

From: [David Ramirez](#)
To: [Saucedo, Ricardo](#)
Cc: [Sorenson, Mori](#); [Barber, Brian David](#); [OCE](#); [Ramiro Garcia](#); [Anita Keese](#)
Subject: RE: Non-Compliance Related to Coronavirus - Safety-Kleen, Midland TX (HW-50215)
Date: Monday, April 6, 2020 3:00:50 PM
Attachments: [image001.png](#)

Good afternoon Mr. Saucedo,

The TCEQ has received your request for enforcement discretion for the Safety-Kleen Systems Midland facility (RN101615870, TSDf Permit No. 50215) owned and operated by Safety-Kleen Systems, Inc. Your requests are approved in accordance with the representations in your request. These include:

- Daily inspections that are required by 40 CFR 264.15(d) and the General Inspection Requirements as outlined in Table III.D. Inspection Schedule of the TSDf Permit No. 50215.
- 10-day limitation on storage of hazardous wastes that are managed on-site in accordance with 30 TAC 335.94 for which this facility is operating as a "transfer facility" where the TSDf is not the final destination.

The enforcement discretion is effective until May 5, 2020. The TCEQ remains committed to working with our regulated community on a case by case basis. These required activities should be completed as soon as practicable, as conditions allow, before this date and should an extension beyond this be needed, please re-submit your request. This discretion is limited to the Texas Commission on Environmental Quality and does not limit EPA's ability to enforce federal regulations.

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,
David A. Ramirez, Area Director
Border and Permian Basin Area
Texas Commission on Environmental Quality

From: Ramiro Garcia <ramiro.garcia@tceq.texas.gov>
Sent: Sunday, April 5, 2020 11:46 AM
To: Saucedo, Ricardo [REDACTED] OCE <OCE@tceq.texas.gov>
Cc: Sorenson, Mori [REDACTED] Barber, Brian David <[REDACTED]>
[REDACTED] Tracy Miller <tracy.miller@tceq.texas.gov>; Susan Johnson <susan.johnson@tceq.texas.gov>; Jayme Sadlier <jayme.sadlier@tceq.texas.gov>; David Ramirez <david.ramirez@tceq.texas.gov>; Anita Keese <anita.keese@tceq.texas.gov>; Monica Aplin <Monica.Aplin@tceq.texas.gov>; Jacqueline Cullather <Jacqueline.Cullather@tceq.texas.gov>
Subject: RE: Non-Compliance Related to Coronavirus - Safety-Kleen, Midland TX (HW-50215)

Good morning Mr. Saucedo,

This email confirms receipt of your correspondence. We are reviewing your request and expect to have a response soon.

I hope your co-worker has a speedy recovery.

Best regards,

Ramiro Garcia, Jr.
Deputy
Office of Compliance & Enforcement
TCEQ

From: Saucedo, Ricardo <[REDACTED]>
Sent: Sunday, April 5, 2020 11:25 AM
To: OCE <OCE@tceq.texas.gov>; Ramiro Garcia <ramiro.garcia@tceq.texas.gov>
Cc: Sorenson, Mori <[REDACTED]> Barber, Brian David <[REDACTED]>
[REDACTED]
Subject: Non-Compliance Related to Coronavirus - Safety-Kleen, Midland TX (HW-50215)

An employee that works for the Safety-Kleen, Midland TX facility (TSDf Permit Ni. 50215) has presented symptoms related to the Coronavirus contamination. Results for this employee evaluation are not yet known and may take several days. At this point, as a precautionary step, all activities that the Safety-Kleen facility have been suspended and the facility is assumed to be contaminated. Clean Harbors Field Services has been dispatched to the facility to conduct decontamination of the facility. With all this, the daily inspections that are required by EPA (40 CFR 264.15), TCEQ and the site specific permit (Section III.D) will not take place. In addition, depending how long this situation extends, it is also a possibility that some of the containers that are stored for ten days or less may exceed the storage time limit. This is what we intent to do document while in this situation:

- We will note for the days that inspections are not being conducted, the date and the reason(s) why these inspections did not take place
- In the event of containers exceeding the 10 day storage limit, the facility will note the day(s) and the number of containers that have exceeded the 10 day storage limit
- Once the facility get the clearance to resume operation, the required inspections will resume normal operations . Daily inspections will resume as required by the rules and the site specific permit and any containers past the 10 day storage limit will be shipped as soon as possible

Please contact me if you have any questions or require any additional information.

Ricardo Saucedo, P.E. Sr. Environmental Compliance Manager | Safety-Kleen | A Clean Harbors Company | San Antonio TX | [REDACTED]

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