

**From:** [Cynthia Gandee](#)  
**To:** [Cummings, Anthony](#)  
**Cc:** [Jonathan Walling](#); [OCE](#); [Strathearn, Robert](#)  
**Subject:** RE: Buckeye Texas Processing TK1003 Extension Request  
**Date:** Friday, August 14, 2020 4:17:41 PM  
**Attachments:** [image001.png](#)

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Good Afternoon, Mr. Cummings:

The TCEQ has evaluated your supplemental request.

The TCEQ approves the initial extension for Tank 1003 to September 30, 2020. The additional extension to 11/14/2020 is denied. The tank shall be removed from service as soon as practicable by September 30, 2020. Should additional time be needed, please submit a new request for consideration.

Emissions must be monitored as specified in your request and in accordance with any applicable permit by rule or other authorizations for temporary control devices. This enforcement discretion is limited to the Texas Commission on Environmental Quality. It does not limit EPA's ability to enforce federal regulations.

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,

*Cynthia Gandee*

Special Assistant, Coastal and East Texas Area  
Texas Commission on Environmental Quality  
Office of Compliance and Enforcement  
512.239.0179



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**From:** Cummings, Anthony <[REDACTED]>  
**Sent:** Friday, August 14, 2020 9:23 AM  
**To:** OCE <[OCE@tceq.texas.gov](mailto:OCE@tceq.texas.gov)>  
**Cc:** Ramiro Garcia <[ramiro.garcia@tceq.texas.gov](mailto:ramiro.garcia@tceq.texas.gov)>; Strathearn, Robert <[REDACTED]>  
**Subject:** Buckeye Texas Processing TK1003 Extension Request

To Whom It May Concern,

Buckeye Texas Processing (BTP) is requesting enforcement discretion around an additional crude tank due to a seal failure. BTP has a regulated entity number of RN106620438 with a customer number of CN604275107.

**Background:**

BTP has six (6) crude tanks onsite (EPNs TK1001 – 1006). These tanks are internal floating roof tanks with a mechanical shoe and a rim-mounted secondary seals. BTP has found that four of the crude tanks had product on the roof, specifically TK1001, TK1002, and TK1006, and now TK1003. BTP is required to do ‘tank top’ secondary seal inspections annually per NSPS Kb and is required to do semi-annual checks per Special Condition 21B of New Source Review permit number 109923. However, BTP has been doing monthly checks to ensure product is not getting on the roof of these IFR tanks. In one of these monthly checks, it was found that there was some product that had gotten on the IFR of TK1003. This was not an annual or semi-annual inspection, however, it is clearly a seal failure and BTP will submit a seal failure notification accordingly and take the tank out of service for repair. As previously mentioned, BTP has had four seal failures on its crude tanks since May 1. It is currently believed that the cause of these failures involves the gauge pole sleeve. An adjustment has been made on TK1002 and it is back in service. TK1001 is currently out of service for repairs and will get a similar adjustment, as will TK1006 and TK1003.

As these are crude tanks, they are believed to have significant amounts of sludge at the bottom which will prolong the cleaning process. BTP (and Buckeye in general) have had to quarantine contractors (and operators) at various times due to potential Covid-19 exposure. This also has the potential to slow the cleaning/repair process. Taking two crude tanks out of service simultaneously would have severe commercial impacts and so Buckeye would like to propose using additional, temporary controls on the tanks such that the emission rates from the tanks is less than the permitted emission rates in order to extend the deadline to take one of the tanks out of service up to 30 days past the deadline allowed by the New Source Performance Standard (NSPS) Subpart Kb. Enforcement discretion has been previously granted for TK1006 and so enforcement discretion is only being requested for TK1003 at this time. Previous correspondence on the previous requests have been included as part of this email chain for convenience.

**Citation:**

40 CFR § 60.113b(a)(2)

**Citation Text:**

§ 60.113b(a)(2) - For Vessels equipped with a liquid-mounted or mechanical shoe primary seal, visually inspect the internal floating roof and the primary seal or the secondary seal (if one is in service) through manholes and roof hatches on the fixed roof at least once every 12 months after initial fill. If the internal floating roof is not resting on the surface of the VOL inside the storage vessel, or there is liquid accumulated on the roof, or the seal is detached, or there are holes or tears in the seal fabric, the owner or operator shall repair the items or empty and remove the storage vessel from service within 45 days. If a failure that is detected during inspections required in this paragraph cannot be repaired within 45 days and if the vessel cannot be emptied within 45 days, a

30-day extension may be requested from the Administrator in the inspection report required in § 60.115b(a)(3). Such a request for an extension must document that alternate storage capacity is unavailable and specify a schedule of actions the company will take that will assure that the control equipment will be repaired or the vessel will be emptied as soon as possible.

**Timeframe of Request:**

TK1003 - 45 day period specified in rule ends 8/29. BTP is currently requesting the 30 day extension mentioned in the citation (which would end 9/28), as well as an additional extension. This tank is currently forecasted to be out of service by 11/14/2020 and therefore BTP is requesting discretion regarding the deadline to take Tank 1003 out of service until that time. BTP is currently controlling emissions from this tank (and others as necessary – per previous requests) with a 4 MMBTU/hr vapor combustor in order to ensure that emissions from the tank are less than permitted values. BTP is open to switching control devices (to a scrubber/carbon canister setup, for example) or taking additional actions suggested by TCEQ. A vapor combustor has been chosen by BTP as the control device to use as it is believed that it is the most effective for this type of vapor control.

If you would like any additional information, please feel free to contact me at 361-461-1841 or

██████████  
Regards,  
Tony

Anthony Cummings  
Environmental Manager  
Buckeye Texas Processing  
361-461-1841

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**From:** Jonathan Walling <[jonathan.walling@tceq.texas.gov](mailto:jonathan.walling@tceq.texas.gov)>  
**Sent:** Wednesday, July 15, 2020 9:54 AM  
**To:** Cummings, Anthony <██████████>  
**Cc:** OCE <[OCE@tceq.texas.gov](mailto:OCE@tceq.texas.gov)>  
**Subject:** Buckeye Texas Processing TK1001 and TK1006 OOS Extension Request\_Supplemental

**WARNING: This email originated outside of Buckeye Partners, L.P.  
DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.  
If you have any questions please contact the Buckeye Partners service desk.**

Good morning, Mr. Cummings:

The TCEQ has evaluated your supplemental request.

The TCEQ approves the initial 30-day extension for Tank 1001 to August 14, 2020.

With respect to Tank 1006, the TCEQ approves the initial extension to August 14, 2020. Additionally, the TCEQ will further extend the time for this tank to be removed from service until September 30, 2020. This supersedes the July 7, 2020 approval which allowed until September 14, 2020. The tank shall be removed from service as soon as practicable by September 30, 2020. Should additional time be needed, please submit a new request for consideration.

Emissions must be monitored as specified in your request and in accordance with any applicable permit by rule or other authorizations for temporary control devices. This enforcement discretion is limited to the Texas Commission on Environmental Quality. It does not limit EPA's ability to enforce federal regulations.

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

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**From:** Cummings, Anthony <[REDACTED]>  
**Sent:** Monday, July 13, 2020 5:37 PM  
**To:** OCE <[OCE@tceq.texas.gov](mailto:OCE@tceq.texas.gov)>; Ramiro Garcia <[ramiro.garcia@tceq.texas.gov](mailto:ramiro.garcia@tceq.texas.gov)>  
**Cc:** Strathearn, Robert <[REDACTED]>  
**Subject:** RE: Buckeye Texas Processing TK1001 and TK1006 OOS Extension Request

To Whom It May Concern,

Buckeye Texas Processing (BTP) submitted a request for enforcement discretion for Tank 1006 on Monday July 6, which was approved Tuesday July 7. Thank you very much for the quick turnaround. A request for an initial 30 day extension, which did not require enforcement discretion, was submitted to the regional office, as similar requests had been submitted in the past. It is now BTP's understanding that both requests should have been submitted to this group, and therefore BTP is resubmitting the request, now asking for the original 30-day extension as well. Also, as things have progressed, there have been some delays on the tank cleaning beyond what was originally anticipated (and BTP is now forecasting additional potential delays as the coronavirus cases in Corpus Christi continue to increase). Therefore BTP is also requesting an additional extension for TK1006, as described below. BTP has a regulated entity number of RN106620438 with a customer number of CN604275107.

**Background:**

BTP has six (6) crude tanks onsite (EPNs TK1001 – 1006). These tanks are internal floating roof tanks with a mechanical shoe and a rim-mounted secondary seals. BTP has found that three of the crude tanks had product on the roof, specifically TK1001, TK1002, and TK1006. As these are crude tanks, they are believed to have significant amounts of sludge at the bottom which will prolong the cleaning process. BTP (and Buckeye in general) have had to quarantine contractors (and operators) at various times due to potential Covid-19 exposure. This also has the potential to slow the cleaning/repair process. Taking two crude tanks out of service simultaneously would have severe commercial impacts and so Buckeye would like to propose using additional, temporary controls on the tanks such that the emission rates from the tanks is less than the permitted emission rates in order to extend the deadline to take one of the tanks out of service up to 30 days past the deadline allowed by the New Source Performance Standard (NSPS) Subpart Kb. Currently one of the tanks (TK1002) is out of service, and it is forecasted that another tank (TK1001) will be able to be taken out of service prior to the regulatory deadline, provided the 30 day extension allowed by the rule is granted. Therefore the discretion is only being requested for TK1006 at this time.

**Citation:**

40 CFR § 60.113b(a)(2)

**Citation Text:**

§ 60.113b(a)(2) - For Vessels equipped with a liquid-mounted or mechanical shoe primary seal, visually inspect the internal floating roof and the primary seal or the secondary seal (if one is in service) through manholes and roof hatches on the fixed roof at least once every 12 months after initial fill. If the internal floating roof is not resting on the surface of the VOL inside the storage vessel, or there is liquid accumulated on the roof, or the seal is detached, or there are holes or tears in the seal fabric, the owner or operator shall repair the items or empty and remove the storage vessel from service within 45 days. If a failure that is detected during inspections required in this paragraph cannot be repaired within 45 days and if the vessel cannot be emptied within 45 days, a 30-day extension may be requested from the Administrator in the inspection report required in § 60.115b(a)(3). Such a request for an extension must document that alternate storage capacity is unavailable and specify a schedule of actions the company will take that will assure that the control equipment will be repaired or the vessel will be emptied as soon as possible.

**Timeframe of Request:**

TK1002 – Currently out of service, therefore no discretion is requested for this tank.

TK1001 – 45 day period specified in rule ends 7/15 and the 30 day extension ends 8/14. This tank is forecasted to be out of service by 8/14 and therefore no discretion is requested for this tank provided the 30-day extension is granted. However, BTP is requesting that this 30-day extension be granted by this group.

TK1006 - 45 day period specified in rule ends 7/15 and the 30 day extension ends 8/14. This tank is currently forecasted to be out of service by 10/14 and therefore BTP is requesting discretion regarding the deadline to take Tank 1006 out of service. Specifically BTP is requesting the first 30 day extension as specified in the rule, as well as an additional extension to 10/14/2020. BTP is currently controlling emissions from this tank (and TK1001) with a 4 MMBTU/hr vapor combustor in order to ensure that emissions from the tank are less than permitted values. BTP is open to switching control devices (to a scrubber/carbon canister setup, for example) or taking additional actions suggested by

TCEQ. A vapor combustor has been chosen by BTP as the control device to use as it is believed that it is the most effective for this type of vapor control.

If you would like any additional information, please feel free to contact me at 361-461-1841 or

[REDACTED]

Regards,  
Tony

Anthony Cummings  
Environmental Manager  
Buckeye Texas Processing  
361-461-1841

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**From:** Jonathan Walling <[jonathan.walling@tceq.texas.gov](mailto:jonathan.walling@tceq.texas.gov)>  
**Sent:** Tuesday, July 07, 2020 5:09 PM  
**To:** Cummings, Anthony <[REDACTED]> Strathearn, Robert <[REDACTED]>  
**Cc:** OCE <[OCE@tceq.texas.gov](mailto:OCE@tceq.texas.gov)>; Rebekah Stanush <[Rebekah.Stanush@tceq.texas.gov](mailto:Rebekah.Stanush@tceq.texas.gov)>  
**Subject:** Buckeye Texas Processing TK1001 and TK1006 OOS Extension Request

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If you have any questions please contact the Buckeye Partners service desk.**

Good afternoon, Mr. Cummings:

The TCEQ has evaluated Buckeye Texas Processing's request to extend the deadline to remove tank T1006 in Corpus Christi from service, in accordance with 40 CFR § 60.113b(a)(2). Your request is approved and enforcement discretion will be valid until September 14, 2020. The tank should be removed from service, as soon as practicable by this date. If it becomes necessary to extend this deadline due to challenges presented by COVID-19, please submit a new request for consideration.

Emissions must be monitored as specified in your request and in accordance with any applicable permit by rule or other authorizations for temporary control devices. This enforcement discretion is limited to the Texas Commission on Environmental Quality. It does not limit EPA's ability to enforce federal regulations.

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

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**From:** Cummings, Anthony <[REDACTED]>  
**Sent:** Monday, July 6, 2020 4:02 PM  
**To:** OCE <[OCE@tceq.texas.gov](mailto:OCE@tceq.texas.gov)>; Ramiro Garcia <[ramiro.garcia@tceq.texas.gov](mailto:ramiro.garcia@tceq.texas.gov)>  
**Cc:** Strathearn, Robert <[REDACTED]>  
**Subject:** Buckeye Texas Processing TK1001 and TK1006 OOS Extension Request

Mr. Garcia,

Buckeye Texas Processing (BTP) is requesting enforcement discretion around one of our crude oil tanks due to a seal failure. BTP has a regulated entity number of RN106620438 with a customer number of CN604275107.

**Background:**

BTP has six (6) crude tanks onsite (EPNs TK1001 – 1006). These tanks are internal floating roof tanks with a mechanical shoe and a rim-mounted secondary seals. BTP has found that three of the crude tanks had product on the roof, specifically TK1001, TK1002, and TK1006. As these are crude tanks, they are believed to have significant amounts of sludge at the bottom which will prolong the cleaning process. BTP (and Buckeye in general) have had to quarantine contractors (and operators) at various times due to potential Covid-19 exposure. This also has the potential to slow the cleaning/repair process. Taking two crude tanks out of service simultaneously would have severe commercial impacts and so Buckeye would like to propose using additional, temporary controls on the tanks such that the emission rates from the tanks is less than the permitted emission rates in order to extend the deadline to take one of the tanks out of service up to 30 days past the deadline allowed by the New Source Performance Standard (NSPS) Subpart Kb. Currently one of the tanks (TK1002) is out of service, and it is forecasted that another tank (TK1001) will be able to be taken out of service prior to the regulatory deadline, provided the 30 day extension allowed by the rule is granted. Therefore the discretion is only being requested for TK1006 at this time.

**Citation:**

40 CFR § 60.113b(a)(2)

**Citation Text:**

§ 60.113b(a)(2) - For Vessels equipped with a liquid-mounted or mechanical shoe primary seal, visually inspect the internal floating roof and the primary seal or the secondary seal (if one is in service) through manholes and roof hatches on the fixed roof at least once every 12 months after initial fill. If the internal floating roof is not resting on the surface of the VOL inside the storage vessel, or there is liquid accumulated on the roof, or the seal is detached, or there are holes or tears in the seal fabric, the owner or operator shall repair the items or empty and remove the storage vessel from service within 45 days. If a failure that is detected during inspections required in this

paragraph cannot be repaired within 45 days and if the vessel cannot be emptied within 45 days, a 30-day extension may be requested from the Administrator in the inspection report required in § 60.115b(a)(3). Such a request for an extension must document that alternate storage capacity is unavailable and specify a schedule of actions the company will take that will assure that the control equipment will be repaired or the vessel will be emptied as soon as possible.

**Timeframe of Request:**

TK1002 – Currently out of service, therefore no discretion is requested for this tank.

TK1001 – 45 day period specified in rule ends 7/15 and the 30 day extension ends 8/14. This tank is forecasted to be out of service by 8/14 and therefore no discretion is requested for this tank provided the 30-day extension is granted.

TK1006 - 45 day period specified in rule ends 7/15 and the 30 day extension ends 8/14. This tank is currently forecasted to be out of service by 9/14 and therefore BTP is requesting discretion regarding the deadline to take Tank 1006 out of service. Specifically BTP is requesting an extension to 9/14/2020. BTP is currently controlling emissions from this tank (and TK1001) with a 4 MMBTU/hr vapor combustor in order to ensure that emissions from the tank are less than permitted values. BTP is open to switching control devices (to a scrubber/carbon canister setup, for example) or taking additional actions suggested by TCEQ. A vapor combustor has been chosen by BTP as the control device to use as it is believed that it is the most effective for this type of vapor control.

If you would like any additional information, please feel free to contact me at 361-461-1841 or

[REDACTED]

Regards,  
Tony

Anthony Cummings  
Environmental Manager  
Buckeye Texas Processing  
361-461-1841