

# **Philadelphia Energy Solutions Refining and Marketing LLC (PESRM)**

## **Plain Language Document for PESRM Title V Operating Permit Renewal and Modification Applications**

- 1) Former Refinery Site**
- 2) Tank Farm site**

This Plain Language Summary describes proposed permit renewal and modifications of two air permits for two related facilities: (1) the former Philadelphia Energy Solutions' refinery and (2) Schuylkill River Tank Farm as set forth below. The proposed permit changes are subject to public comment and final approval by AMS. These permits are due for renewal and the changes are requested also because the refinery permanently shut down in 2019, and most of the site is now undergoing decommissioning and demolition for redevelopment. A summary of the permitting process is at the end of this document. This document was created as part of the environmental justice (EJ) policy and has been updated accordingly.

### **Permit #1: Former Refinery Title V Operating Permit**

PESRM owns the former refinery complex located at 3144 Passyunk Ave, Philadelphia. All refining operations at the facility permanently stopped in 2019 after a June 2019 accident and subsequent bankruptcy. The former refinery is being torn down and will be redeveloped. However, the facility must continue to operate some equipment during the demolition process.

PESRM is legally required to maintain an operating permit while there are remaining air pollution sources. This operating permit is called a Title V operating permit (**TVOP**) and is issued by AMS. A Title V operating permit is a facility-wide operating permit for a major source of emissions. Title V Operating permit: brings together all applicable state, federal and local air pollution control requirements in a single permit; provides a means of implementing federal maximum achievable control technologies (MACT) standards and acid rain requirements. Title V operating permit includes emission limits, work practice standard, monitoring, recordkeeping and reporting requirements.

Title V permit may also require either a one time or periodic testing of emission units to verify compliance with applicable state or federal emission limitations. For example, the thermal oxidizer controlling emissions from SRTF's marine loading operations is required to conduct a stack test within 90 days of issuance of the Title V permit and every five years thereafter.

Title V operating permits is not for installation or operation of new sources and prior to incorporating any new inventory in the Title V permit, the sources has to be permitted through construction permits. The Title V permit required to be renewed every five years. This summary discusses renewal and proposed changes to the TVOP to change it from a refinery TVOP to a more limited TVOP for demolition purposes with many fewer air pollution sources that release much less pollution.

Air quality is governed in Philadelphia by AMS. AMS administratively amended the refinery TVOP on April 15, 2021 to update the facility operator. The facility operator is now NorthStar Contracting Group, Inc. (**NorthStar**), which PESRM hired to decommission and demolish the refining equipment at the former refinery. PESRM remains the property owner and is listed as owner on the TVOP. The administrative amendment also added some previously issued plan approvals and general permits (permits to install or modify equipment) to the TVOP.

PESRM submitted an application to AMS to change its existing TVOP in October 2020. That application included proposed changes to the TVOP to reflect the current operations, which are two-fold: (1) that no petroleum refining is or will ever occur at the facility, and (2) active demolition activities are on-going. These proposed changes include the following:

- Changing the Standard Industrial Classification (**SIC**) Code for the facility. This is a code that notes the industry that a facility belongs to. The application proposes changing this code from 2911 (Petroleum Refining) to 1795 (Wrecking and Demolition Work) because there is no longer any refining at the facility.
- Removing all shutdown equipment from the TVOP, including all refining process equipment and boilers.
- Removing all air pollution requirements that no longer apply to the facility because of the shutdown of equipment and ending of refining. AMS will only remove air pollution requirements from the TVOP if AMS agrees that such requirements are no longer applicable.
- Removing some storage tanks and a railcar loading/unloading process from the TVOP. These units will be operated as part of the adjacent tank farm and will be added to its TVOP as part of a separate permit modification of the Tank Farm TVOP noted below. The Tank Farm TVOP modification will go through a similar procedure to the former refinery TVOP renewal, including public notice and comment period.
- Renew the TVOP. PESRM submitted a TVOP renewal application on January 18, 2019. This TVOP modification will include the renewal. The former refinery's Title V permit was issued on July 18, 2014 for a five-year term. As required by the operating permit, the renewal application was timely submitted six months prior to the expiration date of the current permit (i.e., July 18, 2019). Administratively, AMS is processing the renewal and modification applications at the same time.

### **Permit #2: Schuylkill River Tank Farm (SRTF) Title V Operating Permit**

The SRTF is a tank farm west of the Schuylkill River. The SRTF is owned by PESRM. There are no refining operations at the SRTF. PESRM had contracted with Host at Philadelphia LLC (Host) to operate the SRTF from June 26, 2020 through December 1, 2021. AMS issued an administratively amended TVOP OP20-00050 on April 15, 2021 for transfer of operational control from PESRM to Host Philadelphia LLC. Per the TVOP administrative amendment permit OP21-00057 dated November 10, 2021, operational control of the SRTF has been

transferred back to PESRM effective December 1, 2021. The SRTF is currently in a non-operational state; it is possible that the SRTF may be returned to active operations at a future time.

PESRM submitted an application to AMS to modify its existing SRTF TVOP in October 2020.

And on November 16, 2021, PESRM submitted a renewal application to be processed concurrently with the October 16, 2020 TVOP modification. With the two applications, PESRM requested a significant modification (in conjunction with the TVOP renewal). These proposed changes include the following:

- Renewing the TVOP;
- Transferring some storage tanks, marine loading, and railcar loading/unloading process from PESRM TVOP, thereby formally incorporating air permits related to the Girard Point Docks, Point Breeze Docks, the North and South Rail Yards and pipelines into the SRTF TVOP (these operations were previously associated with the Title V permit for the former refinery (Title V Operating Permit No. V06-016));
- Updating the Facility Inventory List;
- Updating Permit contacts and responsible official of the facility;
- Updating product descriptions;
- Updating LDAR requirements to remove references to the refinery LDAR program;
- Group 2 transfer rack requirements update;
- Updating conditions superseded by RACT Plan Approval IP16-000269,
- Removing references to Global Consent Decree No. 05-02866 for any former refinery units, and
- Removing reference to shutdown units.

### **Permitting Process**

After AMS completed its review of both applications and finalizes both draft modified TVOPs, a public notice of AMS's intent to issue the TVOPs have been published in the *Pennsylvania Bulletin* and on *Philadelphia Inquirer* as required under Pennsylvania regulations. There will be a 30-day public comment period, where the public can submit comments on the draft TVOPs or request a public hearing. If a public hearing is requested, the public can also give comments at the public hearings for both facilities. The U.S. Environmental Protection Agency (EPA) also received the draft TVOPs and associated materials and can also submit comments. AMS will address any comments received during the comment period or public hearing before taking final action on either draft TVOP.

During the public comment period, copies of the applications, draft TVOPs, AMS's review memorandum, and this plain language document will be available for public review at Air Management Services, 321 University Ave, Philadelphia, PA 19104 (in person viewing is by

appointment only and subject to additional restrictions in light of COVID-19). The public will be able to arrange a visit by calling (215) 685-7572.

These documents will also be available on AMS's website at <https://www.phila.gov/departments/air-pollution-control-board/air-management-notice/>

This Plain Language Summary is provided for the public's information as part of enhanced public participation consistent with the AMS policy.