7/21/81

STATE OF MICHIGAN
DEPARTMENT OF NATURAL RESOURCES
AIR POLLUTION CONTROL COMMISSION

In the matter of administrative proceedings involving MARATHON OIL COMPANY, a corporation organized under the laws of the State of Ohio and doing business at 3005 Holton Road, City of North Muskegon, County of Muskegon, State of Michigan.	SIP No. 16-1981

STIPULATION FOR ENTRY OF CONSENT ORDER
AND
FINAL ORDER

This proceeding resulted from allegations by the staff of the Air Quality Division of the Department of Natural Resources (hereinafter referred to as the "Staff"). The Staff alleges that Marathon Oil Company, an Ohio corporation (hereinafter referred to as the "Company"), located at 3005 Holton Road, City of North Muskegon, County of Muskegon, State of Michigan, is emitting volatile organic compounds from its facilities which, if not reduced by December 31, 1982, will be in excess of allowable limits as established by Administrative Code 1980 AACS, R 336.1609. The Company and the Staff agree to the termination of this proceeding by entry of a Final Order by consent.

The Company and the Staff agree as follows:

1. The Company admits that the Chief of the Air Quality Division of the Department of Natural Resources is authorized by resolution of the Air Pollution Control Commission (hereinafter "Commission") adopted June 28, 1977, as agent of the Commission to enter into this Final Order by consent.

2. The Company stipulates that the Chief of the Air Quality Division of the Department of Natural Resources is charged with the investigation and enforcement of all orders, regulations, rules, standards and statutes of the State of Michigan concerning the emission and control of air contaminants.

3. The Company stipulates that the termination of this matter by a Final Order to be entered as a Consent Order is proper and acceptable.

4. The Company and the Staff agree that the signing of this Stipulation is for settlement purposes only and does not constitute an admission by the Company that the law as been violated. Both Staff and the Company agree that the volatile organic compound emissions from the truck loading racks should be controlled. The Company shall achieve compliance with the aforementioned regulations in accordance with the following schedule:

(a) By April 9, 1981, the Company shall submit to Staff, pursuant to the Commission's rules, acceptable plans and specifications and an application for an installation permit describing the air pollution control device(s) and/or other equipment to be used to control the volatile organic compound emissions from gasoline loading operations to obtain compliance with the Commission's rules.

(b) By August 3, 1981, the Company shall submit to the Staff evidence to substantiate that the required air pollution control device(s) and/or other equipment to be used to control the volatile organic compound emissions from gasoline loading operations have been placed on order with the manufacturer.

(c) By August 8, 1982, and after receiving the installation permit referred to in paragraph (a), above, the Company shall begin on-site installation of said air pollution control device(s) and/or other equipment and notify the Staff in writing that this installation has begun.

(d) By December 1, 1982, the Company shall have placed in operation said air pollution control device(s) and/or other equipment and notify the Staff in writing that the device(s) and/or equipment have been placed in operation.

(e) By December 31, 1982, the Company shall complete the testing (conducted according to procedures approved by Staff) of said air pollution control

device(s) and/or other equipment and submit to the Staff the detailed report of the test data and results.

(f) By December 31, 1982, the volatile organic compound emissions shall not exceed 0.7 pounds of organic vapor per 1,000 gallons of organic compound loaded.

5. NONCOMPLIANCE PENALTIES: The Staff and the Company both acknowledge that pursuant to Section 120 of the Federal Clean Air Act Amendments of 1977 (PL 95-95, dated August 7, 1977), the Company may be required to pay a noncompliance penalty for failure to achieve compliance with the rules of the Commission if compliance is not achieved by midnight December 31, 1982.

6. The Staff and the Company do not regard this abatement program as a variance subject to the 12-month limitation specified in Section 22 of the Air Pollution Act, being MCLA 336.32. Approval of this abatement program is not a major state action for purposes of further environmental review pursuant to Executive Order 1974-4.

7. Staff and the Company both acknowledge that a public hearing on this abatement program was held on June 16, 1981. Both Staff and the Company consent to enforcement of this Stipulation and Final Order in the same manner and by the same procedures for all final orders entered pursuant to Section 16 of 1972 PA 257, MCLA 336.26, including enforcement pursuant to 1970 PA 127, MCLA 691.1201 et. seq.; MSA 14.528(201) et. seq.

Approved as to Form and Content:
G. N. Nicholson

Vice President, Marketing U.S.
MARATHON OIL COMPANY

Dated: 7/10/81

Approved as to Content:

Robert P. Miller, Acting Chief
AIR QUALITY DIVISION
DEPARTMENT OF NATURAL RESOURCES

Dated: 7/31/81

Approved as to Form:

Stewart H. Freeman
Assistant Attorney General
DEPARTMENT OF ATTORNEY GENERAL

Dated: July 28, 1981

FINAL ORDER

This Commission having had opportunity to review the above stated Stipulation for Entry of Consent Order, and this Commission having authorized the Chief of the Air Quality Division of the Department of Natural Resources as agent of the Commission to enter into consent orders,

IT IS ORDERED that this Consent Order shall be entered in the record of this Commission as stated herein.

AIR POLLUTION CONTROL COMMISSION

By: Robert Miller

Robert P. Miller, Acting Chief
Air Quality Division
Department of Natural Resources

Dated: 7/31/81