

**From:** [David Ramirez](mailto:David.Ramirez@brownsville-pub.com)  
**To:** "[jcarrizales@brownsville-pub.com](mailto:jcarrizales@brownsville-pub.com)"  
**Cc:** [Craig Pritzlaff](mailto:Craig.Pritzlaff@brownsville-pub.com); [David Bower](mailto:David.Bower@brownsville-pub.com); [Susan Johnson](mailto:Susan.Johnson@brownsville-pub.com); [Ramiro Garcia](mailto:Ramiro.Garcia@brownsville-pub.com); [Anita Keese](mailto:Anita.Keese@brownsville-pub.com)  
**Subject:** RE: Brownsville PUB Pretreatment Program - Enforcement Discretion Request  
**Date:** Tuesday, January 26, 2021 11:16:01 AM  
**Attachments:** [image006.png](#)

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Good morning Mr. Carrizales,

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 TCEQ has evaluated your request for enforcement discretion (COVID-19 related challenges) for the Brownsville PUB Robindale Wastewater Treatment Plant, RN102180205, owned and operated by Brownsville Public Utility Board (PUB). This enforcement discretion request is for an extension of time to perform Annual Compliance Inspections of two Significant Industrial Users: Valley Regional Medical Center & Valley Baptist Medical Center. These inspections are required to be conducted by March 31, 2021 for the 2020/2021 year according to TPDES Permit WQ001397005: Contributing Industrial and Pretreatment Requirements.

This enforcement discretion is effective until May 31, 2021. The required inspections shall be completed as soon as practicable, as conditions allow, by this date. If more time is determined to be warranted due to the hospital's safety protocols, please resubmit this request. 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.

Please maintain records adequate to document activities related to any noncompliance under enforcement discretion, including details of the Brownsville PUB's efforts to comply.

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

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**From:** Carrizales, Juan R. <[JCarrizales@brownsville-pub.com](mailto:JCarrizales@brownsville-pub.com)>  
**Sent:** Thursday, January 21, 2021 3:52 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:** Erika Crespo <[Erika.Crespo@tceq.texas.gov](mailto:Erika.Crespo@tceq.texas.gov)>  
**Subject:** Brownsville PUB Pretreatment Program - Enforcement Discretion Request  
**Importance:** High

Good afternoon,

The Public Utilities Board of the City of Brownsville - Pretreatment Department, is hereby requesting TCEQ enforcement discretion in regards to the Annual Compliance inspection of our two hospitals, Valley Regional Medical Center & Valley Baptist Medical Center (Significant Industrial Users). Due to

the COVID-19 pandemic, the hospital's current safety protocols and in order to protect the health and safety of our staff, we will not be able to perform the aforementioned compliance inspections within the 2020/2021 pretreatment year. We have performed the Semi-annual and Compliance events (four) at these two facilities, and results are in compliance with permit discharge limitations. We don't foresee the need of discretion for the hospitals for the upcoming 2021/2022 pretreatment year.

Please advise if any additional action is required.

If you have any questions or comments, please call me at (956) 983-6253 or email me at [jcarrizales@brownsville-pub.com](mailto:jcarrizales@brownsville-pub.com)

Regards,

Juan R. Carrizales  
Pretreatment Manager  
Brownsville Public Utilities Board  
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Brownsville, TX 78521  
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**From:** Erika Crespo <[Erika.Crespo@tceq.texas.gov](mailto:Erika.Crespo@tceq.texas.gov)>

**Sent:** Friday, March 27, 2020 8:32 AM

**To:** Carrizales, Juan R. <[JCarrizales@brownsville-pub.com](mailto:JCarrizales@brownsville-pub.com)>

**Cc:** Lechuga, Jose <[JLechuga@brownsville-pub.com](mailto:JLechuga@brownsville-pub.com)>; Escobedo, Eusebio <[EEscobedo@brownsville-pub.com](mailto:EEscobedo@brownsville-pub.com)>; Yvonna Miramontes <[yvonna.miramontes@tceq.texas.gov](mailto:yvonna.miramontes@tceq.texas.gov)>

**Subject:** RE: Brownsville PUB Pretreatment Program - Inquiry (IU monitoring events)

Hi Juan,

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](mailto:OCE@tceq.texas.gov) and [Ramiro.Garcia@tceq.texas.gov](mailto: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.

Please let me know if you have any additional questions or concerns, and please let me know if I can be of any additional assistance. I hope that you have a wonderful rest of the week.

Kind Regards,

Erika Crespo

Pretreatment Team Leader

Wastewater Permitting Section – MC148

Water Quality Division | TCEQ

Email: [erika.crespo@tceq.texas.gov](mailto:erika.crespo@tceq.texas.gov)

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