

**From:** [Jonathan Walling](#)  
**To:** [REDACTED]  
**Cc:** [OCE](#)  
**Subject:** The Goodyear Tire & Rubber Co. Regulatory Relief Request  
**Date:** Friday, April 24, 2020 7:10:35 AM  
**Attachments:** [Goodyear Enforcement Discretion Regulatory Relief COV-19 .pdf](#)  
[EXT Automatic reply The Goodyear Tire Rubber Co. Regulatory Relief Request.msg](#)

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Good morning, Mr. Smith:

The TCEQ will exercise enforcement discretion for Goodyear Tire & Rubber Company- Beaumont Chemical Plant to postpone groundwater well monitoring and sampling, as required by 30 TAC §350.33 and Section XI.F.3 of Hazardous Waste Permit No. 50379. This enforcement discretion is valid until May 31, 2020. The monitoring and sampling shall be conducted and as soon as practicable before this date, as conditions allow. Should an extension beyond this date be needed, please submit a new request to extend this date.

Regulated entities must maintain records adequate to document activities related to any noncompliance under enforcement discretion, including details of the regulated entity's best efforts to comply.

Regards,

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

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**From:** Brian Smith <[REDACTED]>  
**Sent:** Thursday, April 23, 2020 2:09 PM  
**To:** Ramiro Garcia <[ramiro.garcia@tceq.texas.gov](mailto:ramiro.garcia@tceq.texas.gov)>  
**Subject:** RE: The Goodyear Tire & Rubber Co. Regulatory Relief Request

I'm sorry Ramiro. I misspelled your name in the original email. Please see attached letter.

Thank you and stay safe.

*Brian Smith*

**Environmental Manager**  
**The Goodyear Tire & Rubber Company**  
**Beaumont, Texas**  
**Office: 409-794-5313**  
**Email:** [REDACTED]

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**From:** Brian Smith

**Sent:** Thursday, April 23, 2020 2:04 PM

**To:** [OCE@TCEQ.Texas.gov](mailto:OCE@TCEQ.Texas.gov); [Ramio.Garcia@TCEQ.Texas.gov](mailto:Ramio.Garcia@TCEQ.Texas.gov)

**Cc:** David Seifert <[REDACTED]> Michael Lockwood

<[REDACTED]> Charlie Mingo <[REDACTED]>

**Subject:** The Goodyear Tire & Rubber Co. Regulatory Relief Request

Dear Mr. Garcia.

Attached is a letter from The Goodyear Tire & Rubber Company (Goodyear), Beaumont Chemical Plant, Beaumont, Texas requesting temporary relief from certain provisions of statutes, rules, orders and permits (specifically Rule Citation: 30 TAC Chapter 350, Section 350.33) to minimize risk of exposure and otherwise respond to COVID-19 without sacrificing the protection of human health and the environment. Attached with this request is a letter from GHD, Goodyear's Beaumont Chemical Plants groundwater monitoring contractor, expressing their concern for the health and safety of GHD's and Goodyear's personnel regarding the COVID-19 pandemic. GHD has requested the groundwater monitoring events, scheduled for April 2020, be postponed until it is safe for all personnel.

If you have any questions regarding GHD's request or Goodyear's request for Regulatory Relief, please feel free to contact me via email or telephone.

Kind regards.

*Brian Smith*

**Environmental Manager**

**The Goodyear Tire & Rubber Company**

**Beaumont, Texas**

**Office: 409-794-5313**

**Email:** [REDACTED]

# The Goodyear Tire & Rubber Company

## Beaumont Chemical Plant

VIA EMAIL TO [OCE@TCEQ.TEXAS.GOV](mailto:OCE@TCEQ.TEXAS.GOV) AND [Ramiro.Garcia@TCEQ.TEXAS.GOV](mailto:Ramiro.Garcia@TCEQ.TEXAS.GOV)

CERTIFIED U.S. MAIL: 9489 0090 0027 6213 6543 62

April 23, 2020

Mr. Ramiro Garcia  
Deputy Director  
Texas Commission on Environmental Quality  
12100 Park 35 Circle  
Austin, Texas 78753

**Re: The Goodyear Tire & Rubber Company, Beaumont Chemical Plant  
Novel Coronavirus (COVID-19) Response and Regulatory Relief for  
April 2020 Groundwater Well Monitoring and Sampling Events**

On behalf of The Goodyear Tire & Rubber Company (Goodyear) and pursuant to Governor Greg Abbott's March 13, 2020 declaration of a State of Disaster as part of the State's efforts to respond to the novel coronavirus (COVID-19), this letter requests temporary relief from certain provisions of statutes, rules, orders and permits in an effort to minimize risk of exposure and otherwise respond to COVID-19 without sacrificing the protection of human health and the environment.

Goodyear is committed to safe and environmentally responsible operation of its operating sites. To protect both its employees, site contractors, and the general public, Goodyear is seeking to temporarily limit certain on-site activities by personnel as part of its larger COVID-19 response. In order to achieve this goal, some periodic sampling, testing, recordkeeping and reporting activities can and should safely and responsibly be deferred during the present phase of the response, to be conducted or resumed as soon as conditions are appropriate in the response.

Set forth below an activity identified by Goodyear to date for which Goodyear is seeking necessary relief to enable its response to COVID-19 at its Beaumont Chemical Plant operating site:

### **April 2020 Groundwater Well Monitoring and Sampling Event**

**Rule Citation: TAC Title 30 Chapter 350 Section 350.33**

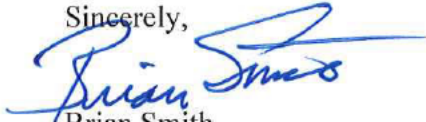
**Hazardous Waste Permits (No. 50379):** Section XI.F.3. details the "Sampling and Analysis Frequencies and Parameters"

Key to the request is the recognition that many employees and consultants, specifically GHD the consultant performing the groundwater well monitoring is staffed out of Lake Charles, Louisiana. Governor Greg Abbot on March 29<sup>th</sup> issued a 14-day quarantine for travelers crossing Louisiana-

Texas border. As GHD attached letter implies, field staff travel activities for these events included hotel stays for multiple nights, as well as visits to restaurants in the Beaumont area.

This request covers only those provisions requiring activities that are inconsistent with implementation of Goodyear's COVID-19 response, while maintaining safe and environmentally responsible operation. If you have any questions about this request, please contact me via email [REDACTED] or phone at (409) 794-5313.

Sincerely,



Brian Smith  
Environmental Manager

Attachment



March 18, 2020

Reference No. 11209972-00

Mr. Charlie Mingo  
The Goodyear Tire & Rubber Company  
11357 Interstate Highway 10  
Beaumont, Texas 77705

Dear Mr. Mingo:

**Re: COVID-19 Response to Semiannual Groundwater Monitoring Events  
The Goodyear Tire & Rubber Company  
Beaumont, Jefferson County, Texas**

On Thursday, March 12, 2020, the World Health Organization declared the novel coronavirus (COVID-19) outbreak as a pandemic. The following day, the United States government declared a state of national emergency as a response to the virus. Despite efforts to reduce the spread of the virus, positive cases have been confirmed in major cities such as Houston, New Orleans, and Baton Rouge.

GHD Services Inc. (GHD) is committed to protecting the safety of all GHD people as well as our clients, suppliers, family members, and friends during this time. As such, GHD has implemented new travel restrictions, visitor screening measures, and protocols for managing potential COVID-19 exposures.

Under normal circumstances, GHD conducts semiannual groundwater monitoring events in April at The Goodyear Tire & Rubber Company's (Goodyear) Beaumont and Houston Chemical Plants, located in Houston and Beaumont, Texas. Staffing for these events is routinely sourced from the Lake Charles, Louisiana office. Field staff travel activities for these events include hotel stays for multiple nights, as well as visits to restaurants in the Houston and Beaumont areas. In addition, per Goodyear requirements, a Goodyear employee is required escort the GHD field staff while on-site, for the duration of the monitoring events.

Due to the highly contagious nature of COVID-19, as well as company-wide encouragement to reduce all but local travel, GHD respectfully requests that the April groundwater monitoring events be postponed until such time that the events can be safely performed by GHD and Goodyear personnel.

Should you have any questions or require additional information, please do not hesitate to contact GHD at (337) 491-6912.

Sincerely,

GHD

Nicholas J. Groves, Jr., PG  
TX PG No. 12740

Morgan L. Simmons

MLS/sbc/2

**From:** [OCE](#)  
**To:** [Brian Smith](#)  
**Subject:** [EXT] Automatic reply: The Goodyear Tire & Rubber Co. Regulatory Relief Request  
**Date:** Thursday, April 23, 2020 2:04:25 PM

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**WARNING:** This is an EXTERNAL email. Please think before RESPONDING or CLICKING on links/attachments.

The Office of Compliance and Enforcement of the Texas Commission on Environmental Quality (TCEQ) has received your Internet e-mail. If you requested a response, we will reply within four TCEQ business days. If you need immediate assistance, call (512) 239-5100.