

From: [Jonathan Walling](#)
To: [Zindler, Corey](#)
Cc: [OCE](#); [David Bower](#); [Craig Pritzlaff](#)
Subject: Enforcement Discretion Request - Extension of Testing Deadline due to COVID-19_MVP Terminalling_March 2021
Date: Tuesday, March 9, 2021 8:23:13 AM

Good morning, Mr. Zindler:

The TCEQ has evaluated your request for enforcement discretion to extend the testing deadline 60 days for the Tank Vapor Combustor Unit 2 (TKVCU-2) at MVP Terminalling, LLC in Pasadena, as required by New Source Review Permit Number 142261, Special Condition 37 (Initial Demonstration of Compliance).

The TCEQ will exercise enforcement discretion for this requirement which will be valid until May 9, 2021. The testing shall be completed as soon as practicable by this date.

Regulated entities must maintain records adequate to document activities related to any 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: Zindler, Corey <[REDACTED]>
Sent: Monday, March 8, 2021 3:04 PM
To: Ramiro Garcia <ramiro.garcia@tceq.texas.gov>; OCE <OCE@tceq.texas.gov>; Jonathan Walling <jonathan.walling@tceq.texas.gov>
Subject: Enforcement Discretion Request - Extension of Testing Deadline due to COVID-19

March 9, 2021

Via email:

Ramiro.Garcia@tceq.texas.gov
OCE@tceq.texas.gov
jonathan.walling@tceq.texas.gov

**RE: Enforcement Discretion Request – Extension of Testing Deadline for Tank Vapor Combustor
MVP Terminalling, LLC – Pasadena Terminal
Air Permit 142261 and N254; CN605429364; RN109347518**

MVP Terminalling, LLC is requesting enforcement discretion to extend the testing deadline 60 days for the Tank Vapor Combustor Unit 2 (TKVCU-2) at our Pasadena Terminal. TKVCU2 started up on September 10, 2020, with the initial testing due on March 9, 2021. The testing will be completed as soon as possible, but no later than May 9, 2020.

Citation of rule / permit provision for which enforcement discretion is requested:
NSR Permit Number 142261, Special Condition 37 (Initial Demonstration of Compliance)

Testing was originally scheduled for February 25, 2021, however due to the ongoing pandemic we are experiencing reduced demand for petroleum products, which has limited the necessary conditions required to conduct the testing. The Unit is only used for the control of vapors under the roof of landed tanks and during the refilling process. Product movements must be sufficient to allow for the emptying and refilling of product storage tanks in order to generate the necessary vapors for testing. For this reasons we are requesting enforcement discretion to extend the testing deadline 60 days.

Please note that TKVCU-1 is an identical unit for which initial compliance testing has previously been completed. In addition, due to the reduced petroleum demand and the availability of TKVCU-1, TKVCU-2 is not operationally necessary at this time and will only be operated for testing purposes.

If you have any questions or concerns regarding this request, please contact me at 918-574-7773 or via email at [REDACTED]

Respectfully,

MVP Terminalling, LLC
By: Magellan Operating Company, LLC, its Operator

Corey Zindler

Corey Zindler
Sr. Air Quality Specialist
Office: 918-574-7773
Cell: 918-984-8429
[REDACTED]