

mini-case 1-428-736  
December 5, 2008

## BP and the Whiting Refinery: Beyond Petroleum (B)

### No End in Sight

On August 23rd, one week after the Lake Michigan Summit, Malone announced, “We have participated in an open and transparent permitting process with the State of Indiana and obtained a valid permit that meets all regulatory standards and is protective of water quality and human health. Even so, ongoing regional opposition to any increase in discharge permit limits for Lake Michigan creates an unacceptable level of business risk for this \$3.8 billion investment.”<sup>1</sup> Therefore, Malone voluntarily pledged to keep the amounts of ammonia and suspended solids in wastewater from the expanded plant within the lower limits set by the previous environmental permit.<sup>2</sup>

Malone added that BP would watch project economics to determine whether it would be feasible to move forward while sticking to the old wastewater permit, issued seventeen years ago. He said he was still not aware of any technology that would allow them to expand their capacity and still meet the previous ammonia and total suspended solids discharge standards.

He continued with a foreboding message that worried those who had been optimistic about the jobs and boost to the local economy from the project: “If necessary changes to the project result in a material impact to project viability, we could be forced to cancel it.”<sup>3</sup>

Despite the potential project cancellation, Indiana Rep. Julia Carson publicly applauded the decision by BP to not increase the amount of pollutants being dumped from their Whiting plant into Indiana and Illinois waterways.

“I am glad that BP has chosen to take an environmentally sound course of action and be a good corporate citizen. They have heeded the will of those who would be most closely affected by their actions,” Carson said. “I believe generally that environmentally sound business practices will yield more profits in the long run for any company and more jobs for the local workers. In this specific case, their action will help keep Lake Michigan on the road to recovery from its polluted past and maintain this treasured water resource.”<sup>4</sup>

BP continued its agreement with the Purdue Calumet Water Institute and Argonne National Laboratory to identify and evaluate emerging technologies that could potentially improve wastewater treatment. BP followed up their decision with a \$5 million grant to Purdue University to help underwrite the research effort.