

From: [Jonathan Walling](#)
To: [REDACTED] [Clingan, Mark A.](#); [Sweeley, Brian J.](#); [Livings, Vicky G.](#)
Cc: [OCE](#)
Subject: EXTERNAL] MPC Request #3 related to COVID-19 Response - Blanchard GBR_Supplemental
Date: Thursday, July 2, 2020 10:09:16 PM
Attachments: [image001.png](#)

Good evening, Mr. Darcey:

The TCEQ has reviewed Blanchard Refining Company LLC Galveston Bay Refinery's (Blanchard) request for enforcement discretion to delay compliance testing at the Dock 30 F-708 Thermal Oxidizer (EPN 294-2) and to delay hydrogen cyanide stack testing at Fluid Catalytic Cracking Unit No. 3 (FCCU3, EPN 34A), as required by 40 CFR 63 Subpart Y, Special Condition 41 of Air Permit No. 47256 and Title V Permit No. O-1541. Enforcement discretion was granted and is currently valid until July 10, 2020.

If Blanchard remains unable to achieve maximum operating rates by July 31, 2020, it is preferable for the tests not to be conducted until such time as maximum operating rates are achieved. Testing at lower rates would not be representative for the duration until the next required test, which would be five years from the test date. While enforcement discretion will not be granted for testing at lower rates, enforcement discretion will be exercised in allowing Blanchard until July 31, 2020, to provide the TCEQ with information as to when maximum operating rates are being achieved. This notice shall be submitted as soon as practicable by this date. Upon receipt of this notice and providing TCEQ with a reasonable test date for the subject EPNs, further enforcement discretion will be considered, and if approved, applied at that time.

This enforcement discretion is limited to the Texas Commission on Environmental Quality and 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: Darcey, Larry <[REDACTED]>
Sent: Thursday, July 2, 2020 9:49 AM
To: Jonathan Walling <jonathan.walling@tceq.texas.gov>
Cc: OCE <OCE@tceq.texas.gov>; Clingan, Mark A. <[REDACTED]> Sweeley, Brian J. <[REDACTED]> Livings, Vicky G. <[REDACTED]> Ramiro Garcia <ramiro.garcia@tceq.texas.gov>

Subject: RE: [EXTERNAL] MPC Request #3 related to COVID-19 Response - Blanchard GBR

Dear Mr. Walling,

This email is an update to our enforcement discretion request on May 5th. In that request we asked for performance testing extensions on two emissions sources [Dock 30 F-708 Thermal Oxidizer (EPN 294-2) and Fluid Catalytic Cracking Unit No. 3 (FCCU3, EPN 34A)]. In our request we indicated that production plans would not allow us to perform the testing at maximum production rates or throughputs. The requested extension at that time was until July 31, 2020; however, we were only granted an extension until July 10, 2020. Our current production forecast still indicates that we will not be operating at representative maximum rates before July 10, 2020. Therefore, Marathon requests an extension until July 31, 2020 and will complete the testing before that date. If maximum rates are not achieved during the testing, we will clearly note that in the report, but also request that TCEQ not require additional testing prior to the next scheduled testing cycle. The later statement is specific to the testing on EPN 34A. We would appreciate the opportunity to discuss further, but we are aware that TCEQ is teleworking.

Thank you for your time and consideration regarding this matter. If you have any questions or comments please contact me at (409) 943-7497.

Sincerely,

Larry G. Darcey, P.E.

Environmental Supervisor
Marathon Petroleum Company



2401 5th Avenue South
Texas City, Texas 77590
Office: 409-943-7497
Cell: 409-502-9009
Email: [REDACTED]

From: Jonathan Walling <jonathan.walling@tceq.texas.gov>

Sent: Tuesday, May 5, 2020 4:02 PM

To: Darcey, Larry <[REDACTED]>

Cc: OCE <OCE@tceq.texas.gov>; Clingan, Mark A. <[REDACTED]> Sweeley,
Brian J. <[REDACTED]> Livings, Vicky G.

<[REDACTED]> Kaysen, Eric R. <[REDACTED]> Cade,
Ruth A. <[REDACTED]> Bogard, Kevin D.

<[REDACTED]>

Subject: [EXTERNAL] MPC Request #3 related to COVID-19 Response - Blanchard GBR

Importance: High

Good afternoon, Mr. Darcey:

The TCEQ has reviewed Blanchard Refining Company LLC Galveston Bay Refinery's request for enforcement discretion to delay compliance testing at the Dock 30 F-708 Thermal Oxidizer (EPN 294-2) and to delay hydrogen cyanide stack testing at Fluid Catalytic Cracking Unit No. 3 (FCCU3, EPN 34A), as required by 40 CFR 63 Subpart Y, Special Condition 41 of Air Permit No. 47256 and Title V Permit No. O-1541.

Your request for enforcement discretion, as presented, is approved and will be valid until July 10, 2020. The required activities should be completed as soon as practicable, as conditions allow, before this date. Should an extension beyond this be needed, please submit a request to extend this date.

This discretion is limited to the Texas Commission on Environmental Quality and 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: Darcey, Larry <[REDACTED]>
Sent: Tuesday, May 5, 2020 11:16 AM
To: Ramiro Garcia <ramiro.garcia@tceq.texas.gov>; OCE <OCE@tceq.texas.gov>
Cc: Clingan, Mark A. <[REDACTED]> Sweeley, Brian J. <[REDACTED]>
<[REDACTED]> Livings, Vicky G. <[REDACTED]>
Kaysen, Eric R. <[REDACTED]> Cade, Ruth A. <[REDACTED]>
<[REDACTED]> Bogard, Kevin D. <[REDACTED]>
TCEQR12AIR <TCEQR12AIR@tceq.texas.gov>; Jonathan Walling <jonathan.walling@tceq.texas.gov>;
'Seager.cheryl@Epa.gov' <Seager.cheryl@Epa.gov>; 'Kelley.rosemarie@epa.gov'
<Kelley.rosemarie@epa.gov>; EXECDIR <EXECDIR@tceq.texas.gov>; 'rschultz@gchd.org'
<rschultz@gchd.org>; Elizondo, Julian J. <[REDACTED]> Bordes, Randy M. <[REDACTED]>
<[REDACTED]>
Subject: RE: MPC Request #3 related to COVID-19 Response - Blanchard GBR
Importance: High

Mr. Garcia,

Please find the following enforcement discretion requests for the Blanchard Refining Company LLC (Blanchard) Galveston Bay Refinery (GBR) due to impacts from the COVID-19 pandemic. (Air Account # GB-0004-L, RN 102535077, CN 604166868)

Request #1: Blanchard is requesting enforcement discretion to delay compliance testing at the Dock 30 F-708 Thermal Oxidizer (EPN 294-2) as required by 40 CFR 63 Subpart Y and Special Condition 41 of Permit No. 47256 on June 10, 2020 and April 26, 2020, respectively.

Request #2: Blanchard is requesting enforcement discretion to delay Hydrogen Cyanide (HCN) stack testing at Fluid Catalytic Cracking Unit No. 3 (FCCU3, EPN 34A) as required by Special Condition 41 of Permit No. 47256 by May 5, 2020.

Reason for Requests #1 & #2: Due to lower market demand resulting from the COVID-19 pandemic, Dock 30 and FCCU3 are not operating at sufficient throughput and production rates for the testing to be representative of worst case operating scenarios. Therefore, in order to perform a valid performance test the testing will need to be delayed until more representative maximum rates are achieved. The length of the delay is also necessary since a scheduled turnaround will impact rates during the month of June 2020.

Duration: Blanchard requests approval to delay the performance testing until at least July 31, 2020. If sufficient production rates are not achievable by that date, Blanchard will request another extension to ensure the tests are conducted at proper operating conditions.

Rule Citation/Permit Condition: 40 CFR 63 Subpart Y, Special Condition 41 of Air Permit No. 47256 and Title V Permit No. O-1541 GBR

Mitigation Measures: No mitigation measures are planned since stack testing will occur in a timely manner when necessary operating rates are achieved. There will be no impact to the environment by delaying these performance tests.

Thank you for your time and consideration with this matter. If you have any questions or comments please feel free to contact me at (409) 502-9009 or [REDACTED]

Sincerely,

Larry G. Darcey, P.E.
Environmental Supervisor
Marathon Petroleum Company



2401 5th Avenue South
Texas City, Texas 77590
Office: 409-943-7497
Cell: 409-502-9009
Email: [REDACTED]