

**Executive Summary – Enforcement Matter – Case No. 66171**  
**Petroleum Wholesale, L.P. dba Sunmart 168**  
**RN102009602**  
**Docket No. 2024-1077-PST-E**

**Order Type:**

1660 Agreed Order

**Findings Order Justification:**

N/A

**Media:**

PST

**Small Business:**

No

**Location(s) Where Violation(s) Occurred:**

Sunmart 168, 3800 North Interstate 35, Georgetown, Williamson County

**Type of Operation:**

Underground storage tank ("UST") system and a convenience store with retail sales of gasoline

**Other Significant Matters:**

Additional Pending Enforcement Actions: No

Past-Due Penalties: No

Other: N/A

Interested Third-Parties: None

**Texas Register Publication Date:** May 30, 2025

**Comments Received:** No

***Penalty Information***

**Total Penalty Assessed:** \$23,556

**Amount Deferred for Expedited Settlement:** \$4,711

**Total Paid to General Revenue:** \$18,845

**Total Due to General Revenue:** \$0

Payment Plan: N/A

**Compliance History Classifications:**

Person/CN - Satisfactory

Site/RN - High

**Major Source:** Yes

**Statutory Limit Adjustment:** N/A

**Applicable Penalty Policy:** January 2021

***Investigation Information***

**Complaint Date(s):** N/A

**Complaint Information:** N/A

**Date(s) of Investigation:** April 11, 2024

**Date(s) of NOE(s):** June 6, 2024

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***Violation Information***

1. Failed to comply with annual Stage I vapor recovery testing requirements. Specifically, on February 22, 2024, UST No. 1 failed the Pressure Decay Test, and the system has not been repaired and retested for operability [30 TEX. ADMIN. CODE § 115.225 and TEX. HEALTH & SAFETY CODE § 382.085(b)].
2. Failed to ensure that all installed spill and overfill prevention devices are maintained in good operating condition and inspected and serviced in accordance with the manufacturer's specifications. Specifically, testing conducted on February 22, 2024, revealed that UST No. 1 flapper valve failed the overfill test and the UST No. 2 spill bucket failed the spill bucket hydrostatic test, and that repairs were needed [30 TEX. ADMIN. CODE §§ 334.48(d) and 334.51(a)(6) and TEX. WATER CODE § 26.3475(c)(2)].
3. Failed to provide a method of release detection that is installed, calibrated, operated, maintained, and utilized in accordance with the manufacturer's and/or methodology provider's specifications and instructions [30 TEX. ADMIN. CODE § 334.50(a)(1)(B) and TEX. WATER CODE § 26.3475(c)(1)].
4. Failed to monitor the USTs in a manner which will detect a release at a frequency of at least once every 30 days [30 TEX. ADMIN. CODE § 334.50(b)(1)(A) and TEX. WATER CODE § 26.3475(c)(1)].
5. Failed to conduct the walkthrough inspections of the spill prevention equipment and release detection equipment at least once every 30 days [30 TEX. ADMIN. CODE § 334.48(h)(1)(A)(i) and (ii) and TEX. WATER CODE § 26.3475(c)(1) and (c)(2)].
6. Failed to inspect the impressed current corrosion protection system at least once every 60 days to ensure the rectifier and other system components are operating properly. Specifically, the Respondent was not performing the 60-day inspections of the impressed current corrosion protection system for UST No. 4 [30 TEX. ADMIN. CODE § 334.49(c)(2)(C) and TEX. WATER CODE § 26.3475(d)].
7. Failed to test the corrosion protection system for operability and adequacy of protection at a frequency of at least once every three years. Specifically, the Respondent had not conducted the triennial testing of the corrosion protection system for UST No. 4 [30 TEX. ADMIN. CODE § 334.49(c)(4)(C) and TEX. WATER CODE § 26.3475(d)].
8. Failed to assure that all UST recordkeeping requirements were met. Specifically, the annual walkthrough inspection of the containment sumps records were not available for review at the time of the investigation [30 TEX. ADMIN. CODE § 334.10(b)(2)].

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***Corrective Actions/Technical Requirements***

**Corrective Action(s) Completed:**

N/A

**Technical Requirements:**

The Order will require the Respondent to:

- a. Immediately, begin maintaining all UST records, including but not limited to the annual walkthrough inspection of the containment sumps records, and ensure that they are immediately made available for inspection upon request by agency personnel.
- b. Within 30 days:
  - i. Conduct the annual testing of the Stage I equipment with passing results;
  - ii. Repair or replace and retest the flapper valve for UST No. 1 and the spill bucket for UST No. 2;
  - iii. Implement a release detection method for the USTs at the Station, at least once every 30 days that is installed, calibrated, operated, maintained, and utilized in accordance with the manufacturer's and/or methodology provider's specifications and instructions;
  - iv. Begin conducting 30-day walkthrough inspections of the spill prevention and release detection equipment;
  - v. Begin conducting 60-day inspections of the corrosion protection system to ensure that rectifier and other system components are operating properly for UST No. 4; and
  - vi. Conduct the triennial testing of the corrosion protection system for UST No. 4.
- c. Within 45 days, submit written certification to demonstrate compliance with a. and b.

***Contact Information***

**TCEQ Attorney:** N/A

**TCEQ Enforcement Coordinator:** Lauren Little, Enforcement Division, Enforcement Team 3, MC R-04, (817) 588-5888; Michael Parrish, Enforcement Division, MC 219, (512) 239-2548

**Respondent:** John W. Cook, General Partner, Petroleum Wholesale, L.P. dba Sunmart 168, 8550 Technology Forest Place, The Woodlands, Texas 77381

**Respondent's Attorney:** N/A



# Penalty Calculation Worksheet (PCW)

Policy Revision 5 (January 28, 2021)

PCW Revision February 11, 2021

<b>DATES</b>	<b>Assigned</b>	3-Jun-2024	<b>Screening</b>	3-Jun-2024	<b>EPA Due</b>	
	<b>PCW</b>	18-Jul-2024				

## RESPONDENT/FACILITY INFORMATION

<b>Respondent</b>	Petroleum Wholesale, L.P. dba Sunmart 168
<b>Reg. Ent. Ref. No.</b>	RN102009602
<b>Facility/Site Region</b>	11-Austin
<b>Major/Minor Source</b>	Major

## CASE INFORMATION

<b>Enf./Case ID No.</b>	66171	<b>No. of Violations</b>	5
<b>Docket No.</b>	2024-1077-PST-E	<b>Order Type</b>	1660
<b>Media Program(s)</b>	Petroleum Storage Tank	<b>Government/Non-Profit</b>	No
<b>Multi-Media</b>		<b>Enf. Coordinator</b>	Lauren Little
		<b>EC's Team</b>	Enforcement Team 3
<b>Admin. Penalty \$ Limit Minimum</b>	\$0	<b>Maximum</b>	\$25,000

## Penalty Calculation Section

<b>TOTAL BASE PENALTY (Sum of violation base penalties)</b>	<b>Subtotal 1</b>	\$22,750
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## ADJUSTMENTS (+/-) TO SUBTOTAL 1

Subtotals 2-7 are obtained by multiplying the Total Base Penalty (Subtotal 1) by the indicated percentage.

<b>Compliance History</b>	<b>0.0%</b>	<b>Adjustment</b>	<b>Subtotals 2, 3, &amp; 7</b>	\$0
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Notes: No adjustment for compliance history.

<b>Culpability</b>	No	<b>0.0%</b>	<b>Enhancement</b>	<b>Subtotal 4</b>	\$0
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Notes: The Respondent does not meet the culpability criteria.

<b>Good Faith Effort to Comply Total Adjustments</b>	<b>Subtotal 5</b>	\$0
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<b>Economic Benefit</b>	<b>0.0%</b>	<b>Enhancement*</b>	<b>Subtotal 6</b>	\$0
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Total EB Amounts: \$1,025  
Estimated Cost of Compliance: \$4,645  
\*Capped at the Total EB \$ Amount

<b>SUM OF SUBTOTALS 1-7</b>	<b>Final Subtotal</b>	\$22,750
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<b>OTHER FACTORS AS JUSTICE MAY REQUIRE</b>	<b>3.5%</b>	<b>Adjustment</b>	\$806
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Reduces or enhances the Final Subtotal by the indicated percentage.

Notes: Enhancement to capture the avoided cost of compliance associated with Violation Nos. 2 and 4.

<b>Final Penalty Amount</b>	\$23,556
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<b>STATUTORY LIMIT ADJUSTMENT</b>	<b>Final Assessed Penalty</b>	\$23,556
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<b>DEFERRAL</b>	<b>20.0%</b>	<b>Reduction</b>	<b>Adjustment</b>	-\$4,711
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Reduces the Final Assessed Penalty by the indicated percentage.

Notes: Deferral offered for expedited settlement.

<b>PAYABLE PENALTY</b>	\$18,845
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<b>Screening Date</b>	3-Jun-2024	<b>Docket No.</b>	2024-1077-PST-E	<b>PCW</b>
<b>Respondent</b>	Petroleum Wholesale, L.P. dba Sunmart 168			<i>Policy Revision 5 (January 28, 2021)</i>
<b>Case ID No.</b>	66171			<i>PCW Revision February 11, 2021</i>
<b>Reg. Ent. Reference No.</b>	RN102009602			
<b>Media</b>	Petroleum Storage Tank			
<b>Enf. Coordinator</b>	Lauren Little			

Compliance History Worksheet

>> Compliance History Site Enhancement (Subtotal 2)

Component	Number of...	Number	Adjust.
NOVs	Written notices of violation ("NOVs") with same or similar violations as those in the current enforcement action ( <i>number of NOVs meeting criteria</i> )	0	0%
	Other written NOVs	0	0%
Orders	Any agreed final enforcement orders containing a denial of liability ( <i>number of orders meeting criteria</i> )	0	0%
	Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission	0	0%
Judgments and Consent Decrees	Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government ( <i>number of judgments or consent decrees meeting criteria</i> )	0	0%
	Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government	0	0%
Convictions	Any criminal convictions of this state or the federal government ( <i>number of counts</i> )	0	0%
Emissions	Chronic excessive emissions events ( <i>number of events</i> )	0	0%
Audits	Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 ( <i>number of audits for which notices were submitted</i> )	0	0%
	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 ( <i>number of audits for which violations were disclosed</i> )	0	0%
Other	Environmental management systems in place for one year or more	No	0%
	Voluntary on-site compliance assessments conducted by the executive director under a special assistance program	No	0%
	Participation in a voluntary pollution reduction program	No	0%
	Early compliance with, or offer of a product that meets future state or federal government environmental requirements	No	0%

Adjustment Percentage (Subtotal 2) 0%

>> Repeat Violator (Subtotal 3)

No	Adjustment Percentage (Subtotal 3)	0%
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>> Compliance History Person Classification (Subtotal 7)

Satisfactory Performer	Adjustment Percentage (Subtotal 7)	0%
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>> Compliance History Summary

Compliance History Notes	No adjustment for compliance history.
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Total Compliance History Adjustment Percentage (Subtotals 2, 3, & 7) 0%

>> Final Compliance History Adjustment

Final Adjustment Percentage \*capped at 100% 0%

<b>Screening Date</b>	3-Jun-2024	<b>Docket No.</b>	2024-1077-PST-E	<b>PCW</b>
<b>Respondent</b>	Petroleum Wholesale, L.P. dba Sunmart 168	Policy Revision 5 (January 28, 2021)		
<b>Case ID No.</b>	66171	PCW Revision February 11, 2021		
<b>Reg. Ent. Reference No.</b>	RN102009602			
<b>Media</b>	Petroleum Storage Tank			
<b>Enf. Coordinator</b>	Lauren Little			
<b>Violation Number</b>	1			
<b>Rule Cite(s)</b>	30 Tex. Admin. Code § 115.225 and Tex. Health & Safety Code § 382.085(b)			
<b>Violation Description</b>	<p>Failed to comply with annual Stage I vapor recovery testing requirements. Specifically, on February 22, 2024, underground storage tank ("UST") No. 1 failed the Pressure Decay Test, and the system has not been repaired and retested for operability.</p>			
<b>Base Penalty</b>				\$25,000

**>> Environmental, Property and Human Health Matrix**

<b>OR</b>		<b>Release</b>	<b>Harm</b>		
		Major	Moderate	Minor	
	Actual				
	Potential		x		
					<b>Percent</b> 15.0%

**>> Programmatic Matrix**

	<b>Falsification</b>	<b>Major</b>	<b>Moderate</b>	<b>Minor</b>	
					<b>Percent</b> 0.0%

Matrix Notes	Human health or the environment will or could be exposed to significant amounts of pollutants that would not exceed levels that are protective of human health or environmental receptors as a result of the violation.
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<b>Adjustment</b>	\$21,250
<b>Penalty</b>	
\$3,750	

**Violation Events**

Number of Violation Events	1	Number of violation days	102
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	daily						
	weekly						
	monthly						
	quarterly						
	semiannual						
	annual						
	single event	x					
One single event is recommended.							

<b>Good Faith Efforts to Comply</b>	0.0%		Reduction	\$0
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	Before NOE/NOV	NOE/NOV to EDPRP/Settlement Offer			
Extraordinary					
Ordinary					
N/A	x				
Notes	The Respondent does not meet the good faith criteria for this violation.				

<b>Violation Subtotal</b>	\$3,750
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**Economic Benefit (EB) for this violation**

<b>Estimated EB Amount</b>	\$28	<b>Statutory Limit Test</b>	
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<b>Violation Final Penalty Total</b>	\$3,883
<b>This violation Final Assessed Penalty (adjusted for limits)</b>	\$3,883

# Economic Benefit Worksheet

**Respondent** Petroleum Wholesale, L.P. dba Sunmart 168  
**Case ID No.** 66171  
**Reg. Ent. Reference No.** RN102009602  
**Media** Petroleum Storage Tank  
**Violation No.** 1

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount
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## Delayed Costs

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$500	22-Feb-2024	30-Mar-2025	1.10	\$28	n/a	\$28
Notes for DELAYED costs	Estimated delayed cost to conduct the annual testing of the Stage I equipment with passing results. The Date Required is the date of the failing test and the Final Date is the estimated date of compliance.						

## Avoided Costs

### ANNUALIZE avoided costs before entering item (except for one-time avoided costs)

Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/Equipment				0.00	\$0	\$0	\$0
Financial Assurance				0.00	\$0	\$0	\$0
ONE-TIME avoided costs				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Notes for AVOIDED costs							

Approx. Cost of Compliance \$500

**TOTAL** \$28

<b>Screening Date</b>	3-Jun-2024	<b>Docket No.</b>	2024-1077-PST-E	<b>PCW</b>
<b>Respondent</b>	Petroleum Wholesale, L.P. dba Sunmart 168	Policy Revision 5 (January 28, 2021) PCW Revision February 11, 2021		
<b>Case ID No.</b>	66171			
<b>Reg. Ent. Reference No.</b>	RN102009602			
<b>Media</b>	Petroleum Storage Tank			
<b>Enf. Coordinator</b>	Lauren Little			
<b>Violation Number</b>	2			
<b>Rule Cite(s)</b>	30 Tex. Admin. Code §§ 334.48(d), (h)(1)(A)(i) and (ii) and 334.51(a)(6) and Tex. Water Code § 26.3475(c)(1) and (c)(2)			
<b>Violation Description</b>	<p>Failed to ensure that all installed spill and overfill prevention devices are maintained in good operating condition and inspected and serviced in accordance with the manufacturer's specifications. Specifically, testing conducted on February 22, 2024, revealed that UST No. 1 flapper valve failed the overfill test and the UST No. 2 spill bucket failed the spill bucket hydrostatic test, and that repairs were needed. Also, failed to conduct the walkthrough inspections of the spill prevention equipment and release detection equipment at least once every 30 days.</p>			
		<b>Base Penalty</b>	\$25,000	

**>> Environmental, Property and Human Health Matrix**

<b>OR</b>		<b>Harm</b>			
	<b>Release</b>	Major	Moderate	Minor	
	Actual				
	Potential		x		
		<b>Percent</b>			15.0%

**>> Programmatic Matrix**

<b>Matrix Notes</b>		<b>Falsification</b>			
	<b>Release</b>	Major	Moderate	Minor	
	Actual				
	Potential				
		<b>Percent</b>			0.0%

Human health or the environment will or could be exposed to significant amounts of pollutants that would not exceed levels that are protective of human health or environmental receptors as a result of the violation.

**Adjustment**    \$21,250

\$3,750

**Violation Events**

Number of Violation Events	1	53	Number of violation days
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daily					
weekly					
monthly					
quarterly	x				
semiannual					
annual					
single event					

**Violation Base Penalty**    \$3,750

One quarterly event is recommended from the April 11, 2024 investigation date to the June 3, 2024 screening date.

**Good Faith Efforts to Comply**

	<b>0.0%</b>	
		Reduction    \$0
		Before NOE/NOV    NOE/NOV to EDPRP/Settlement Offer
Extraordinary		
Ordinary		
N/A	x	
Notes	<div style="border: 1px solid black; padding: 5px;">           The Respondent does not meet the good faith criteria for this violation.         </div>	

**Violation Subtotal**    \$3,750

**Economic Benefit (EB) for this violation**

	<b>Statutory Limit Test</b>
<b>Estimated EB Amount</b>	\$288
<b>Violation Final Penalty Total</b>	\$3,883
<b>This violation Final Assessed Penalty (adjusted for limits)</b> \$3,883	



# Economic Benefit Worksheet

**Respondent** Petroleum Wholesale, L.P. dba Sunmart 168  
**Case ID No.** 66171  
**Reg. Ent. Reference No.** RN102009602  
**Media** Petroleum Storage Tank  
**Violation No.** 2

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount
Delayed Costs							
Equipment	\$1,000	22-Feb-2024	30-Mar-2025	1.10	\$4	\$73	\$77
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$200	11-Apr-2024	30-Mar-2025	0.97	\$10	n/a	\$10
Notes for DELAYED costs	Estimated delayed cost to repair or replace, and retest the spill bucket for UST No. 2 and the flapper valve for UST No. 1 at the Station (\$1,000). The Date Required is the date of the failing test and the Final Date is the estimated date of compliance.						
	Estimated delayed cost to begin conducting 30-day walkthrough inspections of the spill prevention equipment (\$100), and release detection equipment (\$100). The Date Required is the investigation date and the Final Date is the estimated date of compliance.						
Avoided Costs							
ANNUALIZE avoided costs before entering item (except for one-time avoided costs)							
Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/Equipment				0.00	\$0	\$0	\$0
Financial Assurance				0.00	\$0	\$0	\$0
ONE-TIME avoided costs				0.00	\$0	\$0	\$0
Other (as needed)	\$200	11-Apr-2024	3-Jun-2024	0.15	\$1	\$200	\$201
Notes for AVOIDED costs	Estimated avoided cost to begin conducting 30-day walkthrough inspections of the spill prevention equipment (\$100) and release detection equipment (\$100). The Date Required is the investigation date and the Final Date is the screening date.						
Approx. Cost of Compliance	\$1,400			TOTAL		\$288	

<b>Screening Date</b>	3-Jun-2024	<b>Docket No.</b>	2024-1077-PST-E	<b>PCW</b>
<b>Respondent</b>	Petroleum Wholesale, L.P. dba Sunmart 168			Policy Revision 5 (January 28, 2021)
<b>Case ID No.</b>	66171			PCW Revision February 11, 2021
<b>Reg. Ent. Reference No.</b>	RN102009602			
<b>Media</b>	Petroleum Storage Tank			
<b>Enf. Coordinator</b>	Lauren Little			
<b>Violation Number</b>	3			
<b>Rule Cite(s)</b>	30 Tex. Admin. Code § 334.50(a)(1)(B) and (b)(1)(A) and Tex. Water Code § 26.3475(c)(1)			
<b>Violation Description</b>	Failed to provide a method of release detection that is installed, calibrated, operated, maintained, and utilized in accordance with the manufacturer's and/or methodology provider's specifications and instructions. Also, failed to monitor the USTs in a manner which will detect a release at a frequency of at least once every 30 days.			
		<b>Base Penalty</b>	\$25,000	
>> Environmental, Property and Human Health Matrix				
OR		<b>Release</b>	<b>Harm</b>	
		Major	Moderate	Minor
	Actual			
	Potential	x		
		<b>Percent</b>	30.0%	
>> Programmatic Matrix				
	Falsification	Major	Moderate	Minor
	<b>Percent</b>	0.0%		
Matrix Notes	Human health or the environment will or could be exposed to pollutants that would exceed levels that are protective of human health or environmental receptors as a result of the violation.			
		<b>Adjustment</b>	\$17,500	
			\$7,500	
Violation Events				
	Number of Violation Events	1	53	Number of violation days
	daily			
	weekly			
	monthly			
	quarterly	x		
	semiannual			
	annual			
	single event			
		<b>Violation Base Penalty</b>	\$7,500	
	One quarterly event is recommended from the April 11, 2024 investigation date to the June 3, 2024 screening date.			
Good Faith Efforts to Comply				
		0.0%	Reduction	\$0
	Before NOE/NOV	NOE/NOV to EDPRP/Settlement Offer		
	Extraordinary			
	Ordinary			
	N/A	x		
	Notes	The Respondent does not meet the good faith criteria for this violation.		
		<b>Violation Subtotal</b>	\$7,500	
Economic Benefit (EB) for this violation				
	<b>Statutory Limit Test</b>			
	<b>Estimated EB Amount</b>	\$73	<b>Violation Final Penalty Total</b>	\$7,766
	<b>This violation Final Assessed Penalty (adjusted for limits)</b>			\$7,766

# Economic Benefit Worksheet

**Respondent** Petroleum Wholesale, L.P. dba Sunmart 168  
**Case ID No.** 66171  
**Reg. Ent. Reference No.** RN102009602  
**Media** Petroleum Storage Tank  
**Violation No.** 3

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount
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## Delayed Costs

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$1,500	11-Apr-2024	30-Mar-2025	0.97	\$73	n/a	\$73
Notes for DELAYED costs	Estimated delayed cost to implement a release detection method for the USTs at the Station at least once every 30 days that is installed, calibrated, operated, maintained, and utilized in accordance with the manufacturer's and/or methodology provider's specifications and instructions. The Date Required is the investigation date and the Final Date is the estimated date of compliance.						

## Avoided Costs

### ANNUALIZE avoided costs before entering item (except for one-time avoided costs)

Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/Equipment				0.00	\$0	\$0	\$0
Financial Assurance				0.00	\$0	\$0	\$0
ONE-TIME avoided costs				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Notes for AVOIDED costs							

Approx. Cost of Compliance	\$1,500	<b>TOTAL</b>	\$73
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<b>Screening Date</b>	3-Jun-2024	<b>Docket No.</b>	2024-1077-PST-E	<b>PCW</b>
<b>Respondent</b>	Petroleum Wholesale, L.P. dba Sunmart 168			Policy Revision 5 (January 28, 2021)
<b>Case ID No.</b>	66171			PCW Revision February 11, 2021
<b>Reg. Ent. Reference No.</b>	RN102009602			
<b>Media</b>	Petroleum Storage Tank			
<b>Enf. Coordinator</b>	Lauren Little			
<b>Violation Number</b>	4			
<b>Rule Cite(s)</b>	30 Tex. Admin. Code § 334.49(c)(2)(C) and (c)(4)(C) and Tex. Water Code § 26.3475(d)			
<b>Violation Description</b>	Failed to inspect the impressed current corrosion protection system at least once every 60 days to ensure the rectifier and other system components are operating properly. Specifically, the Respondent was not performing the 60-day inspections of the impressed current corrosion protection system for UST No. 4. Also, failed to test the corrosion protection system for operability and adequacy of protection at a frequency of at least once every three years. Specifically, the Respondent had not conducted the triennial testing of the corrosion protection system for UST No. 4.			
		<b>Base Penalty</b>	\$25,000	
>> Environmental, Property and Human Health Matrix				
OR		<b>Release</b>	<b>Harm</b>	
		Major	Moderate	Minor
	Actual			
	Potential	x		
		<b>Percent</b>	30.0%	
>> Programmatic Matrix				
	Falsification	Major	Moderate	Minor
	<b>Percent</b>	0.0%		
Matrix Notes	Human health or the environment will or could be exposed to pollutants that would exceed levels that are protective of human health or environmental receptors as a result of the violation.			
	<b>Adjustment</b>	\$17,500		
		\$7,500		
Violation Events				
	Number of Violation Events	1	53	Number of violation days
	daily			
	weekly			
	monthly			
	quarterly	x		
	semiannual			
	annual			
	single event			
	<b>Violation Base Penalty</b>	\$7,500		
	One quarterly event is recommended from the April 11, 2024 investigation date to the June 3, 2024 screening date.			
Good Faith Efforts to Comply				
		0.0%	Reduction	\$0
		Before NOE/NOV	NOE/NOV to EDPRP/Settlement Offer	
	Extraordinary			
	Ordinary			
	N/A	x		
	Notes	The Respondent does not meet the good faith criteria for this violation.		
	<b>Violation Subtotal</b>	\$7,500		
Economic Benefit (EB) for this violation				
	<b>Statutory Limit Test</b>			
	<b>Estimated EB Amount</b>	\$634	<b>Violation Final Penalty Total</b>	\$7,766
	<b>This violation Final Assessed Penalty (adjusted for limits)</b>			\$7,766

# Economic Benefit Worksheet

**Respondent** Petroleum Wholesale, L.P. dba Sunmart 168  
**Case ID No.** 66171  
**Reg. Ent. Reference No.** RN102009602  
**Media** Petroleum Storage Tank  
**Violation No.** 4

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount
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## Delayed Costs

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling	\$500	11-Apr-2024	30-Mar-2025	0.97	\$24	n/a	\$24
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$100	11-Apr-2024	30-Mar-2025	0.97	\$5	n/a	\$5
Notes for DELAYED costs	Estimated delayed cost to begin conducting 60-day inspections of the rectifier and other components of the corrosion protection system (\$100) and to conduct the triennial testing of the corrosion protection system (\$500). The Dates Required are the investigation date and the Final Dates are the estimated date of compliance.						

## Avoided Costs

### ANNUALIZE avoided costs before entering item (except for one-time avoided costs)

Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/Equipment				0.00	\$0	\$0	\$0
Financial Assurance				0.00	\$0	\$0	\$0
ONE-TIME avoided costs	\$500	11-Apr-2024	3-Jun-2024	0.15	\$4	\$500	\$504
Other (as needed)	\$100	11-Apr-2024	3-Jun-2024	0.15	\$1	\$100	\$101
Notes for AVOIDED costs	Estimated avoided cost to conduct 60-day inspections of the rectifier and other components of the corrosion protection system (\$100) and to conduct the triennial testing of the corrosion protection system (\$500). The Dates Required are the investigation date and the Final Dates are the screening date.						

Approx. Cost of Compliance	\$1,200	<b>TOTAL</b>	\$634
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<b>Screening Date</b>	3-Jun-2024	<b>Docket No.</b>	2024-1077-PST-E	<b>PCW</b>
<b>Respondent</b>	Petroleum Wholesale, L.P. dba Sunmart 168			
<b>Case ID No.</b>	66171	<i>Policy Revision 5 (January 28, 2021)</i>		
<b>Reg. Ent. Reference No.</b>	RN102009602	<i>PCW Revision February 11, 2021</i>		
<b>Media</b>	Petroleum Storage Tank			
<b>Enf. Coordinator</b>	Lauren Little			
<b>Violation Number</b>	5			
<b>Rule Cite(s)</b>	30 Tex. Admin. Code § 334.10(b)(2)			
<b>Violation Description</b>	Failed to assure that all UST recordkeeping requirements were met. Specifically, the annual walkthrough inspection of the containment sumps records were not available for review at the time of the investigation.			
<b>Base Penalty</b>				\$25,000

**>> Environmental, Property and Human Health Matrix**

<b>OR</b>		<b>Harm</b>			
	<b>Release</b>	Major	Moderate	Minor	
	Actual				<b>Percent</b> 0.0%
	Potential				

**>> Programmatic Matrix**

<b>OR</b>		<b>Harm</b>			
	<b>Falsification</b>	Major	Moderate	Minor	
				x	<b>Percent</b> 1.0%

<b>Matrix Notes</b>	Less than 30% of the rule requirement was not met.
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<b>Adjustment</b>	\$24,750
<b>\$250</b>	

**Violation Events**

Number of Violation Events	1	Number of violation days	53
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	daily	
	weekly	
	monthly	
	quarterly	
	semiannual	
	annual	
	single event	x

<b>Violation Base Penalty</b>	\$250
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One single event is recommended.	
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**Good Faith Efforts to Comply**

<b>0.0%</b>	<b>Reduction</b>	\$0
Before NOE/NOV    NOE/NOV to EDPRP/Settlement Offer		
Extraordinary		
Ordinary		
N/A	x	
Notes	The Respondent does not meet the good faith criteria for this violation.	
<b>Violation Subtotal</b>		\$250

**Economic Benefit (EB) for this violation**

<b>Estimated EB Amount</b>	\$2	<b>Statutory Limit Test</b>
<b>Violation Final Penalty Total</b>		\$259
<b>This violation Final Assessed Penalty (adjusted for limits)</b>		\$259

# Economic Benefit Worksheet

**Respondent** Petroleum Wholesale, L.P. dba Sunmart 168  
**Case ID No.** 66171  
**Reg. Ent. Reference No.** RN102009602  
**Media** Petroleum Storage Tank  
**Violation No.** 5

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount
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## Delayed Costs

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System	\$45	11-Apr-2024	30-Mar-2025	0.97	\$2	n/a	\$2
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)				0.00	\$0	n/a	\$0
Notes for DELAYED costs	Estimated delayed cost to maintain the annual walkthrough inspection of containment sump records and make them immediately available for inspection upon request by TCEQ personnel. The Date Required is the investigation date and the Final Date is the estimated date of compliance.						

## Avoided Costs

### ANNUALIZE avoided costs before entering item (except for one-time avoided costs)

Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/Equipment				0.00	\$0	\$0	\$0
Financial Assurance				0.00	\$0	\$0	\$0
ONE-TIME avoided costs				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Notes for AVOIDED costs							

Approx. Cost of Compliance \$45

**TOTAL** \$2

The TCEQ is committed to accessibility.

To request a more accessible version of this report, please contact the TCEQ Help Desk at (512) 239-4357.



# Compliance History Report

Compliance History Report for CN601542616, RN102009602, Rating Year 2024 which includes Compliance History (CH) components from September 1, 2019, through August 31, 2024.

**Customer, Respondent, or Owner/Operator:** CN601542616, Petroleum Wholesale, L.P. **Classification:** SATISFACTORY **Rating:** 1.14

**Regulated Entity:** RN102009602, Sunmart 168 **Classification:** HIGH **Rating:** 0.00

**Complexity Points:** 4 **Repeat Violator:** NO

**CH Group:** 01 - Gas Stations with convenience Stores and other Gas Stations

**Location:** 3800 North Interstate 35, Georgetown, Williamson County, Texas 78626-3693

**TCEQ Region:** REGION 11 - AUSTIN

**ID Number(s):**  
**PETROLEUM STORAGE TANK REGISTRATION** **EDWARDS AQUIFER PERMIT** 11-99123001  
REGISTRATION 48158

**Compliance History Period:** September 01, 2019 to August 31, 2024 **Rating Year:** 2024 **Rating Date:** 09/01/2024

**Date Compliance History Report Prepared:** January 23, 2025

**Agency Decision Requiring Compliance History:** Enforcement

**Component Period Selected:** January 23, 2020 to January 23, 2025

**TCEQ Staff Member to Contact for Additional Information Regarding This Compliance History.**  
**Name:** Lauren Little **Phone:** (817) 588-5888

## Site and Owner/Operator History:

- 1) Has the site been in existence and/or operation for the full five year compliance period? YES
- 2) Has there been a (known) change in ownership/operator of the site during the compliance period? NO

## Components (Multimedia) for the Site Are Listed in Sections A - J

### **A. Final Orders, court judgments, and consent decrees:**

N/A

### **B. Criminal convictions:**

N/A

### **C. Chronic excessive emissions events:**

N/A

### **D. The approval dates of investigations (CCEDS Inv. Track. No.):**

Item 1 August 05, 2021 (1749296)

### **E. Written notices of violations (NOV) (CCEDS Inv. Track. No.):**

A notice of violation represents a written allegation of a violation of a specific regulatory requirement from the commission to a regulated entity. A notice of violation is not a final enforcement action, nor proof that a violation has actually occurred.

N/A

### **F. Environmental audits:**

N/A

### **G. Type of environmental management systems (EMSs):**

N/A

### **H. Voluntary on-site compliance assessment dates:**



N/A

**I. Participation in a voluntary pollution reduction program:**

N/A

**J. Early compliance:**

N/A

**Sites Outside of Texas:**

N/A

# TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



IN THE MATTER OF AN  
ENFORCEMENT ACTION  
CONCERNING  
PETROLEUM WHOLESALE, L.P. DBA  
SUNMART 168  
RN102009602

§ BEFORE THE  
§  
§ TEXAS COMMISSION ON  
§  
§ ENVIRONMENTAL QUALITY  
§

## AGREED ORDER DOCKET NO. 2024-1077-PST-E

### I. JURISDICTION AND STIPULATIONS

On \_\_\_\_\_, the Texas Commission on Environmental Quality ("the Commission" or "TCEQ") considered this agreement of the parties, resolving an enforcement action regarding Petroleum Wholesale, L.P. dba Sunmart 168 (the "Respondent") under the authority of TEX. HEALTH & SAFETY CODE ch. 382 and TEX. WATER CODE chs. 7 and 26. The Executive Director of the TCEQ, through the Enforcement Division, and the Respondent together stipulate that:

1. The Respondent owns and operates, as defined in 30 TEX. ADMIN. CODE § 334.2(78) and (75), an underground storage tank ("UST") system and a convenience store with retail sales of gasoline located at 3800 North Interstate 35 in Georgetown, Williamson County, Texas (the "Station"). The UST system at the Station is not exempt or excluded from regulation under the Texas Water Code or the rules of the Commission, and contains or contained a regulated petroleum substance as defined in the rules of the TCEQ. The Station consists or consisted of one or more sources as defined in TEX. HEALTH & SAFETY CODE § 382.003(12).
2. The Executive Director and the Respondent agree that the TCEQ has jurisdiction to enter this Order pursuant to TEX. WATER CODE §§ 7.002, 7.051, and 7.073, and that the Respondent is subject to TCEQ's jurisdiction. The TCEQ has jurisdiction in this matter pursuant to TEX. WATER CODE § 5.013 because it alleges violations of TEX. HEALTH & SAFETY CODE ch. 382, TEX. WATER CODE ch. 26, and the rules of the TCEQ.
3. The occurrence of any violation is in dispute and the entry of this Order shall not constitute an admission by the Respondent of any violation alleged in Section II ("Allegations"), nor of any statute or rule.
4. An administrative penalty in the amount of \$23,556 is assessed by the Commission in settlement of the violations alleged in Section II ("Allegations"). The Respondent paid \$18,845 of the penalty and \$4,711 is deferred contingent upon the Respondent's timely and satisfactory compliance with all the terms of this Order. The deferred amount shall be waived only upon full compliance with all the terms and conditions contained in this Order. If the Respondent fails to timely and satisfactorily comply with any of the terms or requirements contained in this Order, the Executive Director may demand payment of all or part of the deferred penalty amount.

5. The Executive Director and the Respondent agree on a settlement of the matters alleged in this enforcement action, subject to final approval in accordance with 30 TEX. ADMIN. CODE § 70.10(a). Any notice and procedures, which might otherwise be authorized or required in this action, are waived in the interest of a more timely resolution of the matter.
6. The Executive Director may, without further notice or hearing, refer this matter to the Office of the Attorney General of the State of Texas ("OAG") for further enforcement proceedings if the Executive Director determines that the Respondent has not complied with one or more of the terms or conditions in this Order.
7. This Order represents the complete and fully integrated agreement of the parties. The provisions of this Order are deemed severable and, if a court of competent jurisdiction or other appropriate authority deems any provision of this Order unenforceable, the remaining provisions shall be valid and enforceable.
8. This Order shall terminate five years from its effective date or upon compliance with all the terms and conditions set forth in this Order, whichever is later.

## II. ALLEGATIONS

During an investigation at the Station conducted on April 11, 2024, an investigator documented that the Respondent:

1. Failed to comply with annual Stage I vapor recovery testing requirements, in violation of 30 TEX. ADMIN. CODE § 115.225 and TEX. HEALTH & SAFETY CODE § 382.085(b). Specifically, on February 22, 2024, UST No. 1 failed the Pressure Decay Test, and the system has not been repaired and retested for operability.
2. Failed to ensure that all installed spill and overfill prevention devices are maintained in good operating condition and inspected and serviced in accordance with the manufacturer's specifications, in violation of 30 TEX. ADMIN. CODE §§ 334.48(d) and 334.51(a)(6) and TEX. WATER CODE § 26.3475(c)(2). Specifically, testing conducted on February 22, 2024, revealed that UST No. 1 flapper valve failed the overfill test and the UST No. 2 spill bucket failed the spill bucket hydrostatic test, and that repairs were needed.
3. Failed to provide a method of release detection that is installed, calibrated, operated, maintained, and utilized in accordance with the manufacturer's and/or methodology provider's specifications and instructions, in violation of 30 TEX. ADMIN. CODE § 334.50(a)(1)(B) and TEX. WATER CODE § 26.3475(c)(1).
4. Failed to monitor the USTs in a manner which will detect a release at a frequency of at least once every 30 days, in violation of 30 TEX. ADMIN. CODE § 334.50(b)(1)(A) and TEX. WATER CODE § 26.3475(c)(1).
5. Failed to conduct the walkthrough inspections of the spill prevention equipment and release detection equipment at least once every 30 days, in violation of 30 TEX. ADMIN. CODE § 334.48(h)(1)(A)(i) and (ii) and TEX. WATER CODE § 26.3475(c)(1) and (c)(2).
6. Failed to inspect the impressed current corrosion protection system at least once every 60 days to ensure the rectifier and other system components are operating properly, in

violation of 30 TEX. ADMIN. CODE § 334.49(c)(2)(C) and TEX. WATER CODE § 26.3475(d). Specifically, the Respondent was not performing the 60-day inspections of the impressed current corrosion protection system for UST No. 4.

7. Failed to test the corrosion protection system for operability and adequacy of protection at a frequency of at least once every three years, in violation of 30 TEX. ADMIN. CODE § 334.49(c)(4)(C) and TEX. WATER CODE § 26.3475(d). Specifically, the Respondent had not conducted the triennial testing of the corrosion protection system for UST No. 4.
8. Failed to assure that all UST recordkeeping requirements were met, in violation with 30 TEX. ADMIN. CODE § 334.10(b)(2). Specifically, the annual walkthrough inspection of the containment sumps records were not available for review at the time of the investigation.

### III. DENIALS

The Respondent generally denies each allegation in Section II ("Allegations").

### IV. ORDERING PROVISIONS

NOW, THEREFORE, THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY ORDERS that:

1. The Respondent is assessed a penalty as set forth in Section I, Paragraph No. 4. The payment of this penalty and the Respondent's compliance with all of the requirements set forth in this Order resolve only the allegations in Section II. The Commission shall not be constrained in any manner from requiring corrective action or penalties for violations which are not raised here. Penalty payments shall be made payable to "TCEQ" and shall be sent with the notation "Re: Petroleum Wholesale, L.P. dba Sunmart 168, Docket No. 2024-1077-PST-E" to:

Financial Administration Division, Revenue Operations Section  
Attention: Cashier's Office, MC 214  
Texas Commission on Environmental Quality  
P.O. Box 13088  
Austin, Texas 78711-3088

2. The Respondent shall undertake the following technical requirements:
  - a. Immediately upon the effective date of this Order, begin maintaining all UST records, including but not limited to the annual walkthrough inspection of the containment sumps records, and ensure that they are immediately made available for inspection upon request by agency personnel, in accordance with 30 TEX. ADMIN. CODE § 334.10.
  - b. Within 30 days after the effective date of this Order:
    - i. Conduct the annual testing of the Stage I equipment with passing results, in accordance with 30 TEX. ADMIN. CODE § 115.225;
    - ii. Repair or replace and retest the flapper valve for UST No. 1 and the spill bucket for UST No. 2, in accordance with 30 TEX. ADMIN. CODE §§ 334.48 and 334.51;

- iii. Implement a release detection method for the USTs at the Station, at least once every 30 days that is installed, calibrated, operated, maintained, and utilized in accordance with the manufacturer's and/or methodology provider's specifications and instructions, in accordance with 30 TEX. ADMIN. CODE § 334.50;
  - iv. Begin conducting 30-day walkthrough inspections of the spill prevention and release detection equipment, in accordance with 30 TEX. ADMIN. CODE § 334.48;
  - v. Begin conducting 60-day inspections of the corrosion protection system to ensure that rectifier and other system components are operating properly for UST No. 4, in accordance with 30 TEX. ADMIN. CODE § 334.49; and
  - vi. Conduct the triennial testing of the corrosion protection system for UST No. 4, in accordance with 30 TEX. ADMIN. CODE § 334.49.
- c. Within 45 days after the effective date of this Order, submit written certification, and include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provision Nos. 2.a and 2.b. The certification shall be signed by the Respondent and shall include the following certification language:

"I certify under penalty of law that I have personally examined and am familiar with the information submitted and all attached documents, and that based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the submitted information is true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fines and imprisonment for knowing violations."

The certification shall be submitted to:

Enforcement Division, MC 149A  
Texas Commission on Environmental Quality  
P.O. Box 13087  
Austin, Texas 78711-3087

with a copy to:

Waste Section Manager  
Austin Regional Office  
Texas Commission on Environmental Quality  
P.O. Box 13087  
Austin, Texas 78711-3087

3. All relief not expressly granted in this Order is denied.
4. The duties and provisions imposed by this Order shall apply to and be binding upon the Respondent. The Respondent is ordered to give notice of this Order to personnel who maintain day-to-day control over the Station operations referenced in this Order.
5. The Executive Director may grant an extension of any deadline in this Order or in any plan, report, or other document submitted pursuant to this Order, upon a written and substantiated showing of good cause. All requests for extensions by the Respondent shall be made in writing to the Executive Director. Extensions are not effective until the Respondent receives written approval from the Executive Director. The determination of what constitutes good cause rests solely with the Executive Director. Extension requests shall be sent to the Enforcement Division at the address listed above.
6. This Order, issued by the Commission, shall not be admissible against the Respondent in a civil proceeding, unless the proceeding is brought by the OAG to: (1) enforce the terms of this Order; or (2) pursue violations of a statute within the Commission's jurisdiction, or of a rule adopted or an order or permit issued by the Commission under such a statute.
7. This Order may be executed in separate and multiple counterparts, which together shall constitute a single instrument. Any page of this Order may be copied, scanned, digitized, converted to electronic portable document format ("pdf"), or otherwise reproduced and may be transmitted by digital or electronic transmission, including but not limited to facsimile transmission and electronic mail. Any signature affixed to this Order shall constitute an original signature for all purposes and may be used, filed, substituted, or issued for any purpose for which an original signature could be used. The term "signature" shall include manual signatures and true and accurate reproductions of manual signatures created, executed, endorsed, adopted, or authorized by the person or persons to whom the signatures are attributable. Signatures may be copied or reproduced digitally, electronically, by photocopying, engraving, imprinting, lithographing, electronic mail, facsimile transmission, stamping, or any other means or process which the Executive Director deems acceptable. In this paragraph exclusively, the terms: electronic transmission, owner, person, writing, and written, shall have the meanings assigned to them under TEX. BUS. ORG. CODE § 1.002.
8. The effective date of this Order is the date it is signed by the Commission. A copy of this fully executed Order shall be provided to each of the parties.

SIGNATURE PAGE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

For the Commission



For the Executive Director

Date

06/25/2025

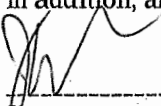
Date

I, the undersigned, have read and understand the attached Order. I am authorized to agree to the attached Order, and I do agree to the terms and conditions specified therein. I further acknowledge that the TCEQ, in accepting payment for the penalty amount, is materially relying on such representation.

I also understand that failure to comply with the Ordering Provisions, if any, in this Order and/or failure to timely pay the penalty amount, may result in:

- A negative impact on compliance history;
- Greater scrutiny of any permit applications submitted;
- Referral of this case to the OAG for contempt, injunctive relief, additional penalties, and/or attorney fees, or to a collection agency;
- Increased penalties in any future enforcement actions;
- Automatic referral to the OAG of any future enforcement actions; and
- TCEQ seeking other relief as authorized by law.

In addition, any falsification of any compliance documents may result in criminal prosecution.

  
Signature

4-11-2025

Date

John Cook

General Partner

Name (Printed or typed)

Title

Authorized Representative of  
Petroleum Wholesale, L.P. dba Sunmart 168

☐ If mailing address has changed, please check this box and provide the new address below:

**Instructions:** Send the original, signed Order with penalty payment to the Financial Administration Division, Revenue Operations Section at the address in Ordering Provision 1 of this Order.