



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5
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SENT VIA E-MAIL

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Re: United States of America, et al., v. BP Products North America, Inc.
Civil Action No. 2:12-cv-00207-PPS-APR
Demand for Stipulated Penalties for Violations of Consent Decree

Dear Sir or Madam:

This letter serves as a demand for stipulated penalties in the amount of \$156,300.00 as a result of the leak detection and repair monitoring program audit (LMP) completed on December 16, 2021 by BP Products North America, Inc. (BPP) as required by the Second Amendment to the Consent Decree in the above-referenced matter. In accordance with Paragraph 28D of the Second Amendment, BPP shall pay \$109,419.00 to the United States, and \$46,890.00 to the State of Indiana. The particular violations to which the stipulated penalties relate, the stipulated penalty amount that the United States is demanding for each violation, the calculation method underlying the demand, and the paragraph number in the Second Amendment which specifies the amount of stipulated penalty for each violation, are described in the table below. This demand does not include events and associated stipulated penalties for matters outside of the events specified in the table. A separate demand for stipulated penalties may be made for violations other than those listed in the table.

Category	Number of Missed Valves	Number of Missed Pumps	Stipulated Penalty
Phase 1	134	1	\$13,800
Phase 2	607	0	\$60,700
During LMP Audit	814	1	\$81,800
Total	1,555	2	\$156,300

As provided in Paragraph 158 of the Consent Decree, BPP shall pay stipulated penalties no later than 60 days after receipt of this demand letter unless the demand is disputed under the dispute resolution provisions of the Consent Decree. Stipulated penalties should be paid in the manner set forth in Section IX (Civil Penalty) of the Consent Decree. All transmittal correspondence shall state that the payment is for stipulated penalties, shall identify the violations to which the payment relates, and shall include the same identifying information required by Paragraph 159 of the Consent Decree.

If you have any questions, please contact Mary McAuliffe, Associate Regional Counsel, at (312) 886-6237. Thank you.

Sincerely,

Sara Breneman, Branch Manager
Air Enforcement and Compliance Assurance Branch

Enclosure

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