

# CITY OF TOLEDO



## DEPARTMENT OF PUBLIC UTILITIES

March 4, 2008

### CERTIFIED MAIL

Ronald J. Unnerstall  
Business Unit Leader  
BP Toledo Refinery  
4001 Cedar Point Road  
Oregon, Ohio 43616



Re: Notice of Violation

Dear Mr. Unnerstall:

Enclosed, please find a "Notice of Violation" for BP Toledo Refinery (Ohio EPA Source No. 0448020007), emission units B001 (Hydrogen Furnace), B006 (Reformer 2 Furnace), B008 (Iso 2 Feed Heater), B009 (Iso 2 Stabilizer Reboiler), B010 (Iso 2 Splitter Reboiler), B019 (Asphalt Heaters), B024 (Crude Vac 2 Furnace), B029 (DHT A-Train Furnace), B032 (Coker 3 Furnace), P007 (FCCU) and P037 (SRU #2&3). Please review this document carefully as some action is required on your part.

If you have any questions, please feel free to contact me.

Yours from Toledo - a City of the Future!\*

A handwritten signature in black ink that reads "Peter Park".  
Peter Park

\* fDi Magazine-April 2007

Enclosure

cc: Karen Granata, P.E., Chief of Air Resources, TDES  
Leslie Kovacik, Law Department, City of Toledo  
John Paulian, OEPA  
Lisa Holscher, USEPA Region V

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Timothy D. Murphy, Commissioner  
DIVISION OF ENVIRONMENTAL SERVICES  
Quilter Environmental Center  
348 South Erie Street, Toledo, Ohio 43604-8633 USA  
Telephone: 419-936-3015 Fax: 419-936-3959 E-mail: tim.murphy@toledo.oh.gov

## NOTICE OF VIOLATION

March 4, 2008

The City of Toledo Division of Environmental Services hereby serves notice that:

BP Toledo Refinery  
4001 Cedar Point Road  
Oregon, Ohio 43616

has violated the following environmental laws, orders, rules, or regulations on the indicated dates at the above address.

### Dates of Violation(s)

From October 1, 2007 to December 31, 2007

### Regulation(s) violated

OAC rule 3745-77-07(C)(1) - ...to assure compliance with federally enforceable terms and conditions of the [Title V] permit.

40 CFR 60.13 - ...all continuous monitoring systems shall be in continuous operation.

### Description of Source(s) and Violations(s)

OEPA Premise number 0448020007  
OEPA Source Number: B001, B006, B008, B009, B010, B019, B024, B029, B032, P007, and P037

Failure to continuously monitor H2S from Hydrogen Furnace, Reformer 2 Furnace, Iso 2 Feed Heater, Iso 2 Stabilizer Reboiler, Iso 2 Splitter Reboiler, Crude Vac 2 Furnace, Asphalt Heaters, DHT A-Train Furnace, and Coker 3 Furnace, and CO, NOx, and SO2 emissions from FCCU and SO2 from SRU #2&3.

The above violation(s) may subject the violator to penalties of up to \$25,000 per violation. It is possible that a penalty may be assessed in this case. If a penalty is to be assessed, the amount will be determined after your response is reviewed.

### Required Actions

Within 2 weeks of receipt of this Notice of Violation, you shall:

1. Abate the violation(s) or provide for an acceptable remedy.

2. Reply in writing to this Notice of Violation. The reply shall include:
  - a. description(s) and date(s) of action(s) taken thus far to abate the violation(s).
  - b. description(s) and expeditious time schedule of action(s) yet to be taken to remedy the violation(s).
  - c. description(s) of action(s) taken or to be taken to prevent recurrence of the violation(s).

Your written response and any questions regarding this Notice of Violation should be directed to Peter Park at the Division of Environmental Services, 348 S. Eric Street, Toledo, Ohio 43604, or call 419-936-3936.

The submission of the above requested information does not constitute a waiver of Ohio EPA's authority to seek civil penalties pursuant to Ohio Revised Code § 3704.06. Ohio EPA will make a decision on whether to pursue or decline to pursue such penalties regarding this matter at a later date.