

From: [Jonathan Walling](#)
To: [REDACTED]
Cc: [OCE](#)
Subject: Air Liquide Freeport HyCO (Permit No.32274) - Enforcement Discretion
Date: Monday, March 30, 2020 4:41:54 PM

Good afternoon, Aswath:

The TCEQ will exercise enforcement discretion for the quarterly fugitive monitoring requirements specified in Special Condition 4 of Air Liquide Freeport's New Source Review Permit 32274 that were not able to be met during the first calendar quarter of 2020. These monitoring requirements must be conducted as early possible in the second calendar quarter, before June 30, 2020, as conditions allow. Should an extension beyond this date be necessary, please submit a new 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 Director
Texas Commission on Environmental Quality

From: KALAPPA, Aswath <[REDACTED]>
Sent: Monday, March 30, 2020 10:53 AM
To: OCE <OCE@tceq.texas.gov>; Ramiro Garcia <ramiro.garcia@tceq.texas.gov>
Subject: Air Liquide Freeport HyCO (Permit No.32274) - Enforcement Discretion

Dear Sir/Madam,

Air Liquide Large Industries U.S. LP owns and operates a Hydrogen and Carbon Monoxide facility located at 2398 Victoria Street, Freeport, TX 77541 in Brazoria County. The facility is operated under a New Source Review Air Permit No. 32274.

Special Condition 4 of the NSR Permit 32274 requires the facility to monitor fugitive components on a quarterly basis (28LAER). This activity has been contracted out to TEAM Industries and they have been performing the monitoring for the last several years.

The monitoring for the first quarter of 2020 has not completed yet due to issues related to COVID-19. Air Liquide has implemented several measures to protect the plant employees as well as any contractors. The contractor also has shortage of personnel due to stay home order issued by government officials. Therefore, Air Liquide would like to request enforcement discretion for the noncompliance due to not performing the quarterly fugitive monitoring.

If you have any questions or need additional information, please let me know.

Regards
Aswath Kalappa
Air Liquide
Phone: 832-236-0523