



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5
77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

REPLY TO THE ATTENTION OF:

AUG 31 2007

A-18J

Daniel Murray
Assistant Commissioner
Office of Air Quality
Indiana Department of Environmental Management
100 North Senate Avenue
Indianapolis, Indiana 46204

Re: Flare Modification at the BP-America facility in Whiting, Indiana

Dear Mr. Murray:

As you are aware, in spring of 2007, the BP-America facility in Whiting, Indiana, vented uncontrolled emissions of hydrogen sulfide from the number 11 pipe still as the result of an emergency. Because it was concerned about the safety of the uncontrolled venting in the future, BP requested that the Indiana Department of Environmental Management (IDEM) permit it to modify the facility to allow it to vent through a flare emissions from the number 11 pipe still in emergency situations.

Please be aware that nothing in the Clean Air Act precludes IDEM's use of available state emergency powers to allow BP immediately to take any steps necessary to address all safety issues prior to the completion of the permitting process. Nevertheless, based upon information that we have received from your staff and BP, the United States Environmental Protection Agency believes that the source must obtain a minor source preconstruction permit for the modification, and that section 2-1.1-6 of the Indiana State Implementation Plan requires that the permit undergo a public notice and comment period of at least 30 days.

We look forward to continuing to work with you to resolve the permitting of this modification. If you have any questions, please contact me at 312-353-2212, or Sam Portanova, of my staff, at 312-886-3189.

Sincerely yours,

A handwritten signature in cursive script that reads "Mary P. Tyson".

Handwritten initials "for" in cursive script.
Stephen Rothblatt
Director, Air and Radiation Division