

From: [Jonathan Walling](#)
To: [REDACTED]
Cc: [Hutcherson, John](#); [OCE](#)
Subject: COVID-19 Request for Enforcement Discretion - Flint Hills Houston Chemical
Date: Wednesday, April 1, 2020 5:30:21 PM

Good afternoon, Mr. Knowles:

Your enforcement discretion request for Flint Hills Resources Houston Chemical is approved as follows:

- Reports and documents, as specified in your request, may be submitted electronically or in hard copy form. STEERS reports will continue to be submitted electronically;
- Texas Audit Privilege Acts documents may be sent to ENFAUDIT@tceq.texas.gov. The TCEQ Enforcement Division will follow-up with any additional requirements;
- DocuSign may be used for electronic signatures; and
- Only specific enforcement discretion requests should be sent to oce@tceq.texas.gov. Specific email boxes are being established for each TCEQ regional office. Documents for the TCEQ Houston Region office shall be sent to TCEQR12AIR@tceq.texas.gov, TCEQR12WATER@tceq.texas.gov and TCEQR12WASTE@tceq.texas.gov, respectively.

The TCEQ will revisit this issue at the appropriate time. This enforcement discretion is only applicable for a yet to be determined time period, as it relates to COVID-19. The TCEQ remains committed to working with our regulated community on a case by case basis and reserves the right to withdraw this approval.

Regards,

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

From: Knowles, Daren <[REDACTED]>
Sent: Wednesday, April 1, 2020 12:09 PM
To: OCE <OCE@tceq.texas.gov>
Cc: Ramiro Garcia <ramiro.garcia@tceq.texas.gov>; Seager.Cheryl@epa.gov; Nicole Bealle <Nicole.Bealle@tceq.texas.gov>; Hutcherson, John <[REDACTED]>
Subject: COVID-19 Request for Enforcement Discretion

Flint Hills Resources Houston Chemical, LLC (TCEQ RN102576063) ("FHR") is requesting enforcement discretion due to the impact from COVID-19 (coronavirus) on FHR and/or third-party resources. FHR has implemented a reduced onsite workforce plan necessary to prevent the spread of COVID-19 in the workplace, to protect the health of our employees and third-party resources, and to ensure the continuity of our operations. Summarized below are the details of the request:

- Due to teleworking implemented at the Houston site, FHR is requesting the ability to submit electronically via email any notifications and/or reports required to be submitted via mail or courier in hard copy form. (Reports submitted electronically, i.e., via STEERS, will continue to be submitted electronically.) This request covers reports or notifications under the various environmental permits and/or regulations applicable at the site, including but not limited to:
 - Title V permits: O-1251;

- NSR permits: 18999;
 - RCRA permit: HW30463;
 - CWA permits: WQ000039300, TXR05DA04;
 - Delegated Federal Environmental Regulations:
 - 40 CFR 60 Subparts A., Db, Kb, KKKK, VV, VVa, NNN, and RRR;
 - 40 CFR 61 Subparts A, F, V, and FF;
 - 40 CFR 63 A, SS and VVVVVV;
 - 40 CFR Parts 260 – 279;
 - State Environmental Regulations; and
 - Texas Audit Privilege Act.
- FHR also requests to utilize, if necessary, DocuSign® for electronic signatures on any or all electronic submittals.
 - FHR anticipates this relief to continue to be necessary during the pendency of telework recommendations by local, state and federal authorities, including but not limited to, the City of Houston, Harris County, the State of Texas and the CDC.
 - FHR will submit PDF versions of the report and/or notification via email to the Region 12 appropriate media team email (TCEOR12AIR@tceq.texas.gov, TCEOR12WATER@tceq.texas.gov and TCEOR12WASTE@tceq.texas.gov); to the appropriate TCEQ staff contact, if known; and to EPA Region 6, where copies to EPA are also required.
- FHR will maintain adequate records to document activities related to this instance of noncompliance, including details of FHR's efforts to comply.
- If you have any questions or need additional information to approve this request, please contact me via email above or via cell phone at (361) 944-7334.

Regards,
 Daren Knowles
 Environmental Director
 Flint Hills Resources Houston Chemical, LLC