U.S. Department of Justice

Environment and Natural Resources Division

DJ No. 90-5-2-1-09915

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February 17, 2012

Ray Pilapil, Manager
Compliance and Systems Management Section
Illinois Environmental Protection Agency
1021 North Grand Ave.
Springfield, IL 62702

Re: Notice of Violation: Marathon Refinery in Robinson, Illinois
Addendum to my February 14, 2012 Letter

Dear Mr. Pilapil:

In my February 14, 2012 letter, I inadvertently failed to advise you of certain other Illinois SIP provisions that we would cite in a complaint in the matter described in my letter. These additional citations are based on the exact same underlying facts and information that I mentioned in that letter. There are no new underlying facts or information.

Specifically, in addition to the PSD/NNSR allegations mentioned in my letter, if the settlement with Marathon goes forward, we would expect to assert that, on information and belief, Marathon engaged in modifications of its flare systems at its Robinson Refinery that resulted in emissions of sulfur dioxide, hydrogen sulfide, volatile organic compounds, and carbon monoxide for which MPC failed to seek or secure a Minor NSR permit.

Moreover, in addition to the specific Illinois SIP provisions mentioned in my letter, if this settlement goes forward, we expect to assert that, on information and belief, as a result of Marathon's oversteaming and poor operation of the flares at its Robinson Refinery, Marathon violated Ill. Admin. Code title 35, § 201.148(a) (prohibition against operation in violation of Ill. Admin. Code title 35, Part 215 unless there is a compliance program in place); and Ill. Admin. Code title 35, § 201.263 (requirement to report emissions in violation of standards during malfunctions or breakdown).

I apologize for leaving these citations out of my February 14, 2012 letter. However, once again, no action on your part is required.

If you have any questions, please do not hesitate to call me (202 514-4213).

Sincerely yours,

Annette M. Lang
Trial Attorney

cc: Brian Dickens, EPA R5
Bill Wagner, EPA R5
Robert Parrish, EPA HQ