

From: [Jonathan Walling](#)
To: [Hall, Raymond D](#)
Cc: [Pokluda, Michael D](#); [Leadon, Linette M](#); [Fuhrman, Glenn A](#); [OCE](#)
Subject: COVID-19 Related Enforcement Discretion request for MECT Portfolio (P0847) University of Texas MD Anderson Cancer Center_Extension
Date: Thursday, January 28, 2021 9:46:09 AM
Attachments: [image001.png](#)
[EXT COVID-19 Related Enforcement Discretion request for MECT Portfolio \(P0847\) University of Texas MD Anderson Cancer Center.msg](#)

Good morning, Mr. Hall:

The TCEQ has evaluated your request for enforcement discretion relating to stack testing and the installation of fuel flow meters on two boilers (Heating Water Boilers B1 & B2) at the University of Texas MD Anderson Cancer Center, as required by 30 Texas Administrative Code Chapter 117, Subchapter H, Division 1 Rule §117.9200.

The TCEQ will exercise enforcement discretion for these activities which will be valid until July 31, 2021. The activities shall be completed as soon as practicable by this date. If it becomes necessary to extend this deadline due to challenges presented by COVID-19, please submit a new request for consideration.

Regulated entities must maintain records adequate to document activities related to any noncompliance under enforcement discretion, including details of the regulated entity's best efforts to comply.

Regards,

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

From: Hall, Raymond D <RDHall@mdanderson.org>
Sent: Wednesday, January 27, 2021 8:27 AM
To: OCE <OCE@tceq.texas.gov>; Ramiro Garcia <ramiro.garcia@tceq.texas.gov>
Cc: Pokluda, Michael D <mdpoklud@mdanderson.org>; Leadon, Linette M <lbaldwi@mdanderson.org>; Fuhrman, Glenn A <GAFuhrman@mdanderson.org>; Mark Kolkmeier <Mark.Kolkmeier@tceq.texas.gov>; Letasha Miller <Letasha.Miller@tceq.texas.gov>; Jonathan Walling <jonathan.walling@tceq.texas.gov>
Subject: COVID-19 Related Enforcement Discretion request for MECT Portfolio (P0847) University of Texas MD Anderson Cancer Center

TCEQ:

This email is to request enforcement discretion of 30 TAC Chapter 117, Subchapter H, Division 1 Rule

§117.9200. TCEQ enforcement discretion was exercised for our institution November 20, 2020 (see attached corresponding emails) and expires January 31, 2021. The COVID-19 Pfizer vaccine approached final testing, review and received emergency FDA approval from November through December 2020. The planning period for rapid vaccine deployment, while preparing for the projected post-holiday season COVID-19 spikes in cases monopolized our institution's resources. The utilization of our project teams for these and many other COVID-19 related critical endeavors caused project delays. We will not meet the compliance requirements for the installation of the fuel totalizing flow meters and required stack testing before the January 31, 2021 due date. The project should begin within the next two months and be completed within the 2021 reporting period. We request enforcement discretion until December 31, 2021. The December 31, 2021 target date leaves room for any unexpected COVID-19 disruptions to the project and stack testing. We have purchased emissions credits (pending TCEQ approval, project: 415713) so that we can report the facility on the upcoming MECT Annual Report for the 2020 reporting year.

Thank you for consideration.

Raymond D. Hall, MSPS, CHMM

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