

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 5**

**IN THE MATTER OF:** )  
 )  
Marathon Ashland Petroleum, ) **FINDING OF VIOLATION**  
LLC )  
Robinson, Illinois ) **EPA-5-99-IL-9**  
 )  
 )  
Proceedings Pursuant to )  
Section 113 (a)(3) of the )  
Clean Air Act, )  
42 U.S.C. § 7413(a)(3) )

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**FINDING OF VIOLATION**

The United States Environmental Protection Agency (U.S. EPA), by authority duly delegated to the undersigned, hereby notifies the State of Illinois and Marathon Ashland Petroleum, LLC (MAP), that U.S. EPA finds, pursuant to Section 113(a)(3) of the Clean Air Act (Act), 42 U.S.C. § 7413(a)(3), that MAP's petroleum refinery, located in Robinson, Illinois, formerly owned and operated by Marathon Oil Company (Marathon), is in violation of Section 114 of the Act, 42 U.S.C. § 7414. Specifically, MAP is in violation of Section 114 as follows:

1. On July 25, 1996, the Director of the Air and Radiation Division of U.S. EPA, Region 5, issued to Marathon a Request for Information pursuant to Section 114(a) of the Act, 42 U.S.C. § 7414(a), requesting various items of information regarding the refinery.
2. The July 25, 1996, information request required that all information submitted in response to the request be certified as true, correct, accurate, and complete by an individual with sufficient knowledge and authority to make such representations on behalf of Marathon. U.S. EPA received partial responses from Marathon to the July 25, 1996 information request dated August 27, 1996 and September 12, 1996. In violation of Section 114 of the Act, these responses did not contain the required certification.
3. On December 10, 1996, the Director of the Air and Radiation Division of U.S. EPA, Region 5, issued to Marathon a Request for Information pursuant to Section 114(a) of the Act, 42 U.S.C. § 7414(a), requesting various items of information as

a follow-up to discussions with Marathon during a Section 113 conference on November 21, 1996.

4. Marathon received the December 10, 1996 Request, and provided partial responses to U.S. EPA on January 10, 1997, and February 7, 1997. In violation of Section 114 of the Act, these responses did not include the following information related to split samples collected by Marathon personnel during a February 1994 U.S. EPA inspection:
  - a. all chromatograms (some were provided);
  - b. instrument operating conditions and method parameters;
  - c. relevant standard operating procedures;
  - d. all chain of custody forms for the samples (some were provided);
  - e. raw instrument response/area counts;
  - f. sequence records and instrument logs;
  - g. all quality control related items, such as information on surrogate recoveries, internal standard areas and calibration, initial calibration, initial calibration verification, continuing calibration, any independent standards analyzed, and calibration and quality control acceptance criteria utilized;
  - h. preparation information and certification of analysis for calibration standards, internal standards, surrogate standards, and spiking standards;
  - i. estimate of uncertainty and/or bias;
  - j. certifications and proficiency results for the analyst(s) producing data for the samples referred to above;
  - k. all correspondence between Environmental Certification Labs, Inc. and Marathon regarding the analysis of the samples referred to above; and,
  - l. all reports generated by Environmental Certification Labs, Inc. or Marathon relating to the analysis of the samples referred to above.
5. The December 10, 1996 information request required that all information submitted in response to the request be certified as true, correct, accurate, and complete by an individual with sufficient knowledge and authority to make such representations on behalf of Marathon. U.S. EPA received Marathon's responses to the December 10, 1996 information request dated January 10, 1997 and February 7, 1997. In violation of Section 114 of the Act, neither of these responses contained the required certification.
6. On April 22, 1998, the Director of the Air and Radiation Division of U.S. EPA, Region 5, issued MAP a Request for

Information pursuant to Section 114(a) of the Act, 42 U.S.C. § 7414(a), requiring MAP to conduct certain sampling and submit the results, and requesting various items of information regarding previous samples conducted by MAP. This request included follow up requests for information the company had not provided in response to the December 10, 1996 request.

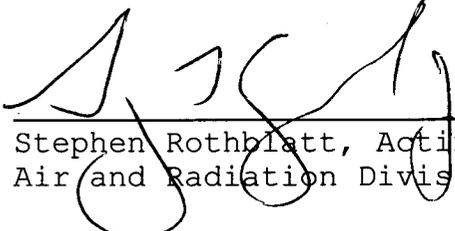
7. MAP received the Request on April 28, 1998. MAP provided partial responses to U.S. EPA on May 29, 1998; August 7, 1998; August 20, 1998; September 1, 1998; September 15, 1998; and, October 26, 1998. In violation of Section 114 of the Act, MAP did not provide the following information:
  - a. Formal sequence records and instrument logs related to the split samples collected during the February 1994 U.S. EPA inspection.
  - b. Laboratory blank data, calibration verification data, or continuing calibration data for each day Marathon samples were analyzed by the lab contracted by Marathon to analyze the split samples collected during the February 1994 U.S. EPA inspection.
  - c. The laboratory's actual estimates of uncertainty and/or bias, including documentation as to how the laboratory arrived at its estimate.
  - d. Sampling and analysis of the water draws during 3 water draw events from each of its gasoline tanks, as was agreed to during a May 11, 1998 conference call with Ron Andes, counsel for MAP.
  - e. Sampling of the oil effluent from the API separator three times per week for 6 consecutive weeks. Based on information in the incomplete response, samples were collected and analyzed only on May 6, 7, 8 and 13, 1998.
  - f. Sampling and analysis of the water and oil in the forebay of the API separator 3 times per week. MAP reported 18 sample results as "forebay" but did not indicate whether these were the water or oil sample results. MAP has not reported results for the other (water or oil) set of samples required from the API forebay.
  - g. Sampling and analysis of the water draws during 3 water

draw events from each of its crude tanks, as was agreed to during a May 11, 1998 conference call with Ron Andes, counsel for MAP.

8. The April 22, 1998 information request required that all information submitted in response to the request be certified as true, correct, accurate, and complete by an individual with sufficient knowledge and authority to make such representations on behalf of MAP. U.S. EPA received responses to the April 22, 1998 information request on May 29, 1998; August 7, 1998; August 20, 1998; September 1, 1998; September 15, 1998; and, October 26, 1998. In violation of Section 114 of the Act, none of these responses contained the required certification.

1/13/99

Date

  
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Stephen Rothblatt, Acting Director  
Air and Radiation Division

**CERTIFICATE OF MAILING**

I hereby certify that a Finding of Violation was sent by  
Certified Mail, Return Receipt Requested, to:

Mike Armbruster, Plant Manager  
Marathon Ashland Petroleum, LLC  
P.O. Box 1200  
Marathon Avenue  
Robinson, Illinois 62454

I also certify that copies of the Finding of Violation were  
sent by first class mail to:

Dave Saad, Environmental Coordinator  
Marathon Ashland Petroleum, LLC  
P.O. Box 1200  
Marathon Avenue  
Robinson, Illinois 62454

Dave Kolaz, Chief  
Compliance and Systems Management Section  
Bureau of Air  
Illinois Environmental Protection Agency  
1021 North Grand Avenue  
Springfield, Illinois 62702

John Justice, Manager  
Region III  
Illinois Environmental Protection Agency

on the 15<sup>th</sup> day of January, 1999.

  
Betty Williams, Secretary  
AECAS, (IL-IN)

CERTIFIED MAIL RECEIPT NUMBER: P140894294