

From: [Jonathan Walling](#)
To: [Mark Matson](#); [REDACTED]
Cc: [OCE](#)
Subject: Request for Enforcement Discretion_ ISP Technologies
Date: Wednesday, September 16, 2020 11:52:58 AM

Good morning, Mr. Matson:

The TCEQ has reviewed your request for enforcement discretion at ISP Technologies- Texas City Plant to delay the Relative Accuracy Test Audit (RATA) for boiler 3 CEMS (EPN B3), as required by New Source Review Permit No. 133596, Federal Operating Permit O1592 and 40 CFR Part 60, Appendix F, Procedure F, 5.1.2, and to perform this test in the 4th Quarter of 2020, resulting from a delayed plant turnaround.

The TCEQ will exercise enforcement discretion for this activity which will be valid through November 20, 2020. A successful cylinder gas audit was performed on the boiler 3 CEMS during the 3rd quarter. The required RATA on boiler 3 shall be completed as soon as practicable by November 20, 2020.

Enforcement discretion is limited to the Texas Commission on Environmental Quality. It does not limit EPA'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.

Regards,

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

From: Mark Matson <[REDACTED]>
Sent: Friday, September 11, 2020 4:52 PM
To: OCE <OCE@tceq.texas.gov>
Cc: Ramiro Garcia <ramiro.garcia@tceq.texas.gov>; David Pastalaniec <[REDACTED]>
Patty Hemmelgarn <[REDACTED]> Robin Lampkin <[REDACTED]>
Subject: Request for Enforcement Discretion

We respectfully request enforcement discretion to the 40 CFR Part 60 NSPS Db regulation as described below:

1. We request that boiler 3 CEMS (EPN B3, Permit No. 133596, FOP O1592) RATA be performed in the 4th Quarter, which means that we will **exceed the time between RATAs of the allowable 3 quarterly CGAs, to 4 quarterly CGAs** (Part 60 Appendix F, Procedure F, 5.1.2).

The justifications for the request are as follows:

- The plant turnaround, which was scheduled for this past April 2020, **was delayed due to Covid-19**. It is now scheduled for the second half of September 2020 through the first half of October 2020 with appropriate distancing, face mask and other requirements. This new date range falls in the time period where we normally perform the RATAs. [REDACTED]

[REDACTED]

- [REDACTED]
- [REDACTED]
- [REDACTED]

- A cylinder Gas Audit (CGA) was performed on boiler 3 CEMS on September 8 and passed. This CGA was performed in the event that this request is approved.

Thank you for your consideration,

Mark Matson
Sr. Environmental Engineer

ISP Technologies Inc.
Texas City, TX Plant

Phone 409.942.1820
[REDACTED]



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