

From: [Jonathan Walling](#)
To: [REDACTED]
Cc: [OCE](#)
Subject: COVID-19 Regulatory Relief Requests for Monument Chemical Houston, LLC (RN # 00219237, CN # 605490564, HG# 0319-D)
Date: Wednesday, March 25, 2020 6:31:22 PM

Good evening, Mr. Dave:

Your request for enforcement discretion is approved and valid through April 30, 2020. The required reports should be submitted as soon as practicable, as conditions allow, before this date. Should an extension beyond this be needed, please re-submit your request.

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: Dave, Narayan <[REDACTED]>
Sent: Wednesday, March 25, 2020 2:35 PM
To: Ramiro Garcia <ramiro.garcia@tceq.texas.gov>; OCE <OCE@tceq.texas.gov>
Subject: COVID-19 Regulatory Relief Requests for Monument Chemical Houston, LLC (RN # 00219237, CN # 605490564, HG# 0319-D)

Dear Mr. Garcia,

Monument Chemicals Houston, LLC - MCH (RN # 00219237, CN # 605490564, HG# 0319-D) is requesting enforcement discretion for missing the reporting deadlines for the following reports.

- Semi-annual Title V (0-1596) Deviation Report for the period September 1, 2019, to February 29, 2020
- Title V permit (O-1596) annual Compliance Certification for the period of March 1, 2019, to February 29, 2020.
- Semi-annual CEMS Downtime & Excess Emission (NSR # 6283) report for the period of September 1, 2019, to February 29, 2020

Anticipated duration of need for enforcement discretion:

MCH is requesting that enforcement discretion be exercised for missed reporting deadlines beginning upon TCEQ approval of this request for a period of 30 days. We will evaluate whether it is appropriate to extend the request as the end of the 30 days approaches.

Basis for requesting enforcement discretion:

MCH has reduced staffing to prevent its contractors and non-essential employees from coming on-site for the time subject to this request as part of our effort to assure continued reliable operation of our facilities during the COVID-19/Coronavirus pandemic.

- Ensuring the health and availability of our mission-critical employees at these facilities, even at the cost of deferred reporting, is appropriate because the facilities are critical infrastructure in assuring the reliable delivery of products that serve as disinfectant/cleaning agents and active pharmaceutical ingredients.
- MCH's efforts to limit personnel exposure are similar in spirit to the local jurisdiction's executive order banning social gatherings of persons and taking other exposure-limiting measures in light of the declared state of disaster in the jurisdiction.

Efforts to mitigate environmental impacts:

The enforcement discretion request does not lessen any environmental protection strategy and is consistent with the agency's approach with other reporting requirements where the agency has provided similar extensions.

We believe that missing a reporting deadline for a short period will have little or no environmental impact.

Please also note that at this point MCH believes that point source emissions inventories (EIs) and mass emissions cap and trade (MECT) and highly Reactive volatile organic compound emissions cap and trade (HECT) annual compliance reporting will be completed per TCEQ revised due date of April 30, 2020.

However, if conditions warrant in response to COVID-19 then MCH will require to request additional enforcement discretion regarding this deadline and other additional activities as well.

If you have any questions or need additional information then please contact me via e-mail at

[REDACTED]

Again thank you for your kind consideration and your approval of our extensions request.

Thank you,

Sincerely,

Narayan

Narayan S. Dave | Global HSE Leader | Monument Chemical
16717 Jacintoport Blvd
Houston, TX 77015
832-376-2046 (Office)
281-507-3223 (cell)

From: Texas Commission on Environmental Quality <tceq@service.govdelivery.com>

Sent: Wednesday, March 18, 2020 3:35 PM

To: Dave, Narayan <[REDACTED]>

Subject: [EXT] COVID-19 Regulatory Relief Requests

****Warning: External Message.****



March 18, 2020

From the Office of Compliance and Enforcement

With the onset of COVID-19 (coronavirus) and the Governor's Proclamation of a state of disaster in Texas, the TCEQ is aware that regulated entities may be experiencing an impact from a reduced workforce necessary to maintain normal operations at some facilities. All regulated entities are encouraged to take all available actions necessary to ensure compliance with environmental regulations and permit requirements to protect the health and safety of Texans and the environment. However, in the instance that noncompliance is unavoidable directly due to impact from the coronavirus, an email box has been established by TCEQ to accept requests for potential enforcement discretion. Regulated entities should email both OCE@tceq.texas.gov and Ramiro.Garcia@tceq.texas.gov with specific information related to enforcement discretion requests. The OCE (Office of Compliance & Enforcement) email box is monitored daily by multiple TCEQ staff who will ensure the requests are expeditiously addressed. The TCEQ's goal is to provide a response to the regulated entity's request within 24 to 48 hours.

The email to OCE should at a minimum include the following:

- Concise statement supporting request for enforcement discretion
- Anticipated duration of need for enforcement discretion
- Citation of rule / permit provision for which enforcement discretion is requested

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.

Any questions regarding this guidance should be directed to the OCE email box and a response will be provided.

Sincerely,

Ramiro Garcia, Jr



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