

**Public Notice of EPA's Proposal to Terminate the Administrative Order Issued to Mobil Oil Corporation and to Approve the RCRA Facility Investigation Report Regarding Its Staten Island Facility (currently known as Kinder Morgan Liquids Terminals, LLC)
EPA ID Number: NYD981138258**

Public Notice Number: NY-2009-01

Date: May 6, 2009

The U.S. Environmental Protection Agency (EPA) is giving notice to the public that it tentatively plans to approve the Resource Conservation and Recovery Act ("RCRA") Facility Investigation (RFI) Report submitted by ExxonMobil Oil Corporation and terminate the RCRA Section 3013 Administrative Order issued to Mobil Oil Corporation (as it was then known) in 1995 (In the Matter of Mobil Oil Corporation, Docket No. II RCRA-95-3013-0205). The 3013 Order required that Mobil undertake a RCRA Facility Investigation of contamination at Mobil's facility located at 4101 Arthur Kill Road, Staten Island, New York, and then known as Port Mobil Terminal. Furthermore, the 3013 Order provided that EPA would terminate the Order when EPA was satisfied that all of the work required by the Order had been completed to EPA's satisfaction. The RFI Report, completed and submitted by ExxonMobil Corporation, concluded that, due to contamination levels at the facility, further action was necessary and therefore EPA is issuing a RCRA 3008(h) Order to complete cleanup (corrective action) at the site. The facility is currently owned and operated by Kinder Morgan Liquids Terminals LLC. However, ExxonMobil Corporation, the former owner, has retained and intends to retain the primary responsibility for corrective action. Interested members of the public are welcome to comment on EPA's proposal and may review relevant documents about the site investigation completed and the proposed site cleanup at the three locations listed below. Written comments may be submitted to EPA at the address given below by June 4, 2009.

The Facility is a petroleum bulk storage and distribution facility and encompasses approximately 203 acres, of which 120 acres are used for petroleum storage and transfer operations. The current storage capacity at the Facility is approximately 125 million gallons (2.98 million barrels) with an annual throughput of approximately 1.4 billion gallons (33.3 million barrels). There are 38 above-ground tanks for the storage of petroleum products on site. Two surface impoundments were previously used for collection of petroleum based wastewater and are presently used for collection of drainage run-off water from the site. The RFI Report concluded that soils and groundwater at the Facility remain impacted by petroleum hydrocarbons in several areas of greatest contamination ("hot spots"). There have been many releases of hazardous wastes and/or hazardous constituents and other contaminants at the Facility. The effect of these releases has been contamination of surface water, sediments, soil and groundwater. Although the facility performed significant source removals, contamination still remains in several hot spots. The perimeter monitoring well data obtained in 2006 and 2007 showed that there are dissolved phase (contaminants

dissolved in water) impacts to the groundwater above federal and New York State groundwater quality standards so further remedial measures are required.

This work would be done under the oversight of EPA Region 2.

The text of the final RFI Report, a fact sheet, and all pertinent RCRA corrective action proposals including all supporting data and documents, can be reviewed at the following locations:

U.S. Environmental Protection Agency
RCRA Records Center
290 Broadway, 15th Floor, Room 1538
New York, NY 10007-1866
(212) 637-3042

The above documents are also available for review by appointment at:

Office of the Staten Island Borough President
10 Richmond Terrace, Room 120
Borough Hall, Staten Island, NY 10301.
Contact Name: Mr. Nick Dmytryszyn (by appointment only).
(718) 816-2057

Tottenville Branch of the New York Public Library
7430 Amboy Road
Staten Island, NY 10307
Contact Name: Mr. Laub
(718) 984-0945

For more information about this public notice, please contact Wilfredo Palomino, EPA RCRA Programs Branch, at (212) 637-4179.

Written comments may be sent to the following individual, and must be postmarked by June 4, 2009.

Mr. Adolph S. Everett P.E.
Chief, RCRA Programs Branch
U.S. Environmental Protection Agency
290 Broadway
New York, NY 10007-1866

After the close of the public comment period, EPA will consider all significant comments and decide whether to proceed with the above described planned actions.

For more information on EPA's waste and cleanup programs visit the EPA Web site at: www.epa.gov/region02/waste/