

From: [David Ramirez](#)
To: [Erika Horan](#)
Cc: [Sean Kelly](#); [Anita Keese](#); [OCE](#); [Ramiro Garcia](#)
Subject: RE: Stack Testing Extension
Date: Thursday, April 9, 2020 5:08:13 PM

Good afternoon Ms. Horan,

The TCEQ has received your request for enforcement discretion for the Toyah GTL Plant (RN110069226) owned and operated by Permian Advantage Midstream, LLC. Your request is denied in accordance with the representation in your request for:

- Initial Demonstration of Compliance through stack testing in accordance with Specific Condition 19 of the active permit (Permit No. 150327).

Stack testing was required to be conducted by November 15, 2019. Since this date precedes any documented positive cases of COVID-19 in the United States, we cannot grant enforcement discretion. However, we recognize that returning to compliance during this time may be difficult. Midland Regional Office staff will reach out to you on this matter in the future.

The TCEQ is committed to working cooperatively and reasonably with the regulated community during the COVID-19 pandemic. The decision to disapprove this request will not reflect on any future request Permian Advantage Midstream, LLC may make with respect to the subject testing as each enforcement discretion request is evaluated based on its own merits.

Regards,
David A. Ramirez, Area Director
Border and Permian Basin Area
Texas Commission on Environmental Quality

From: Erika Horan <[REDACTED]>
Sent: Wednesday, April 8, 2020 1:15 PM
To: OCE <OCE@tceq.texas.gov>; Ramiro Garcia <ramiro.garcia@tceq.texas.gov>
Cc: Sean Kelly <[REDACTED]> Bryant Murray <Bryant.Murray@tceq.texas.gov>
Subject: Stack Testing Extension

To whom it may concern,
Advantage Midstream, LLC is requesting an extension on required stack testing for their SMR unit. See attached for details. An initial request was sent to the applicable Region 7 personnel, however, due to the reason for the delay he instructed the request be sent through this route. See email chain below. If you have any questions or concerns please feel free to contact me.

Thank you,

ERIKA C. HORAN, E.I.T.

D: 832.772.3029

M: 225.317.4578



From: Bryant Murray <Bryant.Murray@tceq.texas.gov>

Sent: Wednesday, April 8, 2020 1:03 PM

To: Erika Horan <[REDACTED]>

Cc: Sean Kelly <[REDACTED]>

Subject: RE: Stack Testing Extension

Erika,

Thank you for the attached testing extension request. I discussed with my section manager, and was directed to refer you to the Office and Compliance and Enforcement discretion narrative below. Let me know if you have any further questions.

Bryant

“With the onset of COVID-19 (coronavirus) and the Governor’s Proclamation of a state of disaster in Texas, the TCEQ is aware that regulated entities may be experiencing an impact from a reduced workforce necessary to maintain normal operations at some facilities.

All regulated entities are encouraged to take all available actions necessary to ensure compliance with environmental regulations and permit requirements to protect the health and safety of Texans and the environment. However, in the instance that noncompliance is unavoidable directly due to impact from the coronavirus, an email box has been established by TCEQ to accept requests for potential enforcement discretion. Regulated entities should email both OCE@tceq.texas.gov and Ramiro.Garcia@tceq.texas.gov with specific information related to enforcement discretion requests. The OCE email box is monitored daily by multiple TCEQ staff who will ensure the requests are expeditiously addressed. The TCEQ’s goal is to provide a response to the regulated entity’s request within 24 to 48 hours.

The email should at a minimum include the following:

- *Concise statement supporting request for enforcement discretion*
- *Anticipated duration of need for enforcement discretion*
- *Citation of rule / permit provision for which enforcement discretion is requested*
- *Regulated entities must maintain records adequate to document activities related to the noncompliance under enforcement discretion, including details of the regulated entity’s best efforts to comply.*

Any questions regarding this guidance should be directed to the OCE email box and a

response will be provided.”

From: Erika Horan <[REDACTED]>
Sent: Wednesday, April 8, 2020 9:18 AM
To: Bryant Murray <Bryant.Murray@tceq.texas.gov>
Cc: R7Stack <R7Stack@tceq.texas.gov>; Sean Kelly <[REDACTED]>
Subject: Stack Testing Extension

Bryant,
See attached for an extension request for stack testing required at the Advantage Midstream, LLC Toyah GTL Plant in Reeves County, Texas. Thank you for your consideration and please let me know if you need any additional information.

Thank you,

ERIKA C. HORAN, E.I.T.

16285 Park Ten Place, Suite 400

Houston, Texas 77084

D: 832.772.3029

M: 225.317.4578

edge-es.com



April 8, 2020

Texas Commission on Environmental Quality (TCEQ)
Region 7
Bryant Murray
9900 W IH-20, Ste 100
Midland, TX 79706

RE: Stack Testing Extention
Permian Advantage Midstream, LLC (CN605448562)
Toyah GTL Plant (RN110069226)
Reeves County, Texas

Dear Bryant:

This letter is to request an extension for Permian Advantage Midstream, LLC (Advantage) stack testing in accordance with Specific Condition 19 of the active permit (Permit No. 150327) at the Toyah GTL Plant in Reeves County, Texas.

Advantage respectfully request an extension to perform the required testing on the Steam Methane Reformer Furnace (SMR) unit, EPN ST-101. The SMR unit requires stack testing be performed within 60 days after achieving the maximum operating rate, but no later than 180 days after initial start-up. The unit has never reached max operating rates and due to shutdowns of the unit and unknown operation dates, the required testing has not been able to be perform. The operating schedule is listed below.

- + Initial Startup: 5/8/19 through 5/19/19
- + 5/25/19 through 6/14/19
- + 6/27/19 through 7/8/19
- + 8/13/19 through 9/13/19
- + 10/3/19 through 10/15/19
- + 1/6/20 through 1/16/20
- + 2/18/20 through 3/21/20
- + 3/29/20 through 4/3/20

Due to COVID-19 and offices being out, there have been delays in the scheduling process and therefore another reason for this request. Please do not hesitate to contact me at [REDACTED] or (225) 317-4578 or Mr. Sean Kelly at (832) 246-2506 if you should have questions or comments.

Sincerely,
Edge Engineering and Science, LLC



Erika Horan
Project Manager