

From: [Susan Jablonski](#)
To: [Janet M Krolczyk](#)
Cc: [OCE](#); [Daniel Escobar](#); [Ivone E Del Rio](#); [Michelle Harris](#); [Rosalind Stockton](#); [George Ortiz](#)
Subject: RE: TCEQ Enforcement Discretion Response - CEMEX Balcones Quarry, Rock Crushing Plant
Date: Monday, April 13, 2020 9:45:40 AM
Attachments: [image001.png](#)

Ms. Janet Krolczyk
Environmental Director
CEMEX
16100 Dillard Drive
Jersey Village, Texas 77040

RE: Enforcement Discretion for Extension on Visible Emissions Evaluator Recertification for 40 CFR Part 60, Appendix A. Method 9 (EPA Test Method 9)

Dear Ms. Krolczyk,

This is in response to your request dated April 3, 2020, regarding enforcement discretion for evaluator recertification for the CEMEX Balcones Quarry, Rock Crushing Plant, Air Permit No. 20618, RN102437274 due to the COVID-19 pandemic. This response also differentiates this request for the quarry operation while your previous enforcement discretion request related to operations of your cement kiln.

The TCEQ is exercising enforcement discretion on a case-by-case base for regulated entities that are experiencing impacts 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 and protection of staff, your request is approved. This correspondence will serve as authorization for that request. A 60-day extension is granted for enforcement discretion until June 13, 2020. Should an extension beyond June 13, 2020 be needed, please re-submit your request accordingly.

This discretion is limited to the Texas Commission on Environmental Quality and does not limit the U.S. Environmental Protection Agency's ability to enforce federal regulations.

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.

If you or members of CEMEX's 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: Janet M Krolczyk [REDACTED]
Sent: Friday, April 3, 2020 9:23 AM
To: OCE <OCE@tceq.texas.gov>; Susan Jablonski <susan.jablonski@tceq.texas.gov>
Cc: Ramiro Garcia <ramiro.garcia@tceq.texas.gov>; George Ortiz <George.Ortiz@tceq.texas.gov>; Daniel Escobar [REDACTED]; Ivone E Del Rio [REDACTED]
Subject: COVID-19 - TCEQ Enforcement Discretion Request

Re: CEMEX Construction Materials South, LLC
CEMEX Balcones Quarry, Rock Crushing Plant
Air Permit No. 20618
RN No. 102437274; CN 603403773

Good Morning –

Due to the COVID-19 pandemic travel restrictions, social distancing restrictions and reduced staff in the workplace, CEMEX Balcones Quarry is hereby requesting a **90-day extension to complete Visible Emissions Evaluator Recertification for 40 CFR Part 60, Appendix A. Method 9 (EPA Test Method 9)** for employees with this certification. The field observations are required by the above referenced Air Permit No. 20618, Special Conditions Numbers 5 and 6, as an alternative method for determining compliance for opacity emissions by using EPA Test Method 9.

We anticipate that the need for the enforcement discretion will be 90 days to provide time to attend a field certification session with a TCEQ approved training provider in late May or June 2020, assuming the travel restrictions will be lifted by that time.

Please advise if you require additional information or have any questions to consider granting the 90-day enforcement discretion extension.

Thank you so much.



Janet Krolczyk

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