding pretreatment.

The City of Abilene is required to conduct inspections for all of its regulated SIUs at least once of each year based on the conditions of your TDPES permit. Your request for enforcement discretion in the email below indicates that the City was not able to complete the inspections during the required timeframes (January 1, 2020 to June 30, 2020) this year at the Texas Department of Criminal Justice Prisons French M. Robertson Unit and the John Middleton Unit [REDACTED]. Your request for enforcement discretion is approved.

The Texas Commission on Environmental Quality is committed to working cooperatively and reasonably with the regulated community during the COVID-19 pandemic. Please continue to keep us updated as conditions change and schedule the inspections as soon as practicable.

The TCEQ will revisit this issue at the appropriate time and reserves the right to withdraw this approval.

Regards,

Randy J. Ammons, Director
North Central and West Texas Area
Texas Commission on Environmental Quality

From: Bailey, Larry <larry.bailey@abilenetx.gov>
Sent: Monday, August 3, 2020 10:43 AM
To: OCE <OCE@tceq.texas.gov>; Ramiro Garcia <ramiro.garcia@tceq.texas.gov>
Subject: Enforcement Discretion Request

40 CFR 403.8(f)(2)(v) requires that Pretreatment Programs inspect Significant Industrial Users (SIUs) at least once per year. The City of Abilene Pretreatment Program typically conducts inspections in the second half of the pretreatment year (January 1 - June 30). For the year ending June 30, 2020 two SIUs were not inspected as required. The two SIUs were

Texas Department of Criminal Justice Prisons; the French M. Robertson Unit and the John Middleton Unit.

In communications by phone and email (copy attached) 



There is no duration for which enforcement discretion is being requested because there is no ongoing non-compliance. This enforcement discretion request regards specific inspections which did not occur within the required time frame set out by regulation.

Pretreatment inspections of these facilities will be conducted as soon as possible once pandemic issues have ceased and prison officials allow entrance.

I will be glad to answer any questions or provide any additional information that you might need.

Thank you for your consideration in this matter.

Larry L. Bailey

Industrial Waste Manager

City of Abilene, TX

Office 325-676-6042

Cell 325-669-2422

larry.bailey@abilenetx.gov



Bailey, Larry <larry.bailey@abilenetx.gov>

City of Abilene Yearly Inspection - Middleton and Robertson Unit

1 message

Michael Leveridge <Michael.Leveridge@tdcj.texas.gov>

Tue, Jun 2, 2020 at 12:32 PM

To: Jimmy Webb <Jimmy.Webb@tdcj.texas.gov>, Alonzo Hammond <Alonzo.Hammond@tdcj.texas.gov>, Billy Thompson <Billy.Thompson@tdcj.texas.gov>, John Lopez <John.Lopez@tdcj.texas.gov>, Leeroy Cano <Leeroy.Cano@tdcj.texas.gov>, Anthony Hawkey <Anthony.Hawkey@tdcj.texas.gov>, "Larry.Bailey@abilenetx.gov" <Larry.Bailey@abilenetx.gov>
Cc: Dana Burke <Dana.Burke@tdcj.texas.gov>, Joyce Drewry <Joyce.Drewry@tdcj.texas.gov>, Danna Hooper <Danna.Hooper@tdcj.texas.gov>, Anastacia Garcia <Anastacia.Garcia@tdcj.texas.gov>

Per our phone conversation this morning, I am requesting that the City of Abilene postpone the yearly environmental inspection this year due to chance of exposure to COVID 19. [REDACTED]

[REDACTED] It would be in the best interest of the city to postpone this inspection until next year. Postponing this inspection will have no impact on either facility as we are still compliant with all environmental rules and regulations.

Thank You,
Michael Leveridge
Program Supervisor IV
John Middleton Unit Maintenance
325-548-9075 ext. 4301
325-513-8819 cell