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July 12, 2012

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Wendy P. Drummond
Alan J. Oxford, II
Max K. Naegler

Thomas E. Drummond
(1945-2012)

Regional Hearing Clerk (6RC-D)
U.S. EPA, Region 6
1445 Ross Avenue, Suite 1200
Dallas, TX 75202-2733

RE: *In the Matter of Ellis Thomas d/b/a CSC Oil Company; Facility No. OKU000177*
Docket No. CWA-06-2012-1829

Dear Sir or Madam:

Enclosed is Respondent's Answer to Administrative Complaint to be filed in the above referenced matter. Please file and return to our office in the self-addressed, stamped envelope enclosed for your convenience.

Thank you in advance for your assistance in this matter.

Sincerely,



Debi Patterson
Legal Assistant for the Firm

/dp
Enclosures

UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY
REGION 6

FILED

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REGIONAL HEADING CLERK
REGION VI

In the Matter of)
)
Ellis Thomas d/b/a CSC Oil Company,)
)
Respondent)
)
Facility No. OKU000177)

Docket No. CWA-06-2012-1829
Proceeding to Assess a Class I
Civil Penalty under Section 309(g)
of the Clean Water Act

RESPONDENT'S ANSWER TO ADMINISTRATIVE COMPLAINT

Respondent, Ellis Thomas d/b/a CSC Oil Company ("Respondent" or "Thomas"), by and through his counsel, Drummond Law, PLLC, and for his Answer to the Administrative Complaint issued pursuant to Section 309(g) of the Clean Water Act (the Act"), 33 U.S.C. § 1319(g), states as follows:

I. Statutory Authority

Respondent does not dispute the statutory authority upon which this Administrative Complaint is based.

II. Findings of Fact and Conclusions of Law

1. Respondent admits the allegations of Paragraph 1 of the Administrative Complaint.
2. Respondent admits the allegations of Paragraph 2 of the Administrative Complaint.
3. Respondent denies the allegations of Paragraph 3 of the Administrative Complaint.
4. Respondent denies the allegations of Paragraph 4 of the Administrative Complaint.

5. Respondent admits the allegations of Paragraph 5 of the Administrative Complaint.

6. With regard to the allegations of Paragraph 6 of the Administrative Complaint, Respondent admits that the facility was inspected by an EPA field inspector on or about February 3, 2012. Respondent denies all other allegations contained in Paragraph 6.

7. Respondent denies the allegations of Paragraph 7 of the Administrative Complaint.

8. Respondent denies the allegations of Paragraph 8 of the Administrative Complaint.

9. With regard to the allegations of Paragraph 9 of the Administrative Complaint, Respondent is without sufficient information to either admit or deny same.

10. With regard to the allegations of Paragraph 10 of the Administrative Complaint, Respondent is without sufficient information to either admit or deny same.

III. Proposed Penalty

11. Paragraph 11 of the Administrative Complaint sets forth conclusions of law to which no response is required. To the extent that a response is required, Respondent denies same.

12. Paragraph 12 of the Administrative Complaint sets forth conclusions of law to which no response is required. To the extent that a response is required, Respondent denies same.

13. Paragraph 13 of the Administrative Complaint sets forth conclusions of law to which no response is required. To the extent that a response is required, Respondent denies same.

IV. Failure to File an Answer

14. Paragraph 14 of the Administrative Complaint sets forth statements of procedure or law to which no response is required.

15. Paragraph 15 of the Administrative Complaint sets forth statements of procedure or law to which no response is required.

16. Paragraph 16 of the Administrative Complaint sets forth statements of procedure or law to which no response is required.

17. Paragraph 17 of the Administrative Complaint sets forth statements of procedure or law to which no response is required.

18. Paragraph 18 of the Administrative Complaint sets forth statements of procedure or law to which no response is required.

19. Paragraph 19 of the Administrative Complaint sets forth statements of procedure or law to which no response is required.

V. Notice of Opportunity to Request a Hearing

20. Paragraph 20 of the Administrative Complaint sets forth statements of procedure or law to which no response is required.

21. Paragraph 21 of the Administrative Complaint sets forth statements of procedure or law to which no response is required. Respondent's request for hearing is set forth below.

22. Paragraph 22 of the Administrative Complaint sets forth statements of procedure or law to which no response is required.

VI. Settlement

23. Paragraph 23 of the Administrative Complaint sets forth statements of procedure or law to which no response is required.

24. Paragraph 24 of the Administrative Complaint sets forth statements of procedure or law to which no response is required.

25. Paragraph 25 of the Administrative Complaint sets forth statements of procedure or law to which no response is required.

AFFIRMATIVE DEFENSES

1. The Complaint fails to state a claim upon which relief may be granted.
2. The proposed penalty is unwarranted, excessive and outside the legislative authority granted to the EPA.
3. Respondent reserves the right to assert further affirmative defenses as discovery continues.

REQUEST FOR HEARING

Respondent, Ellis Thomas d/b/a CSC Oil Company, hereby requests hearing pursuant to Section 22.15(c) of the Consolidated Rules of Practice governing these proceedings.

WHEREFORE, Respondent, Ellis Thomas d/b/a CSC Oil Company, prays that be matter be dismissed.

Respectfully Submitted,



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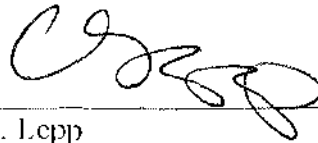
Attorneys for Ellis Thomas
d/b/a CSC Oil Company

CERTIFICATE OF SERVICE

I certify that, on this 12th day of July 2012, I caused a true and correct copy of the foregoing Order to be delivered to the following counsel of record in this matter by sending the same by regular United States mail, postage fully prepaid, to:

Regional Hearing Clerk (6RC-D)
U.S. EPA, Region 6
1445 Ross Avenue, Suite 1200
Dallas, TX 75202-2733

Efren Ordonez (6RC-EW)
U.S. EPA, Region 6
1445 Ross Avenue, Suite 1200
Dallas, TX 75202-2733



Donald A. Lepp