

Statement of [REDACTED]

I, [REDACTED], hereby make the following statement:

1. My name is [REDACTED], Texas, and my phone number is [REDACTED].
2. I worked at Formosa Plastics Texas from 2000 through 2016. I first worked in a lab where I did samples and used the gas chromatographer. I eventually was a shift supervisor for the SPVC unit. The SPVC unit is in the northwest corner of plant and makes special PVC powder.
3. When I worked at the lab at Formosa, I was told by supervisors on occasion not to report data showing that results did not comply with standards.
4. I moved to the SPVC unit in 2009 (Appx) [year]. SPVC is the specialty PVC unit, where specialty PVC powder is made for particular customers. The SPVC unit is a batch unit where product is made in batches, not continuously.
5. When the SPVC unit was being built in 2009 (Appx) [year], I worked on its construction. At the time, I looked at other units to see how they were built. As I walked around the facility, I noticed pellets and powder in the wastewater and stormwater ditches at other units. I remember seeing pellets and powder being in the ditches most of the time I looked.
6. I say wastewater and stormwater ditches because there are two different systems for stormwater. The wastewater system is called inside battery limits, ISBL, and that system takes some stormwater and all wastewater to the treatment plant to be treated. What I call the stormwater system is outside

battery limits, OSBL, and that water goes to Cox's Creek without being treated at all.

7. In 2008, I became a shift supervisor for the SPVC unit. As a shift supervisor, I was required to be familiar with environmental regulations. I was also required to sign incident reports for incidents that occurred when I was working. Incident reports were sent to [REDACTED] the PSM coordinator. Incident reports were supposed to be made when there was a problem at the unit, either in production or if someone was injured.
8. [REDACTED] from New Jersey had told the supervisors that it was illegal not to comply with reporting laws, but on the ground, managers did not follow those requirements.
9. Sometimes, the specialty PVC did not conform to the specifications. For example, the product was supposed to be a powder, and sometimes it would be more like bb's, pellets, golf balls or even rocks. We called this off-spec product.
10. The off-spec product was supposed to go to the wastewater treatment plant or be disposed of some other proper way, like being collected into bags either for sale or being disposed of in garbage bins. But sometimes, it was just swept or hosed into ditches that went to Cox's Creek.
11. In 2014, management at the SPVC unit changed. Management at SPVC merged with the PVC unit, and the new supervisors were [REDACTED]. I understood that management changed because the SPVC unit was not producing at a high enough rate. After 2014, the unit focused more on production than compliance with regulations.

12. The managers before 2014, [REDACTED], were not aggressively complying with safety and environmental regulations. But they were receptive to hearing comments. In 2014, that changed. The focus was on producing as much product as possible.
13. To make SPVC, you used heat to extract VCM and VAM. Then you'd pull off the gas. In 2014, when supervision changed, Formosa quit using heat to dissipate the gases. The process after 2014 was not as safe for workers.
14. At the SPVC unit, we did not always dispose of off-spec product properly. Often we would flush the off-spec product to the ground and flush it into two internal gates where it would then go to a dirt ditch and an outfall at Cox's Creek.
15. I recall one time at the SPVC unit in 2014 (approx) [year], where the off-spec product was all over the unit, up to five stories high. Workers used hoses to clean the product off, and the product spewed through the air to the ground.
16. I was so disturbed by the handling of off-spec product that I took photos of the mishandling of it. The following photos are from 2014 of one incident. The photos show that it looks like a snowstorm and that bad product was swept into ditches. That incident was not reported. These are some photos I took from that incident. You can see the off-spec product all over the unit and the ground around the unit. A vacuum truck was used to vacuum up the product, but it could not clean everything. The rest was hosed into the ditches, which you can see with the screens off.









17. The failure to report incidents at SPVC became so troubling to me that I began to keep notes on my computer about violations of procedures or regulations.
18. In 2015, a gasket failed on a reactor in the SPVC unit. I estimate that 800 pounds of vinyl chloride spewed out. I needed to complete an incident report. I called [REDACTED] an engineer, to get an estimation of what quantity to put in the incident report. I was told by [REDACTED] to report that less than a pound had escaped. I knew that number was inaccurate.
19. While I was in the SPVC unit in 2015 <sup>(Appx)</sup> [year], I witnessed a spill of about 500 pounds of vinyl chloride. I saw the amount reported as 2.7 pounds internally.
20. When I was a shift supervisor, incidents that didn't comply with procedures or regulations would be reported to me, and I would those incidents to my managers. Most of the time, my managers told me not to make a written report of the incidents.
21. In 2015 <sup>(Appx)</sup> [year], I also began taking my own samples of water in the stormwater ditches because samples were not being taken properly at outfalls.
22. Formosa has an internal program called "Report It." You are supposed to be safe reporting environmental and safety problems to "Report It." The information is supposed to go to Environmental Health and Safety in New Jersey. But Formosa took people's names instead of it being anonymous. After I went to make a report to Report It, I got fired.
23. Formosa's employees are financially encouraged to produce the most product possible. They get bonuses for high production. Employees have a financial



incentive not to stop the production, and not to clean out bad product and properly dispose of it. The financial incentives encourage workers to move fast.

24. Formosa employees are well paid and have huge financial incentives to keep their jobs. This makes the employees afraid to report when the company does not follow regulations.

25. I worked as a police officer before I worked for Formosa. I returned to work as a police officer but am now on disability.

26. I brought a wrongful discharge suit against Formosa but did not win that case.

Date: 3-27-18

Signature: 