

From: [Susan Jablonski](#)
To: [Scott Halty](#)
Cc: [OCE](#); [Ramiro Garcia](#); [Michelle Harris](#); [Joel Anderson](#); [Lynn Bumguardner](#); [Yvonna Miramontes](#); [Erika Crespo](#)
Subject: RE: Enforcement Discretion Response - SAWS Pretreatment Program
Date: Wednesday, June 10, 2020 11:37:46 AM
Attachments: [Request for TCEQ Enforcement Discretion.pdf](#)

Mr. Scott Halty
Director of Resource Protection and Compliance
San Antonio Water System
2800 US HWY 281N
San Antonio, Texas 78212

RE: Request for Enforcement Discretion for the Quarterly Compliance Monitoring Requirements on Significant Industrial Users (SIU).

Dear Mr. Halty,

This is in response to your request dated June 5, 2020, regarding a temporary waiver of San Antonio Water System (SAWS) quarterly monitoring requirement on 85% of the known Significant Industrial Users (SIU). The Texas Commission on Environmental Quality (TCEQ) is exercising enforcement discretion on a case-by-case basis for regulated entities that are experiencing impacts due to the COVID-19 pandemic.

The issues you outline in your request are impacts we would consider granting enforcement discretion. Due to the closure of many SIU and limited availability of the SIU staff, your request for enforcement discretion is approved. This correspondence will serve as authorization granting your request. Per your request, for the period of April 1, 2020 through June 30, 2020, 15% of SIU monitoring will be collected as scheduled, and the remaining 85% that are closed or have very limited staff will not be collected. Should an extension beyond June 30, 2020 reporting be needed, please re-submit your request accordingly.

This discretion is limited to the TCEQ and does not limit the U.S. Environmental Protection Agency'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.

If you or members of SAWS staff have any questions, please feel free to contact Ms. Lynn Bumguardner, TCEQ Region 13 Water Section Manager, at (210) 403-4050.

Sincerely,

Susan Jablonski, P.E.
Area Director for Central Texas
Texas Commission on Environmental Quality

(512) 239-6731

From: Ramiro Garcia <ramiro.garcia@tceq.texas.gov>

Sent: Friday, June 5, 2020 12:43 PM

To: Scott Halty <Scott.Halty@saws.org>

Cc: OCE <OCE@tceq.texas.gov>; Tracy Miller <tracy.miller@tceq.texas.gov>; Susan Johnson <susan.johnson@tceq.texas.gov>; Jayme Sadlier <jayme.sadlier@tceq.texas.gov>; Susan Jablonski <susan.jablonski@tceq.texas.gov>; Michelle Harris <michelle.harris@tceq.texas.gov>

Subject: Re: Request for TCEQ enforcement discretion

Good afternoon Mr. Halty,

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

Best regards,

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

Sent from my iPhone

On Jun 5, 2020, at 11:02 AM, Scott Halty <Scott.Halty@saws.org> wrote:

Good morning,

You have requested that SAWS seek relief from TCEQ as a result of COVID-19 caused effects on sampling events conducted under the pretreatment program. On March 18, 2020, TCEQ announced an enforcement discretion policy for permit violations caused by the COVID-19 pandemic. Attached is the SAWS Request for Enforcement Discretion Resulting from COVID -19. Should you have any questions or concerns, please don't hesitate to contact me at (210) 233-3536.

Thank you,
Scott R. Halty
<Request for TCEQ Enforcement Discretion.pdf>