

**From:** [Jonathan Walling](#)  
**To:** [REDACTED]  
**Cc:** [OCE](#)  
**Subject:** COVID-19 Request for Enforcement Discretion  
**Date:** Wednesday, March 25, 2020 3:59:44 PM

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Good afternoon, Mr. Flosenzier.

Your enforcement discretion request for INVISTA Orange 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](mailto: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](mailto:oce@tceq.texas.gov). Specific email boxes are being established for each TCEQ regional office. Documents for the TCEQ Beaumont Region office shall be sent to [TCEQR10AIR@tceq.texas.gov](mailto:TCEQR10AIR@tceq.texas.gov), [TCEQR10WATER@tceq.texas.gov](mailto:TCEQR10WATER@tceq.texas.gov), and [TCEQR10WASTE@tceq.texas.gov](mailto:TCEQR10WASTE@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

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**From:** Flosenzier, Vance <[REDACTED]>  
**Sent:** Monday, March 23, 2020 12:27 PM  
**To:** OCE <[OCE@tceq.texas.gov](mailto:OCE@tceq.texas.gov)>  
**Cc:** Ramiro Garcia <[ramiro.garcia@tceq.texas.gov](mailto:ramiro.garcia@tceq.texas.gov)>; [Seager.Cheryl@epa.gov](mailto:Seager.Cheryl@epa.gov); Kathy Saucedo <[Kathy.Saucedo@tceq.texas.gov](mailto:Kathy.Saucedo@tceq.texas.gov)>; Brittain, Christopher O. <[REDACTED]>  
**Subject:** COVID-19 Request for Enforcement Discretion

INVISTA S.a r.l. Orange Site (TCEQ RN104392626) (“INVISTA”) is requesting enforcement discretion due to the impact from the COVID-19 (coronavirus) on INVISTA and/or third-party resources. INVISTA 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 INVISTA Orange Site, INVISTA 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 all various environmental permits and/or regulations applicable at the site, including but not limited to:
  - Title V permits: O-1898 and O-1897;

- NSR permits: 1790, 1302, 1303, and 1387;
- o RCRA permit: HW50395;
  - o CWA permits: TXR05DA93, TXR05R439, WDW-054, WDW-055, WDW-191 and WDW-282;
  - o Delegated Federal Environmental Regulations:
    - 40 CFR 60 Subparts A, D, Db, Kb, KKK, NNN, and RRR;
    - 40 CFR 63 Subparts A, F, G, H, YY, EEE, EEEE, and FFFF;
    - 40 CFR 65; and
    - 40 CFR Parts 144 - 149; and Parts 260 - 279;
  - o State Environmental Regulations; and
  - o Texas Audit Privilege Act.
- INVISTA Orange also requests to utilize if necessary DocuSign® for electronic signatures on any or all electronic submittals.
  - INVISTA Orange site 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 State of Texas and the CDC.
  - INVISTA Orange will submit PDF versions of the report and/or notification via email to TCEQ Austin, at [oce@tceq.texas.gov](mailto:oce@tceq.texas.gov); to the Region 10 appropriate media team leader; to the appropriate TCEQ staff contact, if known; and to EPA Region 6, where copies to EPA are also required.

INVISTA Orange will maintain adequate records to document activities related to this instance of noncompliance, including details of INVISTA's efforts to comply.

If you have any questions or need additional information to approve this request, please contact me via email or cellphone (361-212-5192).

Regards,

Vance Flosenzier

Technical Manager

INVISTA - Orange Site