SUNOCO PARTNERS
MARKETING & TERMINALS
An ENERGY TRANSFER Partnership

VIA CERTIFIED MAIL: 7016 0340 0000 1757 6302

November 2, 2017

Pravin Patel, P.E.
Clean Water Program
PADEP Southeast Regional Office
2 East Main Street
Norristown, PA 19401

RE: SPMT's Marcus Hook Industrial Complex (MHIC)
2nd and Green Streets, Marcus Hook, PA
Permit Number: PA0011096A1
Comments to Draft Permit Renewal

Dear Mr. Patel:

Sunoco Partners Marketing & Terminals L.P. (SPMT) is in receipt and has completed its review of the NPDES Permit Number: PA0011096A1 draft renewal dated September 29, 2017. SPMT offers the following comments and respectfully requests that a few changes be made to the draft permit.

Part A
On pages 5-6 of the draft permit, the Outfall 401 monitoring requirements for "minimum measurement frequency" was changed from "sampling during emergency discharge events and daily thereafter until discharge ceases" in the immediate previous permit to "1/6 Months" in this draft renewal permit. Yet, Outfall 401 is only used during emergency situations and is not used on a routine basis. If there are no emergency discharges during the six month monitoring period, it will be impossible for SPMT to collect a sample, and accordingly, SPMT would not be able to demonstrate compliance with this permit requirement. SPMT kindly requests that the monitoring frequency be revised consistent with the prior permit to "sampling during emergency discharge events and daily thereafter until discharge ceases."

Part C
Section II. Cooling Water Intake Structure, Part D. Requirements for Permit Renewal Application, Number 1 of the draft permit requires SPMT to submit applicable information in 40 CFR 122.21(r) with its subsequent permit renewal application. However, the applicable information was already submitted with this permit renewal application; therefore, SPMT should not be required to re-submit the 40 CFR 122.21(r) information with future permit renewal applications. SPMT kindly requests that this requirement be removed from the draft permit.

Section II. Cooling Water Intake Structure, Part D. Requirements for Permit Renewal Application, Number 2 (pg. 24) of the draft permit requires SPMT to submit an entrainment reduction technology evaluation with its subsequent permit renewal application. The draft

permit requirements for an entrainment reduction technology evaluation are based on the requirements found in 40 CFR 122.21(r)(10) *Comprehensive Technical Feasibility and Cost Evaluation Study.* 40 CFR 122.21(r)(10) only applies to facilities that withdrawal greater than 125 mgd actual intake flow (AIF), specifically providing "*The owner or operator of an existing facility that withdraws greater than 125 mgd AIF* must develop for submission to the Director an engineering study of the technical feasibility and incremental costs of candidate entrainment control technologies. . ." Moreover, that the requirements of 40 CFR 122.21(r)(10) are only applicable to facilities that withdraw greater than 125 mgd AIF is further supported in 40 CFR 122.21(r)(1)(ii) detailing which regulatory provisions are applicable to "existing facilities" and, most notably, the requirements of (10) are only included under (ii)(B), which applies to existing facilities greater than 125 mgd AIF, and such requirements are omitted from (ii)(A), applicable to all existing facilities. As presented in the permit renewal application, SPMT's MHIC withdraws less than 125 mgd AIF; therefore, 40 CFR 122.21(r)(10) is not applicable to SPMT, and SPMT respectfully requests that the entrainment reduction technology evaluation requirement be removed from the draft permit.

Section II. Cooling Water Intake Structure, Part E. Entrainment Sampling of the draft permit requires SPMT to submit an entrainment sampling plan, collect 2 years' worth of entrainment data, and submit annual reports of the results to the Department. The draft permit requirements for entrainment sampling are based on the requirements found in 40 CFR 122.21(r)(9) *Entrainment Characterization Study.* Similar to (r)(10) above, 40 CFR 122.21(r)(9) only applies to facilities that withdrawal greater than 125 mgd AIF. As previously stated and presented in the permit renewal application, SPMT's MHIC facility withdrawals less than 125 mgd AIF; therefore, 40 CFR 122.21(r)(9) is also not applicable to SPMT, and SPMT respectfully requests that the entrainment sampling requirement be removed from the draft permit.

In the Department's review memo, the Department stated that the use of a closed-cycle cooling (CCC) system meets the best technology available (BTA) standards for impingement and entrainment and would serve as an interim BTA determination. However, it is our understanding that the Department requires additional information prior to making a final BTA determination. However, in addition to using the CCC system to meet BTA, SPMT also meets BTA with its low through-screen velocity (<0.5 fps). The use of a CCC system and the low through-screen velocity are both pre-approved BTA standards; therefore, SPMT's intake structure already exceeds the requirements of EPA 316B. Entrainment studies and entrainment reduction technology evaluations are required for facilities that withdraw greater than 125 mgd AIF. SPMT's withdrawal is a fraction of 125 mgd AIF at approximately 5 mgd AIF and, therefore, does not warrant the extra studies and evaluation as requested by the Department in Part C of the draft renewal permit. It should also be noted that, per 40 CFR 122.21(r)(1)(ii)(B), even for *existing facilities greater than 125 mgd AIF,* the Director may reduce or waive some of the additional requirements (e.g., entrainment studies and evaluations) if, as is the case with SPMT's MHIC, a closed-cycle recirculating system is used to comply with the BTA standards for entrainment.

SPMT provided sufficient information with the permit renewal application for the Department to make a final BTA determination for impingement and entrainment. These additional requirements (e.g., entrainment sampling and entrainment reduction technology evaluation) included in the draft permit renewal are costly and burdensome, and therefore, SPMT respectfully requests that the Department reconsider including them in the permit renewal.

NPDES Permit Fact Sheet

On the first page of the NPDES Permit Fact Sheet which was included with the draft renewal permit received by SPMT, it incorrectly identifies the MHIC with an SIC Code of 2911: Manufacturing – Petroleum Refining. However, as a reminder, the facility is no longer a petroleum refinery. Instead, the facility's primary business is a natural gas liquids and petroleum terminal; therefore, the correct SIC is 4226: Special Warehousing and Storage.

If the Department remains unpersuaded on any of the above after having read this correspondence, or if you should have any questions, please contact me via email at kevin.smith2@energytransfer.com or by telephone at (610) 859-1279. This shall not be construed as a waiver and SPMT explicitly reserves all of its rights to challenge and/or contest the final issuance of a permit should the modifications noted above not be made or additional modifications be made.

Sincerely,

Kevin W. Smith
Specialist – Environmental Compliance

Cc: Sara Reji Abraham, E.I.T. – PADEP Clean Water Program
Kristen Schlauderaff – PADEP Clean Water Program