

From: [Susan Jablonski](#)
To: [Brian Shpakoff](#)
Cc: [OCE](#); [Ramiro Garcia](#); [Nicholas Fitzmorris](#); [Cary Cannon](#); [Michelle Harris](#); [Joel Anderson](#); [George Ortiz](#)
Subject: RE: Enforcement Discretion Response - EXCO Operating Company, LP
Date: Friday, May 1, 2020 2:10:07 PM

Mr. Brian Shpakoff
EXCO Operating Company, LP
12377 Merit Drive, Suite #1700
Dallas, Texas 75251

RE: 60-Day Extension on 40 CFR Part 60 Subpart OOOOa (semi-annual LDAR) for the following Sites: KM-Miller Pad A RN108836214, KM-Miller Pad B RN108836222, KM South B Pad RN106894363, Guy Bob FRO A Pad RN108066531, Guy Bob FRO B Pad RN110291127, Buy Bob FRO C Pad RN110471695, Calvert Ranch B Pad RN107898181, Calvert Ranch Central Facility RN106900756, Calvert Ranch D Pad RN107898199, Boll-Calvert Unit Pad RN110276649, Boll FRO B 2H RN110276631, Boll FRO A Pad RN110742087, Winterbotham K Pad RN108947342, and Winterbotham P Pad RN110849056

Dear Mr. Shpakoff,

This is in response to your enforcement discretion request to the Texas Commission on Environmental Quality (TCEQ) dated April 30, 2020. You have requested an extension for LDAR requirements until July 2020 for the above sites.

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 impacts 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 July 1, 2020. Should an extension beyond July 1, 2020 be needed, please re-submit your request accordingly.

This discretion is limited to the TCEQ 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 EXCO 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: Ramiro Garcia <ramiro.garcia@tceq.texas.gov>

Sent: Thursday, April 30, 2020 11:18 AM

To: Nicholas Fitzmorris <[REDACTED]> OCE <OCE@tceq.texas.gov>

Cc: Cary Cannon <[REDACTED]> Brian Shpakoff

<[REDACTED]> Tracy Miller <tracy.miller@tceq.texas.gov>; Susan Johnson <susan.johnson@tceq.texas.gov>; Jayme Sadlier <jayme.sadlier@tceq.texas.gov>; Monica Aplin <Monica.Aplin@tceq.texas.gov>; Jacqueline Cullather <Jacqueline.Cullather@tceq.texas.gov>; Susan Jablonski <susan.jablonski@tceq.texas.gov>; Michelle Harris <michelle.harris@tceq.texas.gov>

Subject: RE: Request for environmental discretion

Good morning Mr. Fitzmorris,

This email confirms receipt of your correspondence. We are reviewing your request and expect to have a response soon.

Best regards,

Ramiro Garcia, Jr.

Deputy

Office of Compliance & Enforcement

TCEQ

From: Nicholas Fitzmorris <[REDACTED]>

Sent: Thursday, April 30, 2020 10:36 AM

To: OCE <OCE@tceq.texas.gov>; Ramiro Garcia <ramiro.garcia@tceq.texas.gov>

Cc: Cary Cannon <[REDACTED]> Brian Shpakoff

<[REDACTED]>

Subject: Request for environmental discretion

Please see attached request for environmental discretion for EXCO Operating Company, LP.

Thanks,

Nicholas Fitzmorris, P.E.

Air Compliance Manager

117 Park Center St

Broussard, LA 70518

(337)-839-1075 – ext 223

(337)-839-1072 – Fax

[REDACTED]



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April 30, 2020

Texas Commission on Environmental Quality
Office of Compliance & Enforcement
Mail Code 172
12100 Park 35 Circle
Building F, First Floor
Austin, TX 78753

**RE: 40 CFR Part 60 Subpart OOOOa
Request for Enforcement Discretion due to COVID-19
EXCO Operating Company, LP – CN605250463**

EXCO Operating Company, LP (EXCO) respectfully submits this request for enforcement discretion regarding LDAR monitoring at the facilities referenced below. EXCO operates these facilities within the Eagle Ford Shale which are subject to the Leak Detection and Repair (LDAR) requirements of 40 CFR 60 Subpart OOOOa for wellsites and follow the appropriate semiannual monitoring schedule as mandated by this regulation. While due in May 2020, EXCO would like to request authorization for the delay of semiannual LDAR monitoring until July 2020.

Facility Name	Regulated Entity (RN)
KM-Miller Pad A	RN108836214
KM-Miller Pad B	RN108836222
KM South B Pad	RN106894363
Guy Bob FRO A Pad	RN108066531
Guy Bob FRO B Pad	RN110291127
Buy Bob FRO C Pad	RN110471695
Calvert Ranch B Pad	RN107898181
Calvert Ranch Central Facility	RN106900756
Calvert Ranch D Pad	RN107898199
Boll-Calvert Unit Pad	RN110276649
Boll FRO B 2H	RN110276631
Boll FRO A Pad	RN110742087
Winterbotham K Pad	RN108947342
Winterbotham P Pad	RN110849056

Office of Compliance & Enforcement
April 30, 2020
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Due to the current pandemic involving COVID-19 (coronavirus), in accordance with infectious disease control guidelines, EXCO has implemented a policy to minimize field work and personnel contact in an attempt to prevent potential spread of this disease through social distancing. This EXCO work protection policy will not allow EXCO to complete the referenced semiannual LDAR monitoring until the risks associated with the current pandemic have been reduced.

If any other information is required regarding these matters, please do not hesitate to contact me at (337) 839-1075. All written correspondence should be directed to **EXCO Operating Company, LP, 12377 Merit Drive, Suite #1700, Dallas, TX 75251, Attn: Brian Shpakoff**. Thank you in advance for your assistance with this matter.

Sincerely,
HLP ENGINEERING, INC.

A handwritten signature in black ink, appearing to read "Nicholas Fitzmorris", with a stylized flourish extending to the right.

Nicholas Fitzmorris, P.E.