

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 6
DALLAS, TEXAS

IN THE MATTER OF:	§	
	§	
THOMAS PETROLEUM, LLC	§	
PILOT THOMAS LOGISTICS, LLC	§	DOCKET NO. EPCRA-06-2019-0501
	§	
	§	
RESPONDENT	§	
	§	

JOINT STIPULATIONS OF FACT AND LAW

The parties submit the following stipulations of fact and law.

I. JOINT STIPULATIONS OF FACT

1. The following facilities were owned or operated by Thomas during 2012 and 2013 (collectively, the "Facilities"):
 - a. Thomas Petroleum LLC Arkansas 1894 Highway 124, Damascus, Arkansas ("the Damascus facility")
 - b. Thomas Petroleum LLC Lafayette 1306 Petroleum Parkway, Broussard, Louisiana ("the Broussard facility")
 - c. Thomas Petroleum LLC Hobbs 3307 W County Road, Hobbs, New Mexico ("the Hobbs facility")
 - d. Thomas Petroleum LLC Beaumont 1 1703 W Port Arthur Road, Beaumont, Texas ("the Beaumont facility")
 - e. Thomas Petroleum LLC Bridgeport 1709 Crittendon, Bridgeport, Texas ("the Bridgeport facility")
 - f. Thomas Petroleum LLC Corpus/Robstown 4632 Daniel, Robstown, Texas ("the Robstown facility")
 - g. Thomas Petroleum LLC LaGrange 450 Airport Road, La Grange, Texas ("the La Grange facility")
 - h. Thomas Petroleum LLC Laredo 13497 Port Drive, Laredo, Texas ("the Laredo facility")
 - i. Thomas Petroleum LLC Odessa 10918 W 1-20 E, Odessa, Texas ("the Odessa facility")

- j. Thomas Petroleum LLC San Benito 2050 Utex, San Benito, Texas ("the San Benito facility")
 - k. Thomas Petroleum LLC Tyler 1510 N NE Loop 323, Tyler, Texas ("the Tyler facility")
 - l. Thomas Petroleum LLC Victoria 9701 US Hwy. 59 N, Victoria, Texas ("the Victoria facility")
2. The Facilities were not owned or operated by Pilot Thomas Logistics LLC during 2012 or 2013.
3. The complaint in this matter was filed on February 15, 2019, and Respondent received copies of the original complaint and 40 CFR § 22 by certified mail.
4. At the time the complaint was filed in this matter, the Thomas Petroleum LLC Damascus, Broussard, Beaumont, La Grange, and Robstown facilities had fewer than 10 full-time equivalent employees.
5. At the time the complaint was filed in this matter, the Thomas Petroleum LLC Hobbs 3307 W County Road, Hobbs, New Mexico facility had closed.
6. At the time the complaint was filed in this matter, the Thomas Petroleum LLC San Benito 2050 Utex, San Benito, Texas facility had closed.
7. In 2012 and 2013, primary Standard Industrial Classification (SIC) code 5171 [petroleum bulk stations and terminals] and/or primary North American Industrial Classification System (NAICS) subsector or industry code 424710 [petroleum bulk stations and terminals] applied to the operations of the Facilities.
8. Following an internal review, Thomas voluntarily filed Toxic Release Inventory reports for its Damascus, Bridgeport, Hobbs, La Grange, Laredo, Odessa, Robstown, Tyler and Victoria facilities for calendar year 2013 on June 29, 2014; EPA was not aware of any issues with Thomas before Thomas voluntarily reported and Thomas did not file its June 29, 2014 reports because of any enforcement or investigative action by EPA.
9. After EPA contacted Thomas to follow up on the June 29, 2014 TRI reporting, Thomas voluntarily and promptly filed TRI reports for prior years, corrected mistakes, provided documentation to EPA, and assisted EPA in completing an inspection of the Tyler facility and an audit of the other facilities in Region 6.
10. The Toxic Release Inventory for calendar year 2012 was published on February 4, 2014.

Thomas Petroleum LLC Arkansas (Damascus Facility)

11. Count 1 —1,2,4-Trimethylbenzene
 - a. During calendar year 2012, the Damascus facility "manufactured, processed, or otherwise used" 1,2,4-Trimethylbenzene in excess of the applicable threshold.

- b. The Damascus facility submitted a 2012 EPA Toxic Release Inventory (“TRI”) reporting form on Form A for 1,2,4-Trimethylbenzene on October 22, 2014

12. Count 2 – Diethanolamine

- a. During calendar year 2012, the Damascus facility "manufactured, processed, or otherwise used" diethanolamine in excess of the applicable threshold.
- b. The Damascus facility submitted a 2012 EPA TRI reporting form on Form A for diethanolamine on October 22, 2014.

13. Count 3 - Ethylene Glycol

- a. During calendar year 2012, the Damascus facility "manufactured, processed, or otherwise used" ethylene glycol in excess of the applicable threshold.
- b. The Damascus facility submitted a 2012 EPA TRI reporting form on Form A for ethylene glycol on October 22, 2014.

14. Count 4 - N-Hexane

- a. During calendar year 2012, the Damascus facility "manufactured, processed, or otherwise used" n-hexane in excess of the applicable threshold.
- b. The Damascus facility submitted a 2012 EPA TRI reporting form on Form A for n-hexane on October 22, 2014.

15. Count 5 —Methanol

- a. During calendar year 2012, the Damascus facility "manufactured, processed, or otherwise used" methanol in excess of the applicable threshold.
- b. The Damascus facility submitted a 2012 EPA TRI reporting form on Form A for methanol on October 22, 2014.

16. Count 7 — PACs

- a. During calendar year 2012, the Damascus facility "manufactured, processed, or otherwise used" PACs in excess of the applicable threshold.
- b. The Damascus facility submitted a 2012 EPA TRI reporting form on Form R for PACs on October 22, 2014.

17. Count 8 — Xylene (Mixed Isomers)

- a. During calendar year 2012, the Damascus facility "manufactured, processed, or otherwise used" xylene (mixed isomers) in excess of the applicable threshold.
- b. The Damascus facility submitted a 2012 EPA TRI reporting form on Form A for xylene (mixed isomers) on October 22, 2014.

18. Count 9 — Zinc Compounds

- a. During calendar year 2012, the Damascus facility "manufactured, processed, or otherwise used" zinc compounds in excess of the applicable threshold.
- b. The Damascus facility submitted a 2012 EPA TRI reporting form on Form A for zinc compounds on October 22, 2014.

19. Count 10 — Diethanolamine

- a. During calendar year 2013, the Damascus facility "manufactured, processed, or otherwise used" diethanolamine in excess of the applicable threshold.
- b. The Damascus facility submitted a 2013 EPA TRI reporting form on Form A for diethanolamine on January 28, 2015.

Thomas Petroleum LLC Lafayette (Broussard Facility)

20. Count 12 — 1,2,4-Trimethylbenzene

- a. During calendar year 2012, the Broussard facility "manufactured, processed, or otherwise used" 1,2,4-Trimethylbenzene in excess of the applicable threshold.
- b. The Broussard facility submitted a 2012 EPA TRI reporting form on Form A for 1,2,4-Trimethylbenzene on October 28, 2014.

21. Count 13 — Ethylene Glycol

- a. During calendar year 2012, the Broussard facility "manufactured, processed, or otherwise used" ethylene glycol in excess of the applicable threshold.
- b. The Broussard facility submitted a 2012 EPA TRI reporting form on Form A for ethylene glycol on October 28, 2014.

22. Count 14 — Methanol

- a. During calendar year 2012, the Broussard facility "manufactured, processed, or otherwise used" methanol in excess of the applicable threshold.
- b. The Broussard facility submitted a 2012 EPA TRI reporting form on Form A for methanol on October 28, 2014.

23. Count 15 — Zinc Compounds

- a. During calendar year 2012, the Broussard facility "manufactured, processed, or otherwise used" zinc compounds in excess of the applicable threshold.
- b. The Broussard facility submitted a 2012 EPA TRI reporting form on Form A for zinc compounds on October 28, 2014.

24. Count 16 — 1,2,4-Trimethylbenzene

- a. During calendar year 2013, the Broussard facility "manufactured, processed, or otherwise used" 1,2,4-Trimethylbenzene in excess of the applicable threshold.
- b. The Broussard facility submitted a 2013 EPA TRI reporting form on Form A for 1,2,4-Trimethylbenzene on October 28, 2014.

25. Count 17 — Ethylene Glycol

- a. During calendar year 2013, the Broussard facility "manufactured, processed, or otherwise used" ethylene glycol in excess of the applicable threshold.
 - b. The Broussard facility submitted a 2013 EPA TRI reporting form on Form A for ethylene glycol on October 28, 2014.
26. Count 18 — N-Hexane
- a. During calendar year 2013, the Broussard facility "manufactured, processed, or Otherwise used" n-hexane in excess of the applicable threshold.
 - b. The Broussard facility submitted a 2013 EPA TRI reporting form on Form A for n-hexane on October 28, 2014.
27. Count 19 — Methanol
- a. During calendar year 2013, the Broussard facility "manufactured, processed, or otherwise used" methanol in excess of the applicable threshold.
 - b. The Broussard facility submitted a 2013 EPA TRI reporting form on Form A for methanol on October 28, 2014.
28. Count 20 — Zinc Compounds
- a. During calendar year 2013, the Broussard facility "manufactured, processed, or otherwise used" zinc compounds in excess of the applicable threshold.
 - b. The Broussard facility submitted a 2013 EPA TRI reporting form on Form A for zinc compounds on October 28, 2014.

Thomas Petroleum LLC Hobbs (Hobbs Facility)

29. Count 21 — 1,2,4-Trimethylbenzene
- a. During calendar year 2012, the Hobbs facility "manufactured, processed, or otherwise used" 1,2,4-Trimethylbenzene in excess of the applicable threshold.
 - b. The Hobbs facility submitted a 2012 EPA TRI reporting form on Form R for 1,2,4-Trimethylbenzene on October 22, 2014.
30. Count 22 — Ethylene Glycol
- a. During calendar year 2012, the Hobbs facility "manufactured, processed, or otherwise used" ethylene glycol in excess of the applicable threshold.
 - b. The Hobbs facility submitted a 2012 EPA TRI reporting form on Form A for ethylene glycol on October 22, 2014.
31. Count 23 — Methanol
- a. During calendar year 2012, the Hobbs facility "manufactured, processed, or otherwise used" methanol in excess of the applicable threshold.
 - b. The Hobbs facility submitted a 2012 EPA TRI reporting form on Form A for methanol on October 22, 2014.

32. Count 24 — N-Hexane

- a. During calendar year 2012, the Hobbs facility "manufactured, processed, or otherwise used" n-hexane in excess of the applicable threshold.
- b. The Hobbs facility submitted a 2012 EPA TRI reporting form on Form R for n-hexane on October 22, 2014.

33. Count 26 — PACs

- a. During calendar year 2012, the Hobbs facility "manufactured, processed, or otherwise used" PACs in excess of the applicable threshold.
- b. The Hobbs facility submitted a 2012 EPA TRI reporting form on Form R for PACs on October 22 2014.

34. Count 27 — Xylene (Mixed Isomers)

- a. During calendar year 2012, the Hobbs facility "manufactured, processed, or otherwise used" xylene (mixed isomers) in excess of the applicable threshold.
- b. The Hobbs facility submitted a 2012 EPA TRI reporting form on Form A for xylene (mixed isomers) on October 22, 2014.

35. Count 28 — Zinc Compounds

- a. During calendar year 2012, the Hobbs facility "manufactured, processed, or otherwise used" zinc compounds in excess of the applicable threshold.
- b. The Hobbs facility submitted a 2012 EPA TRI reporting form on Form A for zinc compounds on October 22, 2014.

Thomas Petroleum LLC Beaumont (Beaumont Facility)

36. Count 30 — 1,2,4-Trimethylbenzene

- a. During calendar year 2012, the Beaumont facility "manufactured, processed, or otherwise used" 1,2,4-Trimethylbenzene in excess of the applicable threshold.
- b. The Beaumont facility submitted a 2012 EPA TRI reporting form on Form A for 1,2,4-Trimethylbenzene on October 27, 2014.

37. Count 31— Ethylene Glycol

- a. During calendar year 2012, the Beaumont facility "manufactured, processed, or otherwise used" ethylene glycol at Respondent's Beaumont facility in excess of the applicable threshold.
- b. The Beaumont facility submitted a 2012 EPA TRI reporting form on Form A for ethylene glycol at the Beaumont facility on October 27, 2014.

38. Count 32 — Methanol

- a. During calendar year 2012, the Beaumont facility "manufactured, processed, or otherwise used" methanol at Respondent's Beaumont facility in excess of the applicable threshold.
- b. The Beaumont facility submitted a 2012 EPA TRI reporting form on Form A for methanol at the Beaumont facility on October 27, 2014.

39. Count 33 — N-Hexane

- a. During calendar year 2012, the Beaumont facility "manufactured, processed, or otherwise used" n-hexane at Respondent's Beaumont facility in excess of the applicable threshold.
- b. The Beaumont facility submitted a 2012 EPA TRI reporting form on Form A for n-hexane at the Beaumont facility on October 27, 2014.

40. Count 35 — Toluene

- a. During calendar year 2012, the Beaumont facility "manufactured, processed, or otherwise used" toluene at Respondent's Beaumont facility in excess of the applicable threshold.
- b. The Beaumont facility submitted a 2012 EPA TRI reporting form on Form A for toluene at the Beaumont facility on October 27, 2014.

41. Count 36 — Xylene (Mixed Isomers)

- a. During calendar year 2012, the Beaumont facility "manufactured, processed, or otherwise used" xylene (mixed isomers) at Respondent's Beaumont facility in excess of the applicable threshold.
- b. The Beaumont facility submitted a 2012 EPA TRI reporting form on Form A for xylene (mixed isomers) at the Beaumont facility on October 27, 2014.

42. Count 37 — Zinc Compounds

- a. During calendar year 2012, the Beaumont facility "manufactured, processed, or otherwise used" zinc compounds at Respondent's Beaumont facility in excess of the applicable threshold.
- b. The Beaumont facility submitted a 2012 EPA TRI reporting form on Form A for zinc compounds on October 27, 2014.

43. Count 38 — 1,2,4-Trimethylbenzene

- a. During calendar year 2013 the Beaumont facility "manufactured, processed, or otherwise used" 1,2,4-Trimethylbenzene at Respondent's Beaumont facility in excess of the applicable threshold.
- b. The Beaumont facility submitted a 2013 EPA TRI reporting form on Form A for 1,2,4-Trimethylbenzene at the Beaumont facility on October 27, 2014.

44. Count 39 — Ethylene Glycol

- a. During calendar year 2013, the Beaumont facility "manufactured, processed, or otherwise used" ethylene glycol at Respondent's Beaumont facility in excess of the applicable threshold.
- b. The Beaumont facility submitted a 2013 EPA TRI reporting form on Form A for ethylene glycol at the Beaumont facility on October 27, 2014.

45. Count 40 — Methanol

- a. During calendar year 2013, the Beaumont facility "manufactured, processed, or otherwise used" methanol at Respondent's Beaumont facility in excess of the applicable threshold
- b. The Beaumont facility submitted a 2013 EPA TRI reporting form on Form A for methanol at the Beaumont facility on October 27, 2014.

46. Count 41 — N-Hexane

- a. During calendar year 2013, the Beaumont facility "manufactured, processed, or otherwise used" n-hexane at Respondent's Beaumont facility in excess of the applicable threshold.
- b. The Beaumont facility submitted a 2013 EPA TRI reporting form on Form A for n-hexane at the Beaumont facility on October 27, 2014.

47. Count 43 — Toluene

- a. During calendar year 2013, the Beaumont facility "manufactured, processed, or otherwise used" toluene at Respondent's Beaumont facility in excess of the applicable threshold.
- b. The Beaumont facility submitted a 2013 EPA TRI reporting form on Form A for toluene at the Beaumont facility on October 27, 2014.

48. Count 44 — Xylene (Mixed Isomers)

- a. During calendar year 2013, the Beaumont facility "manufactured, processed, or otherwise used" xylene (mixed isomers) at Respondent's Beaumont facility in excess of the applicable threshold.
- b. The Beaumont facility submitted a 2013 EPA TRI reporting form on Form A for xylene (mixed isomers) at the Beaumont facility on October 27, 2014.

49. Count 45 — Zinc Compounds

- a. During calendar year 2013, the Beaumont facility "manufactured, processed, or otherwise used" zinc compounds at Respondent's Beaumont facility in excess of the applicable threshold.
- b. The Beaumont facility submitted a 2013 EPA TRI reporting form on Form A for zinc compounds at the Beaumont facility on October 27, 2014.

Thomas Petroleum LLC Bridgeport (Bridgeport Facility)

50. Count 46 — 1,2,4-Trimethylbenzene

- a. During calendar year 2012, the Bridgeport facility "manufactured, processed, or otherwise used" 1,2,4-Trimethylbenzene at Respondent's Bridgeport facility in excess of the applicable threshold.
- b. The Bridgeport facility submitted a 2012 EPA TRI reporting form on Form A for 1,2,4-Trimethylbenzene at the Bridgeport facility on October 22, 2014.

51. Count 47 — Diethanolamine

- a. During calendar year 2012, the Bridgeport facility "otherwise used" diethanolamine at Respondent's Bridgeport facility in excess of the applicable threshold.
- b. The Bridgeport facility submitted a 2012 EPA TRI reporting form on Form A for diethanolamine at the Bridgeport facility on October 22, 2014.

52. Count 48 — Ethylene Glycol

- a. During calendar year 2012, the Bridgeport facility "manufactured, processed, or otherwise used" ethylene glycol at Respondent's Bridgeport facility in excess of the applicable threshold.
- b. The Bridgeport facility submitted a 2012 EPA TRI reporting form on Form A for ethylene glycol at the Bridgeport facility on October 22, 2014.

53. Count 49 — Methanol

- a. During calendar year 2012, the Bridgeport facility otherwise used" methanol at Respondent's Bridgeport facility in excess of the applicable threshold.
- b. The Bridgeport facility submitted a 2012 EPA TRI reporting form on Form A for methanol at the Bridgeport facility on October 22, 2014.

54. Count 50 — N-Hexane

- a. During calendar year 2012, the Bridgeport facility "manufactured, processed, or otherwise used" n-hexane at Respondent's Bridgeport facility in excess of the applicable threshold.
- b. The Bridgeport facility submitted a 2012 EPA TRI reporting form on Form A for n-hexane at the Bridgeport facility on October 22, 2014.

55. Count 52 — PACs

- a. During calendar year 2012, the Bridgeport facility "manufactured, processed, or otherwise used" PACs at Respondent's Bridgeport facility in excess of the applicable threshold.
- b. The Bridgeport facility submitted a 2012 EPA TRI reporting form on Form R for PACs at the Bridgeport facility on October 22, 2014.

56. Count 53 — Toluene

- a. During calendar year 2012, the Bridgeport facility "manufactured, processed, or otherwise used" toluene at Respondent's Bridgeport facility in excess of the applicable threshold.
- b. The Bridgeport facility submitted a 2012 EPA TRI reporting form on Form A for toluene at the Bridgeport facility on October 22, 2014.

57. Count 54 — Xylene (Mixed Isomers)

- a. During calendar year 2012, the Bridgeport facility "manufactured, processed, or otherwise used" xylene (mixed isomers) at Respondent's Bridgeport facility in excess of the applicable threshold.
- b. The Bridgeport facility submitted a 2012 EPA TRI reporting form on Form A for xylene (mixed isomers) at the Bridgeport facility on October 22, 2014.

58. Count 55 — Zinc Compounds

- a. During calendar year 2012, the Bridgeport facility "manufactured, processed, or otherwise used" zinc compounds at Respondent's Bridgeport facility in excess of the applicable threshold.
- b. The Bridgeport facility submitted a 2012 EPA TRI reporting form on Form A for zinc compounds at the Bridgeport facility on October 22, 2014.

59. Count 56 — Diethanolamine

- a. During calendar year 2013, the Bridgeport facility "manufactured, processed, or otherwise used" diethanolamine at Respondent's Bridgeport facility in excess of the applicable threshold.
- b. The Bridgeport facility submitted a 2013 EPA TRI reporting form on Form A for diethanolamine at the Bridgeport facility on January 28, 2015.

Thomas Petroleum LLC Robstown (Robstown Facility)

60. Count 58 — 1,2,4-Trimethylbenzene

- a. During calendar year 2012, the Robstown facility "manufactured, processed, or otherwise used" 1,2,4-Trimethylbenzene in excess of the applicable threshold.
- b. The Robstown facility submitted a 2012 EPA TRI reporting form on Form A for 1,2,4-Trimethylbenzene at the Robstown facility on October 22, 2014.

61. Count 59 — Ethylene Glycol

- a. During calendar year 2012, the Robstown facility "manufactured, processed, or otherwise used" ethylene glycol in excess of the applicable threshold.
- b. The Robstown facility submitted a 2012 EPA TRI reporting form on Form A for ethylene glycol at the Robstown facility on October 22, 2014.

62. Count 60 — Methanol

- a. During calendar year 2012, the Robstown facility "manufactured, processed, or otherwise used" methanol in excess of the applicable threshold.
 - b. The Robstown facility submitted a 2012 EPA TRI reporting form on Form A for methanol at the Robstown facility on October 22, 2014.
63. Count 61 — N-Hexane
- a. During calendar year 2012, the Robstown facility "manufactured, processed, or otherwise used" n-hexane in excess of the applicable threshold.
 - b. The Robstown facility submitted a 2012 EPA TRI reporting form on Form A for n-hexane at the Robstown facility on October 22, 2014.
64. Count 63 — PACs
- a. During calendar year 2012, the Robstown facility "manufactured, processed, or otherwise used" PACs in excess of the applicable threshold.
 - b. The Robstown facility submitted a 2012 EPA TRI reporting form on Form R for PACs at the Robstown facility on October 22, 2014.
65. Count 64 – Toluene
- a. During calendar year 2012, the Robstown facility "manufactured, processed, or otherwise used" toluene in excess of the applicable threshold.
 - b. The Robstown facility submitted a 2012 EPA TRI reporting form on Form A for toluene at the Robstown facility on October 22, 2014.
66. Count 65 - Xylene (Mixed Isomers)
- a. During calendar year 2012, the Robstown facility "manufactured, processed, or otherwise used" xylene (mixed isomers) in excess of the applicable threshold.
 - b. The Robstown facility submitted a 2012 EPA TRI reporting form on Form A for xylene (mixed isomers) at the Robstown facility on October 22, 2014.
67. Count 66 — Zinc Compounds
- a. During calendar year 2012, the Robstown facility "manufactured, processed, or otherwise used" zinc compounds in excess of the applicable threshold.
 - b. The Robstown facility submitted a 2012 EPA TRI reporting form on Form A for zinc compounds at the Robstown facility on October 22, 2014.

Thomas Petroleum LLC La Grange (La Grange Facility)

68. Count 68 — 1,2,4-Trimethylbenzene
- a. During calendar year 2012, the La Grange facility "manufactured, processed, or otherwise used" 1,2,4-Trimethylbenzene in excess of the applicable threshold.
 - b. The La Grange facility submitted a 2012 EPA TRI reporting form on Form A for 1,2,4-Trimethylbenzene at the La Grange facility on October 25, 2014.

69. Count 69 — Ethylene Glycol

- a. During calendar year 2012, the La Grange facility "manufactured, processed, or otherwise used" ethylene glycol in excess of the applicable threshold.
- b. The La Grange facility submitted a 2012 EPA TRI reporting form on Form A for ethylene glycol at the La Grange facility on October 25, 2014.

70. Count 70 — Methanol

- a. During calendar year 2012, the La Grange facility "manufactured, processed, or otherwise used" methanol in excess of the applicable threshold.
- b. The La Grange facility submitted a 2012 EPA TRI reporting form on Form R for methanol at the La Grange facility on October 25, 2014.

71. Count 71 — N-Hexane

- a. During calendar year 2012, the La Grange facility "manufactured, processed, or otherwise used" n-hexane in excess of the applicable threshold.
- b. The La Grange facility submitted a 2012 EPA TRI reporting form on Form A for n-hexane at the La Grange facility on October 25, 2014.

72. Count 73 — PACs

- a. During calendar year 2012, the La Grange facility "manufactured, processed, or otherwise used" PACs in excess of the applicable threshold.
- b. The La Grange facility submitted a 2012 EPA TRI reporting form on Form R for PACs at the La Grange facility on October 25, 2014.

73. Count 74 — Toluene

- a. During calendar year 2012, the La Grange facility "manufactured, processed, or otherwise used" toluene in excess of the applicable threshold.
- b. The La Grange facility submitted a 2012 EPA TRI reporting form on Form A for toluene at the La Grange facility on October 25, 2014.

74. Count 75 — Xylene (Mixed Isomers)

- a. During calendar year 2012, the La Grange facility "manufactured, processed, or otherwise used" xylene (mixed isomers) in excess of the applicable threshold.
- b. The La Grange facility submitted a 2012 EPA TRI reporting form on Form A for xylene (mixed isomers) at the La Grange facility on October 25, 2014.

75. Count 76 — Zinc Compounds

- a. During calendar year 2012, the La Grange facility "manufactured, processed, or otherwise used" zinc compounds in excess of the applicable threshold.
- b. The La Grange facility submitted a 2012 EPA TRI reporting form on Form A for zinc compounds at the La Grange facility on October 25, 2014.

Thomas Petroleum LLC Laredo (Laredo Facility)

76. Count 78 — 1,2,4-Trimethylbenzene

- a. During calendar year 2012, the Laredo facility "manufactured, processed, or otherwise used" 1,2,4-Trimethylbenzene in excess of the applicable threshold.
- b. The Laredo facility submitted a 2012 EPA TRI reporting form on Form A for 1,2,4-Trimethylbenzene at the Laredo facility on October 28, 2014.

77. Count 79 — Diethanolamine

- a. During calendar year 2012, the Laredo facility "manufactured, processed, or otherwise used" diethanolamine in excess of the applicable threshold,
- b. The Laredo facility submitted a 2012 EPA TRI reporting form on Form A for diethanolamine at the Laredo facility on October 28, 2014.

78. Count 80 — Ethylene Glycol

- a. During calendar year 2012, the Laredo facility "manufactured, processed, or otherwise used" ethylene glycol in excess of the applicable threshold.
- b. The Laredo facility submitted a 2012 EPA TRI reporting form on Form A for ethylene glycol at the Laredo facility on October 28, 2014.

79. Count 81 — Methanol

- a. During calendar year 2012, the Laredo facility "manufactured, processed, or otherwise used" methanol in excess of the applicable threshold.
- b. The Laredo facility submitted a 2012 EPA TRI reporting form on Form A for methanol at the Laredo facility on October 28, 2014.

80. Count 82 — N-Hexane

- a. During calendar year 2012, the Laredo facility "manufactured, processed, or otherwise used" n-hexane in excess of the applicable threshold.
- b. The Laredo facility submitted a 2012 EPA TRI reporting form on Form A for n-hexane at the Laredo facility on October 28, 2014.

81. Count 84 — PACs

- a. During calendar year 2012, the Laredo facility "manufactured, processed, or otherwise used" PACs in excess of the applicable threshold.
- b. The Laredo facility submitted a 2012 EPA TRI reporting form on Form R for PACs at the Laredo facility on October 28, 2014.

82. Count 85 — Toluene

- a. During calendar year 2012, the Laredo facility "manufactured, processed, or otherwise used" toluene in excess of the applicable threshold,
- b. The Laredo facility submitted a 2012 EPA TRI reporting form on Form A for toluene at the Laredo facility on October 28, 2014.

83. Count 86 — Xylene (Mixed Isomers)

- a. During calendar year 2012, the Laredo facility "manufactured, processed, or otherwise used" xylene (mixed isomers) in excess of the applicable threshold.
- b. The Laredo facility submitted a 2012 EPA TRI reporting form on Form A for xylene (mixed isomers) at the Laredo facility on October 28, 2014.

84. Count 87 — Zinc Compounds

- a. During calendar year 2012, the Laredo facility "manufactured, processed, or otherwise used" zinc compounds in excess of the applicable threshold.
- b. The Laredo facility submitted a 2012 EPA TRI reporting form on Form A for zinc compounds at the Laredo facility on October 28, 2014.

85. Count 88 — Diethanolamine

- a. During calendar year 2013, the Laredo facility "manufactured, processed, or otherwise used" diethanolamine in excess of the applicable threshold.
- b. The Laredo facility submitted a 2013 EPA TRI reporting form on Form A for diethanolamine at the Laredo facility on January 28, 2015.

Thomas Petroleum LLC Odessa (Odessa Facility)

86. Count 90 — 1,2,4-Trimethylbenzene

- a. During calendar year 2012, the Odessa facility "manufactured, processed, or otherwise used" 1,2,4-Trimethylbenzene in excess of the applicable threshold.
- b. The Odessa facility submitted a 2012 EPA TRI reporting form on Form A for 1,2,4-Trimethylbenzene at the Odessa facility on October 28, 2014.

87. Count 91 — Diethanolamine

- a. During calendar year 2012, the Odessa facility "manufactured, processed, or otherwise used" diethanolamine in excess of the applicable threshold.
- b. The Odessa facility submitted a 2012 EPA TRI reporting form on Form A for diethanolamine at the Odessa facility on October 28, 2014.

88. Count 92 — Ethylene Glycol

- a. During calendar year 2012, the Odessa facility "manufactured, processed, or otherwise used" ethylene glycol in excess of the applicable threshold.
- b. The Odessa facility submitted a 2012 EPA TRI reporting form on Form R for ethylene glycol at the Odessa facility on October 28, 2014.

89. Count 93 — Methanol

- a. During calendar year 2012, the Odessa facility "manufactured, processed, or otherwise used" methanol in excess of the applicable threshold.

- b. The Odessa facility submitted a 2012 EPA TRI reporting form on Form A for methanol at the Odessa facility on October 28, 2014.
90. Count 94 — N-Hexane
- a. During calendar year 2012, the Odessa facility "manufactured, processed, or otherwise used" n-hexane in excess of the applicable threshold.
 - b. The Odessa facility submitted a 2012 EPA TRI reporting form on Form A for n-hexane at the Odessa facility on October 28, 2014.
91. Count 96 — PACs
- a. During calendar year 2012, the Odessa facility "manufactured, processed, or otherwise used" PACs in excess of the applicable threshold.
 - b. The Odessa facility submitted a 2012 EPA TRI reporting form on Form R for PACs at the Odessa facility on October 28, 2014.
92. Count 97 - Toluene
- a. During calendar year 2012, the Odessa facility "manufactured, processed, or otherwise used" toluene in excess of the applicable threshold.
 - b. The Odessa facility submitted a 2012 EPA TRI reporting form on Form A for toluene at the Odessa facility on October 28, 2014.
93. Count 98 — Xylene (Mixed Isomers)
- a. During calendar year 2012, the Odessa facility "manufactured, processed, or otherwise used" xylene (mixed isomers) in excess of the applicable threshold.
 - b. The Odessa facility submitted a 2012 EPA TRI reporting form on Form A for xylene (mixed isomers) at the Odessa facility on October 28, 2014.
94. Count 99 — Zinc Compounds
- a. During calendar year 2012, the Odessa facility "manufactured, processed, or otherwise used" zinc compounds in excess of the applicable threshold.
 - b. The Odessa facility submitted a 2012 EPA TRI reporting form on Form A for zinc compounds at the Odessa facility on October 28, 2014.
95. Count 100 — Diethanolamine
- a. During calendar year 2013, the Odessa facility "manufactured, processed, or otherwise used" diethanolamine in excess of the applicable threshold.
 - b. The Odessa facility submitted a 2013 EPA TRI reporting form on Form A for diethanolamine at the Odessa facility on January 28, 2015.

Thomas Petroleum LLC San Benito (San Benito Facility)

96. Count 102 — 1,2,4-Trimethylbenzene

- a. During calendar year 2012, the San Benito facility "manufactured, processed, or otherwise used" 1,2,4-Trimethylbenzene in excess of the applicable threshold.
 - b. The San Benito facility submitted a 2012 EPA TRI reporting form on Form A for 1,2,4-Trimethylbenzene at the San Benito facility on October 28, 2014.
97. Count 103 — Ethylene Glycol
- a. During calendar year 2012, the San Benito facility "manufactured, processed, or otherwise used" ethylene glycol in excess of the applicable threshold.
 - b. The San Benito facility submitted a 2012 EPA TRI reporting form on Form A for ethylene glycol at the San Benito facility on October 28, 2014.
98. Count 104 — N-Hexane
- a. During calendar year 2012, the San Benito facility "manufactured, processed, or otherwise used" n-hexane in excess of the applicable threshold.
 - b. The San Benito facility submitted a 2012 EPA TRI reporting form on Form A for n-hexane at the San Benito facility on October 28, 2014.
99. Count 106 — Toluene
- a. During calendar year 2012, the San Benito facility "manufactured, processed, or otherwise used" toluene in excess of the applicable threshold.
 - b. The San Benito facility submitted a 2012 EPA TRI reporting form on Form A for toluene at the San Benito facility on October 28, 2014.
100. Count 107 — Xylene (Mixed Isomers)
- a. During calendar year 2012, the San Benito facility "manufactured, processed, or otherwise used" xylene (mixed isomers) in excess of the applicable threshold.
 - b. The San Benito facility submitted a 2012 EPA TRI reporting form on Form A for xylene (mixed isomers) at the San Benito facility on October 28, 2014.
101. Count 108 — Zinc Compounds
- a. During calendar year 2012, the San Benito facility "manufactured, processed, or otherwise used" zinc compounds in excess of the applicable threshold.
 - b. The San Benito facility submitted a 2012 EPA TRI reporting form on Form A for zinc compounds at the San Benito facility on October 28, 2014.
102. Count 109 — 1,2,4-Trimethylbenzene
- a. During calendar year 2013, the San Benito facility "manufactured, processed, or otherwise used" 1,2,4-Trimethylbenzene in excess of the applicable threshold.
 - b. The San Benito facility submitted a 2013 EPA TRI reporting form on Form A for 1,2,4-Trimethylbenzene at the San Benito facility on October 28, 2019.
103. Count 110 — Ethylene Glycol

- a. During calendar year 2013, the San Benito facility "manufactured, processed, or otherwise used" ethylene glycol in excess of the applicable threshold.
 - b. The San Benito facility submitted a 2013 EPA TRI reporting form on Form A for ethylene glycol at the San Benito facility on October 28, 2014.
104. Count 111 — N-Hexane
- a. During calendar year 2013, the San Benito facility "manufactured, processed, or otherwise used" n-hexane in excess of the applicable threshold.
 - b. The San Benito facility submitted a 2013 EPA TRI reporting form on Form A for n-hexane at the San Benito facility on October 28, 2014.
105. Count 112 Toluene
- a. During calendar year 2013, the San Benito facility "manufactured, processed, or otherwise used" toluene in excess of the applicable threshold.
 - b. The San Benito facility submitted a 2013 EPA TRI reporting form on Form A for toluene at the San Benito facility on October 28, 2014.
106. Count 113 — Xylene (Mixed Isomers)
- a. During calendar year 2013, the San Benito facility "manufactured, processed, or otherwise used" xylene (mixed isomers) in excess of the applicable threshold.
 - b. The San Benito facility submitted a 2013 EPA TRI reporting form on Form A for xylene (mixed isomers) at the San Benito facility on October 28, 2014.
107. Count 114 — Zinc Compounds
- a. During calendar year 2013, the San Benito facility "manufactured, processed, or otherwise used" zinc compounds in excess of the applicable threshold.
 - b. The San Benito facility submitted a 2013 EPA TRI reporting form on Form A for zinc compounds at the San Benito facility on October 28, 2014.

Thomas Petroleum LLC Tyler (Tyler Facility)

108. Count 115 — 1,2,4-Trimethylbenzene
- a. During calendar year 2012, the Tyler facility "manufactured, processed, or otherwise used" 1,2,4-Trimethylbenzene in excess of the applicable threshold.
 - b. The Tyler facility submitted a 2012 EPA TRI reporting form on Form A for 1,2,4-Trimethylbenzene at the Tyler facility on October 3, 2014.
109. Count 116 — Diethanolamine
- a. During calendar year 2012, the Tyler facility "manufactured, processed, or otherwise used" diethanolamine in excess of the applicable threshold,

- b. The Tyler facility submitted a 2012 EPA TRI reporting form on Form A for diethanolamine at the Tyler facility on October 3, 2014.
110. Count 117 — Methanol
- a. During calendar year 2012, the Tyler facility "manufactured, processed, or otherwise used" methanol in excess of the applicable threshold.
 - b. The Tyler facility submitted a 2012 EPA TRI reporting form on Form R for methanol at the Tyler facility on October 3, 2014.
111. Count 118 — N-Hexane
- a. During calendar year 2012, the Tyler facility "manufactured, processed, or otherwise used" n-hexane in excess of the applicable threshold.
 - b. The Tyler facility submitted a 2012 EPA TRI reporting form on Form A for n-hexane at the Tyler facility on October 3, 2014.
112. Count 120 — PACs
- a. During calendar year 2012, the Tyler facility "manufactured, processed, or otherwise used" PACs in excess of the applicable threshold.
 - b. The Tyler facility submitted a 2012 EPA TRI reporting form on Form R for PACs at the Tyler facility on October 3, 2014.
113. Count 121 — Zinc Compounds
- a. During calendar year 2012, the Tyler facility "manufactured, processed, or otherwise used" zinc compounds in excess of the applicable threshold.
 - b. The Tyler facility submitted a 2012 EPA TRI reporting form on Form A for zinc compounds at the Tyler facility on October 3, 2014.
114. Count 122 — Diethanolamine
- a. During calendar year 2013, the Tyler facility "manufactured, processed, or otherwise used" diethanolamine in excess of the applicable threshold.
 - b. The Tyler facility submitted a 2013 EPA TRI reporting form on Form A or diethanolamine at the Tyler facility on October 3, 2014.

Thomas Petroleum LLC Victoria (Victoria Facility)

115. Count 124 — 1,2,4-Trimethylbenzene
- a. During calendar year 2012, the "manufactured, processed, or otherwise used" 1,2,4-Trimethylbenzene in excess of the applicable threshold.
 - b. The Victoria facility submitted a 2012 EPA TRI reporting form on Form A for 1,2,4-Trimethylbenzene at the Victoria facility on October 25, 2014.
116. Count 125 — Diethanolamine

- a. During calendar year 2012, the Victoria facility "manufactured, processed, or otherwise used" diethanolamine in excess of the applicable threshold.
 - b. The Victoria facility submitted a 2012 EPA TRI reporting form on Form A for diethanolamine at the Victoria facility on January 28, 2015.
117. Count 126 — Ethylene Glycol
- a. During calendar year 2012, the Victoria facility "manufactured, processed, or otherwise used" ethylene glycol in excess of the applicable threshold.
 - b. The Victoria facility submitted a 2012 EPA TRI reporting form on Form A for ethylene glycol at the Victoria facility on October 25, 2014.
118. Count 127 — Methanol
- a. During calendar year 2012, the Victoria facility "manufactured, processed, or otherwise used" methanol in excess of the applicable threshold.
 - b. The Victoria facility submitted a 2012 EPA TRI reporting form on Form A for methanol at the Victoria facility on October 25, 2014.
119. Count 128 — N-Hexane
- a. During calendar year 2012, the Victoria facility "manufactured, processed, or otherwise used" n-hexane in excess of the applicable threshold.
 - b. The Victoria facility submitted a 2012 EPA TRI reporting form on Form A for n-hexane at the Victoria facility on October 25, 2014.
120. Count 130 — PACs for Calendar Year 2012
- a. During calendar year 2012, the Victoria facility "manufactured, processed, or otherwise used" PACs in excess of the applicable threshold.
 - b. The Victoria facility submitted a 2012 EPA TRI reporting form on Form R for PACs at the Victoria facility on October 25, 2014.
121. Count 131— Toluene
- a. During calendar year 2012, the Victoria facility "manufactured, processed, or otherwise used" toluene in excess of the applicable threshold.
 - b. The Victoria facility submitted a 2012 EPA TRI reporting form on Form A for toluene at the Victoria facility on October 25, 2014.
122. Count 132 — Xylene (Mixed Isomers)
- a. During calendar year 2012, the Victoria facility "manufactured, processed, or otherwise used" xylene (mixed isomers) in excess of the applicable threshold.
 - b. The Victoria facility submitted a 2012 EPA TRI reporting form on Form A for xylene (mixed isomers) at the Victoria facility on October 25, 2014.
123. Count 133 — Zinc Compounds
- a. During calendar year 2012, the Victoria facility "manufactured, processed, or otherwise used" zinc compounds in excess of the applicable threshold,

- b. The Victoria facility submitted a 2012 EPA TRI reporting form on Form A for zinc compounds at the Victoria facility on October 25, 2014.
124. Count 134 — Diethanolamine
- a. During calendar year 2013, the Victoria facility "manufactured, processed, or otherwise used" diethanolamine in excess of the applicable threshold.
 - b. The Victoria facility submitted a 2013 EPA TRI reporting form on Form A for diethanolamine at the Victoria facility on January 28, 2015.

II. JOINT STIPULATIONS OF LAW

1. Thomas Petroleum, LLC ("Thomas") is a "person" as defined by Section 329(7) of EPCRA, 42 U.S.C. 11049(7).
2. The Facilities identified in Paragraph 2 are "facilities" as defined by Section 329(4) of EPCRA, 42 U.S.C. 11049(4), and 40 C.F.R. 372.3.
3. Each of the Facilities had ten (10) or more "full-time employees", as defined by 40 CFR 372.3, for calendar years 2012 and 2013.
4. SIC Code 5171 and NAICS code 424710 are covered under 40 C.F.R. Part 372, and 40 C.F.R. Part 372 applies to facilities with these codes.

(Signatures on following page)

DATED: February 13, 2020

Respectfully submitted,

U.S. ENVIRONMENTAL PROTECTION
AGENCY, REGION 6

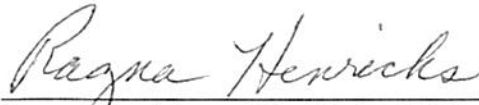
JAMES MURDOCK

Digitally signed by JAMES MURDOCK
DN: c=US, o=U.S. Government, ou=Environmental
Protection Agency, cn=JAMES MURDOCK,
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