



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

SEP 24 2004

REPLY TO THE ATTENTION OF
(AE-17J)

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Linda J. Wilson
Environmental Superintendent
BP Products North America Inc.
BP Whiting Refinery
2815 Indianapolis Blvd.
P.O. Box 710
Whiting, Indiana 46394-0710

Re: Finding of Violation
BP Whiting Refinery

Dear Ms. Wilson:

The United States Environmental Protection Agency (U.S. EPA) is issuing the enclosed Finding of Violation (FOV) to BP Products North America, Inc, Whiting Refinery (you). We find that you are violating the Hazardous Waste Combustor National Emission Standard for Hazardous Air Pollutants (HWC MACT), Section 112 of the Clean Air Act, 42 U.S. C. § 7412, at your Whiting, Indiana facility.

We have several enforcement options under Section 113(a)(3) of the Clean Air Act, 42 U.S.C. § 7413(a)(3). These options include issuing an administrative compliance order, issuing an administrative penalty order, and bringing a judicial civil or criminal action. The options we select may depend on, among other things, the length of time you take to achieve and demonstrate continuous compliance with the rules cited in the FOV.

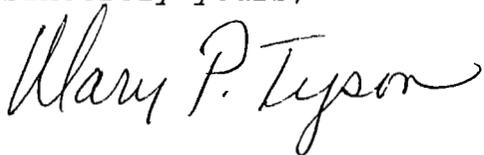
We are offering you an opportunity to confer with us about the violations alleged in the FOV. The conference will give you the opportunity to present information on the specific findings of violation, the efforts you have taken to comply, and the steps you will take to prevent future violations.



Please plan for your facility's technical and management personnel to attend the conference to discuss compliance measures and commitments. You may have an attorney represent you at this conference.

The U.S. EPA contact in this matter is Sarah Marshall. You may call her at (312) 886-6797 to request a conference. You should make the request as soon as possible, but no later than 10 calendar days after you receive this letter. We should hold any conference within 30 calendar days of your receipt of this letter.

Sincerely yours,



Stephen Rothblatt, Director
Air and Radiation Division

Enclosure

cc: David McIver, Chief
Air Section
Indiana Department of Environmental Management