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4 **BEFORE THE STATE OF WASHINGTON**
5 **ENERGY FACILITY SITE EVALUATION COUNCIL**

6 In the Matter of:
7 Application No. 2013-01

8 TESORO SAVAGE, LLC

9 VANCOUVER ENERGY
10 DISTRIBUTION TERMINAL

CASE NO. 15-001

PRE-FILED TESTIMONY OF DAVID A.
SAWICKI

OFFERED BY THE PORT OF
VANCOUVER, USA

11 Declarant DAVID A. SAWICKI certifies and states as follows:

12 1. I am the President of The Sawicki Group, LLC (“TSG”), an emergency and
13 crisis program management consulting firm based in Blaine, Washington.

14 2. TSG and I were retained by the Port of Vancouver USA (“Port”) to provide
15 expert testimony regarding the safety and suitability of the Port site for the proposed
16 Vancouver Energy Distribution Terminal Project (“VEDT” or the “Proposed Facility”).

17 3. TSG is paid for this work on a time and materials basis. My rate for site
18 inspections, plan reviews, Port management reviews and meetings, and preparation of reports
19 is \$150 per hour. My rate for providing expert witness testimony is \$300 per hour.

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21 **Education, Training and Experience**

22 4. I received my Bachelor of Science degree in Geology from Occidental
23 College in 1974, and my Master of Science degree in Geology from San Diego State
24 University in 1978.

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PRE-FILED TESTIMONY OF
DAVID A. SAWICKI - 1

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Attorneys at Law
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Telephone: 503.222.9981

1 5. I have completed the following Incident Command System (ICS) training and
2 certifications: ICS 100, ICS 200, ICS 300, and the United States Coast Guard Advanced
3 Leadership Training course. ICS is a standardized incident management system designed to
4 allow responders to adopt an integrated organizational structure equal to the complexity and
5 demands of any single incident or multiple incidents without being hindered by jurisdictional
6 boundaries.
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8 6. ICS was originally developed in the 1970s to manage rapidly moving
9 wildfires and to address problems that arose including too many people reporting to one
10 supervisor, different emergency response organizational structures, lack of reliable incident
11 information, inadequate and incompatible communications, lack of structure for coordinated
12 planning among agencies, unclear lines of authority, terminology differences among
13 agencies, and unclear or unspecified incident objectives.
14

15 7. In 1980, federal officials transitioned ICS into a national program called the
16 National Interagency Incident Management System (NIIMS), which became the basis of a
17 response management system for all federal agencies with wildfire management
18 responsibilities. Since then, many federal agencies have endorsed the use of ICS, and
19 several have mandated its use. The USCG adopted the NIIMS ICS in the 1990s for
20 managing oil and hazardous substance spill contingencies. Subsequently, the name of this
21 program has been shortened to National Incident Management System (NIMS).
22

23 8. I have worked in the energy business since 1978, in 14 states in the United
24 States, and 18 countries outside the United States.
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1 9. From July 1978 to September 1998 I was employed by Amoco Production
2 Company, as a Geologist, first line Supervisor, Multi-discipline Exploration Team Leader;
3 then Vice President/Resident Manager (Amoco New Zealand Co.); then Emergency
4 Response Coordinator.

5
6 10. From September 1998 to October 1999 I was employed by BP Amoco as an
7 Emergency Response Coordinator with US and International responsibilities.

8 11. From October 1999 to October 2000 I was employed by BP as an Emergency
9 Response Coordinator with US and International responsibilities.

10 12. From October 2000 to October 2013 I was employed by BP as the Director of
11 Crisis Management and Emergency Response – West Coast US; and Plant Protection
12 Superintendent for BP Cherry Point Refinery.

13 13. From October 2013 to the present I have been employed by TSG.

14 14. I have 22 years of experience managing, reviewing, developing, implementing
15 and maintaining emergency and crisis management programs. I have direct, hands-on,
16 project and/or actual response experience for matters including earthquake, fire, oil or other
17 product releases from tankers, terminals, refineries, and pipelines, and civil unrest; in
18 industrial operations including exploration, production, onshore and offshore drilling,
19 onshore and offshore production, marine terminals, and pipelines.

20 15. My responsibilities have included the review and management of existing
21 emergency response program capability, focusing on the alignment of operational risks,
22 internal and external compliance, effective response management, and overall program
23 assurance. I have successfully managed, and had direct responsibility for, delivering safe and
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1 effective emergency, security, and crisis management programs at (1) marine terminals in
2 San Diego, Long Beach, Stockton, and Richmond, California; Portland, Oregon; Seattle,
3 Washington; Sheikou, China; and Trinidad – Tobago; (2) pipelines in the Los Angeles Basin,
4 California; Ferndale to Vancouver, Washington; Columbia; and Trinidad-Tobago; and (3)
5 refineries in Carson, California; Whiting, Indiana; Toledo, Ohio; and Blaine, Washington.
6

7 16. A major part of my career has been spent developing operational/facility
8 Plans, training and leading response teams, conducting internal audits of facility Plans, and
9 conducting or participating in emergency response operations both internationally
10 and domestically.

11 17. I have also held the position of the Facility Security Officer (FSO)¹ at a
12 refinery in Blaine, Washington, in which I was responsible for implementing Maritime
13 Transportation Security Act (MTSA) and Transportation Worker Identification Credential
14 (TWIC) programs. The MTSA and its implementing regulations establish a framework for
15 maritime security. Primary elements of this framework are National, area, port, facility, and
16 vessel security plans.
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18 18. I have planned, implemented and/or reviewed more than eighty incident
19 command system response plans, and have led crisis and emergency management training
20 sessions and exercises across the globe, ranging from individual “table top” discussions to
21 multi-day events with several hundred participants.
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25 ¹ A Facility Security Officer (FSO) is the person designated as responsible for the
26 development, implementation, revision and maintenance of the facility security plan and for
liaison with the Captain of the Port (COTP) and Company and Vessel Security Officers.

1 19. I was a member of the Governor’s Oil Spill Task Force in Washington State,
2 an alternate on the Puget Sound Oil Spill Task Force, have been the Chairman of the Board
3 and a Board Member of the Clean Sound Oil Spill Cooperative (Washington State), a Board
4 Member of Clean Bay Oil Spill Cooperative (California), and a Board Member of Clean
5 Coastal Waters Oil Spill Cooperative (California).
6

7 20. A significant component of my work required that I liaise with local, state,
8 and federal agencies, tribes and non-governmental organizations. The Pacific States BC
9 Task Force, Whatcom County Department of Emergency Management and the Governor of
10 Washington State recognized my technical competence and ability to work with
11 organizations holding differing perspectives to those that may have been held by the energy
12 industry. In 2008, I received a Legacy Award from the Pacific States/British Columbia Oil
13 Spill Task Force, which acknowledged accomplishment and leadership in oil spill
14 prevention, preparedness, and response activities resulting in enhanced environmental
15 protection. The Task Force is a regional forum for sharing information, coordinating and
16 collaborating on oil spill prevention and response policies that protect more than 56,660
17 miles of coastline, from the Beaufort Sea to the Baja Peninsula and out through the island
18 chain of Hawaii, including all of Washington’s outer coast and Puget Sound. In 2013, I
19 received a Governor’s Letter of Recognition from Washington Governor Jay Inslee for my
20 work with state agency partners to help the state prepare for and respond to oil spills. In
21 2013, I also received a Peace Builder Award – Crisis Management with Agencies & Industry
22 from Whatcom County, for forming a cohesive team for county-wide emergency
23 preparedness.
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1 Section 14 – Waste Management and Disposal

2 Section 15 – Lockout / Tagout Procedure

3 Section 16 – Fire Protection Plan

4 4. Operations Facility Oil Handling Manual

5 Appendix A. Facility and Dock Plot Plans

6 Appendix B. USCG Jurisdiction Map

7 Appendix C. Material Safety Data Sheets

8 Appendix D. Response Equipment

9 Appendix E. Response Equipment Instructions

10 Appendix F. Example Declaration of Inspection Form

11 Appendix G. Example Maintenance and Inspection
12 Forms

13 Appendix H. General Inspection, Maintenance, and
14 Product Control Procedures

15 Appendix I. Example Oil Transfer Load Plan

16 Appendix J. Example Advance Notice of Oil Transfer

17 Appendix K. Safe and Effective Threshold Report

18 Appendix L. Unsafe Operating Conditions

19 Appendix M. Pre-booming Oil Transfer

20 Appendix N. Regulatory Cross Reference

21 5. Operations Facility Oil Spill Contingency Plan

22 Appendix A. Training and Exercises

23 Appendix B. Vancouver Energy Contractor Response
24 Equipment

25 Appendix C. Vancouver Energy Facility Operations

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- Appendix D. Hazard Evaluation/Risk Analysis
- Appendix E. Cross Reference/OPA 90 Requirements
- Appendix F. Response Techniques and Guidelines
- Appendix G. Inspection/Prevention and Maintenance
- Appendix H. Trajectory Analysis
- Appendix I. Acronyms and Definitions

b. The August 2013 VEDT Application to EFSEC, including:
Appendix D Project Health, Safety, Security, & Environmental (HSSE) Plan

Appendix G Material Safety Data Sheets (MSDS)

c. The January 2014 Amendment to the VEDT Application to EFSEC,

including:

Appendix B.2 Preliminary Spill Prevention Control and Countermeasure Plan (SPCCP)

Appendix B.3 Preliminary Oil Spill Contingency Plan

d. The February 2014 Amendment to the VEDT Application to EFSEC

e. The Port's existing Emergency Response Plan, Safety Plan, and

Facility Security Plan.

22. The Port's Emergency Response Plan (ERP) was thorough and contained all the major components that are appropriate to such a plan.

23. The Port's safety program is in compliance with applicable regulations and standards. All of these safety procedures were easy to read and understand, follow the applicable Washington Department of Occupational Safety and Health codes, and when followed, provide the basis for safe Port operations.

1 24. The Port's Facility Security Plan (FSP) is consistent with CFR 105.205 (C)
2 (2) - Facility Security Officer (FSO)/Responsibilities, and the related requirements in CFR
3 105.225. (b) (8), and CFR 105.415 (4) (b), and I did not identify any discrepancies in its
4 Annual Audit.

5
6 25. TSG retained four independent contractors (experts in safety, terminal
7 operations, marine operations, and oil spill planning and response), who reviewed VEDT's
8 draft plans and advised whether the plan met regulatory requirements, exceeded regulatory
9 requirements, or if improvements were possible. The team includes Gerald Popovice, Gary
10 Reiter, Gregory Rust, and Jeffery Shaw. Attached to this testimony as **Ex1001** are
11 summaries of my team's work experience, qualifications, and licensing – a combined total of
12 more than 200 years of experience among them.

13
14 26. In addition to document review, my team and I toured the Port's property and
15 the Site and visited with a group of Port tenants (Great Western Malting, NuStar, Kinder
16 Morgan, United Grain, NGL) to discuss their safety plans and emergency plans, and any
17 issues or concerns the tenants had about the Proposed Facility.

18 27. My team and I also met with Port staff including Director of Operations Todd
19 Krout, Rail Manager Wayne Harner, Safety, Risk and Emergency Manager Scott Ouchi, and
20 Chief of Security Renee Shanholtzer, to discuss the Port's security, safety and emergency
21 plans, audits, training and emergency response drills, and how the Port's plans coordinate
22 with the plans of its tenants and the Proposed Project.

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1 **Opinion**

2 28. It is my expert opinion, based upon the work I have done during this
3 engagement and my education, training and experience, that the Proposed Project will be
4 safe and suitable for the proposed location at the Port, if VEDT develops to 100% the draft
5 plans I reviewed, in compliance with all applicable regulations, and operates consistent with
6 its plans and the applicable regulations.
7

8 29. My conclusion regarding safety includes both what I characterize as
9 operations facility safety , and what I characterize as site security. By operations facility
10 safety, I mean creating organized efforts and procedures for identifying workplace hazards
11 and reducing accidents and exposure to harmful situations and substances. It also includes
12 training of personnel in accident prevention, accident response, emergency preparedness, and
13 use of protective clothing and equipment. By site security, I mean fundamental security
14 measures taken to protect against external threats, such as terrorism, including access
15 controls, communications, restricted areas, cargo-handling and monitoring, training, and
16 incident reporting required under the MTSA.
17

18 30. In addition, I can say with confidence, based on my review of materials that
19 VEDT has prepared to support its application and my experience in the petroleum refining
20 and transport industries, that the facility has been designed and engineered to be as safe as
21 possible. And, where a risk cannot be entirely eliminated through design and engineering,
22 VEDT has further reduced the existing risks through its operational and emergency response
23 planning. A method implemented in the design and operations of facilities like the Proposed
24 Project is to look at the potential hazards associated with a specific process, and then reduce
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1 the potential hazards through either redesign of the overall process or adding engineered
2 steps into the existing process, resulting in a lowered potential resultant risk. This is often
3 referred to as having provided additional “Layers of Protection” that reduce the hazards,
4 resulting in a lowered potential resultant risk.²

5
6 31. For example, the proposed installation of a permanently installed “self-
7 healing” foam, fire-fighting application system in the crude tanks, as described in the VEDT
8 Plans, provides an added engineering step. The additional engineering step provides
9 additional layers of protection resulting in a reduction of the overall risk by lowering both the
10 likelihood and the consequence of a fire.

11 32. Similarly, the Operations Site Security Plan – 3.10 Declaration of Security –
12 proposes to require a Declaration of Security (DoS) be completed for all vessels at all
13 MARSEC levels.³ A DoS is an agreement executed between the responsible vessel and
14 FSO, or between Vessel Security Officers in the case of a vessel-to-vessel activity, that
15 provides a means for ensuring that all shared security concerns are properly addressed and
16 security will remain in place throughout the time a vessel is moored to the facility or for the
17 duration of the vessel-to-vessel activity, respectively. This additional process step requires
18 more than the federal standards and provides additional confidence (and added layers of
19 protection) regarding safety and security at the Proposed Project.
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22 ² As discussed in ¶ 36, a thorough review of the Process Safety Management (PSM)
23 Program and a Hazard and Operability Study (HAZOPS) documents will provided a clear
24 understanding of the various “layers of protection” that have been designed into VEDT’s
25 final project design for the Proposed Project.

26 ³ Under Coast Guard regulations, MARSEC (Maritime Security) Level means the
level set to reflect the prevailing threat environment to the marine elements of the national
transportation system, including ports, vessels, facilities, and critical assets and infrastructure
located on or adjacent to waters subject to the jurisdiction of the U.S.

1 and a Hazard and Operability Study (HAZOPS) document, which will identify inherent
2 hazards and potential resultant risks associated with the Proposed Project

3
4 **Site Security**

5 37. VEDT's Construction Security Plan adequately addresses the regulatory
6 requirements and standard industry practice for security plans and procedures for the
7 Proposed Project's area of operation.

8 38. The first layer of security is provided by the Port's Security Plan. Access to
9 the Port's marine terminals is allowed primarily through the main security gate at the 26th
10 Avenue overpass. All people entering the terminal areas must show photo identification and
11 have a valid business purpose. In addition, the area is secured with fencing, video camera
12 monitors and 24 hour per day, 7 day per week stationary and mobile patrols. All personnel
13 who perform work (including contractors and consultants) within the Port's maritime
14 facility must be credentialed under TWIC, or have appropriately credentialed person as an
15 escort at all times.
16

17 39. The second layer of security will be provided by VEDT's Construction
18 Security Plan, which outlines access procedures, roles and responsibilities of security
19 personnel, and describes the methods of physically securing the site, such as perimeter
20 fencing to prevent public access, security gates, closed circuit television systems, and
21 security personnel. Construction personnel working at Area 400, the Marine Vessel Loading
22 Area, must comply with TWIC requirements.
23

24 40. I note that VEDT's plan does not contain Sensitive Security Information
25 (SSI). SSI, a designation made by the Transportation Security Agency (TSA), is any
26

1 information obtained or developed in carrying out security requirements that would be
2 detrimental to the security of transportation if that information was disclosed. Only a
3 covered person with a need to know may handle SSI materials. In the interest of maritime
4 transportation security, the TSA has designated the following information and records as
5 SSI:

- 7 a. Any vessel, maritime facility, or port area security plan required or
8 directed under federal law;
- 9 b. Maritime Security Directives issued by the U.S. Coast Guard under 33
10 CFR Part 101.405; and
- 11 c. Navigation Vessel Inspection Circulars (NVIC(s)) issued by the U.S.
12 Coast Guard related to maritime security.

13
14 41. The Port has an overarching Facility Security Plan (FSP) and provides the
15 FSO and security staff, and performs the major security-related responsibilities.
16 Accordingly, elements of VEDT's plan will need to be incorporated into the Port's FSP. In
17 addition, VEDT's plan acknowledges that the Port may make security-related physical and/or
18 procedural changes over time which may necessitate changes to VEDT's plan.

19 42. VEDT will conduct a Facility Security Assessment (FSA) and develop its
20 own FSP, based on the final design and operational parameters of the facility, and submit it
21 to the USCG 60 days prior to beginning operations at Area 400. An FSA includes an on-
22 scene survey of the facility and a review of the following background information:

- 24 a. The general layout of the facility, including:

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- (i) The location of each active and inactive access point to the facility;
 - (ii) The number, reliability, and security duties of facility personnel;
 - (iii) Security doors, barriers, and lighting;
 - (iv) The location of restricted areas;
 - (v) The emergency and stand-by equipment available to maintain essential services;
 - (vi) The maintenance equipment, cargo spaces, storage areas, and unaccompanied baggage storage;
 - (vii) The location of escape and evacuation routes and assembly stations; and
 - (viii) Existing security and safety equipment for protection of personnel and visitors;
- b. Response procedures for fire or other emergency conditions;
 - c. Procedures for monitoring facility and vessel personnel, vendors, repair technicians, and dock workers;
 - d. Existing contracts with private security companies and existing agreements with local or municipal agencies;
 - e. Procedures for controlling keys and other access prevention systems;
 - f. Procedures for cargo and vessel stores operations;
 - g. Response capability to security incidents;

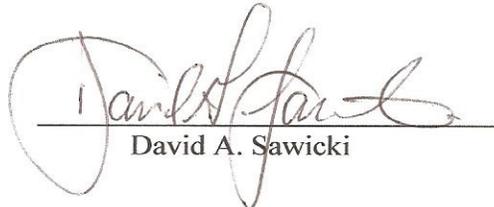
- 1 h. Threat assessments, including the purpose and methodology of the
2 assessment, for the port in which the facility is located or at which
3 passengers embark or disembark;
4
5 i. Previous reports on security needs; and
6
7 j. Any other existing security procedures and systems, equipment,
8 communications, and facility personnel.

8 **Suitability for the Site**

9 43. Based on my review of VEDT's operational, safety and security plans, the
10 Port's Emergency Response Plan, Safety Plan, and Facility Security Plan, and my
11 discussions with existing Port tenants, in my opinion the Proposed Facility is suitable for
12 operations at this industrial site, and also in relation to the existing facilities and operations
13 (tenants) of the overall Port site and entities adjacent to the Port site. When read together,
14 the VEDT and Port plans that my team and I reviewed revealed a high level of attention and
15 concern for the safety of people and protection of the environment. In light of what we
16 learned in our discussions with tenants regarding safety and environmental protection, a
17 Proposed Project operated in compliance with the plans we have reviewed will be consistent
18 with other Port tenant activities that are focused on industrial and manufacturing purposes.
19
20

21 I certify under penalty of perjury under the laws of the state of Washington that the
22 foregoing is true and correct.

23 SIGNED this 13th day of May, 2016 at Blaine, Washington.

24
25 
26 David A. Sawicki

PRE-FILED TESTIMONY OF
DAVID A. SAWICKI - 16

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INTRODUCTION

The Sawicki Group, LLC (TSG) has assembled a team of Key Persons bringing over 200 years of experience in international and domestic projects, including a wide range of energy facility operations, rail / trucking transportation, pipeline, storage, and marine operations. Such operations can successfully operate over the long term only via effectively managed safety, health, industrial hygiene, compliance, and emergency response capabilities. The ***TSG Team*** has worked for, and / or in close collaboration with, military, regulatory agencies, industry, tribal and non-governmental organizations.

The ***TSG Team Members***:

- understand that Facility Plans and staff cannot be stand-alone entities. Rather, facility operations are closely inter-related i.e., Plans and staff must align based on the various risks and associated mitigations. The Plans and staff must be able to consider and manage corporate requirements, the local, state and federal the regulatory environment in which the facility operates, and the expectations of community stakeholders / tribal entities.
- have a long history of being assigned to industrial and military roles ranging from senior management, middle management e.g. Superintendents or Supervisors, thru operators at facilities;
- have served in roles such as Board positions on oil spill co-operatives, Agency Task Forces, Incident Management Teams, and numerous assignments to train, instruct, and facilitate the development of facility and / or agency staff;
- have been recognized at local, state and international levels for their commitment and expertise;
- have been assembled to provide the Port with both a high level of technical expertise and scheduling flexibility so as to be able to complete Plan reviews once timing and priorities have been established. Team members are used to working alone or in teams, to complete projects on time and on budget.

The TSG Team stands ready to deliver the requested “safety & operations plan review and guidance services” to the Port of Vancouver, based on team member’s awareness and understanding of the full gamut of issues affecting such a multi-faceted facility.

Professional references are identified in the attached resumes. Additional resumes are available upon request.

QUALIFICATIONS OF CONSULTANT - David A. Sawicki

Positions, Assignments and Education:

Mr. Sawicki has worked in the energy business since 1978, holding positions from an entry-level employee, a first line Supervisor, Team Leader, Superintendent, Director of Crisis Management (BP) and Vice President / Resident Manager (Amoco New Zealand Co.). He has worked in 19 countries and 14 States. Both Bachelor and Master of Science degrees in Geology were awarded.

His assignments have included exploration, production, refining, terminals and pipeline operations. He also held corporate roles in Crisis & Continuity Management for domestic and international operations.

He was assigned to and successfully served on four (4) of the Oil Spill Co-operatives on the west coast of the US, from San Diego thru Seattle, where he served as Board Chairman for the former Clean Sound Cooperative.

Responsibilities:

A major part of his career has been spent developing operational / facility Plans, training and leading response teams, conducting internal audits of facility Plans, and has been involved in emergency response operations both internationally and domestically. He also held the position of the Facility Security Officer (FSO) and was responsible for implementing MTSA and TWIC programs. Evacuation Plans and systems at the facility were also developed and implemented under his leadership.

Awards / Recognition:

A significant component of his company assignments required that he liaise with local, state, and federal agencies, tribes and non-governmental organizations. The Pacific States BC Task Force, Whatcom County Department of Emergency Management and the Governor of Washington State have officially recognized his technical competence and ability to work with organizations holding differing perspectives to those that may have been held by the energy industry.

Closing:

Mr. Sawicki has an in depth understanding of energy related operations and facilities, having been personally responsible for Plans, teams, training and responses. He formed The Sawicki Group, LLC in 2013, and continues to successfully provide consultation to the oil / energy business from Alaska to Texas.

WORK EXPERIENCE, QUALIFICATIONS AND LICENSING

Key Persons (alphabetical)	Professional & Military Experience (years)	University Education	Military / Agency Service	Corporate Experience	Pertinent Capabilities (also includes Emergency Response Planning & Management)
Gerald Popovice	55		USN (CPO) Washington State Patrol	Mobil Oil / BP Oil Refinery TOSCO Oil Refinery Phillips 66 Refinery	Health, Safety, Environmental Quality Process Safety Management Facility Security Facility Operations Trainer Management of Change for Process Safety Tank Farm / Truck & Marine Terminal Operations
Gary Reiter	52	BA / MA	USCG / USN USCG Pacific Strike Team (Commanding Officer)	Westcliffe Environmental Management (President) ECM Maritime Services ERST / O'Brien's Oil Pollution Service, Inc. (Executive	Facility and Vessel Inspection & Compliance Qualified Individual and IMT Services Maritime Equipment Maintenance & Deployment

Key Persons (alphabetical)	Professional & Military Experience (years)	University Education	Military / Agency Service	Corporate Experience	Pertinent Capabilities (also includes Emergency Response Planning & Management)
				VP) BHP Petroleum / Pacific Resources Precision Planning and Simulations, Inc.)	Facility Operation and Contingency Plan Development
Gregory Rust	39	BS - Industrial Hygiene BS - Microbiology	NA	ARCO Refinery BP Refinery Frontier Refining Chevron USA	HSSE Manager / Safety Director HAZOPS / PSM Industrial Hygiene Crude-by-Rail Operations Risk Assessments / PHSSER
David Sawicki	37	BS / MS	NA	Amoco / BP - Amoco / BP	Facility Security Plans Training and Certification Programs Crisis & Continuity Management
Jeffrey Shaw	46	BS	USCG	ARCO / ConocoPhillips	Maritime Port & Operational

Key Persons (alphabetical)	Professional & Military Experience (years)	University Education	Military / Agency Service	Corporate Experience	Pertinent Capabilities (also includes Emergency Response Planning & Management)
				/ POLAR Tankers	Management Compliance / Auditing / Environmental Protection

EXPERIENCE AND EXPERTISE WITH THE INDUSTRY

KEY PERSON (alphabetical)	PROJECT EXPERIENCE Agencies	PROJECT EXPERIENCE Facilities
Gerald Popovice	US Navy <ul style="list-style-type: none"> • CPO 	Operations Trainer / Instructor
	Washington State Patrol <ul style="list-style-type: none"> • Communications Officer 	Emergency Response Trainer / Instructor
	Industry Representative <ul style="list-style-type: none"> • Washington Administrative Code (WAC) Final Rule Development Committee • Washington State Oil Spill Prevention Act • Clean Sound Oil Spill Cooperative 	Management of Change Coordinator
		Dock / Contracts Coordinator
		Area Supervisor - Tank Farm / Marine & Truck Terminal; Waste Water Treatment Plant
		Oil Spill Response Coordinator
		Incident Investigation
		Safety compliance / system Audits – refinery, terminal and marketing terminals
Facility Security Plans		
Gary Reiter	US Navy: response capability evaluations <ul style="list-style-type: none"> • Italy • Japan 	Response Trainer- <ul style="list-style-type: none"> • Chad • Caspian Sea • Alaska
	USCG <ul style="list-style-type: none"> • Coordinated 16th US / USSR Task Group Meeting • Member of 13th – 15th US / USSR Task Group meetings • US representative to South Pacific Regional Environmental 	Wrote USCG Incident Management Handbook (2001) > 50 responses to marine, pipeline, coal slurry, and herbicide Incidents

KEY PERSON (alphabetical)	PROJECT EXPERIENCE Agencies	PROJECT EXPERIENCE Facilities
	workshop <ul style="list-style-type: none"> • Technical representative – US / Mexico Joint Response Agreement meeting • Technical representative – US / France Agreement on Oceanography • OPA 90 Implementation Project Officer • Commanding Office / Executive Officer – US Strike Team • Cleanup Manager – Prince William Sound • Assistant Chief – Pollution Response Branch • Responsible for numerous training sessions 	Led Operations for Stream-bed Remediation Project
Gregory Rust	Refinery representative – <ul style="list-style-type: none"> • Western States Petroleum Association Safety and Health Committee 	Rail Logistics Project HSSE Manager <ul style="list-style-type: none"> • Rail yard
	<ul style="list-style-type: none"> • Association of Washington Business 	<ul style="list-style-type: none"> • Pumping Station
	<ul style="list-style-type: none"> • Local Emergency Planning Committee (LEPC) 	<ul style="list-style-type: none"> • Permitting Applications
	Board of Directors- Whatcom County Haz-Mat Team	<ul style="list-style-type: none"> • Contractor Selection
		<ul style="list-style-type: none"> • Project Design – compliance with corporate and agency requirements
		<ul style="list-style-type: none"> • Risk Assessments
		<ul style="list-style-type: none"> • Audit / Inspection Programs
		<ul style="list-style-type: none"> • Agency interface
		Project Team HSSE Advisor
		<ul style="list-style-type: none"> • Safety of contractor work
<ul style="list-style-type: none"> • Policies, procedures & regulation review 		
<ul style="list-style-type: none"> • Permitting 		
<ul style="list-style-type: none"> • Project Health, Safety, 		

KEY PERSON (alphabetical)	PROJECT EXPERIENCE Agencies	PROJECT EXPERIENCE Facilities
		Security and Environmental Review (PHSSER) Safety Director - refinery <ul style="list-style-type: none"> • PSM Emergency Response Coordinator - refinery Safety and Human Resources Manager - refinery <ul style="list-style-type: none"> • Security • Safety & Industrial Hygiene
		<ul style="list-style-type: none"> • Labor relations • Public / Community Affairs Senior Safety Engineer - refinery <ul style="list-style-type: none"> • HAZOP • 3rd Party Litigation • RCRA and SARA Title III Safety Fire and Health Specialist / Safety Engineer - refinery <ul style="list-style-type: none"> • Accident prevention • Community Right to Know • Construction Safety
David Sawicki	Industry Representative – <ul style="list-style-type: none"> • Western States Petroleum Association • Governor’s Oil Spill Task Force – Wash. • Whatcom County Unified Emergency Command Center – lead this agency / industry project • Wash. State Outer Coast Logistics Project – led this agency / tribal / industry project • New Zealand Oil and Gas Association – Wellington, New Zealand 	Emergency Response / OSCP reviews, training and drills: (* = includes responses) <ul style="list-style-type: none"> - Pipelines <ul style="list-style-type: none"> • *LA Basin, Calif. • *Ferndale to Vancouver, Wash. • *Columbia • *Trinidad - Tobago - Terminals – storage and marine facilities <ul style="list-style-type: none"> • San Diego, Calif. • *Long Beach, Calif. • Stockton, Calif. • Richmond, Calif.

KEY PERSON (alphabetical)	PROJECT EXPERIENCE Agencies	PROJECT EXPERIENCE Facilities
		<ul style="list-style-type: none"> • Portland, Oregon • Seattle, Wash. • Sheikou, China • *Trinidad - Tobago - Refineries <ul style="list-style-type: none"> • Carson, Calif. • Whiting, Ind. • *Blaine, Wash. • Toledo, Ohio Board Member (oil spill response co-operatives) <ul style="list-style-type: none"> • Clean Coastal Waters - LA / Long Beach, Calif. • Clean Bay – San Francisco, Calif. • Clean Rivers – Portland, Oregon • Clean Sound – Seattle , Wash. (Board Chairman) Facility Security – refinery <ul style="list-style-type: none"> • Blaine, Wash. (FSO) • Anacortes, Wash.
Jeffrey Shaw	Industry Representative <ul style="list-style-type: none"> • Vessel Traffic Risk Assessment (VTRA) – Wash. • Washington State Oil Spill Advisory Council • Washington State Oil Spill Rule Advisory Committee • Washington State Rescue Tug Project 	Maritime Port Operations <ul style="list-style-type: none"> • Compliance, prevention & response Marine Superintendent <ul style="list-style-type: none"> • Safety • Government, local and refinery relations • Dock operations • Crude / product transfers Senior Advisor Marine Environment <ul style="list-style-type: none"> • Oil Spill Contingency Plans • Oil Spill Team Leader • Environmental Protection Emergency Responses (numerous) <ul style="list-style-type: none"> • Alaska

KEY PERSON (alphabetical)	PROJECT EXPERIENCE Agencies	PROJECT EXPERIENCE Facilities
		<ul style="list-style-type: none"> <li data-bbox="997 268 1446 304">• Washington State <li data-bbox="997 304 1446 340">• California <li data-bbox="997 340 1446 388">• Gulf Coast USA

1 CERTIFICATE OF SERVICE

2 The undersigned declares under penalty of perjury, under the laws of the State of
3 Washington, that the following is true and correct:

4 That on the 13th day of May, 2016, I arranged for service of the foregoing PRE-
5 FILED TESTIMONY OF DAVID A. SAWICKI to the parties to this action as follows:

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18 by e-mailing a true and correct copy thereof to each party's/attorney's e-mail
19 address.

20 

21 David F. Bartz, Jr., WSBA #33226