

**From:** [Jonathan Walling](#)  
**To:** [Peters, Howard S](#); [REDACTED]  
**Cc:** [OCE](#)  
**Subject:** Enforcement Discretion Request- LyondellBassell: Corpus Christi Complex- REVISION  
**Date:** Friday, June 19, 2020 4:52:47 PM  
**Attachments:** [image001.png](#)

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Good afternoon, Mr. Peters:

The TCEQ has evaluated your request. If the Method 9 re-certification being sought is for both classroom and field portions, the classroom portions may be taken on-line. This is stated on your provider's web-site and is already approved by TCEQ. In addition, ETA states that additional social-distancing protocols are in-place to maximize the safety of participants. <https://www.eta-is-opacity.com/schedule/>.

If re-certification of the field portion is not achievable due to continued challenges created by the COVID-19 pandemic, please re-submit your request for enforcement discretion by close of business on August 4, 2020 for further consideration. The TCEQ is committed to working cooperatively and reasonably with the regulated community during the COVID-19 pandemic, as appropriate. The decision to disapprove the current request for an extension until February 2021 will not reflect on any future request that LyondellBassell may make. Each enforcement discretion request is evaluated based on its own merits. In this case, there still exists a possibility that re-certification could be achieved by August 11, 2020.

Also provided is a link to smoke school providers currently authorized by TCEQ.  
<https://www.tceq.texas.gov/licensing/licenses/smokelic>

Regards,

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

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**From:** Peters, Howard S <[REDACTED]>  
**Sent:** Thursday, June 18, 2020 4:03 PM  
**To:** OCE <[OCE@tceq.texas.gov](mailto:OCE@tceq.texas.gov)>; Ramiro Garcia <[ramiro.garcia@tceq.texas.gov](mailto:ramiro.garcia@tceq.texas.gov)>  
**Cc:** Trebatoski, Robert J. <[REDACTED]>  
**Subject:** Enforcement Discretion Request

Office of Compliance and Enforcement,

Due to the rising levels of active Coronavirus cases in the Corpus Christi area and related health concerns Equistar is requesting enforcement discretion from the 6-month re-certification requirement for Federal Reference Method 9 visible emissions evaluation. The re-certification testing is scheduled for August 11, 2020. The concern is not only for the health of the individual

personnel attending the testing, but also the potential of exposing plant shift operating personnel that work in close proximity of one another. The duration of the of the enforcement discretion would be from August 13, 2020 until the next available re-certification test in the Corpus Christi area, which is February 12, 2021. This enforcement discretion would impact the stack observations in NSR Permit 4682B Special Condition 12 and the periodic monitoring requirements in Federal Operation Permit O1486.

Thank you for your consideration,

H. Scott Peters  
Environmental Engineer - Corpus Christi Complex  
1501 McKinzie Rd  
Corpus Christ, TX 78410  
Office: 361-242-5028  
Mobile: 361-726-6029

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