

From: [Jonathan Walling](#)
To: [REDACTED]
Cc: [McCartney, James Heath](#); [Sharma, Rohit K](#); [OCE](#)
Subject: LyondellBasell Acetyls COVID-19 Related Incident
Date: Monday, April 13, 2020 8:17:21 AM

Good morning, Ms. Liu:

Thank you for informing us of the inadvertently discarded sample for the discharge that occurred on March 23, 2020, from Outfall 008. Please maintain your internal sampling results. Due to the staffing issues created by the COVID-19 pandemic, the TCEQ will exercise enforcement discretion for this one-time occurrence. A copy of this communication should be maintained with your records.

Regards,

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

From: Liu, Vanna <[REDACTED]>
Sent: Friday, April 10, 2020 12:28 PM
To: OCE <OCE@tceq.texas.gov>; Ramiro Garcia <ramiro.garcia@tceq.texas.gov>
Cc: McCartney, James Heath <[REDACTED]> Sharma, Rohit K <[REDACTED]>
Subject: LyondellBasell Acetyls COVID-19 Related Incident

To whom it may concern,

LyondellBasell Acetyls, LLC is requesting enforcement discretion on an incident that occurred the week of March 23, 2020. Below are details of this incident. Please contact me at [REDACTED] or 713-336-5361 if you have any questions. Thank you.

Concise statement supporting request for enforcement discretion

On March 23, 2020, LyondellBasell Acetyls, LLC began discharging out of Outfall 008. Discharge from this outfall is infrequent and non-routine. TPDES Permit No. WQ0004013000 requires a sample to be collected and delivered to an accredited lab for analysis at least once per week when a discharge occurs. During this discharge event, the sample was collected but not delivered to the accredited third-party lab primarily because key personnel familiar with the shipping process were not at the site due to the COVID-19 related restrictions.

The facility has activated its pandemic response plan in light of the COVID-19 statewide emergency. As a result, access to the site has been limited to essential personnel only and all other employees are either working remotely or on an abnormal shift schedule. This resulted in some employees having to temporarily cover tasks they may not have done in the past. An Outfall 008 sample was collected and analyzed on-site for pH and TOC and the results were within TPDES permit limits.

However, the sample was then inadvertently discarded by an employee who was not familiar with the sample shipping process, as opposed to being packaged for third-party lab pick-up. Under normal circumstances this sample would have been submitted for third-party lab analysis had the site been at normal staffing.

The facility has initiated the following corrective actions: (1) Revise the sample collection and analysis procedure to identify the roles and responsibilities of each party to ensure samples are properly collected and shipped on a consistent basis even by people unfamiliar with the process; (2) Require lab technicians to review any updates of the procedure; and (3) Provide training on revised procedure.

Anticipated duration of need for enforcement discretion

One-time request for the week of March 23, 2020

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Citation of rule / permit provision for which enforcement discretion is requested

TPDES Permit No. WQ0004013000 Outfall 008 Effluent Monitoring Requirements

Vanna Liu

Environmental Engineer

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[REDACTED]

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