

RECEIVED

FEB 27 2015

ENERGY FACILITY SITE
EVALUATION COUNCIL

VERIFICATION

STATE OF WASHINGTON)

County of Clark)

I, Cager Clabaugh, being first duly sworn on oath, depose and say:

I am an agent of International Longshore + Warehouse Union 4 and am authorized to make this Verification on its behalf. I have reviewed the foregoing Petition for Intervention, know the contents thereof, and believe the same to be true.

Signed at Vancouver, Washington on February 26, 2015.

Cager Clabaugh
Signature of Agent

SUBSCRIBED AND SWORN TO before me this 26 day of February, 2015 by

Cager Clabaugh.

SUZETTE HOPE DAVIS
NOTARY PUBLIC
STATE OF WASHINGTON
COMMISSION EXPIRES
JUNE 1, 2016

Suzette Hope Davis
Notary Public - State of Washington

BEFORE THE STATE OF WASHINGTON
ENERGY FACILITY SITE EVALUATION COUNCIL

In the Matter of:)	CASE NO. 15-001
Application No. 2013-01)	
)	INTERNATIONAL LONGSHORE
TESORO SAVAGE, LLC)	WAREHOUSE UNION LOCAL 4
)	
VANCOUVER ENERGY DISTRIBUTION)	PETITION FOR INTERVENTION
TERMINAL)	
)	
)	
)	
)	
)	
)	

I. INTRODUCTION

Pursuant to RCW 34.05.443, RCW 80.50.090, WAC 463-30-091, and EFSEC’s Order Commencing Agency Adjudication, EFSEC Case No. 15-01 (January 28, 2015), International Longshore Warehouse Union (ILWU) Local 4 submit this Petition for Intervention.

In its application for site certification, Tesoro-Savage requests authorization to build and operate a crude oil shipping terminal on the banks of the Columbia River that would handle an estimated throughput of 360,000 barrels of oil per day. This volume of crude oil would bring to the ILWU Local 4 members’ risks of catastrophic river and terrestrial oil spills and explosions. Yet even in the absence of a catastrophe, the everyday operation of this project would result in significant and continuous safety risks from rail and river traffic, harmful air and water emissions, and harm to fish and wildlife species.

The ILWU Local 4 has worked at the Port of Vancouver since 1937. If Tesoro-Savage succeeds in building and operating its proposed crude-by-rail facility, the safety of ILWU Local

4 members at their workplace would be profoundly diminished. Accordingly, ILWU Local 4 seeks leave to intervene to protect their strong interests in these proceedings.

II. IDENTIFICATION OF PETITIONERS

A. International Longshore Warehouse Union (ILWU) Local 4 is a union organization at the Port of Vancouver, Washington, with approximately 162 class A-registered Longshore workers along with 28 class B-registered and about 80 casual part time dockworkers. ILWU Local 4 members provide skilled labor to the Port of Vancouver and other northwest ports for the purpose of loading and unloading cargo for all destinations worldwide. ILWU Local 4 mailing address is 1205 Ingalls Road Vancouver, Washington 98660

ILWU Local 4 members work daily at the Port of Vancouver on the Columbia River. ILWU Local 4 has a strong interest in ensuring the safety of their workplace and would be adversely affected by the Tesoro-Savage project. Furthermore, ILWU Local 4 members live, recreate, hike, view wildlife, and fish in areas that would be adversely affected by the Tesoro-Savage project, both through routine operation of the terminal and by the possibility of small or catastrophic spills or explosions.

III. INDIVIDUALS REPRESENTING PETITIONERS

ILWU Local 4 is represented by:

Cager Clabaugh
Jared Smith
International Longshore Warehouse Union Local 4
1205 Ingalls Road
Vancouver WA 98660
(360) 903-7678 | Phone, Cager Clabaugh
(360) 241-0314 | Phone, Jared Smith

cagerclabaugh@aol.com
mithared@yahoo.com

IV. STATEMENT OF PETITIONERS' INTERESTS IN THIS PROCEEDING

A. Petitioners Have Participated in All Stages of Review of this Proposal and Have Expertise in the Applicable Areas of Law.

Tesoro-Savage's proposed terminal would receive and ship approximately 360,000 barrels of oil per day, resulting in risk of fire, explosion, terrestrial and river oil spills, and other catastrophic harms. Because Tesoro-Savage's proposed oil-by-rail terminal would cause significant adverse impacts to the ILWU Local 4 workplace, ILWU Local 4 members have participated—and intend to participate—during all stages of review related to this proposal.

ILWU Local 4 representatives testified at the October 2013 public scoping hearing to EFSEC on the proposed Tesoro-Savage oil terminal. Their scoping comments to EFSEC concerned worker and community safety and urged EFSEC to conduct a full environmental review of the impacts. Members of the ILWU Local 4 have actively participated in Tesoro-Savage public meetings held by EFSEC, the Port of Vancouver, and the City of Vancouver, voicing their opposition and concerns about the proposed crude-by-rail terminal.

ILWU Local 4 members work daily at the Port of Vancouver and have an exhaustive understanding of port operations and of the risks that an oil terminal would bring to workers, the Columbia River and the residents of Vancouver.

V. NATURE OF PARTICIPATION REQUESTED

A. Full Participation Requested.

ILWU Local 4 requests to be heard in these proceedings and to be afforded the right to participate in these proceedings to the full extent authorized by EFSEC rules. ILWU Local 4 requests includes, but is not limited to, the right to have notice and appear at any and all prehearings, hearings, or proceedings, to participate in discovery, to produce evidence and cross-

examine witnesses, to be heard through counsel by written and oral argument, to participate in settlement or alternative dispute resolution, to be served as a party with copies of all pleadings and other materials filed with EFSEC, and to participate in any other way as may be appropriate.

B. No Prejudice or Disruption from Participation.

ILWU Local 4 participation in these proceedings will not prejudice any party to these proceedings, nor will it unduly delay or disrupt the Council's ability to conduct these proceedings in an orderly fashion. Instead, ILWU Local 4 participation in the proceeding will provide expertise and information about the proposed facility and its potential impacts to worker and environmental safety that will assist EFSEC in its evaluation and ultimate recommendation.

Respectfully submitted this 26th day of February, 2015.



Cager Clabaugh
Jared Smith

International Longshore Warehouse Union Local 4
1205 Ingalls Road
Vancouver WA 98660
(360) 903-7678 | Phone, Cager Clabaugh
(360) 241-0314 | Phone, Jared Smith

cagerclabaugh@aol.com
mithared@yahoo.com

Members of ILWU Local 4

CERTIFICATE OF SERVICE

I am a citizen of the United States and a resident of the State of Washington. I am over 18 years of age and not a party to this action. My business address is International Longshore Warehouse Union Local 4, 1205 Ingalls Road, Vancouver WA 98660.

I HEREBY CERTIFY that on February 26, 2015, I served the following documents on the following parties via email:

1. Petition for Intervention of International Longshore Warehouse Union (ILWU) Local 4.

Kelly J. Flint
Tesoro Savage Petroleum Terminal LLC
110 Columbia Boulevard, Suites 108 & 110
Vancouver, WA 98660
(801) 944-6600 | Phone
kellyf@savageservices.com
Applicant, Tesoro Savage Petroleum Terminal LLC

Jay P. Derr
Van Ness Feldman, LLP
719 Second Avenue, Suite 1150
Seattle, WA 98104-1728
(206) 623-9372 | Phone
jpd@vnf.com
Attorney for Applicant, Tesoro Savage Petroleum Terminal LLC

Matt Kernutt
Office of the Attorney General
1125 Washington Street S.E.
P.O. Box 40100
Olympia, WA 98504-0100
(360) 586-0740 | Phone
mattk1@atg.wa.gov
Counsel for the Environment

Brian Bonlender, Director
Department of Commerce
1011 Plum Street S.E.
Olympia, WA 98504-2525
(360) 725-4021 | Phone
brian.bonlender@commerce.wa.gov
The Department of Commerce

Maia D. Bellon, Director
Department of Ecology
300 Desmond Drive
Olympia, WA 98504-7600
(360) 407-7001 | Phone
maia.bellon@ecy.wa.gov
The Department of Ecology

Phil Anderson, Director
Department of Fish and Wildlife
1191 Second Avenue, Suite 2200
Seattle, WA 98101
(360) 902-2720 | Phone
philip.anderson@dfw.wa.gov
The Department of Fish and Wildlife

Peter Goldmark
Commissioner of Public Lands
Department of Natural Resources
1111 Washington Street S.E.
Olympia, WA 98501
(360) 902-1004 | Phone
peter.goldmark@dnr.wa.gov
The Department of Natural Resources

David Danner
Utilities and Transportation Commission
1300 S. Evergreen Park Drive S.W.
P.O. Box 47250
Olympia, WA 98504
(360) 664-1208 | Phone
ddanner@utc.wa.gov
The Utilities and Transportation Commission

Lynn Peterson
Department of Transportation
310 Maple Park Avenue S.E.
P.O. Box 47300
Olympia, WA 98504-7300
(360) 705-7054 | Phone
lynnp@wsdot.wa.gov
The Department of Transportation

David Madore, Chair
Clark County Board of Commissioners
1300 Franklin Street
P.O. Box 5000
Vancouver, WA 98666-5000
(360) 397-2232 | Phone
david.madore@clark.wa.gov
Clark County

Timothy Leavitt, Mayor
City of Vancouver
P.O. Box 1995
Vancouver, WA 98668-1995
(360) 487-8600 | Phone
tim.leavitt@cityofvancouver.us
The City of Vancouver

Todd Coleman
Chief Executive Officer
Port of Vancouver Board of Commissioners
3103 N.W. Lower River Road
Vancouver, WA 98660
(360) 693-3611 | Phone
tcoleman@portvanusa.com
The Port of Vancouver

I declare under penalty of perjury that the foregoing is true and correct. Executed
this 27th day of February, 2015, at Vancouver, Washington.


[insert name]