

From: [Susan Jablonski](#)
To: [REDACTED]
Cc: [OCE](#); [George Ortiz](#); [Michelle Harris](#); [Rosalind Stockton](#)
Subject: RE: Enforcement Discretion COVID-19 - CEMEX Balcones Cement Plant
Date: Monday, March 23, 2020 12:58:11 PM
Attachments: [image005.png](#)
[image006.png](#)
[image007.png](#)

Audrey Fulton
Environmental Manager
CEMEX
2580 Wald Road
New Braunfels, Texas 78132-4983

Re: Request for Extension of the Compliance Test and Report Due Date for: Kiln 2 & Clinker Cooler 2 PM/CPMS Compliance Stack Test, Kiln 1 & Clinker Cooler 1 PM/CPMS Compliance Stack Test, Kiln 1 Dioxin Furan Compliance Test, Method 9 Field Recertification, CEMEX, Comal County, RN:102605375

Dear Ms. Fulton:

This is in response to your request dated March 20, 2020 requesting an extension for the compliance testing and report due date of Kiln 2 & Clinker Cooler 2 PM/CPMS Compliance Stack Test, Kiln 1 & Clinker Cooler 1 PM/CPMS Compliance Stack Test, Kiln 1 Dioxin Furan Compliance Test. The TCEQ is exercising enforcement discretion on a case by case base for regulated entities that are experiencing staffing shortages due to the COVID-19 pandemic. The issues you outline in your request are issues we would consider granting enforcement discretion. Due to the limited availability of staff to perform these tests and travel restrictions, your request is approved, and this correspondence will serve as authorization for that request. A 60-day extension is granted making the new completion date, June 1, 2020.

If you or members of your staff have any questions, please feel free to contact Mr. George Ortiz at (210)403-4030.

Sincerely,

Susan Jablonski, P.E.
Area Director for Central Texas
Texas Commission on Environmental Quality
(512) 239-6731

From: Audrey R Fulton <[REDACTED]>
Sent: Friday, March 20, 2020 11:54 AM
To: OCE <OCE@tceq.texas.gov>
Cc: Ramiro Garcia <ramiro.garcia@tceq.texas.gov>; George Ortiz <George.Ortiz@tceq.texas.gov>
Subject: RE: Enforcement Discretion Questions - CEMEX Balcones Cement Plant

Thank you, George.

I'd like to request at 90-day extension on the following activities for the CEMEX Balcones Cement Plant in New Braunfels, Texas:

- Kiln 2 & Clinker Cooler 2 PM/CPMS Compliance Stack Test
40 CFR Part 63, Subpart LLL, §63.1349
- Kiln 1 & Clinker Cooler 1 PM/CPMS Compliance Stack Test
40 CFR Part 63, Subpart LLL, §63.1349
- Kiln 1 Dioxin Furan Compliance Stack Test
40 CFR Part 63, Subpart LLL, §63.1349
- Method 9 field recertification
40 CFR Part 60, Appendix A

If you have any questions or require additional information, please contact me by phone at (941)380-7488 or by email at [REDACTED]

Thanks, Audrey Fulton



Audrey Fulton

Environmental Manager - Balcones Cement Plant - United States of America

Office : (210) 250-4009 Fax: (210) 250-4144

Address: 2580 Wald Rd. New Braunfels, TX 78132-4983

e-Mail: [REDACTED]

www.cemexusa.com



From: George Ortiz <George.Ortiz@tceq.texas.gov>

Sent: Friday, March 20, 2020 10:53 AM

To: Audrey R Fulton <[REDACTED]>

Subject: Enforcement Discretion Questions

Good afternoon Audrey,

I wanted to follow up with you in regards to your question on OCE granting enforcement discretion. Please send your specific scenarios and questions to the emails below. TCEQ's goal is provide a response within 48 hours. Thanks!

The emails should at a minimum include the following:

- Concise statement supporting request for enforcement discretion.
- Anticipate duration of need for enforcement discretion.
- Citation of rule/permit provision for which enforcement discretion is requested.

Here are the email boxes to send your questions:

OCE@tceq.texas.gov

Ramiro.Garcia@tceq.texas.gov

George.Ortiz@tceq.texas.gov

Regards,

George L. Ortiz

Air Section Manager

Region 13 - San Antonio

Texas Commission on Environmental Quality

14250 Judson Road, San Antonio, TX 78233

Office: (210) 490-3096

Direct: (210) 403-4030

george.ortiz@tceq.texas.gov



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