

From: [Randy Ammons](#)
To: [REDACTED]
Cc: [OCE](#); [Randy Ammons](#)
Subject: Re: Owens Corning RN100225291 CN601173016 - Extension Request: Facility Certified Opacity (Smoke) Readers-RECERTIFICATION RE: 30 TAC 111.111(a)(1)(G)
Date: Wednesday, April 15, 2020 3:55:57 PM
Attachments: [image001.png](#)

Good afternoon Ms. Hrabchak,

This is in response to your request for enforcement discretion received on April 15, 2020. In your request, you are seeking enforcement discretion regarding 30 TAC 111.111(a)(1)(G) related to certification of opacity readers. Recertification was rescheduled from April 17, 2020, and is currently scheduled for May 22, 2020. We support your extension request for the recertification requirements. If recertification cannot be completed by June 15, 2020, please submit a new request for extension.

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.

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

The TCEQ is committed to working with you as we respond to the COVID-19 pandemic. If you have any questions or new information, please feel free to contact us at any time.

Regards,

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

From: Hrabchak, Rhonda <[REDACTED]>
Sent: Wednesday, April 15, 2020 9:13 AM
To: OCE <OCE@tceq.texas.gov>; Ramiro Garcia <ramiro.garcia@tceq.texas.gov>
Subject: Owens Corning RN100225291 CN601173016 - Extension Request: Facility Certified Opacity (Smoke) Readers-RECERTIFICATION RE: 30 TAC 111.111(a)(1)(G)
Importance: High

To Whom It May Concern:

Owens Corning Irving Roofing & Asphalt Plant initially communicated with Ms. Alyssa Taylor (Regional Director, TCEQ DFW Region), on 3/17/2020 in regards to recertification of our facility Opacity (smoke) Readers. I have attached the entire thread of communication so you can (1) see the date of our initial request, (2) see the responses that were provided by TCEQ, and (3) see the updated (sent closer to the date as requested by TCEQ) data provided on 4/15/2020.

Summary: On 3/17/2020 Owens Corning sent the following request

Ms. Taylor,

Due to the quickly changing environment around Co-Vid related travel restrictions and business curtailment/closings, we find ourselves in need of guidance.

Our currently certified opacity (smoke) readers are scheduled for onsite recertification on April 17, 2020. If local conditions have not intensified, we will recertify all readers on that date. However, if the circumstance arises that either (1) the individuals requiring recertification are working offsite/we have sent employees home to shelter-in-place, or (2) if the recertification company has curtailed business or cannot travel, can we obtain an extension for an additional period of time beyond the regulatory 6-month recertification period to get our folks retrained/certified?

What we are proposing is a 90-day extension beyond the date in which the business curtailment, shelter-in-place or travel restrictions within/into Dallas County have been lifted. Please advise on our request or offer alternative solutions to assist in compliance with regulatory requirements.

Subsequent to that initial communication, the plant was shut down on 4/6/2020 and is scheduled to reopen on 4/20/2020 (unless local conditions change prior to that date). We have communicated with the training vendor, and are now scheduled (confirmed), to recertify our opacity readers on 5/22/2020. This is a much shorter extension than what was originally requested. Please confirm this extension and arrangement is acceptable and will leave us in good standing in regards to compliance with 30 TAC 111.111(a)(1)(G).

Best Regards

Rhonda Hrabchak, Senior EHS Leader
Irving Roofing & Asphalt Plant
(972) 439-8075 (469) 359-5164

[REDACTED]
201 N. Nursery Road
Irving, Texas 75061

From: Alyssa Taylor <alyssa.taylor@tceq.texas.gov>

Sent: Wednesday, April 15, 2020 8:38

To: Hrabchak, Rhonda <[REDACTED]>

Subject: RE: Smoke School Recertification - CoVid-19

Good morning Rhonda,

th

After we corresponded on March 17 , guidance was provided for submitting requests:

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.

Submitting the requests to one mailbox helps us to track the requests received. Please include your regulated entity number in your request along with the specific requirement for certified opacity readers.

If you have any questions, please feel free to give me a call.

Alyssa Taylor, R.E.M.
Regional Director
TCEQ DFW Region
817-588-5828



How is our customer service? Fill out our customer satisfaction survey at www.tceq.texas.gov/customersurvey.

From: Hrabchak, Rhonda <[REDACTED]>
Sent: Wednesday, April 15, 2020 8:03 AM
To: Alyssa Taylor <alyssa.taylor@tceq.texas.gov>
Cc: Hrabchak, Rhonda <[REDACTED]>

Subject: RE: Smoke School Recertification - CoVid-19

Good Morning Alyssa,

Please let this email serve as confirmation of my initial communication on 3/17/2020 (see initial communication below). Our plant has been down since 4/6/20 with a tentative restart date of 4/20/20. Pursuant to that shutdown, we have rescheduled our smoke school recertification training for 5/22/20, which is the earliest date the vendor could accommodate.

If local conditions change, and another shutdown becomes necessary before the recertification training, we will notify you ASAP. Please confirm this extension is acceptable and will leave us in good standing relative to compliance with training requirements.

Thank you for your assistance and cooperation. Have a great day!

Best Regards,

Rhonda Hrabchak

From: Alyssa Taylor <alyssa.taylor@tceq.texas.gov>

Sent: Tuesday, March 17, 2020 12:06

To: Hrabchak, Rhonda <[REDACTED]>

Cc: Kairis, Mindy <[REDACTED]> Whiteside, Devlin

<[REDACTED]> Kenna, David A <[REDACTED]>
Sheen, Pat <[REDACTED]> Stanishevaska Vitanova, Vlada

<[REDACTED]>

Subject: RE: Smoke School Recertification - CoVid-19

Hi Ronda,

Yes, please submit your extension request to me. Emailing the request is fine. All requests for extensions/deviations will be evaluated case-by-case. Please wait until you are closer to April 17th or you receive confirmation that it has been cancelled, whichever is sooner.

If you have any additional questions, please let me know.

Alyssa Taylor, R.E.M.
Regional Director
TCEQ DFW Region
817-588-5828



How is our customer service? Fill out our customer satisfaction survey at www.tceq.texas.gov/customersurvey.

From: Hrabchak, Rhonda <[REDACTED]>
Sent: Tuesday, March 17, 2020 11:32 AM
To: Alyssa Taylor <alyssa.taylor@tceq.texas.gov>
Cc: Kairis, Mindy <[REDACTED]> Whiteside, Devlin
<[REDACTED]> Kenna, David A <[REDACTED]>
Sheen, Pat <[REDACTED]> Stanishevskaya Vitanova, Vlada
<[REDACTED]>
Subject: Smoke School Recertification - CoVid-19
Importance: High

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Best Regards,

Rhonda Hrabchak, Senior EHS Leader
Irving Roofing & Asphalt Plant
(972) 439-8075 (469) 359-5164

[REDACTED]
201 N. Nursery Road
Irving, Texas 75061

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