

Certain information is withheld pending the regulated entity's opportunity to assert exceptions to disclosure under the Texas Public Information Act.

TCEQ COVID-19 Enforcement Discretion Requests

Friday, April 24, 2020

Date Received	Regulated Entity	County	Description of Request	Date of Response	Decision	Justification
3/17/2020		Harrison	Requests 6 month extension to complete the performance test of the CatOx.	3/18/2020	Approved to 9/20/2020	
3/19/2020		Brazoria	Discretionary lenience to allow the opportunity to place public notice binder at the public library upon re-opening, therefore extending the public comment period by 30 days after that date.	3/20/2020	Approved	
3/19/2020		Fort Bend	Extend deadline for 2019 Point Source Emissions Inventory (EI)	3/19/2020	Approved - Guidance on TCEQ website	
3/19/2020		Harris	Request to receive shipments of COVID-19 medical waste labeled as COVID-19 waste in USDOT approved shipping containers and waive other labeling requirements.	3/19/2020	Approved	
3/19/2020		Multiple	Requested suspension of the following activities: NSPS or MACT storage tank inspections; LDAR monitoring requirements; and hazardous waste accumulation time limits and reporting.	3/21/2020	Denied	
3/19/2020		Multiple	Requested suspension of the following activities at all natural gas processing facilities and compression stations: LDAR monitoring requirements; CEMS and stack testing; cooling tower sampling; wastewater effluent sampling and reporting; hazardous waste accumulation time limits, inspections and reporting; MACT and NSPS equipment inspections and reporting; NSR required inspections; Method 9 smoke school training; and SPCC inspections.	3/21/2020	Denied	
3/19/2020		Multiple	Requested suspension for the following activities at two refineries: LDAR monitoring requirements; soil or groundwaters sampling; CEMS and stack testing; cooling tower sampling; wastewater effluent sampling and reporting; fence line monitoring; hazardous waste accumulation time limits and reporting; MACT and NSPS equipment inspections and reporting; monitoring required under Benzene Waste NESHAPS; Method 9 certification training; and NSR required equipment inspections.	3/21/2020	Denied	
3/19/2020		Gray	Suspend LDAR activities for April 2020	3/22/2020	Denied	
3/20/2020		Harrison	Extension to delay and conduct Subpart EEE testing	3/20/2020	Approved	
3/20/2020		Comal	90-day extension request for Subpart LLLL testing	3/23/2020	Approved	
3/20/2020		Bowie	Sampling exemptions - special vs routine / alternate sampling sites / temporary suspension of nitrification sampling and flushing delay	3/23/2020	Approved	

3/20/2020		Dallas	Suspend weekly stormwater sampling	3/22/2020	Approved	
3/20/2020		Dallas	VCP - Reduced number of monitoring wells sampled	3/23/2020	Approved	
3/20/2020		Comal	90-Day extension for compliance testing and report due date for Visible Emissions Evaluation Field Certification (Method 9) due April 15, 2020	3/23/2020	Approved to 5/21/2020	
3/20/2020		Lee	Emergency issuance of Class D wastewater license or allow work without license	3/23/2020	Approved	
3/23/2020		Montgomery	Suspend monthly LDAR monitoring activities to be suspended until August 2020	3/23/2020	Approved	
3/23/2020		Multiple	3-month suspension of LDAR inspections by external contractors	3/24/2020	Approved	
3/23/2020		Orange	Request to submit the following reports electronically: Title V, NSR, RCRA, and CWA. Will submit pdfs to OCE box, TCEQ Region 10 and EPA Region 6	3/25/2020	Approved	
3/23/2020		Dallas	Suspend permit-required facility inspections when personnel not available	3/24/2020	Approved	
3/23/2020		Dallas	Suspend permit-required facility inspections when personnel not available	3/24/2020	Approved	
3/24/2020		Bell	Enforcement discretion regarding chemical analysis monitoring, nitrification sampling, and bacteriological sample testing for a period of sixty (60) days	3/25/2020	Approved for nitrification sampling only.	
3/24/2020		Duval	Suspend compliance requirement (UR03070 V.C.1.) to maintain a bleed in PAAs, 1, 2 & 3 for 90 days	3/28/2020	Approved	
3/24/2020		Harris	60-day extension to submit financial assurance	3/24/2020	Approved	
3/24/2020		Chambers	Suspend requirement for LDAR monitoring by Method 21	3/24/2020	Approved to 6/30/2020	
3/25/2020		Ward	Delay completion of quarterly Leak Detection and Repair (LDAR) monitoring until at least 5/15/2020	3/25/2020	Approved	
3/25/2020		Victoria	Request to submit reports the following reports electronically: Title V, NSR, RCRA, and CWA. Will submit pdfs to OCE box, TCEQ Region 14 and EPA Region 6.	3/25/2020	Approved	
3/25/2020		Harris	Extend deadlines for semi-annual Title V Deviation Report, Title V permit annual compliance certification, and semi-annual CEMS downtime & excess emission report.	3/25/2020	Approved to 4/30/2020	
3/25/2020		Bexar	Request enforcement discretion for extension for NSR air permit renewal application and stain booth filter recordkeeping requirements	3/26/2020	Approved until 5/25/2020	

3/26/2020		Travis	Suspension of weekly and post-rain stormwater BMP inspections and maintenance	3/27/2020	Denied	
3/26/2020		Multiple	Delay STEERS reporting for excess emissions identified by flyovers conducted in Midland on 1/27/2020 until 4/3/2020 and flyovers conducted in Delaware Basin on 3/16/2020 until 4/10/2020.	3/27/2020	Denied	
3/26/2020		Harris	Suspend requirement for LDAR monitoring by Method 21	3/26/2020	Approved to 6/30/2020	
3/26/2020		Harris	Suspend requirement for LDAR monitoring by Method 21	3/26/2020	Approved to 6/30/2020	
3/26/2020		Harrison	Request for permission to submit the following reports electronically: Title V, NSR, RCRA, and CWA. Will submit pdfs to OCE box, TCEQ Region 14 and EPA Region 6.	3/27/2020	Approved	
3/26/2020		Brazoria	Deferred monitoring or other LDAR-associated activities	3/27/2020	Approved to 5/31/2020	
3/26/2020		Brazoria	Deferred monitoring or other LDAR-associated activities	3/27/2020	Approved to 5/31/2020	
3/26/2020		Brazoria	Deferred monitoring or other LDAR-associated activities	3/27/2020	Approved to 5/31/2020	
3/26/2020		Matagorda	Extension of deadline to repair tank	3/27/2020	Approved to 8/9/2020	
3/27/2020		Harris	Suspend inspection, monitoring, reporting, and record-keeping required by stormwater permit	3/27/2020	Approved for rain gauge requirement. Directed to send additional request if benchmark monitoring cannot be met later this year.	

3/27/2020		El Paso	Suspend requirement for LDAR monitoring by Method 21. Deferral of annual groundwater monitoring. Deferral of training Method 9 annual smoke school certification. Deferral of annual secondary seal inspections on external floating roof tanks.	3/28/2020	LDAR suspension approved. Directed to coordinate with Enforcement Division regarding annual groundwater monitoring required under TCEQ Agreed Order. Approved delay of Method 9 annual smoke school certification. Requested additional information for remaining requests.	
3/26/2020		Dallas	Expansion of active working face of landfill	3/27/2020	Denied	
3/27/2020		Galveston	Delay initial TOx and flare testing for permit; originally scheduled for 4/7/2020	3/27/2020	Approved until 5/7/2020	
3/27/2020		Galveston	Suspend requirement for LDAR monitoring by Method 21; Postpone requirement for stack testing and CEMS RATAs	3/28/2020	Approved to 5/8/2020	
3/27/2020		Shelby	Suspend quarterly emission test for NOx and CO on one engine at facility that is undergoing repair	3/27/2020	Approved	
3/27/2020		Montgomery	Extension for the Thermal Oxidizer performance test	3/27/2020	Approved until 4/30/2020	
3/30/2020		Brazoria	Exception for not performing quarterly fugitive monitoring (28LAER) in accordance with Special Condition 4 of NSR Permit	3/30/2020	Approved to 6/30/2020	
3/30/2020		Moore	Extension for submittal of annual Permit Compliance Certification and Semi-Annual Deviation Reports due to inability to provide original signatures	3/30/2020	Approved to send electronic reports	
3/30/2020		Harris	15-day extension for the 2019 Mass Emissions Cap and Trade (MECT) Program Annual Compliance Report	3/31/2020	Approved	
3/30/2020		Galveston	Electronic submittal of Benzene Waste Operations NESHAP 2019 (BWON) Annual Report	3/31/2020	Approved	
3/30/2020		Multiple	Electronic submittal of Benzene NESHAP Subpart FF quarterly and Total Annual Benzene reports	3/31/2020	Approved to send electronic reports	
3/31/2020		Gray	Suspension of LDAR testing for April 2020	3/31/2020	Approved	
3/31/2020		Calhoun	Extension for required initial compliance testing obligations	3/31/2020	Denied	

3/31/2020		Calhoun	Extension for the Emissions Inventory and GHG Reporting	4/1/2020	Approved - Guidance on TCEQ website	
3/31/2020		Gregg	Extension for Method 9 certified opacity readings and/or allowance for formerly certified staff to conduct Method 9 observations with expired certification	3/31/2020	Approved until 6/30/2020	
3/31/2020		Tyler	Enforcement discretion for lack of authorized signature on Benchmark Monitoring form for 2019 calendar year	4/1/2020	Approved until 5/29/2020	
3/31/2020		Kleberg	Relief from 30 TAC 331.82(a) and permit conditions related to the maintenance and repair requirements applicable to 3 monitoring wells	4/1/2020	Approved until 5/4/2020	
3/31/2020		Jefferson	30-day extension to submit annual pretreatment program report	4/1/2020	Approved	
3/31/2020		Galveston	Request electronic submittal of wastewater alternate control annual report	4/1/2020	Approved	
4/1/2020		Harris	Request electronic submittal of quarterly reports for wastewater treatment plants in Harris County	4/1/2020	Approved until 5/15/2020	
4/1/2020		Harris	Extension to submit required permit alteration specified in Permit	4/1/2020	Approved until 5/31/2020	
4/1/2020		Harris	Request to submit the following reports electronically: Title V, NSR, RCRA, and CWA. Will submit pdfs to TCEQ Region 12 and EPA Region 6.	4/1/2020	Approved until 5/4/2020	
4/1/2020		Fort Bend	Exception from performance stack testing requirements in 40 CFR 60 Subpart JJJJ	4/2/2020	Approved until 6/30/2020	
4/1/2020		Harris	Electronic submittal of April 2020 Quarterly Progress Report - Aluminum Effluent Limitations Attainment	4/1/2020	Approved	
4/2/2020		Galveston	Defer repair timelines related to LDAR monitoring, Benzene Waste Operations NESHAP (BWON), NSPS QQQ leaks or inspection failures and defer visual leak inspections pursuant to BWON and NSPS QQQ and other LDAR-type regulations and permit conditions thru 5/7/2020.	4/3/2020	Approved until 5/7/2020	
4/2/2020		Multiple	Suspend annual compliance testing that consists of one or combination of the following tests performed onsite by a third party vendor: Leak Detection System (ATG) certification, line tightness testing, leak detector certification, impact valve inspection, pressure decay testing, vent cap testing, and containment sump testing at 28 stores. Suspension of 60-day recurring Spill Bucket and Containment Sump inspections at all locations.	4/5/2020	Approved until 6/2/2020	

4/2/2020		El Paso	Temporary suspension of quarterly, monthly, and weekly visual inspections of drain systems or waste management units under Benzene Operations NESHAP (BWON) and NSPS QQQ. Request to postpone Method 9 annual smoke school certification until 5/15/2020. Temporary suspension of annual secondary seal inspections on external floating roof tanks expiring on 4/30/2020.	4/3/2020	Approved until 5/15/2020	
4/2/2020		Harris	Suspension of LDAR monitoring by Method 21 through 6/30/2020	4/3/2020	Approved through 6/30/2020	
4/2/2020		Harris	Suspension of LDAR monitoring by Method 21 through 6/30/2020	4/3/2020	Approved through 6/30/2020	
4/2/2020		Comal	Allowance for truck-to-truck transfers at a facility that is not yet a registered treatment/transfer facility per 30 TAC 326 while undergoing registration process for a transfer facility at the same location.	4/7/2020	Approved until 6/2/2020 while registration application is actively pursued	
4/3/2020		Comal	90-day extension to complete Visible Emissions Evaluator Recertification for EPA Test Method 9	4/14/2020	Approved until 6/13/2020	
4/3/2020		Bexar	Delay internal inspection of the floating roof seals and fittings in Storage Tank	4/5/2020	Approved until 7/25/2020	
4/3/2020		Multiple	Updated request (4/10/2020) - requesting suspension of the following for 34 sites: TXG110000 GP Standard Permit Condition 3; Standard Permit Condition 7; TXR050000 GP related to routine facility inspections, quarterly visual monitoring, and annual water quality monitoring	4/15/2020	Approve GP Standard Condition 3 until 6/3/2020; approve GP Standard Condition 7 parts a) and d) until 6/3/2020 and for part f) DMRs submitted for the months of Feb, Mar, Apr 2020; conditionally approve suspension of routine facility inspection but deny suspension of quarterly visual monitoring and annual water quality monitoring	
4/3/2020		Ellis	Relief from twice weekly wastewater discharge monitoring and monthly DMR reporting. Relief from permit special conditions related to watering/sweeping of plant roads, quarterly audits, inspections of aqueous ammonia dosing system, and quarterly monitoring reports. Relief pertaining to visible emissions monitoring and semi-annual reporting.	4/8/2020	Approved for DMR reporting for February, March, and April 2020. Denied request for relief from permit special conditions related to watering/sweeping of plant roads. Approved suspension of quarterly audits. Denied for visible emissions monitoring/reporting.	
4/5/2020		Midland	Suspension of daily inspections and potential extension of storage limits while facility is shut down to facilitate cleaning due to COVID-19 exposure	4/6/2020	Approved until 5/5/2020	
4/6/2020		Ward	Postpone required natural gas driven compressor engine testing required under 30 TAC §117.8140(a)(2)(A) for 180 days	4/7/2020	Approved until 6/6/2020 for pre-test notice and until 7/6/2020 for engine testing.	

4/7/2020		El Paso	Exception for exceeding accumulation time limit for universal waste (fluorescent lamps)	4/10/2020	Approved until 4/30/2020.	
4/8/2020		Reeves	Extensions on required stack testing of SMR unit	4/9/2020	Denied	
4/8/2020		Harrison	Extension to delay 40 CFR, Part 63, Subpart EEE, §63.1207(d)(1) Comprehensive Performance Testing (CPT) and RCRA Permit Five (5) year testing for the Hydrochloric Acid Recovery Unit / Halogen Acid Furnace until at least October 31, 2020	4/9/2020	Denied	
4/9/2020		Harris	15-day extension to Title V deviation reporting deadline	4/9/2020	Approved until 4/30/2020	
4/9/2020		Hutchinson	Exceedance of the permitted hours of operation of Fluidized Catalytic Cracking Unit (FCCU) without Electrostatic Precipitator (ESP)	4/10/2020	permitted hours of operation of the FCC Unit w/o the ESP for one 140-hour shut down/start -up during the 12-month rolling period in addition to the one already conducted. Unauthorized emissions must be reported.	
4/9/2020		Harris	Extension to conduct the stack testing of the D-Line/DLX process unit to establish the quantity of air contaminants and compliance demonstrations with the HRVOC rule at increased production rates	4/16/2020	Approved to extend stack testing for EPNs 152, 154, 153, D-2501, S-2501, V-2501, and vent 153 through 6/20/2020.	
4/9/2020		Randall	Reschedule stack testing deadline from 5/12/2020 to week of 8/3/2020	4/13/2020	Approved	
4/9/2020		Harris	Electronic submittal of semiannual deviation report, OP-CR01, and ACC	4/10/2020	Approved to send electronic reports	
4/9/2020		Montgomery	Additional extension for the thermal oxidizer performance test	4/9/2020	Approved until 5/30/2020	
4/9/2020		El Paso	Delay internal inspection of Tank	4/10/2020	Approved until 6/30/2020	
4/9/2020		Potter	Allow for construction and operation of Medical Waste Treatment Facility proposed and described in registration application	4/15/2020	Approved until 6/10/2020 while application is actively being pursued	
4/10/2020		Harris	Exception for failure to submit sample collected from discharge of Outfall-008 during infrequent and non-routine discharge occurring on 3/23/2020	4/13/2020	Approved	
4/11/2020		Multiple	Supervisions of weekly/monthly stormwater inspections and related stormwater control maintenance requirements under CGP through 5/15/2020	4/13/2020	Approved	

4/13/2020		Harrison	Exception to requirement for opacity readers to recertify the ability to perform Method 9 opacity observations every 180 days	4/16/2020	Approved to have staff currently certified continue performing opacity observations until such time that they can be recertified	
4/13/2020		Austin	Exception to begin construction of the acetylene filling building prior to approval of TCEQ permit	4/16/2020	Denied	
4/13/2020		Randall	Request to use electronic signatures to sign documents (40 CFR 60.7 quarterly and semi-annual reports)	4/14/2020	Approved	
4/14/2020		Harris	Exception for delayed submittal of 2019 Emissions Inventory - submitted 4/1/20	4/15/2020	Approved - Guidance on TCEQ website	
4/14/2020		Matagorda	Delay 10-year internal preventive maintenance visual inspections on large internal floating roof tank containing n-propanol, due on 5/10/2020	4/14/2020	Approved until 8/10/2020	
4/14/2020		Nueces	Extension for self-certification on USTs 3A, 2A, and 1A due 4/30/2020	4/15/2020	Approved until 5/30/2020	
4/14/2020		Harris	Delay submittal of permit renewal application	4/15/2020	Denied	
4/15/2020		Dallas	Extension for recertification of opacity readers to 5/22/2020	4/15/2020	Approved until 6/15/2020	
4/15/2020		Jefferson	Exception through 7/30/2020, for not conducting required internal floating roof storage tank inspection on tank	4/15/2020	Approved until 7/30/2020	
4/16/2020		Jefferson	Delay semi-annual seal inspection of the external floating roof tank	4/16/2020	Approved until 7/15/2020	
4/16/2020		Jefferson	Exception to use Optical Gas Imaging to fulfill second quarter 2020 fugitive emissions monitoring requirements	4/20/2020	Denied to utilize OGI as alternative work practice for Method 21 but provided exception for LDAR monitoring for first quarter 2020 and 30-day extension for completion of second quarter monitoring to 7/31/20	
4/16/2020		Montgomery	Exception from performance testing requirements in 40 CFR 60 Subpart JJJJ	4/16/2020	Approved until 6/30/2020	
4/16/2020		Multiple	Exception to allow drivers without tank endorsements on their CDL or medical card that have expired to continue fuel delivery	4/17/2020	Request not under TCEQ jurisdiction; advised to submit to TDPS	

4/17/2020		Harris	Extension to conduct the performance testing of Hot Oil Heater by 90 days	4/17/2020	Approved to 6/30/2020	
4/17/2020		Brazoria	exception for missed individual drain/oily water sewer system inspections under BWON	4/20/2020	Approved for March and April 2020	
4/20/2020		Dallas	extension to original one-year timeline for OSSF construction	4/21/2020	Denied - more information needed	
4/21/2020		Bowie	suspension of nitrification action plan sampling and fire hydrant flushing	4/21/2020	Approved to 5/25/2020	
4/22/2020		Jeff Davis	deferral of stormwater BMP inspections until 6/5/2020	4/22/2020	Enforcement discretion not necessary since secondary operator will continue to conduct monthly inspections.	
4/22/2020		Galveston	additional delay of initial TOx and flare testing to June 7, 2020	4/22/2020	Approved to 5/29/2020	
4/22/2020		Harris	utilize electronic signatures in lieu of original signatures on Title V Deviation Reports (inclusive of an OP-CR01)	4/23/2020	Approved	
4/23/2020		Jefferson	delay of groundwater monitoring events scheduled for April 2020	4/24/2020	Approved to 5/31/2020	
4/23/2020		Travis	electronic submittal of required Form PCC and Form OP-CRO1		Under review	
4/23/2020		Multiple	exceed 35-day limit for storing used oil at transfer stations under 40 CFR § 279.45		Under review	
4/24/2020		Chambers	exception from performance testing requirements in 40 CFR 60 Subpart JJJJ	4/24/2020	Approved to 6/30/2020	