



State of Ohio Environmental Protection Agency

Northwest District Office

347 North Dunbridge Road
Bowling Green, OH 43402-9398

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www.epa.state.oh.us

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

Re: Seneca County
BP Bulk Terminal - Tiffin
Premise # 03.74.02.0141
Notice of Violation - HPF

Certified Mail

February 15, 2008

Mr. Jim Fries, Terminal Manager
BP Oil - Tiffin Terminal
197 Wall Street
Tiffin, Ohio 44883

Dear Mr. Fries:

This letter is a duplicate of the letter originally dated February 11, 2008. It is being resent, via Certified Mail and with the proper heading of "Notice of Violation", for purposes of Ohio EPA internal policy.

This letter shall serve as follow-up to the inspection conducted on February 6, 2008, of the BP Oil Company - Tiffin Terminal (BP), located at 197 Wall St., in Tiffin, Ohio, by Ms. E. Jay Murphy and myself. The purpose of this inspection was to determine the compliance status of all air contaminant emissions units located at the above referenced facility.

Based on our discussions, observations during the inspection, and review of the company's files, our findings are as follows:

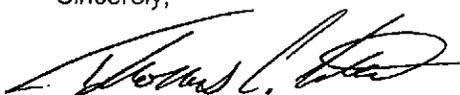
1. The most recent Ohio Permit to Operate (PTO) for the main loading rack, emissions unit J001, was issued on 11/20/97. Parts II.D.1-5 list BP's reporting requirements for J001. Previously, on September 7, 2000, a notice of violation (NOV), was sent to BP for violations of these reporting requirements. However, Ohio EPA has no record of BP submitting any of the required reports after the issuance of that NOV. Failure to submit these reports is a violation of the terms and conditions of the PTO, which is a violation of Ohio Revised Code rule 3704.05(C).
2. T001, T002, T003, T005 and T008 have been issued PTOs. In the permit for each tank, in the special terms and conditions, term number four (4) requires that the facility submit an annual report of the calculated emissions, in tons/yr. That report is due January 30 of each year for the preceding 12 months. Ohio EPA has no record of BP submitting any of the required reports since the issuance of the permits. Failure to submit these reports is a violation of the terms and conditions of the PTO, which is a violation of Ohio Revised Code rule 3704.05(C).
3. Regarding the facility's on site storage tanks, several of the tanks have had modifications which decrease their volume, the material stored in the tank has changed since last permitted by Ohio EPA and several tanks have been added or removed. Within 30 days of receipt of this letter, please submit the following pieces of information for each storage tank on site: Ohio EPA tank number (if applicable); company tank number; volume of tank; material stored in tank; if tank is underground or aboveground (if aboveground, please include type of tank (internal floating roof, fixed roof, etc.)); if the tank has an Ohio EPA emissions unit ID number (ex: T001), please give the last known permitting status of the tank, including any applicable State of Ohio Permit to Install numbers.

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The facility has 30 days to respond in writing to Ohio EPA with a compliance plan to remedy the observed situations and prevent this, or any similar such situation, from occurring in the future. Please note that the submission of information to respond to this letter does not constitute a waiver of Ohio EPA's authority to seek civil penalties pursuant to ORC section 3704.06. The Ohio EPA will make the decision on whether to pursue or decline to pursue such penalties regarding this matter at a later date.

We would like to thank your on site staff for taking the time to accommodate our schedule at the time of our visit and thank you for your assistance in this matter. If the company has any questions or concerns regarding this letter, please contact me at the above address, by calling (419) 373-3137 or via e-mail at thomas.cikotte@epa.state.oh.us.

Sincerely,



Thomas C. Cikotte
Division of Air Pollution Control

/lb

pc: Lisa Holscher, US EPA Region 5
Tom Kalman, CO/DAPC
Don Waltermeyer, NWDO/DAPC
Samir Araj, NWDO/DAPC
Tom Sattler, NWDO/DAPC

~~Thomas C. Cikotte, NWDO/DAPC~~
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