



State of Ohio Environmental Protection Agency

Northwest District Office

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Ted Strickland, Governor
Lee Fisher, Lieutenant Governor
Chris Korteski, Director

Re: BP Toledo Refinery
OHD 005057542
Hazardous Waste
Lucas County
RTC

October 2, 2007

Mr. James Nelson
BP Products North America - Toledo Refinery
4001 Cedar Point Road
PO Box 696
Toledo, Ohio 43697-0696

Dear Mr. Nelson:

Thank you for the documents dated July 9, 2007, August 8, 2007, and September 18, 2007. These were submitted in response to Ohio EPA's July 11, 2007, Notice of Violation (NOV) letter. The documents BP submitted included photographs of the roll-off storage area showing that it has been properly cleaned up and documentation of how each leaking roll-off was repaired or changed out. Additionally, you included a photograph of the area around the oil shed after it was cleaned and photos of the containers properly labeled used oil.

The following 2007 violations of Ohio's hazardous waste rules are considered abated with this letter:

- Condition of Containers, OAC rule 3745-66-71- **abated August 8, 2007**
- Container Management, OAC rule 3745-66-73(B) - **abated September 18, 2007**
- Used Oil Labeling, OAC rule 3745-279-22(C)(1) - **abated August 8, 2007**

Previously abated on June 20, 2007, at the time of inspection

- Container Labeling, OAC Rule 3745-52-34(A)(2)

The Division of Hazardous Waste Management had also cited violations of the hazardous waste rules during our June 20, 2006, inspection. The NOV letter was sent to BP on August 31, 2006. A permit modification was required to abate these violations and also inspection documentation of emergency equipment for August 2006.

On October 10, 2006, Ohio EPA received emergency equipment inspection checklists for the month of August 2006. On December 29, 2006, BP submitted a request to modify the contingency plan and to update the emergency equipment and its inspection schedule. On April 12, 2007, the permit was modified and approved by the Director.

The outstanding 2006 violations listed below are considered abated with this letter:

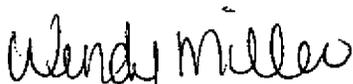
●General Inspection Requirements, Permit Conditions A.28(B), B.5 and B.10 and OAC Rules 37454-54-15 and 3745-54-33 - **abated April 12, 2007**

●Contingency Plan, Permit Conditions A.28(b) and B.17 - **abated April 12, 2007**

My review of all documentation reveals that BP has adequately demonstrated abatement of all violations discovered during our **June 20, 2007, and June 20, 2006**, compliance evaluation inspection.

Should you have any questions, please feel free to call me at (419) 373-3114.

Sincerely,



Wendy Miller
Division of Hazardous Waste Management

/llr

pc: Colleen Weaver, DHWM, NWDO
Cindy Lohrbach, DHWM, NWDO
<DHWM-NWDO File >

NOTE: Failure to list specific deficiencies in this communication does not relieve you from the responsibility of complying with all applicable regulations.