

From: Fields, Jon
To: OCE
Cc: Ramiro Garcia; Fields, Jon
Subject: RE: Enforcement Discretion Request LDAR Requirements Enterprise Products Operating LLC (CN603211277/RN100210665)
Date: Thursday, March 26, 2020 1:34:24 PM
Attachments: Harris County 03-24-20-Stay-Home-Work-Safe-Order-by-the-County-Judge.pdf
Morgan's Point Applicable LDAR rules.pdf

Mr. Garcia,

Enterprise Products Operating LLC, and its affiliates (collectively, "Enterprise") are requesting enforcement discretion for skipped LDAR monitoring activities at our Morgan's Point Complex, as follows:

- Actions for which enforcement discretion is requested: Enterprise will not be able to conduct the required LDAR monitoring by Method 21 on fugitive components throughout the facilities listed in the attached table. A preliminary list of regulatory citations for which enforcement discretion is requested is in the attached table; all citations relate to periodic Method 21 monitoring of fugitive components.
- Anticipated duration of need for enforcement discretion: Enterprise is requesting that enforcement discretion be exercised for missed Method 21 monitoring activities beginning upon TCEQ approval of this request and continuing through June 30, 2020.
- Basis for requesting enforcement discretion: Enterprise intends to prevent its LDAR contractors from coming on site for the time period subject to this request as part of our effort to assure continued reliable operation of our facilities during the COVID-19/Coronavirus pandemic.
 - Temporary exclusion of the approximately 3-4 LDAR contractor staff at issue is an essential component in assuring that Enterprise's mission-critical personnel are healthy and available in sufficient numbers to continue to operate the facilities. In addition to temporarily excluding LDAR contractors, Enterprise is also taking other measures such as excluding other contractors and visitors when possible, placing our employees on alternating shifts, directing some employees to work from home, prohibiting substantially all business travel for our employees, and enforcing mandatory 14-day quarantines when employees appear ill or return from travel.
 - Ensuring the health and availability of our mission-critical employees at these facilities, even at the cost of deferred LDAR monitoring tasks, is appropriate because the facilities are critical infrastructure in assuring the reliable delivery of energy and related products to the public.
 - Enterprise's efforts to limit personnel exposure are similar in spirit to the local jurisdiction's (Harris County) March 24, 2020 "Stay Home, Work Safe" executive order prohibiting most social gatherings and taking other exposure-limiting measures in light of the declared state of disaster in the jurisdiction (attached).

Efforts to mitigate environmental impacts: We believe that missed monitoring for a short period of time will have little or no environmental impact. In the meantime, leaks will be monitored by plant operators conducting audio/visual/olfactory inspections when possible under limited staffing, and any leaks noted will be addressed in accordance with the applicable LDAR programs. When it appears safe to allow LDAR contractors and other visitors back on site, Enterprise will promptly resume regular method 21 monitoring.

If you have questions, please contact me at my contact address below. Enterprise is not stipulating that our planned conduct would violate the law, and we reserve our right to assert in the future that deferred LDAR monitoring is either legally compliant or excused or mitigated by an Act of God, necessity, or other defense or justification.

Thank you,

Jon E. Fields | Director, Field Environmental
Enterprise Products | 1100 Louisiana St., Houston, Tx 77002-5227

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Morgan's Point Applicable LDAR rules				
Operator Name Enterprise Products Operating LLC Morgan's Point Complex CN603211277 RN100210665	Federal Requirements		40 CFR 60 Subpart VV	40 CFR 60.480-485
			40 CFR 63 Subpart EEEE	40 CFR 63.2346 (c)
	State Requirements		30 TAC 115 Subchapter D	30 TAC 115.354-355
	Permits	NSR Permit	NSR Special Conditions	
		20289	SC13, SC14, SC15	
Permit By Rule	Registration No.	LDAR Conditions		
	152673	28LAER		