

**From:** Jonathan Walling  
**To:** Terry Baxter@SPR.DOE.GOV  
**Cc:** OCE  
**Subject:** U.S. Dept. of Energy, Strategic Petroleum Reserve, Big Hill facility - Request for Extended Delay of BHT-7 Tank Seal Inspection  
**Date:** Thursday, June 4, 2020 10:31:27 AM  
**Attachments:** BHT-7 Enforcement Discretion Request.pdf  
**Importance:** High

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Good morning, Mr. Baxter:

Your request to delay the semi-annual seal inspection of external floating roof tank BHT-7, as required by 30 TAC §115.114, 40 CFR §60.113b and New Source Review Permit No. 9256, at the U.S. Department of Energy- Big Hill Facility is approved and will be valid until September 30, 2020. The inspection shall be completed as soon as practicable before this date.

Enforcement discretion is limited to the Texas Commission on Environmental Quality. It 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,

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>  
**Sent:** Wednesday, June 3, 2020 1:23 PM  
**To:** Ramiro Garcia <ramiro.garcia@tceq.texas.gov>  
**Cc:** Jonathan Walling <jonathan.walling@tceq.texas.gov>  
**Subject:** U.S. Dept. of Energy, Strategic Petroleum Reserve, Big Hill facility - Request for Extended Delay of 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 extend the delay of the semi-annual seal inspection of the Big Hill external floating roof tank (BHT-7) until September 30, 2020. This request for TCEQ Enforcement Discretion is needed due to the COVID-19 Pandemic and the current mandatory crude oil fill of the Big Hill facility as ordered by the President of the United States.

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)  
O 504.734.4193 | F 504.818.5193 | 850 S. Clearview Parkway, New Orleans, LA 70123

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**From:** Jonathan Walling <jonathan.walling@tceq.texas.gov>  
**Sent:** Thursday, April 16, 2020 2:19 PM  
**To:** Baxter, Terry <Terry.Baxter@SPR.DOE.GOV>  
**Cc:** OCE <OCE@tceq.texas.gov>  
**Subject:** U.S. Dept. of Energy, Strategic Petroleum Reserve, Big Hill facility - Delayed BHT-7 Tank Seal Inspection  
**Importance:** High

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>  
**Sent:** Thursday, April 16, 2020 10:23 AM  
**To:** Ramiro Garcia <ramiro.garcia@tceq.texas.gov>; OCE <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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June 3, 2020  
31016-TAB-20-039

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 Secondary 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 extend the delay of the semi-annual secondary seal inspection of the Big Hill external floating roof tank (BHT-7) until September 30, 2020. TCEQ approved our original request for enforcement discretion on April 16, 2020.

Due to the COVID-19 Pandemic, the Big Hill facility is still operating at minimal staff levels to ensure the safety of the workforce. Additionally, tank BHT-7 is being utilized to receive crude oil until August 31, 2020, due to the mandatory fill of the Strategic Petroleum Reserve facilities as ordered by the President of the United States.

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 seals are visually inspected at least once every six months. Subsequent semi-annual inspections will commence accordingly based on this new schedule.

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

Sincerely,

*Robert Sevcik*

Robert Sevcik  
Director  
Environmental and Sustainability