Philly refinery fails to include public input in cleanup efforts

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Over a decade of remediation planning and regulatory approvals at Philadelphia's neighborhood refinery has occurred without the benefit of municipal or public involvement, says a new report from the Kleinman Center for Energy Policy at the University of Pennsylvania School of Design. Sunoco, an Energy Transfer Partners subsidiary, has not complied with the community involvement and public notice requirements outlined in Pennsylvania's Act 2 Land Recycling Program.

The Philadelphia refinery site, now owned by the recently bankrupt Philadelphia Energy Solutions (PES), has been home to petroleum storage and refining activities for over 150 years and is highly contaminated with hydrocarbons in the soil and groundwater. Chemicals of concern include benzene (a human carcinogen), lead, MTBE, toluene, benzo (a)pyrene, and many other volatile and semi-volatile organic compounds. In some areas, pollution has migrated off site, and a drinking water aquifer used by the state of New Jersey may be impacted.

Independent from PES refinery operations, Sunoco maintains liability for legacy pollution at the site. Sunoco has been engaged in remediation planning activities to meet Act 2 requirements, aiming to meet site-specific remediation standards (in excess of statewide health-based standards) and release the company from further state and federal environmental liabilities.

The omission of key public notice and involvement requirements may open new opportunities for the City of Philadelphia, environmental justice communities surrounding the site, and other stakeholders. The report recommends these stakeholders work with Sunoco and state regulators to:

- Audit the project to determine the extent of community involvement and notice and review deficiencies,
- Develop an approach to incorporate public input for relevant plans and reports that have already gained approval, and
- Require Sunoco to revise its public involvement plan for the remainder of the project, ensuring compliance with Act 2's public involvement and notice requirements

Post-bankruptcy, PES is majority owned by bank creditors, has significant debts maturing in 2022, and is facing many structural challenges. Stakeholders should explore the highest and best uses for the site, and correspondingly appropriate cleanup standards, in the event the site no longer functions as a refinery.

Provided by University of Pennsylvania

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