

From: [Jonathan Walling](#)
To: [REDACTED]
Cc: [OCE](#)
Subject: Request for Extension of Enforcement Discretion- ExxonMobil Beaumont Facilities_2
Date: Friday, July 3, 2020 9:08:43 AM
Attachments: [BMCX OGI Enf Disc Extension Request 7.2.20.pdf](#)

Good morning, Mr. Tomlinson:

The TCEQ has evaluated your request for extending enforcement discretion at ExxonMobil Corporation's Beaumont facilities, consisting of ExxonMobil Beaumont Refinery, ExxonMobil Beaumont Chemical Plant and ExxonMobil Beaumont Polyethylene Plant. Specifically, the request is to extend use of an optical gas imaging camera(s), as an alternate work practice to Method 21 LDAR monitoring required by 40 CFR §60.18(i), 30 TAC §115.358(g), New Source Review Permit numbers 49138, 83702, 6860 and 8758 and Title V Permit numbers 02000, 02292, 01243, 02277 and 115295.

Given the continuing challenges presented by the COVID-19 pandemic, your request is conditionally approved and will be valid until September 30, 2020. Should conditions change surrounding the COVID-19 challenges at these facilities, you will be required to notify the TCEQ. Depending on the circumstances, the TCEQ reserves the right to end-date this enforcement discretion prior to September 30, 2020, with a request to return to Method 21 monitoring activities. If COVID-19 conditions persist as they exist as of the date of this conditional approval, the enforcement discretion will remain in effect.

Should an additional extension beyond this be needed, please submit a new request for consideration.

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.

This enforcement discretion is limited to the Texas Commission on Environmental Quality. It does not limit EPA's ability to enforce federal regulations.

Regards,

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

From: Tomlinson, Byron K <[REDACTED]>
Sent: Thursday, July 2, 2020 3:10 PM
To: OCE <OCE@tceq.texas.gov>; Ramiro Garcia <ramiro.garcia@tceq.texas.gov>
Cc: Jonathan Walling <jonathan.walling@tceq.texas.gov>
Subject: Request for Extension of Enforcement Discretion

Mr. Ramiro Garcia,

Please see the attached letter requesting an Extension of the Enforcement Discretion Approval for the use of Optical Gas Imaging (OGI) to fulfill third quarter 2020 fugitive emissions monitoring requirements, due to impacts from the Coronavirus.

If you have any questions regarding this electronic submittal, please contact Stephen Codoluto at (409) 240-3279 or Beaumont.env.admin@exxonmobil.com.

Regards,

Byron K. Tomlinson

Environmental Field Services Section Supervisor

ExxonMobil Beaumont Complex

1795 Burt Street

Beaumont, TX 77701

Office: 409-240-3536, BOB: 3425

Cell: 409-651-8542

Fax: 409-757-6259

Email: [REDACTED]





July 2, 2020

Ramiro Garcia Jr.
Deputy Director, MC 172
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, Texas 78711-3087
Electronic Submittal to: OCE@tceq.texas.gov and Ramiro.Garcia@tceq.texas.gov

Re: Request for Extension of Enforcement Discretion Approval for LDAR Monitoring and Recordkeeping Obligations and Planned Substitute as a Result of COVID-19 for ExxonMobil Beaumont Facilities

On behalf of ExxonMobil Oil Corporation's Beaumont Facilities identified below, enclosed is a request for an extension of the Enforcement Discretion Approval received from the TCEQ on Friday, April 24, 2020. The Enforcement Discretion allowed the use of Optical Gas Imaging (OGI) to complete second quarter LDAR monitoring, as proposed in the request dated April 24, 2020 as a result of the global pandemic outbreak of Coronavirus Disease 2019 ("COVID-19"). The COVID-19 event continues to impact the ability of the following ExxonMobil facilities to comply with various provisions of state and federal air regulations, collectively referred to as the ExxonMobil "Beaumont Facilities":

ExxonMobil Beaumont Refinery (BMRF), RN No. 102450756
ExxonMobil Beaumont Chemical Plant (BMCP), RN No. 100542844
ExxonMobil Beaumont Polyethylene Plant (BPEP), RN No. 100211903

The actions taken by the Beaumont Facilities to date in response to COVID-19 have been reasonable and prudent while balancing regulatory obligations and the health of our employees and contractors. These actions have included proactively reinforcing social distancing (including reducing the number of non-essential employees working at the respective sites), limiting exposure of essential personnel to outside persons, implementing face masks protective policies, and implementing the use of virtual meetings.

Personnel were additionally asked to self-monitor for symptoms, including taking temperature twice daily, and to self-quarantine if the employee or contractor had symptoms of COVID-19, has come in contact with a person with COVID-19, or has recently travelled to an area with sustained COVID-19 transmission.

Through the month of June, the Beaumont Facilities increased the number of LDAR Monitoring Technicians on site in an effort to complete the second quarter LDAR monitoring and in alignment with Texas' return to normal plans and reopening of businesses. The second quarter monitoring was successfully completed by June 30, 2020. However, with the increase of onsite staff size in

July 2, 2020

Request for Extension of Enforcement Discretion Approval for LDAR Monitoring and Recordkeeping Obligations and Planned Substitute as a Result of COVID-19 for ExxonMobil Beaumont Facilities

June, two LDAR Technicians have since tested positive for COVID-19, and two additional technicians were quarantined as potential COVID-19 contacts. A fifth LDAR Technician has subsequently called in sick and has been tested for COVID-19 (results pending).

Southeast Texas is currently experiencing an exponential increase of COVID-19 cases. In addition to the number of LDAR Technicians with positive COVID-19 test results and those quarantined, the number of current ExxonMobil employees and contractors at the Beaumont Facilities that are confirmed or presumed to have COVID-19 has also recently experienced a significant increase. Due to what all federal and state agencies acknowledge to be a continuously evolving and unknown progression of the disease in the public, the Beaumont Facilities respectfully requests an Extension of the Enforcement Discretion Approval for the LDAR monitoring, notification and recordkeeping impacts arising from the disease beyond the control of ExxonMobil, despite the exercise of due diligence and all reasonable steps to avoid or minimize delays or impediments to performance. Currently, the Beaumont Facilities are operational; however, the sites are continuing to manage abnormal operations and several vulnerabilities as a result of COVID-19. ExxonMobil's alternative plan minimizes vulnerable personnel interaction during the pandemic while employing an environmentally protective technical alternative.

Schedule for Mitigating the Delay or Impediments to Performance – Duration of Request

ExxonMobil currently anticipates the Beaumont Facilities will be able to resume normal staffing of its facility and return to normal work arrangements **beginning no later than September 30, 2020**. However, due to the uncertainty associated with the continuously evolving developments of COVID-19, the actual length of time where delays or impediments are felt may be different than anticipated. While following recommendations for the Centers for Disease Control and the Occupational Safety and Health Administration, and monitoring the community and greater effects of COVID-19, ExxonMobil will make all efforts to protect the health of its employees to maintain safe operation, and to return to normal operations as soon as practical. Updates to the exact timing of resuming normal operations related to LDAR Monitoring will be included in a follow-up to this letter.

Sincerely,



David Gorsich
Beaumont Complex SSHE Manager