

PERDUE GRAIN & OILSEED, LLC
SOYBEAN PROCESSING FACILITY
SITE SPECIFIC INSTALLATION PERMIT APPLICATION 12021
SITE SPECIFIC INSTALLATION PERMIT 16-36-005
CONOY TOWNSHIP
LANCASTER COUNTY
COMMENT/RESPONSE DOCUMENT
MAY 5, 2016

LIST OF COMMENTATORS

- | | | |
|-----|---|---|
| 1. | The Honorable Keith J. Gillespie | State Representative, 47 th District |
| 2. | Martin C. Reed | Citizen, Hellam Township |
| 3. | Deborah L. Dupler | Hallam Borough |
| 4. | Bridget E. Shadler, Susan M. Burkett, ASP | August Mack Environmental |
| 5. | Michael C. Martin | Chairman, Hellam Twp. Supervisors |
| 6. | June Evans | Hellam Twp. Environmental Council |
| 7. | Judy Nissley | Citizen, Conoy Township |
| 8. | Carol Bromer | Citizen, Donegal Township |
| 9. | Nick Bromer | Citizen, Donegal Township |
| 10. | Dean Burkholder | Citizen, Conoy Township |
| 11. | Jennifer Ericson | Citizen, East Hempfield Township |
| 12. | Warren H. Evans | Citizen, Hellam Township |
| 13. | Barbara May | Citizen, Manor Township |
| 14. | Pat Lemay | Citizen, Manor Township |
| 15. | Stephen D. Wolf | Hellam Township Supervisor |
| 16. | Fred Smeltzer | Fire Chief, Hellam Twp. Fire Co. |
| 17. | Seth Grove | Citizen, Conoy Township |
| 18. | John Eifert | Citizen, Hellam Township |
| 19. | Richard L. King | Citizen, Hellam Township |
| 20. | Annette Logan | Citizen, Hellam Township |
| 21. | Kevin Stewart | American Lung Association |
| 22. | Barbara Hoffman | Citizen, Hellam Township |
| 23. | Maria Payan | Citizen, York County |

INTRODUCTION

This Comment and Response Document addresses public comment received for Storage Tank Site-Specific Installation Permit application 12021, for the installation of two aboveground storage tanks storing hexane at Perdue Grain & Oilseed, LLC – Soybean Processing Facility, in Conoy Township, Lancaster County. The thirty-day public comment period for this application commenced with the publication of the notice of application in the Pennsylvania Bulletin on October 20, 2012, and was extended an additional twenty-eight days through December 17, 2012. A public hearing was held on the permit application on December 13, 2012, at the Hellam Fire Company Hall in Hallam Borough, York County. This document addresses comments directly related to the Storage Tank Site-Specific Installation Permit application only. A number of comments were received after the official comment period ended; these comments were taken into consideration but were not made part of the official record.

COMMENTS AND RESPONSES

1. Comment: DEP should hold a public hearing on this Perdue application, in order to accept public input in an "open microphone" format. (1-4)

Response: The Department held a public hearing on December 13, 2012, in which participants were afforded the opportunity to offer verbal testimony regarding the Site-Specific Installation Permit (SSIP) application. Testimony made at the hearing regarding the installation of the hexane storage tanks, as well as written comments received during the public comment period, are addressed in this document. Testimony and comments made regarding air emissions from the proposed facility will be addressed by the Department's Air Quality Program.

2. Comment: Multiple comments were received regarding the karst geology, soil conditions, and foundation design for the hexane tanks:

- Karst topography and sinkholes may cause problems for the Perdue project, due to collapses of equipment, including hexane storage tanks, and the associated risk of explosions. (7-9, 16, 22)
- Will the DEP require Perdue to provide an analysis of soil and related to safety for the installation of these tanks? (16)
- We cannot control these sinkholes and as much geotextile work we do in the ground, you cannot predict exactly where every sinkhole will occur. (17)
- Petitions for facilities with combustible substances should never be considered in this area due to sinkholes. (22)
- Both of Perdue's reports (carbonate geology report and geotechnical report) are inadequate as they fail to include specific information on the karst geology at the Site including foundation support, propensity for additional sinkhole formation, site specific recommendations for sinkhole repair, addressing problems that may develop during construction activities, and the potential issues with the high moisture content observed in some soil samples. Furthermore, there is no discussion as to the course of action that will be taken in the event that the tanks' foundations are compromised. The permit application should be denied since Perdue has not addressed these geologic concerns. (4)
- Considering the additional groundwater withdrawal that is proposed, the on-lot septic system, and the general construction activities that will occur including the construction of the ASTs, there is major concern that these activities will aggravate karst conditions present

onsite resulting in new sinkhole development, foundations being compromised, and a release of hexane into the environment. This release would most likely impact the Susquehanna River, groundwater, and private water supply wells. It would be nearly impossible to contain the release once it has entered the subsurface and would make for a difficult and costly remediation. The permit application should be denied since Perdue has not addressed and cannot adequately satisfy this important concern related to placement of hexane tanks in an area of known sinkhole activity and the potential release of hexane from the ASTs. (4)

- The General Information Form states an on-lot sewage disposal system will be present however, the carbonate geology report states that the Site is not suitable for infiltration. There is no discussion as to how the on-lot sewage disposal system will be designed in order to avoid potential problems with the karst geology located at the Site. Therefore, the permit application should be denied. (4)

Response: Perdue indicated in the SSIP application that the proposed soybean processing facility is underlain by carbonate bedrock. As a result, storage tank program regulations (25 Pa. Code § 245.234(b)(1), relating to siting requirements for site-specific installation permits) require the applicant to provide information and analysis to the Department which assesses the prevalence of solution channels and the potential for sinkholes at the facility site.

In order to meet the requirements of § 245.234(b)(1), Perdue conducted a geologic hazards evaluation for the proposed stormwater management facilities at the site. The results of this investigation were provided to the Department in a “Carbonate Hazard Report” sealed by a Professional Geologist.

The investigation resulted in the identification of two observed sinkholes, one mapped closed depression, and one potential fracture trace along the northeastern portion of the site. All of these features are not in the vicinity of the proposed hexane storage tank area. However, the Carbonate Hazard Report “concluded that the addition of infiltrated stormwater to the subsurface..., through stormwater infiltration Best Management Practices (BMPs), poses a **moderate** risk to aggravate Site conditions resulting in the development or enlargement of solution cavities and/or sinkholes.” As a result, and in order to address this concern, Perdue’s Project Description stated that “the stormwater management system at the Soybean facility is being designed to direct flow overland to an inlet and pipe collection system, thereby minimizing any infiltration and potential sinkhole formation. The collected runoff from the facility is run through a substrate in the two proposed detention basins before being discharged. A required National Pollutant Discharge Elimination System (NPDES) Permit for the facility will

require that runoff water quality be maintained. The design of the entire stormwater collection system specifically addresses the Karst geology of the site in order to effectively eliminate infiltration, thereby minimizing the potential for sinkhole impacts on the proposed tanks”. As recommended by the Carbonate Hazard Report, Perdue will also mitigate/repair the two existing sinkholes during the construction of the facility.

Concerning the additional groundwater withdrawal and the on-lot septic system aggravating karst conditions, Perdue’s project geologist stated:

“Following the installation and testing of the AP-2 well, and our understanding of the geology of the Perdue property on River Road (Rt. 411) in Lancaster County, Pa., it is my opinion that that the groundwater withdrawal from the AP-2 well, as well as the on-lot wastewater disposal system will not exacerbate any karst issues at the site.

The AP-2 well has a single water bearing zone at 583 feet below ground surface with a permitted maximum withdrawal rate of 20 gallons-per-minute (gpm). The depth of the water bearing zone and the relatively low withdrawal rate significantly minimizes the potential that the AP-2 well will exacerbate karst issues near the ground surface. It is our understanding that the on-lot septic wastewater disposal system is designed to only handle the relatively low-volume flows originating from the AP-2 well (i.e., water for restroom use, employee drinking water, and equipment washing). As such, a permitted on-lot septic wastewater disposal system of this capacity is not expected to exacerbate karst issues at the site.”

In addition, it should be noted that the Susquehanna River Basin Commission (SRBC) stated that: “The long-term operation of this [AP-2] well (at the requested withdrawal rate) should not significantly alter the natural flow within the shallow karst carbonate bedrock, nor should it accelerate the natural development of the existing karstic structures at the project location.” (SRBC Docket 20130309 and attached comments).

Also, in order to meet the requirements of § 245.234(b)(1), Perdue conducted an investigation that included field exploration consisting of a test-boring program. The results of this investigation “to provide general characteristics of on-site soils, preliminary geotechnical recommendations for general design and construction, earthwork, and other geotechnical concerns that may affect the construction of the planned facility” were provided to the Department in a “Preliminary Geotechnical Engineering Report” sealed by both a Professional Engineer and a Professional Geologist.

In reviewing the Preliminary Geotechnical Engineering Report (PGER), the site geology was described as the Vintage and Ledger formations. The report went on to state that both formations are difficult to excavate, with bedrock pinnacles being a special problem. The PGER noted that foundation stability

is good, but solution cavities and bedrock pinnacles should be thoroughly investigated. In order to evaluate subsurface conditions, 16 test borings were advanced. To evaluate the engineering characteristics of the subsoil, moisture water content tests, moisture density tests, engineering classification tests, and unconfined compressive strength tests were conducted on representative samples obtained during the test-boring program. The borings encountered a profile consisting of a layer of residual soil and bedrock. The PGER concluded that “the investigation indicates that the proposed construction appears feasible from a geotechnical perspective.” Further, the PGER concluded that “shallow foundations should be suitable for the support of proposed small buildings and tanks.”

Based on a review of both the Carbonate Hazard Report and the PGER, the Department determined that Perdue’s proposed mitigation actions to minimize the potential for sinkhole development were adequate. In addition, the tank foundation report was found to be prepared in accordance with generally accepted sound engineering practice. Further, assuming that the hexane tanks would be installed on a concrete mat foundation, the Department believes that the geotechnical report for foundation preparation and recommended design loads will result in an acceptable foundation for the tanks. Perdue confirmed to the Department that the tanks will be installed on a foundation of minimally 12 inches of reinforced concrete capable of adequately supporting the total weight of the tanks and their contents when in use.

Perdue also indicated that the tanks will be installed with a concrete containment structure to contain possible releases. The containment will utilize a sump for the purpose of hexane recovery in the event of a release. This containment, coupled with the double-walled tanks that Perdue is proposing to install (see the response to Comment #5), will provide tertiary containment of the tank systems.

Perdue stated that they will have a licensed professional structural engineer design the tanks foundation/support and that the foundation/support will meet or exceed the specifications of the tank manufacturer and be designed and constructed in accordance with the findings of Perdue’s PGER. As stated in the preliminary geotechnical report, earthwork and foundation work will need to be monitored and tested by a qualified technician acting under the guidance of a professional engineer to assure that field conditions do not differ materially from those encountered at the boring locations.

The issuance of a SSIP is only one component of the Department’s regulation of aboveground storage tanks. Other components include the :

- Use of Department-certified individuals to install, modify and remove tanks. 25 Pa. Code § 245.612(a) (relating to performance and design standards);
- Proper design and installation of tanks in accordance with relevant

industry standards and manufacturer's specifications. 25 Pa. Code § 245.612(a) (relating to performance and design standards);

- Requirement for routine operation and maintenance of the tanks. 25 Pa. Code § 245.613 (relating to monitoring standards);
- Requirement for operations inspections of the facility to be conducted by independent, third-party, Department-certified inspectors, as well as Department staff. 25 Pa. Code § 245.616 (relating to inspection requirements);
- Requirement to develop and implement a detailed Spill Prevention and Response Plan. 25 Pa. Code § 245.603(a) (relating to general storage tank facility requirements);
- Requirement for the installation and maintenance of acceptable secondary and emergency containment structures, spill and overflow prevention devices, and security equipment and structures. 25 Pa. Code § 245.612(d) (relating to performance and design standards);
- Requirement for corrosion prevention and proper labeling of tanks. 25 Pa. Code §§ 245.612(c), 245.612(g) and 245.612(i) (relating to performance and design standards);
- Requirement for proper closure of tanks. 25 Pa. Code § 245.614 (relating to requirements for closure);
- Requirement for rapid reporting of and response to releases, including strict corrective action measures when necessary. 25 Pa. Code §§ 245.301-245.314 (relating to corrective action process for owners and operators of storage tanks and storage tank facilities and other responsible parties).

3. Comment: The proposed siting of the Perdue facility is flawed due to a lack of regional planning. (19)

Response: Section 245.236 of the storage tank program regulations (relating to public notice for site-specific installation permits) requires the applicant to notify the county and municipality in which the facility is located of the planned installation of storage tanks. In this case, both Lancaster County and Conoy Township were informed of the project and were requested to provide any comments regarding the project. Conoy Township provided the Department with documentation approving the project. Lancaster County did not respond.

4. Comment: On the first page of the General Information Form, Perdue failed to provide the horizontal reference datum code and the altitude information. (4)

Response: The horizontal reference datum code and the altitude information are required on page 2 of the General Information Form. Perdue did not provide this information. However, the altitude of the tank systems, according to the plot plan submitted by Perdue, is approximately 350 feet above sea level. Perdue subsequently provided information that the altitude was based on the North American Vertical Datum of 1988 (NAVD88), and the

latitude/longitude was based on the horizontal North American Datum of 1983.

5. Comment: Multiple comments were received concerning the risk of hexane explosion at the facility:

- There is a risk of explosions from the proposed use of hexane at this facility. (5, 7, 11, 12, 16, 19-23)
- The results of a study by Mr. Frank Chiapetta, President and Explosives Application Engineer, Blasting Analysis International, Inc., indicate an explosion of the hexane tanks would result in high velocity fragments (shrapnel) impacting neighboring properties resulting in death or serious injury and serious property damage, multiple fires resulting in noxious fumes, impacts to other storage tanks on the property and adjacent property, airblast (concussion) that in itself would kill or seriously injury people and cause serious property damage. The permit application should be denied since Perdue has not addressed these safety concerns. (4)
- There have been hexane explosions at numerous other soybean facilities in this and other countries. (23, 11)
- We know explosions happen and we know the tanks that will be used are DEP regulated and approved, but we know that accidents happen and we cannot control everything 100 percent of the time. (17)
- User information related to hexane includes data relating to isolation from railroads and truck traffic along with the potential for flash explosions. (19)
- There's a risk of acute exposure should an explosion or accidental release of hexane occur during a thermal inversion. (7)
- With regard to hexane storage/explosions, this seems such an odd location to site a refinery of this nature. (19)
- How does this plant propose to mitigate the safety concern with regard to explosions from hexane? (22)
- Combustible facilities such as the one proposed have already resulted in accident and injury with reports readily available on the internet. (22)

Response: Primary oversight of fire, explosion, and safety issues is handled by the Pennsylvania Department of Labor & Industry (L & I), through their

Flammable and Combustible Liquids program and associated installation permitting process. While the SSIP process is not designed, nor intended, to consider fire and explosion concerns, Section 245.612 of the storage tank program regulations (relating to performance and design standards) do require tank systems to be designed, constructed, and installed in accordance with an appropriate current code of practice such as National Fire Protection Association (NFPA) 30 (Flammable and Combustible Liquids Code) and NFPA 36 (Standard for Solvent Extraction Plants).

Although the system design and installation will be reviewed and permitted by L & I, Perdue has informed the Department that they intend to install thermally-protected, double-walled aboveground steel tanks built to the Underwriters Laboratory (UL)-2085 standard. UL-2085 tanks are constructed to meet or exceed requirements including a two-hour fire test, ballistics/projectile test, vehicle impact test, hose stream test, pool fire test, and interstitial communication test. The interstitial area between the inner and outer walls of the tanks will be filled with insulating material that protects the inner tank in the unlikely event of a fire or extreme heat. In addition, all aboveground storage tanks storing flammable or combustible liquids are required by L & I to be equipped and maintained with emergency tank venting. 34 Pa. Code § 14a.8(b) (relating to vents). Emergency vents are designed to be vapor tight except in the instance of high tank pressures, such as the heating of a tank due to fire. If tank pressure escalates, the emergency vent will open to relieve pressure on the tank.

6. Comment: DEP should have a conscience, and act morally, and deny this project in its entirety. (2)

Response: Each and every permit decision is based solely on whether the applicant has met the requirements of the Storage Tank and Spill Prevention Act and the Storage Tank Program regulations. The Act and regulations have been designed to protect public health and the environment.

7. Comment: There are community concerns about this facility being located here and what kind of training would be done in case of an emergency related to the hexane storage and use. (23)

How does Perdue intend to ensure the community that it will not simply abandon us in the event of a serious event? (22)

How does this plant account for the increased need for services provided in the event of a catastrophic hexane explosion? (22)

Response: This comment is outside the scope of the SSIP application review. However, according to newspaper reports, Perdue has contacted and discussed emergency planning with local fire companies and emergency management personnel.

8. Comment: I am concerned about hexane tank setbacks, and their proximity to each other. (23)

Response: Setbacks for tanks storing flammable and combustible liquids are governed by the Pennsylvania Department of Labor & Industry (L & I). The storage tank program regulations do not include setback requirements for permitted storage tanks or facilities. An installation permit is required by L & I for the hexane storage tanks, and L & I will ensure that proper setback and tank spacing requirements are followed.

9. Comment: Provided the proposed Perdue facility does not pose risks to the health of our residents and to our environment, Hellam Township does not stand in opposition to it. (5)

Response: Each and every permit decision is based solely on whether the applicant has met the requirements of the Storage Tank and Spill Prevention Act and the Storage Tank Program regulations. The Act and regulations have been designed to protect public health and the environment.

10. Comment: I just ask DEP to protect my family and/or the public. (10-11, 13-14, 17-18, 19)

Response: Each and every permit decision is based solely on whether the applicant has met the requirements of the Storage Tank and Spill Prevention Act and the Storage Tank Program regulations. The Act and regulations have been designed to protect public health and the environment.

11. Comment: I believe that it is premature and inappropriate for Perdue representatives to talk about jobs and money to Conoy Township officials and the media when they have not yet submitted a thorough analysis of the potential health and environmental impacts of the proposed facility as is required by DEP regulations that deal with the proposed hexane storage tanks on this site (25 Pa. Code Section 245.235(b)). Unless this information is supplied to the DEP I request that DEP deny Perdue's applications for phase one, phase two plan and approval of the application and for their above ground storage tank permit. (12)

An Environmental Assessment was not completed as required by 25 Pa. Code Section 245.235(b). (4)

Response: For a new, large aboveground storage tank facility where all tanks are 21,000 gallons or less, there is no regulatory requirement for an environmental assessment or broader environmental impact study to be performed prior to issuance of a SSIP.

Since each storage tank is 20,000 gallons, 25 Pa. Code § 245.231(b)(4)

(relating to scope for site-specific installation permits) requires the applicant to comply with §§ 245.232(a)(3) and (b) (relating to general requirements for site-specific installation permits), which excludes the applicant from the requirements of § 245.235 (relating to environmental assessment for site-specific installation permits). Section 245.232(a)(3) requires the applicant to provide the mapping and siting requirements found in § 245.233 and § 245.234, respectively. Section 245.232(b) requires the applicant to provide a Spill Prevention Response Plan, and notify the municipality and county regarding the application for a SSIP.

12. Comment: Will spill prevention and preparative response plans be required? (16)

Response: Yes. Perdue is required to prepare and maintain a Spill Prevention Response Plan that meets the requirements of Chapter 9 of the Storage Tank and Spill Prevention Act (35 P.S. §§ 6021.901-6021.904). This plan is intended to ensure that any release is contained and cleaned up quickly, and any downstream surface water users are quickly notified of any potential contamination of their water supply. A current copy of the plan is required to be readily available at the facility at all times.

13. Comment: The Spill Prevention Response Plan is missing most of the information necessary for a complete and effective plan. Perdue should be required to correct these deficiencies in their Plan. (4)

Response: The Department issued a letter to Perdue on February 11, 2013, noting the deficiencies that will need to be addressed in their Spill Prevention Response Plan prior to placing the storage tanks in operation. Perdue will not be able to place their storage tanks in operation without a Department-approved Spill Prevention Response Plan.

14. Comment: Will a risk management plan be required?

Will the risk management plan include safety and security training, plant facility training, security by chain link fencing of suitable height with barbed wire and cameras, limited access points guarded by trained personnel and security cameras, appropriate identification badges for all employees and vendors going in and out of the plant, security level outside lighting at night, identification and enforcement of restricted activity areas, security for parking of all tankers remaining on the facility overnight, blast resistant measures for all critical plant operations and tank storage areas, requirement of Chemical Security and Vulnerability Assessment by the U.S. Department of Homeland Security with assistance with the U.S. Department of Agriculture?

Both terrorism, domestic and foreign, is a reality in our world today with flammable liquids --- with a flammable liquid facility of this magnitude. The old adage of an ounce of prevention is worth a pound of cure cannot be more

appropriate in a situation like we have today. (16)

Response: While a risk management plan is not specifically required, § 245.603(b) (relating to general storage tank facility requirements) of the storage tank program regulations states that the responsibility of an owner/operator of an aboveground storage tank facility is “to assure that appropriate security measures and procedures based on the facility location are established and implemented to protect the environment and the public. These security measures may include, but are not limited to, fencing, lighting, access control, locked entrances and securing of valves, drains and dispensers.”

15. Comment: The application should be denied as emergency planning by Perdue does not include preparation of an emergency response plan that will include immediate and direct notification of all neighbors – by Perdue – within a one mile radius of the proposed plant. (4)

Response: There is no requirement in Chapter 245 that would require Perdue to provide immediate and direct notification of all neighbors within one mile of the proposed plant. However, should a reportable release occur from the regulated tank systems, § 245.305 (relating to reporting releases) requires the tank owner to immediately notify the Department, the Pennsylvania Emergency Management Agency, the county emergency management agency, and downstream water users and municipalities within 20 miles downstream of the facility. Section 245.305 also requires immediate notification of the local fire authority if a release occurs that could potentially cause a fire or explosion hazard. In the event of a release from the tank systems, § 245.306(a)(4) requires responsible parties to immediately identify and sample affected water supplies and water supplies with the potential to be affected, provide the sample results to the water supply owner and the Department, and restore or replace any affected or diminished water supplies.

16. Comment: There is a total of 84,000 gallons of hexane delivered to the plant a year, 40,000 gallons stored. That would seem a little high to me that if you're only using 7,000 gallons a month why you would have to keep 40,000 gallons on hand in above ground storage tanks. (15)

Response: Perdue has determined that 40,000 gallons of capacity is needed in order to ensure that the total amount of hexane contained within the entire extraction system can be safely stored, should the system need to be taken off-line. According to Perdue, the average amount of hexane that will be contained in both tanks under normal operating conditions will be approximately 4,000 to 5,000 gallons.

17. Comment: Will the hexane storage tanks have to require a venting condition to atmosphere, or to another secondary vessel? (18)

Response: In order to maintain a condition free of pressurization or vacuum in the

storage tanks, the tanks must be vented in accordance with Pennsylvania Department of Labor & Industry regulations and industry standards such as NFPA 30. Typically, tanks are vented to the atmosphere. The Department's Air Quality program will decide if the emission potential from the tank vents requires consideration in facility emissions permitting.

18. Comment: Based on standard MSDS publications hexane is very reactive with chlorine, bromine and fluorine. Now, I know that Norfolk Southern Railway runs tank cars up and down the river on a regular basis. In case there was a derailment there wouldn't be a collision of these tanker cars with these other chemicals that's highly reactive with [hexane]. That should be considered. I'd like to know that there's precautions being put into play for that. (18, 20)

Response: This comment is outside the scope of the SSIP application review. However, in an unfortunate event such as a train derailment, Norfolk Southern would be required to work with local emergency management officials to remedy any real or potential risks to the health and welfare of individuals living and working in the surrounding area.

19. Comment: The application should be denied due to the increase in truck traffic on Rt. 441 and the potential for accidents including a spill of hexane during transportation. (4)

Response: A traffic analysis is not a requirement of the storage tank program regulations or SSIP application process.

20. Comment: Will hexane containment be in double walled containment vehicles during shipping and on site? (19)

Response: The shipment of hexane via motor vehicle is regulated by the U.S. Department of Transportation, similar to the shipment of gasoline. The hexane storage tanks on site are required to have both secondary and emergency containment. § 245.612(d) (relating to performance and design standards). This can be accomplished through the use of double-walled tanks, or by constructing a containment area around the tanks. Perdue has indicated to the Department that they will be installing double-walled tanks within a concrete containment area, thereby providing tertiary containment of the tank systems.

21. Comment: As hexane has a low vapor pressure, a release from the ASTs would readily evaporate resulting in airborne concentrations of hexane impacting neighboring properties including properties located in Hellam Township across the Susquehanna River. The permit application should be denied since Perdue has not addressed and cannot adequately satisfy this important public health concern. (4)

Response: Should a reportable release occur from the regulated tank systems, § 245.305

requires the tank owner to notify the Department, the Pennsylvania Emergency Management Agency, the county emergency management agency, and downstream water users and municipalities within 20 miles downstream of the facility. Section 245.305 also requires immediate notification of the local fire authority if a release occurs that could potentially cause a fire or explosion hazard. These authorities, working in conjunction with Perdue, will determine the type and extent of impact and any need for additional notification or evacuation.

22. Comment: The Division of Archaeology and Protection needed additional information to complete their review of the property due to some possible concerns. Therefore, a Phase II was requested. This additional information has not been included in the application. Therefore the application should be denied. (4)

Response: While a historical/archaeological investigation is not required by the storage tank program regulations for this facility (see response to Comment #11), Perdue did perform an archaeological Phase II investigation of the site and received clearance from the Bureau of Historic Preservation in a letter dated October 31, 2012.

23. Comment: In order to address private water supply wells, a search of the Pennsylvania Groundwater Information System (PaGWIS) was completed. However, this database is highly inaccurate and incomplete. Additional data should have been collected including field surveys of surrounding properties in order to verify that no additional water supply wells could be impacted from a hexane release. The application should be denied. (4)

Response: Since an Environmental Assessment is not required for this facility (see response to Comment #11), no detailed discussion of private water supply wells was required. Perdue identified private and public groundwater wells within 2,500 feet of the site as required by § 245.233(a)(8) (relating to mapping requirements) using the PaGWIS database and the Department's eMAP PA tools, which are the best publically available resources for the identification of water wells. The failure to identify all wells within 2,500 of the site does not preclude the applicant from meeting the corrective action interim remedial action requirements in § 245.306(a)(4). In the event of a release from the tank systems, § 245.306(a)(4) requires responsible parties to immediately identify and sample affected water supplies and water supplies with the potential to be affected, provide the sample results to the water supply owner and the Department, and restore or replace any affected or diminished water supplies.

24. Comment: Even if additional information is provided by Perdue, the application should still be denied. The location of 40,000 gallons of hazardous hexane at this site is an environmental hazard, a safety hazard, and a public health hazard. The only way this facility would be acceptable would be if it eliminated the

use of hexane. (4)

Response: Each and every permit decision is based solely on whether the applicant has met the requirements of the Storage Tank and Spill Prevention Act and the Storage Tank Program regulations. The Act and regulations have been designed to protect public health and the environment.