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April 28, 2014

Mr. Jeff Gregg
Office of Environmental Justice
NYSDEC
625 Broadway
Albany, NY 12233-1500

**RE: DEC Permit Application #4-0101-00112/00029
Global Companies LLC – Albany, NY Terminal
Air Title V Facility
City of Albany, Albany County**

Dear Mr. Gregg:

As you know, Global Partners LP, on behalf of its subsidiary, Global Companies LLC, is seeking approval from the New York State Department of Environmental Conservation (NYSDEC) to modify an existing air permit to install and operate four steam-generating boilers and three heaters at its facility in Albany.

To support its application, the NYS Department of Environmental Conservation, after the issuance of a SEQRA negative declaration determination, requested that Global develop a Public Participation Plan (PPP) aimed at enhancing communications with neighbors in the vicinity of Global's Albany facility. Global voluntarily agreed to develop such a plan and submitted the plan to the Agency on February 26, 2014. The plan was subsequently revised, based on feedback received by the community, and re-submitted to NYSDEC on March 10, 2014. NYSDEC called the revised plan "excellent" and offered to provide feedback on the plan as it was received by the community. To date, although Global has not received any feedback by NYSDEC officials on the plan, the public participation activities were robust and reasonably attended by involved community leaders.

A. NYSDEC Public Engagement Activities

As described in the PPP, NYSDEC has established multiple opportunities for the public to obtain information and register questions and concerns related to Global's proposed Project.

Since issuance of the revised PPP on February 26, 2014, NYSDEC has taken the extraordinary step of extending — for a third time — the public comment period associated with the proposed Project. The public now has until June 2, 2014 — more than

six months after NYSDEC determined Global's application materials were complete — to communicate comments and feedback to NYSDEC on the proposed Project.

A notice extending the public comment period appeared in the March 26, 2014, Environmental Notice Bulletin.

NYSDEC officials also continue to meet, both publicly and privately, with members of environmental advocacy organizations such as EarthJustice Inc. and Riverkeeper, local elected officials and residents of the South End. In fact, NYSDEC has sent extensive inquiries by letter to Global, based on its meetings with EarthJustice Inc., and others, requesting additional information about Global's Albany Terminal. This information will be made available to the public.

On March 5, 2014, NYSDEC officials provided information about the proposed Project at a meeting of the Council of Albany Neighborhood Associations. Global representatives, who were planning to attend the meeting, were asked by NYSDEC to not participate.

At the meeting, NYSDEC officials provided answers to nearly 40 questions community leaders submitted for response. Topics related to Global's facility operations, the proposed Project, emergency response protocols and preparedness, public involvement activities, environmental protection and public health issues.

NYSDEC has continued to update its website dedicated to the project (<http://www.dec.ny.gov/permits/95623.html>). Most recently, NYSDEC has posted its responses to community questions (dated March 6, 2014 and referenced above), letters provided to the City of Albany by Global, and a letter it sent to Global requesting additional information, dated March 24, 2014.

B. Stakeholder Identification & Outreach

The PPP includes a list, provided by NYSDEC, of interested parties and stakeholders for the proposed Project. The list includes elected officials, community leaders, and environmental advocacy representatives.

Since developing the PPP, Global sought to supplement this list with residents living near the Global facility. Despite repeated requests to the City of Albany Housing Authority and local elected officials, mailing addresses for residents in the Ezra Prentice and Mount Hope could not be obtained. Global subsequently researched Albany County real property tax records, and a neighbor list was created.

Global has since accommodated requests made by local elected officials to expand the stakeholder list in the PPP and mailing list.

Several local elected officials were consulted during the development of the PPP. Feedback provided by local elected officials on March 5, 2014, was incorporated into the revised PPP, which was submitted to NYSDEC on March 10, 2014. Updates made to the PPP at the suggestion of the community include additions to the list of stakeholders, recommendations for meeting locations and dates, requests for a Spanish language interpreter, and locations for document repositories, among others.

Individuals listed as stakeholders in the PPP received a notice in the mail by Global notifying them of the plan's availability and encouraging those with comments or feedback to contact Global. No comments by stakeholders were received.

Since its issuance, several attempts were made by Global to meet with local elected officials, in advance of the scheduling of community meetings, to receive further comments and feedback on the updated PPP. Local officials did not respond to Global's outreaches, so no meetings were scheduled.

It should be noted that a letter submitted by EarthJustice, Inc., in February 2014, said the organization would "urge our constituents and the affected community to boycott" any public meetings to discuss the proposed Project until NYSDEC "provides written notification that it is suspending its review of Global's application." The degree to which EarthJustice's efforts thwarted the participation of the public and/or elected officials at community meetings cannot be assessed by Global.

Finally, tours of the terminal have been provided to local emergency responders, the Albany County Health Department, and others. In addition, officials from multiple NYSDEC offices and other regulatory agencies have toured the facility continuously and have performed scheduled and unplanned inspections at the site.

C. Public Outreach

Prior to development of the PPP, Global participated at a public information meeting with NYSDEC at Giffen Memorial Elementary School on February 12, 2014.

Global attempted to work with local elected officials to schedule additional community meetings at the Ezra Prentice Community Room, a location recommended by local elected officials for such meetings. Representatives at the City of Albany Housing Authority, which manages access to the location, informed Global the room could be used, as long as local elected officials gave their approval. Despite multiple attempts by Global to obtain this approval, none was provided.

Global subsequently made arrangements to hold two community meetings — one in the evening and the other in the morning, as requested by the community — at a nearby hotel and branch of the Albany Public Library. As requested by the community, arrangements were made for a Spanish language interpreter at each meeting.

An invitation to the meetings was mailed by Global to residents of the Ezra Prentice and Mount Hope neighborhoods, as well as to local elected officials.

Days before the scheduled public meetings, representatives from the Albany Public Library informed Global that its facility could not be used for its meeting. Library officials informed Global of their concern that the meeting could become unruly and could be attended by the media. Global made alternate arrangements to relocate the meeting at a local hotel, sent an updated invitation to local residents and elected officials, and arranged for transportation from the Albany Public Library to the public hotel, if needed.

Despite these challenges, two community meetings were held on March 24 and 25, 2014. Several residents attended, as did representatives from the County Executive's office, the Albany County Health Department, the City Council, Canadian Pacific, and environmental advocacy organizations. At the request of the community, the media were not invited but attended one of the sessions.

Tom Keefe, Global's director of EHS operations, provided information regarding the company's current operations, its proposed project and emergency response planning. Specific information provided is summarized at the end of this progress report.

D. Project Website

Global developed a project website, www.globalalbany.com, to serve as a source of information about the proposed Project to the public. The website includes a company overview, documents pertinent to its application before New York State, a description of the proposed Project, the PPP, answers to commonly asked questions, and information regarding emergency preparedness.

E. Public Information and Educational Materials

Global mailed an informational fact sheet about its proposed Project to approximately 400 residents near Global's facility, as well as local elected officials. The fact sheet summarized details about the proposed Project and provided information about Global's emergency preparedness.

F. Agency Progress Reports

Global committed to submitting periodic progress reports to NYSDEC detailing its efforts to implement the PPP and questions raised by the public. This is the first such report.

G. Document Repositories

Global has provided a copy of its PPP to the John A. Howe Branch of the Albany Public Library. The branch, identified as a repository for documents related to Global's Project, is located at 105 Schuyler Street in Albany.

In addition, at the request of the community, Global established a second document repository at the Albany Housing Authority, 200 South Pearl Street in Albany.

The following information has been provided to the public during its outreach efforts:

- Global's Albany operations comply with state and federal environmental regulations.
- At the Albany terminal, Global is already permitted by New York State to handle a wide variety of petroleum products, including gasoline, diesel fuel, home heating oil, kerosene, crude oil and renewable fuels like ethanol. The proposed heating project seeks to include the handling of biodiesel at the facility.
- The project does not increase the volume of products permitted and/or received by rail at the terminal.
- The heating equipment Global is seeking to install and operate at the Albany Terminal will *indirectly* heat — through the use of steam or thermal oil — petroleum products to approximately 120 degrees, the same temperature at which most residential hot water tanks are set. Petroleum products will not be heated directly and will not be heated to their boiling point.
- This heating technology is used in other facilities in Albany and in other parts of the country. The process is common in the industry. In fact, similar systems are already in operation by other companies in Albany to heat asphalt, No. 6 fuel oil and other products.
- Global evaluated potential environmental impacts that might result from the proposed Project and submitted the evaluation to New York State. The state reviewed the information and determined the project would not result in significant adverse impacts to the environment.
- Global works with federal, state and local agencies to develop detailed preventive safety measures and comprehensive emergency response protocols for events that may occur on our property. Global is required to plan for releases to land and water and to have a fully developed Facility Response Plan and Emergency Response Action Plan. These plans are submitted and approved by the U.S. Environmental Protection Agency and the U.S. Coast Guard.

- Safety systems are in place with regard to products transported by rail to Kenwood Yard. Canadian Pacific has worked with local emergency response organizations to improve safety protocols.

In closing, it should be noted that, in addition to the public outreach and public participation opportunities described above, NYSDEC continues to submit questions regarding Global's terminal operations to the technical and environmental consultants retained by and at Global. As has occurred in the past, Global continues to respond to NYSDEC's inquiries and requests for information, all of which is subject to the provisions of the Freedom of Information Act.

Global has fully cooperated with NYSDEC and has honored its voluntary commitment to implement the above enhanced public participation program.

Sincerely,



Edward J. Faneuil
Executive Vice President &
General Counsel