

From: [Jonathan Walling](#)
To: [REDACTED]
Cc: [Ana Mauricio](#); [Katie Birge](#); [John Betz](#); [Adam Hall](#); [OCE](#)
Subject: Scheduled TOX Compliance Testing for the Univar Conroe, Texas facility. Permit No. 139605; RN: RN100676329; and CN: CN600471346
Date: Friday, March 27, 2020 8:05:12 PM

Good evening, Mr. Lara:

The TCEQ will exercise enforcement discretion for the thermal oxidizer performance test at the Univar Conroe facility. This enforcement discretion will be in effect until April 30, 2020. The required test should be completed as soon as practicable, as conditions allow, before this date. Should an extension beyond this be needed, please re-submit your request.

Regulated entities must maintain records adequate to document activities related to any noncompliance under enforcement discretion, including details of the regulated entity's best efforts to comply.

Regards,

Jonathan Walling, Area Director
Coastal & East Texas Area
Texas Commission on Environmental Quality

From: [REDACTED] <[REDACTED]>
Date: March 27, 2020 at 5:14:23 PM CDT
To: OCE <OCE@tceq.texas.gov>
Cc: Ramiro Garcia <Ramiro.Garcia@tceq.texas.gov>, Ana Mauricio <[REDACTED]>, Katie Birge <[REDACTED]>, John Betz <[REDACTED]>, Adam Hall <[REDACTED]>, Andrew Evans <Andrew.Evans@tceq.texas.gov>, Mark Kolkmeier <Mark.Kolkmeier@tceq.texas.gov>
Subject: **Scheduled TOX Compliance Testing for the Univar Conroe, Texas facility. Permit No. 139605; RN: RN100676329; and CN: CN600471346**

Dear Sirs,

We are submitting this request for TCEQ to consider enforcement discretion for non-compliance caused by the impacts from COVID-19 for the Univar Solutions facility in Conroe, Texas.

This email is to request an extension for the Thermal Oxidizer performance test that was scheduled for the week of March 31, 2020. Due

to COVID-19, the Conroe Facility operations team has been limited to prevent exposure. Since the performance testing requires more personnel to be on site, the following implemented measures have been put in place to prevent exposure that would compromise the health and well being of employees.

- Limited essential personnel
- Social distancing of a minimum of six feet
- No contractors or visitors on site

Dependent on the development of the COVID-19 situation, Univar Solutions would like to request an extension to perform the testing the week of April 13, 2020 should conditions allow. The permit that would be potentially violated is referenced below:

Special Condition 19E

“Sampling shall occur within 60 days after achieving the maximum operating rate, but no later than 180 days after initial start-up of the facilities and at such other times requested by the TCEQ Executive Director. Requests for additional time to perform sampling shall be submitted to the appropriate regional office.”

We request for the TCEQ to consider enforcement discretion for non-compliance caused by the impacts from COVID-19 for the Univar Solutions facility in Conroe, Texas. Please consider the information and request provided and contact me with any questions that you may have or direction for further action.

Sincerely,

Vince Lara
President
[Acro Technologies, Inc.](#)

Acro Technologies, Inc.

Acro Technologies, Inc. is a environmental consulting firm that has successfully completed projects in over 10 c...