



**Public Notice of EPA's Plan to Approve, Subject to Public Notice and Comment, a Proposed
Clean Closure Plan for the Slop Oil Tanks 1008 and 1030,
Commonwealth Oil and Refining Company, Inc. (CORCO),
Peñuelas, Puerto Rico
EPA ID No. PRD091017228**

Public Notice Number : PR-2005-03

Date: August 10, 2005

The U.S. Environmental Protection Agency (EPA) is seeking public comment on a proposed closure plan for the Slop Oil Tanks 1008 and 1030 (tanks) of the Commonwealth Oil and Refining Company, Inc. (CORCO), located at Route 127, Peñuelas, Puerto Rico 00624-7501. The tanks are used to manage oil and oily wastes recovered by the units of the facility's former wastewater treatment plant. This recovery occurred as part of CORCO's former activity as a petroleum refinery. The proposed closure plan requires that the company remove all residual hazardous waste and hazardous waste residue down to contaminant concentrations consistent with an industrial use for the tanks. The soil around the tanks would be tested and hazardous constituents above regulatory standards for industrial use would be removed. The area around the tanks would be subject to institutional controls; all future uses of the tanks and its surrounding area must be consistent with industrial use. Subject to public notice and comment, EPA expects to approve the proposed closure plan.

All interested members of the public are invited to review and comment on the proposed closure plan. The proposed plan and related documents are available for viewing at the three locations listed below. Written comments may be submitted to EPA at the address given below if postmarked by September 9, 2005.

The facility was formerly a large petroleum refinery and part of a petrochemical manufacturing complex. The northern part of the 800-acre site, which contains most of the facility's numerous storage tanks, is hilly. The southern part, which borders the Caribbean Sea, consists of filled land that is flat. This flat area contains the former hazardous waste treatment units. Since 1982, CORCO has been inactive as a refinery and now functions as a terminal for the marine transportation and land-based storage of crude oil and petroleum products.

The proposed closure plan requires CORCO to close the tanks in accordance with Resource Conservation and Recovery Act (RCRA) regulations. The materials in the tanks consist of oil, water,

and oily sludge. These materials are now separated by gravity into separate layers within the tanks. The closure plan proposes that these materials be removed. The recovered oil would be managed as a used oil under RCRA regulatory requirements. The water, containing oil and hazardous constituents, would be treated in a proposed on-site wastewater treatment plant until it meets the applicable standards for discharge to Tallaboa Bay. The oily sludge would have the oil separated out and managed as a used oil. The remaining solid sludge from Tank 1008 is a listed hazardous waste and is proposed to be sent to an authorized landfill for disposal under RCRA requirements. The remaining solid sludge from Tank 1030 is proposed to be tested and, if it is found to have any characteristics of a hazardous waste, is proposed to be disposed under RCRA requirements as a characteristic waste. If no hazardous waste characteristics are found, the sludge is proposed to be disposed as a solid waste. The tanks are proposed to be cleaned of all residues in accordance with RCRA tank closure requirements and be made available to be placed back into service for the storage of petroleum and petroleum products.

The plan also includes a monitoring program for groundwater in the area in and around the tanks. Monitoring would continue for a minimum of three years. If no hazardous constituents are detected for three years, EPA would consider a request by CORCO that they be allowed to cease monitoring. Alternatively, if hazardous constituents are detected in the groundwater, additional monitoring and cleanup may be required.

Because clean closure would be to industrial use standards and not unrestricted use standards, a deed notification would be required indicating to future site owners that hazardous waste was formally managed in these units, indicating the presence of residual contamination (below industrial use standards but above residential use standards), and indicating future limitation of the site to industrial uses. If the site or the area around the tank area ceases being used for industrial purposes, further removal and remediation maybe required.

CORCO lost its interim permit to operate units for the management of hazardous waste. A Settlement Agreement was issued, in part, for the closure of the tanks in 1990.

The proposed closure plan for the tanks can be reviewed at the following locations:

United States Environmental Protection Agency
Caribbean Environmental Protection Division
Centro Europa Bldg, Suite 417
1492 Ponce De Leon Avenue, Stop 22
Santurce, PR 00907-4127

United States Environmental Protection Agency
RCRA Records Center
290 Broadway, 15th Floor, Room 1538
New York, NY 10007-1866

and

Puerto Rico Environmental Quality Board (PREQB)
Land Pollution Regulation Program
National Plaza Building
431 Ponce de Leon Avenue
Hato Ray, Puerto Rico, 00917

For more information about the closure plan, please contact Richard Krauser, RCRA Project Manager, at (212) 637- 4166 or krauser.richard@epa.gov.

In addition to submitting written comments, members of the public may request in writing that a public hearing be held on this matter. The request must state the issues proposed to be raised at a hearing. Both written comments and requests for a hearing may be sent to the following individual and must be postmarked by September 9, 2005.

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

After the close of the public comment period, including any hearing, EPA would approve, disapprove or modify the closure plan for this unit.