

From: [Jonathan Walling](#)
To: [REDACTED]
Cc: [Randy Robichaux](#); [OCE](#)
Subject: Denbury Request for Enforcement Discretion - Thompson Stack Testing
Date: Thursday, April 2, 2020 2:10:10 PM
Attachments: [Denbury Request for Enforcement Discretion - Thompson Stack Testing.pdf](#)

Good afternoon, Mr. Hendricks:

Your request for enforcement discretion, as presented, relating to performance testing requirements in 40 CFR Part 60 Subpart JJJ, §60.4243(b) and §60.8(d) and permit 70578 at Denbury's Thompson Compressor Station in Fort Bend County is approved with the following qualifications:

- Enforcement Discretion is limited to the Texas Commission on Environmental Quality. It does not limit EPA's ability enforce federal regulations;
- This enforcement discretion will be in effect until June 30, 2020. The required tests should be conducted as soon as practicable before this date, as conditions allow. Should an extension beyond this be needed, please re-submit your request; and
- 30 TAC 70.7 and 40 CFR 60.8 relating to Force Majeure are not being evaluated as part of this enforcement discretion approval.

Regards,

Jonathan Walling, Area Director
Coastal & East Texas Area
Texas Commission on Environmental Quality

From: Kevin Hendricks <[REDACTED]>
Sent: Wednesday, April 1, 2020 11:02 AM
To: OCE <OCE@tceq.texas.gov>; Ramiro Garcia <ramiro.garcia@tceq.texas.gov>
Cc: Randy Robichaux <[REDACTED]>
Subject: Denbury Request for Enforcement Discretion - Thompson Stack Testing

Mr. Garcia,

A request for enforcement discretion associated with the onset of COVID-19 (coronavirus) and the Governor's Proclamation of a state of disaster in Texas is attached.

A similar request was submitted to the TCEQ on March 16, 2020. This was prior to the release of the TCEQ email titled "*COVID19 Regulatory Relief Requests - Please Read on Behalf of the Office of Compliance and Enforcement*" dated March 19, 2020, which gave operators specific instruction regarding these types of requests. The stack testing regulations have very specific language and established procedure for submitting Force Majeure notifications. Nonetheless, Denbury felt it is prudent to duplicate this request through this notification process as well.

During this period Denbury is requesting enforcement discretion, the facility will still maintain records adequate to document activities related to this request.

Thank you,

Kevin Hendricks, Environmental Engineering Technical Lead

Denbury Resources, Inc., 5320 Legacy Drive, Plano, Texas 75024

O: 972-673-2529, M: 214-790-2084, [REDACTED]



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April 1, 2020

TCEQ Houston Region 12
 Attn: Air Section Stack Testing Team
 5425 Polk Avenue, Suite H
 Houston, TX 77023-1452

**RE: 40 CFR Part 60 Subpart JJJJ - Performance Testing - §60.4243(b), §60.8(d)
 Request for Enforcement Discretion due to COVID-19
 Thompson Compressor Station 1 – RN100227560
 Permit Number 70578
 Denbury Onshore, LLC – CN602946782**

Denbury Onshore, LLC (Denbury) respectfully submits this request for enforcement discretion regarding Performance Testing for the referenced Regulated Entity (RN). Denbury operates the below-referenced engines in Fort Bend County. 40 CFR Part 60 Subpart JJJJ (JJJJ) is applicable to the non-emergency, non-certified engines. Denbury previously notified Texas Commission on Environmental Quality (TCEQ) and planned to perform the required emissions testing on March 23-27, 2020 in order to conduct the testing in accordance with the 60-day deadline established in JJJJ.

Due to the current pandemic involving COVID-19 (coronavirus), in accordance with infectious disease control guidelines, Denbury has implemented a policy to minimize field work and personnel contact as an attempt to prevent potential spread of this disease through social distancing. This Denbury work protection policy will not allow Denbury to complete the referenced performance testing prior to the 60-day deadline required by JJJJ.

Denbury is only requesting enforcement discretion from the performance testing requirements in 40 CFR 60 Subpart JJJJ found in 60.4243(b). Denbury will continue to follow the appropriate control requirements and operate the engines in accordance with JJJJ.

Denbury would like to postpone the referenced performance until after June 30, 2020 and (1) either begin scheduling to conduct the test this summer based on contractor availability or (2) revisit this matter with the TCEQ if the COVID-19 risk is still prevalent at that time.

It should also be noted that his correspondence serves as notification that Denbury is claiming Force Majeure, as allowed under 30 TAC 70.7 and 40 CFR 60.8, for the delayed testing. This noncompliance will not cause danger to human health or safety, or the environment.

Owner/Operator Name and Address	Denbury Onshore, LLC 5320 Legacy Drive, Plano, TX 75024
Address of Affected Sources	4311 Oilfield Road, Thompsons, Fort Bend County, TX 77481

Engine EPN:	16-13-ICE-ES	17-13-ICE-ES	18-13-ICE-ES
Engine Unit No.	COMP8	COMP9	COMP10
Engine Make/Model	Waukesha 7042GSI	Waukesha 7042GSI	Waukesha 7042GSI
Permitted Horsepower (HP)	1,478	1,478	1,478
Engine Family	4SRB	4SRB	4SRB
Serial Number	2756780	316401	C93492Y1
Date of Manufacture	10/20/12	03/2018	08/2019
Date of Engine Swing	12/14/2012	01/25/2020	01/23/2020
Emission Control Equipment	NSCR 3-way catalyst	NSCR 3-way catalyst	NSCR 3-way catalyst
Rescheduled Engine Test Dates	TBD	TBD	TBD



Engine EPN:	9-13-ICE-ES
Engine Unit No.	COMP11
Engine Make/Model	Waukesha 7042GSI
Permitted Horsepower (HP)	1,478
Engine Family	4SRB
Serial Number	C1619711
Date of Manufacture	06/2019
Date of Engine Swing	01/30/2020
Emission Control Equipment	NSCR 3-way catalyst
Engine Test Dates	TBD

If you have any questions regarding this submittal, please contact me at 972-673-2529 or email me at [REDACTED]

Sincerely,

A handwritten signature in blue ink, appearing to read "Kevin Hendricks".

Kevin Hendricks
Environmental Engineering Technical Lead
Denbury Onshore, LLC

Enclosures