

**Testimony of**  
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**Pennsylvania Department of Environmental Protection**  
**Before the Senate Environmental Resources & Energy Committee**  
**“An Examination of the Environmental Issues Associated with the June 21st Explosion at the**  
**Philadelphia Energy Solutions Refining Complex”**  
**Wednesday, July 24, 2019**

Introduction

Good morning Chairman Yaw, Chairman Yudichak, and members of the committee. My name is Joe Adams and I am DEP’s Acting Deputy Secretary for Field Operations.

We thank you for the opportunity to discuss the environmental conditions at the Philadelphia Energy Solutions (PES) refinery site associated with the June 21, 2019 explosion. We also want to take this opportunity to thank our partner agencies, including the United States Environmental Protection Agency, U.S. Chemical Safety and Hazard Investigation Board, the federal Occupational Safety and Health Administration, the federal Bureau of Alcohol, Tobacco, Firearms and Explosives, Philadelphia’s Office of Emergency Management, the Philadelphia Fire Department, Philadelphia Air Management Services. DEP and these entities have participated in daily briefings and updates and continue to work cooperatively in the most effective way possible.

The PES site includes 1,400-acres with multiple processing units, above-ground storage tanks, pipelines, and other related equipment. This property has been a refinery since the 1870s. The explosion and fire that occurred on June 21 was in the Hydrofluoric Acid Alkylation unit area (unit 433) and involved a high-pressure tank that is not regulated by DEP. Since the explosion and fire, Philadelphia’s Fire Department and Incident Command secured the facility in the area where the explosion occurred and where a large volume of hydrofluoric acid (HF) is being stored. We expect this area to remain secured until investigators, regulators and other entities can safely enter that area.

When the explosion occurred on June 21, DEP responded to the site immediately with our Emergency Response personnel and we have been on site or involved in the response at the site every day since the incident. Our personnel have been on scene conducting inspections and collecting samples. As I sit here **today**, DEP's technical staff from multiple programs is at PES with our partner agencies conducting a multi-agency, multi-media inspection of the accessible areas of the site.

Today, I will review three aspects of this site with you.

- (1) The facilities and activities that our agency regulates and the status of each;
- (2) Historic and current remediation of the site; and
- (3) What can be done now to prepare for closure, sale or transfer of the site.

**First** - DEP exercises regulatory oversight over a number of facilities at the refinery, including storage tanks, two wastewater treatment facilities, stormwater management, and radiological devices.

#### Air Quality

Philadelphia's Air Management Services maintains primacy for air quality monitoring in the city. They have been conducting routine air monitoring since the incident that has shown no elevated readings for air pollutants. There has also been no evidence of asbestos in the air. EPA has installed monitors specifically for Hydrofluoric Acid, which have not detected the substance in the air. PES is currently developing plans for the neutralization and removal of the Hydrofluoric Acid from the site.

#### Storage Tanks

There are presently 246 regulated storage tanks at the refinery, all but two of which are aboveground tanks. DEP will require PES either to remove product from the all of the regulated tanks at the refinery or to conduct structural integrity and other inspections as necessary to determine their soundness and acceptability for continued use.

### Clean Water

Each of the refinery's two wastewater treatment plants, serving the Point Breeze Processing Area and Girard Point Processing Area, has an industrial waste water treatment plant (IWWTP) that is permitted to treat the process wastewater, contaminated stormwater, and contaminated groundwater at the facility. The Department collected samples from both plants to ensure that the quality of the effluent is compliant with permit limits specific to those discharge points. This sampling showed no exceedances of PES's industrial waste water effluent limits. We will continue to monitor these plants and require them to be operated in accordance with the terms and conditions of their permits, which includes ongoing sampling and monitoring of the facilities.

### Waste Management

PES is a large quantity generator of hazardous waste. PES has managed their hazardous waste stream in compliance with their permit condition throughout this period and we expect them to do so as long as the facility operates.

### Radiation Protection

PES is licensed to possess 28 gauges on site that utilize radioactive sources. We have confirmed that all radioactive sources on site are secured. DEP was able to gain access outside of the area of exclusion to collect radiation readings, which indicate no breach of encapsulated sources. We continue to monitor this condition.

**Second** – the refinery's prior owner, Sunoco, through its affiliate Evergreen Resources Management Operations, has been remediating the site and is under a department order to attain a remediation standard by December 2020 for all contamination existing prior to its transfer of the site to PES in 2012. Any contamination occurring under PES's ownership, including contamination that may have resulted from the explosion, will be the responsibility of PES.

**Third** – All partner organizations are evaluating this site fully, recognizing the financial and resource impacts the explosion has had on the owner/operator.

DEP has met with the PES environmental staff to discuss the status of various permits for the facility moving forward. If the facility were to close, DEP would require certain plans to be implemented and actions to take place in order to properly close the regulated facilities, structures, and areas. DEP has reviewed all of our site files in order to determine what permits exist, the requirements of those permits, the status of site characterization, remediation activities, and what obligations the facility will have in the event of a closure. If the facility were to remain open, DEP would work with PES to ensure compliance with existing permits, or to ensure that those permits were properly and legally transferred to another operator.

Thank you again for the opportunity to provide remarks on behalf of the Department of Environmental Protection. If you have any questions, I am happy to answer them at this time.