Message

From: Roger Claff [Claff@api.org]
Sent: 2/26/2018 7:22:23 PM
To: Ross, David P [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=119cd8b52dd14305a84863124ad6d8a6-Ross, David]; Forsgren, Lee [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=a055d7329d5b470fbaa9920ce1b68a7d-Forsgren, D]
CC: Jeff Gunnulfsen (JGunnulfsen@afpm.org) [JGunnulfsen@afpm.org]; Jeff Longsworth [jeffrey.longsworth@btlaw.com]
Subject: FW: Refining Effluent Guidelines Detailed Study with EPA - Meeting Concerning Refinery Self-Monitoring Program
Attachments: refining_elg_meeting_with_epa_012518.pdf

Importance: High

David and Lee,

Thank you so much for meeting with us on Friday to discuss Waters of the U. S. and the Petroleum Refining Effluent Guidelines Detailed Study. As requested, the attached is the presentation we gave to your effluent guidelines staff at a January 25 meeting to discuss the refinery self-monitoring program, including schedule/timing and including our concerns about sample collection and analysis for two classes of chemical compounds (naphthenic acids and alkylated PAHs). Below is a summary of the meeting we prepared and sent to your staff.

Please do contact either of us any time to discuss our concerns further or if there are any questions we can answer. Thank you again for your time.

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From: Roger Claff
Sent: Monday, February 26, 2018 11:22 AM
To: Damico.brian@Epa.gov
Cc: Jeff Gunnulfsen (JGunnulfsen@afpm.org); Jeff Longsworth
Subject: FW: Refining Effluent Guidelines Detailed Study with EPA - Meeting Concerning Refinery Self-Monitoring Program
Importance: High

Brian,

Attached for your reference is the presentation from our meeting with you and your staff on January 25, to accompany the meeting summary previously sent (below). Please keep us apprised as to when we might receive from you the materials concerning naphthenic acids/alkylated PAHs analytical methods, validation, QA/QC, etc. We appreciate your efforts to provide us this information so we might better understand this part of the proposed refinery self-monitoring program. Also, any information you could provide as to the anticipated schedule for the refinery self-monitoring program (refinery selection, site-specific sampling and analysis plans, refinery sample collection, etc.) and/or for the overall progress of the detailed study as a whole would be greatly appreciated.

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From: Roger Claff
Sent: Thursday, February 08, 2018 1:11 PM
To: Damico.brian@Epa.gov
Cc: 'Wood.robert@Epa.gov'; 'lewis.samantha@epa.gov'; 'flanders.phillip@epa.gov'; 'hanley.adrian@epa.gov'; 'danielle.lewis@erg.com'; Jeff Gunnulfsen (JGunnulfsen@afpm.org)
Subject: Refining Effluent Guidelines Detailed Study with EPA - Meeting Concerning Refinery Self-Monitoring Program
Importance: High

Brian,

Thank you for meeting with API and AFPM members on Thursday, January 25, to discuss the petroleum refining effluent guidelines detailed study. API and AFPM appreciate the on-going collaborative effort with your staff to shape the study to ensure it will provide to EPA the appropriate high quality data the agency requires to make sound technical decisions concerning the refining effluent guidelines. The following is a summary of our conversation, stated plans for on-going dialogue, and promised action items.

API/AFPM has been working collaboratively with EPA since our first meeting back in 2016. Ten refinery site visits have been conducted, at which wastewater streams, treatment operations, and possible sampling locations were identified. The 308 survey was collaboratively refined, clarified, and strengthened. API/AFPM looks forward to continued collaboration with EPA as we move into the detailed study's refinery self-monitoring program.

API/AFPM noted that refineries are highly variable and complex facilities, incorporating various crude oil chemical reaction steps and distillation processes to produce a wide spectrum of petroleum products, with routine operation modifications occurring in response to market forces. Each and every refinery is unique in its operations and its wastewater handling and treatment practices. The petroleum refining industry's performance in complying with NPDES requirements is exemplary among NPDES-regulated dischargers.

API/AFPM noted a number of sampling and analytical topics not addressed in the current version of the generic sampling plan for the self-monitoring program. We all agreed that the best place to address these concerns is in the refinery-specific sampling plans. These topics are:

- Representative Sample Collection – API/AFPM and EPA both support representative sampling. Due to the fact that refineries are unique and complex, there may be differences in sample collection methodology (grab vs composite) from site to site.
- Phase Separation - We all agreed to analyze only the aqueous phase of any sample that may exhibit two or more phases. Industry requests that EPA provide specific procedures for sample management when two or more phases are present.
- Blanks – The appropriate blanks will be specified in the refinery-specific sampling plans.
- Preservation Guidelines – Appropriate sample preservation guidelines will be specified in the refinery-specific sampling plans.
- Analytical Methods – Analytical methods will be specified in the refinery-specific sampling plans. Methods will be those published in 40 CFR 136 that meet or exceed the sensitivity of those methods listed in the Generic SAP, Table 4-1.

API/AFPM shared multiple concerns regarding the inclusion of naphthenic acids and alkylated PAHs in the detailed study. These concerns include:

- Use of a non-40 CFR 136-approved method
- Use of a proprietary method
- Naphthenic acids and alkylated PAHs are method-defined analytes
- Limited quantitative capability and uncertain data quality
- Lack of toxicity data for decision-making

API/AFPM presented these technical concerns to EPA and requested that naphthenic acids and alkylated PAHs be removed from the self-monitoring program. EPA has yet to agree to their removal from the effluent guidelines detailed study. API/AFPM believes that if EPA has a solid technical basis to study these compound classes, it should be in an effort *separate and independent* from the ELG detailed study. Any new analytical method development for these compound classes should follow the process of public notice and comment for approval before the method is used to generate data for regulatory or legislative purposes. API/AFPM welcomes continued discussion and resolution of this matter.

Thank you for agreeing to provide additional data behind the method for alkylated PAHs and the proprietary method for naphthenic acids. This information includes, but is not limited to, QA/QC data and detailed procedures behind your contract laboratory's emerging analytical method and variations thereof. API/AFPM hopes this information may be provided by the end of next week so we might begin review of it in a timely fashion.

Thank you also for agreeing to reject non-detect data with unknown or high MDL/MLs. We look forward to future discussions, *prior to publication*, of the refinery-specific sampling program, data review, results, findings and conclusions. API/AFPM and EPA all want to ensure that estimates such as J-flag values and half detection values do not

skew data interpretation, potentially leading to inaccurate conclusions about refinery wastewaters. API/AFPM still has concerns about EPA's proposed use of gray literature and ad-hoc data.

We would appreciate your concurrence with the above synopsis of our meeting and look forward to soon receiving the list of refineries identified for self-sampling. As discussed, the facility's input into the agency's site-specific plans for each unique refinery is essential for representative sampling results. Subsequent collaboration will finalize the sampling program and associated timelines to accommodate industry variables such as budgeting, resourcing, maintenance schedules, turnarounds, and union contract negotiations.

We look forward to continuing the collaborative effort between EPA, API/AFPM, and API/AFPM member companies.

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