

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5**

IN THE MATTER OF:)
)
Mobil Oil Corporation) **FINDING OF VIOLATION**
Joliet Refinery)
Joliet, Illinois) **EPA-5-00-IL-27**
)
)
Proceedings Pursuant to)
the Clean Air Act,)
42 U.S.C. §§ 7401 et seq.)
_____)

Finding of Violation

The United States Environmental Protection Agency (U.S. EPA) finds that Mobil Oil Corporation (Mobil) is violating Section 112 of the Clean Air Act (Act), 42 U.S.C. § 7412. Specifically, Mobil is violating the National Emission Standards for Hazardous Air Pollutants (NESHAP) for Benzene Waste Operations (Subpart FF), at 40 C.F.R. Part 61 and the NESHAP for Petroleum Refineries (Subpart CC), 40 C.F.R. Part 63, as follows:

Regulatory Authority

Benzene Waste NESHAP

1. On January 7, 1993, under Section 112 of the Act, U.S. EPA promulgated the National Emission Standards for Benzene Waste Operations (Benzene Waste NESHAP). 40 C.F.R. Part 61, Subpart FF, §§ 61.340 - 61.358.
2. The Benzene Waste NESHAP applies to, among others, the owners and operators of petroleum refineries. 40 C.F.R. § 61.340(a).
3. Compliance with the Benzene Waste NESHAP will be determined by reviewing facility records and results from tests and inspections. 40 C.F.R. § 61.342(g).
4. Pursuant to the Benzene Waste NESHAP, petroleum refineries must calculate the total annual benzene (TAB) quantity for each waste stream generated at the facility. This requirement applies to waste streams

that are either at least 10 percent water, or are mixed with a stream and the resulting mixture is least 10 percent water. 40 C.F.R. §§ 61.342(a) and 61.355(a).

5. Facilities with TAB quantities equal to or greater than 10 Megagrams per year (Mg/yr) must comply with one of the three compliance options listed at 40 C.F.R. § 61.342(c), (d), or (e). 40 C.F.R. § 61.355(a)(3).
6. Facilities that elect to comply with the option listed at 40 C.F.R. § 61.342(e) must, among other things, manage and treat benzene wastes (including remediation and process unit turnaround waste) so that the benzene quantity of uncontrolled streams is equal to or less than 6.0 Mg/yr. 40 C.F.R. § 61.342(e)(2)(i).
7. For each waste stream controlled for air emissions, the benzene quantity (BQ) is determined prior to any reduction of benzene concentration through volatilization of the benzene. 40 C.F.R. § 61.355(k)(2). See 40 C.F.R. § 61.342(e)(2)(i).
8. The owner or operator of a petroleum refinery must submit annually to the Administrator of U.S. EPA a report that, among other things, includes the TAB quantity from facility waste. 40 C.F.R. §§ 61.357(a)(1) and (d)(2).
9. If an owner or operator elects to comply with the alternative requirement of Section 61.342(e), the report must include a table presenting the annual waste quantity, range of benzene concentrations, annual average flow-weighted benzene concentration, and annual benzene quantity for each waste stream identified as not controlled for benzene emissions as determined at the point of waste generation. 40 C.F.R. § 61.357(d)(5)(i).
10. If an owner or operator elects to comply with the alternative requirement of Section 61.342(e), the report must include a table presenting the annual waste quantity, range of benzene concentrations, annual average flow-weighted benzene concentration, and annual benzene quantity for each waste stream identified as controlled for benzene emissions as determined at the applicable location. 40 C.F.R. § 61.357(d)(5)(ii).

Refinery MACT

11. On August 18, 1995, under Section 112(d) of the Act, U.S. EPA promulgated the National Emission Standard for Hazardous Air Pollutants from Petroleum Refineries. 40 C.F.R. Part 63, Subpart CC, §§ 63.640 - 63.679. This requirement became effective August 18, 1998.
12. Subpart CC applies to petroleum refining process units and to all related emissions at the plant specified in 40 C.F.R. § 63.640(c)(5) through (c)(7), including all gasoline loading racks, all marine vessel loading operations, all storage vessels associated with petroleum refining process units and equipment leaks associated with a bulk gasoline terminal or pipeline breakout station located within a refinery. 40 C.F.R. § 63.640(a) and (c).
13. Each owner or operator of a source subject to Subpart CC must apply for a part 70 or part 71 operating permit from the appropriate permitting authority. 40 C.F.R. § 63.642(a).
14. The owner or operator must submit periodic reports no later than 60 days after the end of each 6-month period. 40 C.F.R. § 63.654(g).

Factual Background

15. Mobil owns and operates a petroleum refinery located at I-55 and Arsenal Road, Joliet, Illinois.
16. Mobil elected to comply with the option listed at 40 C.F.R. § 61.342(e) which requires, among other things, that Mobil manage and treat benzene wastes (including remediation and process unit turnaround waste) so that the BQ of uncontrolled streams is equal to or less than 6.0 Mg/yr.

Violations

Benzene NESHAP

17. Mobil failed to report the TAB value on its annual reports for calendar years 1993 through 1997, violating 40 C.F.R. § 61.357(d)(2).

18. Mobil failed to correctly report the benzene concentration for the raw crude charge and desalted crude sample streams on the annual reports for 1993-1998, violating 40 C.F.R. §§ 61.355(b) and 61.357(d)(5).
19. Mobil failed to include the benzene waste transfers from controlled lift station 2 to uncontrolled sources on the facility's 1998 annual report, violating 40 C.F.R. § 61.357(d)(5).

Refinery MACT

20. Mobil failed to submit the required periodic reports for its MACT group 1 tank inspections to U.S. EPA by July 1999, violating 40 C.F.R. § 63.654(g)(1).
21. In its October 28, 1999 periodic report, Mobil failed to state that eight tanks failed annual inspections during the July 1998 through October 1999 time frame, violating 40 C.F.R. § 63.654(g)(1).

8/29/00
Date

for William L. MacDowell
Bharat Mathur, Director
Air and Radiation Division

CERTIFICATE OF MAILING

I, Betty Williams, do hereby certify that a Finding of Violation and a Notice of Violation was sent by Certified Mail, Return Receipt Requested, to:

Mr. Robert Wyman, Refinery Manager
Mobil Oil Corporation
I-55 and Arsenal Road
Joliet, Illinois 60434

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

David Asselmeier, Acting Section Manager
Compliance and Systems Management Section
Bureau of Air
Illinois Environmental Protection Agency
1021 North Grand Avenue East
Springfield, Illinois 62702

Harish Narayen, Acting Regional Manager
Illinois Environmental Protection Agency
Region 1
1701 South First Avenue
Maywood, Illinois 60153

on the 30th day of August, 2000.

Betty Williams
Betty Williams, Secretary
AECAS, (IL/IN)

CERTIFIED MAIL RECEIPT NUMBER: 2199026444