



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 6
1201 ELM STREET, SUITE 500
DALLAS, TEXAS 75270

November 30, 2022

Mitch Waits
Director of QHSS&E
John W. Stone Oil Distribution, LLC
Gretna Terminal
P.O. Box 2010
Gretna, Louisiana 70054

Sent via email: mwaits@stoneoil.com

Re: Notice of Violation and Opportunity to Confer

Dear Mr. Waits:

The United States Environmental Protection Agency, Region 6 ("EPA") has identified John W. Stone Oil Distribution, LLC ("John Stone") as having violated the Clean Air Act ("CAA"). This Notice of Violation and Opportunity to Confer ("NOVOC") is issued to John Stone¹ for violations of the CAA, 42 U.S.C. § 7401 *et seq.*, at the Gretna Terminal located at 87 First Street, Gretna, Louisiana, 70054 (the "Facility"). Based on information currently available, EPA finds that John Stone has committed violations of the CAA and the Louisiana State Implementation Plan ("SIP"). By this letter, EPA is extending to you an opportunity to advise the Agency, via a conference call or in writing, of any further information EPA should consider with respect to the violations.

This NOVOC is issued pursuant to Section 113(a)(1) of the CAA, 42 U.S.C. § 7413(a)(1). Section 113(a)(1) of the CAA, 42 U.S.C. § 7413(a)(1) requires the Administrator of the EPA to notify any person in violation of a SIP or permit of the violation, and this NOVOC serves as such notice. The authority to issue this NOVOC has been delegated to the Director of the Enforcement and Compliance Assurance Division, EPA Region 6.

EPA contracted helicopter flyovers in Louisiana during August 14 to September 24, 2021, to assess emission sources using Optical Gas Imaging ("OGI") technology. On October 28, 2021, EPA sent a letter informing John Stone of potentially unauthorized emissions from a facility that EPA believed was owned/operated by John Stone, along with OGI video captures for the facility. EPA asked John Stone to verify facility ownership, provide current site-specific permit information, and take any necessary corrective action to address unauthorized hydrocarbon emissions. EPA considered information provided by John Stone to determine whether violations occurred at the facility.

¹ Please be advised that some companies may qualify as a "small business" under the Small Business Regulatory Enforcement and Fairness Act ("SBREFA"). The U.S. Small Business Administration has established a Table of Small Business Size Standards, which can be found at: http://www.sba.gov/sites/default/files/Size_Standards_Table.pdf. The SBREFA Information Sheet provides information on compliance assistance to entities that may qualify as small businesses as well as to inform them of their right to comment to the SBREFA Ombudsman concerning EPA enforcement activities. The SBREFA Information Sheet can be found at: <https://www.epa.gov/compliance/small-business-resources-information-sheet>.

CAA Violations

We are sending this NOVOC to inform John Stone of violations of the CAA and Louisiana's federally approved SIP at the Facility.

LAC 33: III.501.C.4 of the Louisiana SIP, approved at 81 Fed. Reg. 51341 (August 4, 2016), applies to any owner or operator of any source which emits or has potential to emit any air contaminant in the State of Louisiana. The entire Facility is subject to LAC 33: III.501.C.4, *see* Permit No. 1340-00114-09, which contains the permitting requirements for sources which emit or have the potential to emit any air contaminant. Specifically, the entire Facility is required to be operated in accordance with all terms and conditions of the permit. The Facility's Tank 40, as represented in the permit, is required to be controlled by an oxidation unit (EQT 76). The oxidation unit has not been commissioned.

LAC 33: III.2113.A of the Louisiana SIP, approved at 76 Fed. Reg. 38977 (July 5, 2011), applies to all facilities with the potential to emit organic compounds. The entire Facility is subject to LAC 33: III.2113.A, *see* Permit No. 1340-00114-09, which contains the requirements for the control of emission of organic compounds. Specifically, the entire Facility is required to maintain the best practical housekeeping and maintenance practices at the highest possible standards to reduce the quantity of organic compounds emissions.

Based on its review, EPA finds that John Stone committed the following violations:

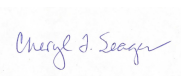
1. John Stone violated LAC 33: III.501.C.4, by failing to operate the Facility in accordance with all terms and conditions of the permit.
2. John Stone violated LAC 33: III: 2113.A, by emitting organic compounds directly to the atmosphere and for failing to maintain the best practical housekeeping and maintenance practices at the highest possible standards.

Please review the specific violations and information we have provided in the Enclosure regarding the Facility.

Opportunity to Confer

This NOVOC provides you with the opportunity to confer with EPA. We request John Stone contact Lindsay Rich Steinmetz, Assistant Regional Counsel, at Richsteinmetz.Lindsay@epa.gov or (214) 665-7425 within ten (10) business days to discuss this pending matter.

Sincerely,



Digitally signed by Seager, Cheryl
Date: 2022.11.30 17:26:09 -06'00'

Cheryl T. Seager, Director
Enforcement and
Compliance Assurance Division

Enclosure

cc: Angela Marse, Louisiana Department of Environmental Quality (Angela.Marse@LA.gov)

Enclosure**John Stone – Gretna Terminal**

Unit	Flyover Date	Flyover Video ID	Permit	EPA Team Observations	Violation
Tank 40 (EQT 39)	9/22/2021	2258	Permit No. 1340-00114-09	Leak on tank releasing hydrocarbon emissions directly to atmosphere	LAC 33: III.2113.A
Oxidation Unit (EQT 76)	9/22/2021	2258	Permit No. 1340-00114-09	Oxidation unit not commissioned	LAC 33: III.501. C.4