

**From:** [Jonathan Walling](#)  
**To:** [Ana Mauricio](#)  
**Cc:** [REDACTED] [OCE](#)  
**Subject:** Scheduled TOX Compliance Testing for the Univar Conroe, Texas facility. Permit No. 139605; RN: RN100676329; and CN: CN600471346  
**Date:** Thursday, April 9, 2020 5:00:16 PM  
**Attachments:** [image001.png](#)

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Good afternoon, Ms. Mauricio:

The TCEQ will continue to exercise enforcement discretion for the thermal oxidizer performance test at the Univar Conroe facility. An extension to April 30, 2020 was granted on March 27, 2020. This approval supersedes the previous approval, which is now valid until May 30, 2020. The required test should be completed as soon as practicable, as conditions allow, before this date. Should an extension beyond this be needed, please re-submit your 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  
Texas Commission on Environmental Quality

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**From:** Ana Mauricio <[REDACTED]>  
**Sent:** Thursday, April 9, 2020 11:49 AM  
**To:** Jonathan Walling <[jonathan.walling@tceq.texas.gov](mailto:jonathan.walling@tceq.texas.gov)>  
**Cc:** OCE <[OCE@tceq.texas.gov](mailto:OCE@tceq.texas.gov)>; [REDACTED]  
**Subject:** RE: Scheduled TOX Compliance Testing for the Univar Conroe, Texas facility. Permit No. 139605; RN: RN100676329; and CN: CN600471346

Good Morning Mr. Walling

Univar Solutions is re-submitting a request for the TCEQ to consider extending the enforcement discretion an additional 30 days for the thermal oxidizer performance test at the Univar Solutions Conroe facility located at 9733 Meador Rd. Considering the COVID-19 stabilizes, Univar Solutions Conroe expects to be able to complete the thermal oxidizer performance test safely and without further exposure to personnel no later than May 30, 2020.

Thank you for your consideration and time,

**Stay safe**

**Ana Mauricio**

**Regional Regulatory Manager**  
Univar Solutions

**P:** 281-297-5820  
**M:** 346-268-3996



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**From:** Jonathan Walling <[jonathan.walling@tceq.texas.gov](mailto:jonathan.walling@tceq.texas.gov)>  
**Sent:** Friday, March 27, 2020 8:05 PM  
**To:** [REDACTED]  
**Cc:** Ana Mauricio <[REDACTED]> Katie Birge  
<[REDACTED]> John Betz <[REDACTED]> Adam Hall  
<[REDACTED]> OCE <[OCE@tceq.texas.gov](mailto:OCE@tceq.texas.gov)>  
**Subject:** Scheduled TOX Compliance Testing for the Univar Conroe, Texas facility. Permit No. 139605; RN: RN100676329; and CN: CN600471346

**CAUTION:** EXTERNAL EMAIL - Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good evening, Mr. Lara:

The TCEQ will exercise enforcement discretion for the thermal oxidizer performance test at the Univar Conroe facility. This enforcement discretion will be in effect until April 30, 2020. The required test should be completed as soon as practicable, as conditions allow, before this date. Should an extension beyond this be needed, please re-submit your 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  
Texas Commission on Environmental Quality

**From:** [REDACTED] <[REDACTED]>  
**Date:** March 27, 2020 at 5:14:23 PM CDT  
**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)>, Ana Mauricio

<[REDACTED]> Katie Birge <[REDACTED]>  
John Betz <[REDACTED]> Adam Hall  
<[REDACTED]> Andrew Evans <[Andrew.Evans@tceq.texas.gov](mailto:Andrew.Evans@tceq.texas.gov)>,  
Mark Kolkmeier <[Mark.Kolkmeier@tceq.texas.gov](mailto:Mark.Kolkmeier@tceq.texas.gov)>

**Subject: Scheduled TOX Compliance Testing for the Univar Conroe, Texas facility.  
Permit No. 139605; RN: RN100676329; and CN: CN600471346**

Dear Sirs,

We are submitting this request for TCEQ to consider enforcement discretion for non-compliance caused by the impacts from COVID-19 for the Univar Solutions facility in Conroe, Texas.

This email is to request an extension for the Thermal Oxidizer performance test that was scheduled for the week of March 31, 2020. Due to COVID-19, the Conroe Facility operations team has been limited to prevent exposure. Since the performance testing requires more personnel to be on site, the following implemented measures have been put in place to prevent exposure that would compromise the health and well being of employees.

- Limited essential personnel
- Social distancing of a minimum of six feet
- No contractors or visitors on site

Dependent on the development of the COVID-19 situation, Univar Solutions would like to request an extension to perform the testing the week of April 13, 2020 should conditions allow. The permit that would be potentially violated is referenced below:

### **Special Condition 19E**

“Sampling shall occur within 60 days after achieving the maximum operating rate, but no later than 180 days after initial start-up of the facilities and at such other times requested by the TCEQ Executive Director. Requests for additional time to perform sampling shall be submitted to the appropriate regional office.”

We request for the TCEQ to consider enforcement discretion for non-compliance caused by the impacts from COVID-19 for the Univar Solutions facility in Conroe, Texas. Please consider the information and request provided and contact me with any questions that you may have or direction for further action.

Sincerely,

Vince Lara  
President  
[Acro Technologies, Inc.](#)

**Acro Technologies, Inc.**

Acro Technologies, Inc. is a environmental consulting firm that has successfully completed projects in over 10 c...