UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 6
1445 ROSS AVENUE, SUITE 1200
DALLAS, TX 75202-2733

March 29, 2012

CERTIFIED MAIL - RETURN RECEIPT REQUESTED: 7010 2780 0002 4357 3841

Mr. Mark J. Berlinger
Environmental Manager
BP Products North America Inc.
2401 5th Avenue South
Post Office Box 401
Texas City, Texas 77590

Re: Clean Air Act Section 114 Information Request
BP Products North America Inc., Texas City, Texas

Dear Mr. Berlinger:

Enclosed is an Information Request (Request) issued to BP Products North America Inc. (BP) under the authority of Section 114 of the Clean Air Act (CAA). The purpose of this Request is to obtain information necessary to determine whether BP, located in Texas City, Texas, is in compliance with the provisions of the CAA.

Please provide the information requested within 30 days of receipt of this document to Mr. David Eppler at the above address. If you have any questions, please contact Mr. Eppler at (214) 665-6529.

Sincerely,

for John Blevins
Director
Compliance Assurance and
Enforcement Division

cc: Terry Collins
Texas Department of State Health Services

Enclosures

ENCLOSURE I

Information Request

The United States Environmental Protection Agency (EPA) is requiring BP Products North America Inc. (BP) to submit information about certain activities related to work conducted at the BP facility at Texas City, Texas. Enclosure III specifies the information that you must submit. You must send this information to us according to the schedule in Enclosure III.

We are issuing this information request (Request) under section 114(a) of the Clean Air Act (the Act), 42 U.S.C. § 7414(a). Section 114(a) authorizes the Administrator of EPA to require the submission of information. The Administrator has delegated this authority to the Director of the Compliance Assurance and Enforcement Division in Region 6.

BP owns and operates emission sources at its Texas City, Texas facility. We are requesting this information to determine whether your activities conducted at these emissions sources comply with the Clean Air Act.

You must send all requested information to:

Mr. David Eppler, 6EN-AT
U.S. Environmental Protection Agency
1445 Ross Avenue
Dallas, Texas 75202

The information requested must be submitted whether or not you regard part or all of it as trade secret or confidential business information. You may, if you desire, assert a business confidentiality claim on all or part of the information submitted. Any information subsequently determined to constitute a trade secret will be protected under 18 U.S.C. §1905. Unless you make a claim at the time that you submit the information, it may be made available to the public by EPA without further notice to you. You should read 40 C.F.R. Part 2 carefully before asserting a business confidentiality claim, since certain categories of information are not properly the subject of a claim. Emissions data is exempt from claims of confidentiality under Section 114 of the Act, and the emissions data that you provide may be made available to the public. Information subject to a business confidentiality claim is available to the public only to the extent allowed under 40 C.F.R. Part 2, Subpart B. Failure to assert a business confidentiality claim makes all submitted information available to the public without further notice.

You must submit all requested information under an authorized signature with the following certification:

I certify under penalty of law that I have examined and am familiar with the information in the enclosed documents, including all Enclosures. Based on my inquiry of those individuals with primary responsibility for obtaining the information, I certify that the statements and information are, to the best of my knowledge and belief, true and complete. I am aware that there are significant penalties for knowingly submitting false statements and information, including the possibility of fines or imprisonment pursuant to section 113(c)(2) of the Act, and 18 U.S.C. §§ 1001 and 1341.

We may use any information submitted in response to this Request in an administrative, civil, or criminal action.

This Request is not subject to the Paperwork Reduction Act, 44 U.S.C. § 3501 et seq., because it seeks collection of information from specific individuals or entities as part of an administrative action or investigation. To aid in our electronic record keeping efforts, please provide your response to this Request without staples. Paper clips, binder clips, and 3-ring binders are acceptable.

Failure to comply fully with this Request may subject BP to an enforcement action under section 113 of the Act, 42 U.S.C. § 7413.

ENCLOSURE II

INSTRUCTIONS

1. If information or documents not known or not available to you as of the date of submission of a response to this Request should later become known or available to you, you must supplement your response to EPA. Moreover, should you find, at any time after the submission of your response that any portion of the submitted information is false or misrepresents the truth, you must notify EPA of this fact as soon as possible and provide EPA with a corrected response. There are significant penalties for submitting false information, including the possibility of fine or imprisonment.

2. For each document produced in response to this Request, indicate on the document, or in some other reasonable manner, the number of the Question to which it responds. Please submit all information for each question in a logically sequenced, bound format.

3. Please provide a separate response to each question and subpart of a question set forth in this Request and precede each answer with the number of question to which it corresponds.

4. For each question, identify each person responding to any question contained in this Request on your behalf, as well as each person consulted in the preparation of a response.

5. For each question, identify each document consulted, examined, or referred to in the preparation of the response or that contains information responsive to the question, and provide a true and correct copy of each such document if not provided in response to another specific question. Indicate on each document produced in response to this Request the number of the question to which it corresponds.

6. Please provide all information, where possible, in editable electronic format, on compact disc or other electronic storage media.

ENCLOSURE III

Request to Provide Information

In accordance with the foregoing Request to Provide Information Pursuant to the Clean Air Act, BP Products North America Inc. (BP) must provide the following information within thirty (30) days of its receipt of this Request. EPA requests that the requested non-narrative information be provided in an electronically manipulatable spreadsheet format, preferably in Excel.

Information Requested

1. Please identify, via spreadsheet or other electronic format, a list all asbestos abatement work (covered by the asbestos NESHAP) performed at the BP Texas City facility from October 2009 through October 2011. Please provide a description of the work performed, the dates it was performed, who performed the work, and the amount and type of asbestos abated.

2. For all renovation and asbestos work at the BP Texas City facility involving the Pipestill 3A Unit, 101-FA Drum (Crude Desalter 101-FA) and the Pipestill 3A Unit, 101-FB Drum (Crude Desalter 101-FB), please provide any documents, including, but not limited to, all contract documents, specifications, site plans, site logs, or other documents, related to the asbestos abatement work, and all documents involving the relationship between BP, Miken, CAM Environmental, or Mobley, that relate to the asbestos work performed on these two units.

3. Provide a detailed timeline of all events related to any asbestos work performed on the units identified in the preceding question, including, but not limited to, the dates of all clearance sampling events by CAM, dates of all notifications to EPA or TDSHS, visits to abatement work area by BP personnel, significant work events, such as barriers erected, abatement begins, abatement completed, final clearances run, barriers removed, blasting work started, debris discovered, debris removed, bulk samples taken, or any other function performed by BP, Miken, CAM or Mobley in relation to these units.

4. For all work described in question 2 above, please provide a list of all CAM personnel, whether CAM employees or contractors, involved in managing, oversight, inspection, and/or supervising of the projects, including, but not limited to, the dates and times each person visited the site and the activities conducted during the visit.

5. Please provide a detailed description of CAMs role in overseeing or managing the project.

6. For all work described in question 2 above please describe how the asbestos contaminated waste and waste water was collected and disposed of during the asbestos abatement activities.

7. For all work described in question 2 above, who were the individuals responsible for conducting inspections of the work areas to determine completeness, thoroughness, and cleanliness of the work during the abatement activities, including the final determination that work was completed satisfactorily?

8. In narrative form, provide a detailed description of the events surrounding the abatement activities described in question 2, including, but not limited to, Mobley starting work, discovering suspect asbestos debris, and informing BP of the asbestos debris on and around the Desalter tanks.

9. For all work described in question 2 above, list the names, employer and responsibilities, as well as training documentation, for all individuals responsible for, in any way, overseeing, monitoring or implementing the work at the site throughout all phases of the project.

10. Provide details on exactly how much and what type of asbestos was estimated to be on the units described in question 2 during the pre-renovation inspection, how much asbestos was actually removed in each phase of the abatement process, and how much asbestos was left behind following the completion of abatement activities.

11. Please describe the number of asbestos-containing waste bags that were generated after the first clearance sampling events, including the estimated number of cubic feet or estimated weight of the material.