

**From:** Jonathan Walling  
**To:** [Terry.Baxter@SPR.DOE.GOV](mailto:Terry.Baxter@SPR.DOE.GOV)  
**Cc:** [OCE](#)  
**Subject:** U.S. Dept. of Energy, Strategic Petroleum Reserve, Big Hill facility - Delayed BHT-7 Tank Seal Inspection  
**Date:** Thursday, April 16, 2020 2:19:17 PM  
**Attachments:** [BHT\\_7\\_Enforcement\\_Discretion\\_Request.pdf](#)  
**Importance:** High

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Good afternoon, Mr. Baxter:

Your request for enforcement discretion, as presented, relating to the delay in conducting a semi-annual seal inspection of external floating roof tank BHT-7, at Strategic Petroleum Reserve- Big Hill Facility, as required by 30 TAC §115.114, 40 CFR §60.113b and New Source Review Permit No. 9256, is approved with the following qualifications:

- Enforcement discretion is limited to the Texas Commission on Environmental Quality. It does not limit EPA's ability to enforce federal regulations; and
- This enforcement discretion will be in effect until July 15, 2020. The required inspection should be completed as soon as practicable, as conditions allow, before this date. Should an extension beyond this be needed, please re-submit your request. Subsequent inspections shall be based on the actual test date.

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,

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

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**From:** Baxter, Terry <[Terry.Baxter@SPR.DOE.GOV](mailto:Terry.Baxter@SPR.DOE.GOV)>  
**Sent:** Thursday, April 16, 2020 10:23 AM  
**To:** Ramiro Garcia <[ramiro.garcia@tceq.texas.gov](mailto:ramiro.garcia@tceq.texas.gov)>; OCE <[OCE@tceq.texas.gov](mailto:OCE@tceq.texas.gov)>  
**Subject:** U.S. Dept. of Energy, Strategic Petroleum Reserve, Big Hill facility - Delayed BHT-7 Tank Seal Inspection  
**Importance:** High

Mr. Ramiro Garcia, Jr., Deputy Director  
Texas Commission on Environmental Quality  
Office of Compliance and Enforcement, MC 172

Dear Mr. Garcia:

Please find attached a request from the U.S. Department of Energy, Strategic Petroleum Reserve to delay the semi-annual seal inspection of the Big Hill external floating roof tank (BHT-7) due to the COVID-19 Pandemic.

If you have any questions, please e-mail or call me at (225) 892-9661.

Thank you,

Terry Baxter

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Terry Baxter | [Fluor Federal Petroleum Operations, LLC](#) | Air Quality Specialist, Environmental | Contractor to the U. S. Department of Energy SPR | [Terry.Baxter@spr.doe.gov](mailto:Terry.Baxter@spr.doe.gov)  
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April 15, 2020  
31016-TAB-20-026

Mr. Ramiro Garcia, Jr., Deputy Director  
Texas Commission on Environmental Quality  
Office of Compliance and Enforcement, MC 172  
P.O. Box 13087  
Austin, TX 78711-3087

Dear Mr. Garcia:

Subject: COVID-19 Pandemic Delay of Semi-Annual Seal Inspection on External Floating Roof Tank at U.S. Department of Energy - Strategic Petroleum Reserve, Big Hill Facility (Permit No. 9256)

On behalf of the U.S. Department of Energy (owner, operator, and permittee), Fluor Federal Petroleum Operations, LLC (Management and Operations Contractor for the Strategic Petroleum Reserve) submits this request to delay the semi-annual seal inspection of the Big Hill external floating roof tank (BHT-7). Due to the COVID-19 Pandemic, the Big Hill Facility is operating at a minimal staff level to ensure the safety of the workforce.

The semi-annual inspection of BHT-7 is anticipated to be performed by July 15, 2020. This predicted date assumes state-ordered COVID-19 restrictions are lifted by May 31, 2020. Subsequent semi-annual inspections will commence accordingly based on this new schedule.

The citation of rule for which enforcement discretion is requested is 30 TAC §115.114 - Storage of Volatile Organic Compounds, Inspection, and Repair Requirements. BHT-7 is an external floating roof crude oil surge tank, located in the Beaumont-Port Arthur area. This regulation requires that the secondary seal be visually inspected at least once every six months.

Please call Mr. Terry Baxter at (225) 892-9661 should you require additional information.

Sincerely,  
*Robert Sevcik*

Robert Sevcik  
Director  
Environmental and Sustainability