

**From:** [Jonathan Walling](#)  
**To:** [Jaini, Vinod K](#); [Gopal, Vivek](#); [Solis, Sherrie L](#); [Sebesta, Hilda K](#); [Ellis, Wyatt L](#)  
**Cc:** [OCE](#)  
**Subject:** Scan\_Jaini, Vinod K\_08\_24\_33-11\_09\_2020- P66 Sweeny  
**Date:** Thursday, September 24, 2020 6:24:17 PM  
**Attachments:** [image001.png](#)  
[Scan\\_Jaini, Vinod K\\_08\\_24\\_28-11\\_09\\_2020.pdf](#)

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Good afternoon Vinod Jaini:

The TCEQ has evaluated your request for enforcement discretion related to performance testing of emission point numbers 26-CS (26.1 Hydrotreater heater), 29.1-36-001 (Vacuum Distillation Unit, Heater), 29.2-CS (Coker Heater), 28.2-36-2 (Unit 28.2 SRU), 38-36-251 (ULSD Charge Heater), and 38-36-252 (Stripper Reboiler Heater), as required by Special Condition 18 of Permit 5920A.

The TCEQ will exercise enforcement discretion which will be valid through December 31, 2020. The required tests shall be completed as soon as practicable, as conditions allow, by this date.

Please maintain records adequate to document activities related to any noncompliance under enforcement discretion, including details of Phillips 66 best efforts to comply.

Regards,

Jonathan Walling, Area Director  
Coastal & East Texas Area  
Texas Commission on Environmental Quality

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**From:** Jaini, Vinod K <[REDACTED]>  
**Sent:** Monday, September 21, 2020 11:39 AM  
**To:** OCE <[OCE@tceq.texas.gov](mailto:OCE@tceq.texas.gov)>; Ramiro Garcia <[ramiro.garcia@tceq.texas.gov](mailto:ramiro.garcia@tceq.texas.gov)>  
**Cc:** Mark Kolkmeier <[Mark.Kolkmeier@tceq.texas.gov](mailto:Mark.Kolkmeier@tceq.texas.gov)>; Corbin Hennick <[Corbin.Hennick@tceq.texas.gov](mailto:Corbin.Hennick@tceq.texas.gov)>; Michael Delacruz <[Michael.Delacruz@tceq.texas.gov](mailto:Michael.Delacruz@tceq.texas.gov)>; Gopal, Vivek <[REDACTED]> Solis, Sherrie L <[REDACTED]> Sebesta, Hilda K <[REDACTED]> Ellis, Wyatt L <[REDACTED]>  
**Subject:** FW: Scan\_Jaini, Vinod K\_08\_24\_33-11\_09\_2020

Dear Mr Garcia,

Attached is our submitting our stack testing extension request, since Phillips 66 Sweeny Refinery has been impacted by COVID 19 and has been operating at reduced rates. If you have any questions, please call me at (979)491-2125.

Sincerely,

Vinod K Jaini

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**From:** Mark Kolkmeier <[Mark.Kolkmeier@tceq.texas.gov](mailto:Mark.Kolkmeier@tceq.texas.gov)>  
**Sent:** Monday, September 21, 2020 11:21 AM  
**To:** Jaini, Vinod K <[REDACTED]> Corbin Hennick <[Corbin.Hennick@tceq.texas.gov](mailto:Corbin.Hennick@tceq.texas.gov)>  
**Cc:** Gopal, Vivek <[REDACTED]> Sebesta, Hilda K <[REDACTED]> Ellis, Wyatt L <[REDACTED]> Solis, Sherrie L <[REDACTED]>  
**Subject:** [EXTERNAL]RE: Scan\_Jaini, Vinod K\_08\_24\_33-11\_09\_2020

Good morning Vinod,

Since your request indicated COVID-19 related impacts, if you would please submit your request to [OCE@tceq.teas.gov](mailto:OCE@tceq.teas.gov) and cc [Ramiro.Garcia@tceq.texas.gov](mailto:Ramiro.Garcia@tceq.texas.gov). Thank for your patience.

The official instructions for requesting COVID discretion are below. Also note at the TCEQ Public Website you may track your request once it is logged.

<https://www.tceq.texas.gov/response/covid-19/tceq-preparedness-responsibilities-covid-19>.

*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](mailto:OCE@tceq.texas.gov) and [Ramiro.Garcia@tceq.texas.gov](mailto: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.*

Thank you again,

Mark Kolkmeier



Mark Kolkmeier  
Team Leader  
Texas Commission on Environmental Quality  
Region 12 • Houston • Air Section  
5425 Polk Street, Suite H, Houston, TX 77023  
Phone: 713-767-3719

-----Original Message-----

From: Jaini, Vinod K <[REDACTED]>  
Sent: Friday, September 11, 2020 8:59 AM  
To: Mark Kolkmeier <[Mark.Kolkmeier@tceq.texas.gov](mailto:Mark.Kolkmeier@tceq.texas.gov)>; Corbin Hennick <[Corbin.Hennick@tceq.texas.gov](mailto:Corbin.Hennick@tceq.texas.gov)>  
Cc: Gopal, Vivek <[REDACTED]> Sebesta, Hilda K <[REDACTED]>  
<[REDACTED]> Ellis, Wyatt L <[REDACTED]> Solis, Sherrie L <[REDACTED]>  
Subject: FW: Scan\_Jaini, Vinod K\_08\_24\_33-11\_09\_2020

Good Morning Mark and Corbin,

As per recent conversation, Phillips 66 is submitting our combustion sources testing extension request. If you have any questions, please call me at (979)491-2125. Have a great weekend!

VKJ

-----Original Message-----

From: [REDACTED] <[REDACTED]>  
Sent: Friday, September 11, 2020 8:25 AM  
To: Jaini, Vinod K <[REDACTED]>  
Subject: Scan\_Jaini, Vinod K\_08\_24\_33-11\_09\_2020

Please find your scan attached to this Email.



Vivek Gopal  
Environmental Director

Phillips 66  
Sweeny Refinery  
P. O. Box 866  
Sweeny, TX 77480  
phone 979-491-2365

September 10, 2020

Mr. Joseph Doby  
Air Section Manager  
Texas Commission on Environmental Quality, Region 12  
5425 Polk Street, Suite H  
Houston, Texas 77023-1452

RE: Extension Request for Compliance Demonstration  
Units 26-CS, 29.1-36-001, 29.2-CS, 28.2-36-2, and 38-36-251, & 38-36-252  
Phillips 66 Company Sweeny Refinery  
Permit 5920A  
Regulated Entity Number RN101619179  
Customer Reference Number CN604065912  
Acct No. BL-0042-G

Dear Mr. Doby:

As the Sweeny Refinery has been impacted by COVID 19 and subsequent demand impact, Phillips 66 is requesting an extension on testing. We request permission to delay testing from the current schedule of 3<sup>rd</sup> through 4<sup>th</sup> quarter of 2020 until the second quarter of 2021 for the following sources (EPN):

- EPN 26-CS—26.1 Hydrotreater heater
- 29.1-36-001—Vacuum Distillation Unit Heater
- 29.2-CS—Coker Heater
- 28.2-36-2—Unit 28.2 SRU
- 38-36-251—ULSD Charge Heater
- 38-36-252—Stripper Reboiler Heater

On July 8<sup>th</sup>, 2020, Phillips 66 Sweeny Refinery submitted a 45-day notification with the intent to conduct performance test on heaters (EPN 38-36-251 and EPN 38-36-252). However, these two sources (EPN 38-36-251 and 38-36-252) did not exceed their respective permitted emissions. Currently, these heaters are firing reduced rates due to COVID 19. These two heaters were scheduled to be tested on August 24, 2020.

On August 12<sup>th</sup>, 2020, Phillips 66 Sweeny Refinery submitted a separate 45-day notification with the intent to conduct compliance testing on the following sources: Cat Feed Hydrotreater Unit Charge Heaters and Recycle Heaters (26-CS), Vacuum Unit Heater (29.1-36-001), Delayed Coker Heaters A and B (29.2-CS), and SRU (EPN 28.2-36-2) to satisfy the 5-year compliance test required by Special Condition (SC)18 of Permit 5920A. The dates that were originally scheduled to be tested are as follows:

- Week of September 28, 2020 - 26-CS, 29.1-36-001, 29.2 CS
- Week of October 19, 2020 – 28.2-36-2

Our plans are to begin retesting all these sources beginning second quarter of 2021 provided that the demand becomes normal. If you have any questions, please call Vinod Jaini at 979-491-2125 or Sherrie Solis at (979) 491-2707 or by electronic mail at [REDACTED]

Sincerely,

  
Vivek Gopal  
Environmental Director

cc: Mark Kolkmeier, TCEQ Region 12  
Lyndon Poole, TCEQ Air Permits Division