

BEFORE THE COMMISSIONER OF THE DEPARTMENT OF  
ENVIRONMENTAL CONSERVATION FOR THE STATE OF ALASKA

IN THE MATTER OF:

FLINT HILLS RESOURCES ALASKA, LLC'S  
PETITION TO MODIFY GROUNDWATER  
EXTRACTION SYSTEM PERFORMANCE  
STANDARD (JULY 27, 2015)

**REQUEST FOR ADJUDICATORY HEARING**  
**18 AAC 15.200**  
**SUBMITTED BY FLINT HILLS RESOURCES ALASKA, LLC**

Pursuant to 18 AAC 75.385 and 18 AAC 15.200, Flint Hills Resources Alaska, LLC ("Flint Hills") requests an adjudicatory hearing with respect to the Alaska Department of Environmental Conservation's ("DEC") decision in DEC's letter to Flint Hills dated July 27, 2015, regarding Flint Hills' Petition to Modify Groundwater Extraction System Performance Standard, dated June 29, 2015. A copy of DEC's July 27, 2015 letter is attached.

This request is supported by a memorandum and exhibits submitted concurrently with this request, pursuant to 18 AAC 15.200(a)(3).

The Requestor's name, address and telephone number are as follows:

Flint Hills Resources Alaska, LLC  
1100 H & H Lane  
North Pole, Alaska 99705  
Phone: (907) 488-2741

In this matter, Requestor is represented by the undersigned attorneys, who are authorized to submit this request on its behalf.

DATED: August 14, 2015.

**PERKINS COIE LLP**  
**ATTORNEYS FOR REQUESTOR**

By: 

Eric B. Fjelstad  
Alaska Bar No. 9505020

James N. Leik  
Alaska Bar No. 8111109



THE STATE  
of **ALASKA**  
GOVERNOR BILL WALKER

**Department of Environmental  
Conservation**

DIVISION OF SPILL PREVENTION AND RESPONSE  
Office of the Director

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July 27, 2015

Chip Hilarides  
Senior Vice President  
Environmental Health & Safety  
Flint Hills Resources  
4111 East 37<sup>th</sup> Street North  
Wichita, Kansas 67220

**RE: Flint Hills Resources Alaska's Petition to Modify Groundwater Extraction System  
Performance Standard**

Dear Mr. Hilarides:

I have reviewed your petition dated June 29, 2015 and disagree with a large number of statements made in that correspondence.

I am only responding specifically to your request to change the sulfolane combined groundwater extraction and treatment performance standard from 15 ug/L to 362 ug/L. The Onsite Cleanup Plan conditions a change in the performance standard on the Alaska Department of Environmental Conservation's institution of a cleanup level for sulfolane that is different from 15 ug/L.

DEC has not yet instituted a cleanup level for sulfolane (see letter of June 9, 2015) and therefore your request to change the system performance standard is premature at this time. Once a cleanup level for sulfolane has been established, please submit your petition again and we will consider it at that time.

When your petition is resubmitted, we will address any disagreements we have with statements made therein.

Respectfully,

A handwritten signature in cursive script that reads "Kristin Ryan".

Kristin Ryan  
Director, Division of Spill Prevention and Response  
Alaska Department of Environmental Conservation