



Deny Premcor Permit until 316b Fulfilled

June 23, 2008

Secretary John Hughes
Department of Natural Resources and Environmental Control
89 Kings Highway
Dover, DE 19901

Re: Premcor - Delaware City Refinery permit to dredge

Dear Secretary,

The DNREC web site is apparently down for the next 24 hours so I was unable to access the specific information about the comment period for the Premcor permit to dredge at the Delaware City Refinery site so I submit this letter directly to your offices in the hopes that it is passed along to appropriate offices for comment period consideration.

As I understand it Premcor is seeking a permit to dredge its berthing channel and water intake channel to deeper depths. I write to make two requests:

First that the comment period be extended and a public hearing be held on this important issue. The affect Premcor is having individually and collectively on Delaware Estuary ecosystems and fish are important issues. Three weeks is not much time to review documents and submit informed comment. So I urge an additional 30 days plus a public hearing to ensure the opportunity for full and fair review and participation by all concerned.

Second, I would urge you to deny the permit requested until such time as the issue and application of section 316b to the Premcor facility is fully considered and addressed via the facility's Clean Water Act permit. Encouraging Premcor to continue to invest in their antiquated 316b technology through permitting is counterproductive and in fact is likely to provide a false sense of entitlement on the part of the applicant. It is critical that 316b issues and Premcor's fish kills be fully reviewed, assessed and responded to via the permit process. Rather than allow Premcor to perpetuate the current situation whereby they are failing to fulfill the requirements of 316b, I urge you to deny the current permit request and instead to invest time and resources in ensuring full compliance with the requirements of section 316b at the Premcor facility.

Respectfully submitted,

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the Delaware Riverkeeper

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