

From: [Randy Ammons](#)
To: [REDACTED]
Cc: [OCE](#)
Subject: Re: Covid-19 Response and Regulatory Relief - Owens Corning Amarillo (RN100222140, CN600124838)
Date: Monday, April 13, 2020 3:59:04 PM

Good Afternoon, Mr. Himic and Mr. Sandridge,

The TCEQ has received your request for enforcement discretion of Special Condition 27 "Demonstration of Continuous Compliance". Your request to postpone the stack test beyond the 60 days of the anniversary of the pervious test and conduct the test the week of August 3rd, 2020 is approved. The TCEQ is committed to working with you as we respond to the COVID-19 pandemic and when/if it becomes necessary to request enforcement discretion for the other items outlined in your letter please continue to follow the **Enforcement Discretion Requests** found below.

If you have any questions or if new information becomes available, please feel free to contact us at any time.

Please remember that while the TCEQ may give enforcement discretion for state rules, the EPA may still take action if violations of federal rules are documented.

Please continue to keep us updated as conditions change.

The TCEQ will revisit this issue at the appropriate time and reserves the right to withdraw this approval.

Enforcement Discretion Requests

Below is the TCEQ guidance related to requests for enforcement discretion due to adverse impacts from COVID-19. This is intended to address situations in which a regulated entity expects to become non-compliant because it cannot meet required regulatory time frames.

"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 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 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."

Please refer to our COVID-19 response website for other compliance issues which you may encounter: <https://www.tceq.texas.gov/response/covid-19/tceq-preparedness-responsibilities-covid-19>

Regards,

Randy J. Ammons, Director
North Central and West Texas Area
Texas Commission on Environmental Quality

From: [Sandridge, Jay](#)
To: [OCE](#); Ramiro.Garcia@tceq.gov; Eddie.vance@tceq.texas.gov; [Andrew Speigel](#)
Cc: [Himic, Matthew F](#); [Zimmerman, Troy](#); [Kairis, Mindy](#)
Subject: Covid-19 Response and Regulatory Relief - Owens Corning Amarillo (RN100222140, CN600124838)
Date: Thursday, April 9, 2020 2:02:47 PM
Attachments: [Covid-19 Reglatory Relief Notification.pdf](#)

TCEQ, Please find the attached Covid-19 Regulatory Relief Notification for the Owens Corning facility located in Amarillo, Texas.

If you have questions please contact me or Mr. Matt Himic [REDACTED]

Thanks

Jay Sandridge
Sr. EHS Specialist
Owens Corning – Amarillo Plant
806-622-4450 or 806-670-0439 cell
[REDACTED]

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Translations available: <http://www.owenscorning.com/emailfooter.html>

April 8, 2020

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
REGION 1 – AMARILLO
3918 CANYON DRIVE
AMARILLO, TEXAS 79109-4933
Attn: Mr. Eddie Vance – Air Division



**Re: The Owens Corning Amarillo Facility (CN600124838, RN100222140)
Novel Coronavirus (COVID-19) Response and Regulatory Relief**

In connection with the rapid spread of the COVID-19 pandemic, this letter informs the agency of postponement of Source Emissions Testing at the Owens Corning facility located in Amarillo Texas, and notifies the agency that Owens Corning may require temporary relief from certain provisions of statutes, rules, orders, and permits during the foreseeable future in an effort to minimize risk of exposure and otherwise respond to COVID-19.

Owens Corning is committed to the safe and environmentally responsible operation of its facilities, and has implemented a temporary suspension plan designed to protect human health and the environment while limiting certain on-site activities by personnel as part of Owens Corning's larger COVID-19 response. In order to achieve this goal, some periodic sampling, testing, recordkeeping and reporting activities can and should safely and responsibly be deferred during the present phase of the response.

Key in this notification is the recognition that many employees and consultants will not be reporting daily to their normal workplaces and will not be traveling to facility locations, and in some locations, may not be able to travel out of their homes except for essential activities. Even though we are prepared for many of our personnel to work remotely, it is unprecedented, and in some cases, impossible, to carry out certain work via remote communications.

Set forth below is a non-exclusive list of provisions and activities identified by Owens Corning to date, for which Owens Corning may seek necessary relief to enable Owens Corning's COVID-19 response at the Amarillo facility. This list likely will be revised as the response develops. Owens Corning does not plan to request relief or exemptions for each specific item below, but will evaluate and inform the agency as possible as Owens Corning's response progresses.

1. Periodic certification and reporting:
 - a. Deferred filing of periodic reports
 - b. Filing of reports without the normal signatures (where plant manager or formal designee is unavailable)
2. Deferred permit renewal applications for expiring permits
3. Air sampling and monitoring:
 - a. Deferred air sampling and control device monitoring
 - b. Deferred filing of periodic reports
 - c. Delayed reporting
4. Effluent sampling and reporting:
 - a. Deferred sampling and testing
 - b. Deferred filing of periodic reports
 - c. Late lab turn-around time on sample results
 - d. Missed hold-time on samples
 - e. Delayed reporting
5. Hazardous waste accumulation:
 - a. Deferral of waste movements beyond time limits
 - b. Delayed reporting
 - c. Delayed hazardous waste storage area inspections
6. Spill prevention, control, and countermeasures:
 - a. Delayed inspections
7. EPCRA and SARA reporting:
 - a. Delayed reporting
8. Soil or groundwater remediation:
 - a. Delayed sampling events
 - b. Delayed reporting]
 - c. Delayed implementation of investigation or remediation activities
9. Stack tests:
 - a. Late stack test
 - b. Delayed reporting

Specifically, Owens Corning's Amarillo facility Air Quality Permit 5042 and PSDTX844M2 Special Condition 27 "Demonstration of Continuous Compliance" requires stack sampling every two years. Sampling must occur within 60 days of the anniversary of the previous test. Due date for this year's testing is May 12th, 2020 and was originally scheduled for April 13th, 2020. However, due to COVID-19 related delays, Owens Corning has rescheduled the testing to be completed the week of August 3rd, 2020.

If you have any questions concerning this notice, please contact Matt Himic.

Sincerely,



Matt Himic
EHS Leader
Owens Corning – Amarillo
P.O. Box 8000
Amarillo, Texas 79114 – 8000

806-622-4278
