

BEFORE THE STATE OF WASHINGTON
ENERGY FACILITY SITE EVALUATION COUNCIL

In the Matter of:
Application No. 2013-01

TESORO SAVAGE, LLC

VANCOUVER ENERGY DISTRIBUTION
TERMINAL

No. 15-001

CLARK COUNTY'S PRELIMINARY LIST
OF PROPOSED ADJUDICATION ISSUES,
WITNESSES AND EXHIBITS

Pursuant to the May 5, 2014 Pre-Hearing Order Establishing Procedures and Setting Deadlines for Submittals, Clark County discloses the following list of preliminary proposed adjudication issues, witnesses and exhibits:

I. Preliminary List of Adjudication Issues:

1. Whether there has been sufficient study and analysis of the proposed oil terminal's impact upon the human health and safety of inmates or employees at the Clark County Jail Work Center. This issue includes but is not limited to the study of the risks associated with a spill, fire and/or explosion resulting from a variety of potential causes including but not limited to human/mechanical error, seismic events, natural disasters, and severe weather events. Additionally, this issue includes the study of the human health implications associated with emissions

and particulate matter resulting from construction and operation of the proposed oil terminal.

2. Whether there has been sufficient study of the potential risks to human health and safety posed by the proposed oil terminal to those incarcerated or working at the Clark County Jail Work Center. This includes but is not limited to the study of the risks associated with a spill, fire and/or explosion resulting from a variety of potential causes as well the human health implications associated with emissions and particulate matter resulting from construction and operation of the proposed oil terminal.
3. Whether there has been sufficient study and analysis of emergency preparation and response capabilities and limitations to protect human health and safety of those incarcerated or working at the Clark County Jail Work Center.
4. Whether there has been sufficient study and analysis of the cumulative and secondary impacts involving the operations of the Clark County Jail Work Center and risk management issues associated with construction, operations and/or an emergency at the proposed oil terminal. This includes but is not limited to operational disruptions and risk management/insurance impacts.
5. Whether there has been sufficient study and analysis of the impact on the environmental health and wellbeing of those living and working in proximity to the proposed oil terminal, including but not limited to the Clark County Jail Work Center.

6. Whether appropriate and sufficient mitigations have been considered and/or proposed to address each of the above referenced issues.

Clark County reserves the right to supplement and/or revise this *preliminary* list of adjudication issues to include additional issues that may be identified following additional review of the DEIS.

II. Preliminary List of Witnesses

1. Dr. Stephen Foster, PhD, Geosyntec Consultants, Inc.: Will address issues relating to the evaluation and existence of potential human health risks.
2. Dr. Shagun Bhat, PhD, Geosyntec Consultants, Inc.: Will address issues relating to the evaluation and existence of potential human health risks.
3. Dr. Eric Peterson, PhD, MMI Engineering: Will address issues relating to the evaluation and existence of potential safety hazards.
4. David Weimer, MMI Engineering: Will address issues relating to the evaluation and existence of potential safety hazards.
5. Chuck Atkins, Clark County Sheriff: Will address issues relating to Clark County Jail Work Center operations and emergency preparation and response.
6. Ric Bishop, Chief Corrections Deputy, Clark County Sheriff's Office: Will address issues relating to Clark County Jail Work Center operations and emergency preparation and response.

7. Mark Wilsdon, MBA, CPCU ARM-P, Clark County Risk Manager:
Will address risk management and insurance issues.
8. Scott Johnson, Emergency Management Division Manager, Clark
Regional Emergency Response Agency (CRESA): Will address issues
relating to regional emergency response planning and response.
9. Dr. Alan Melnick, MD, MPH, CPH, Public Health Director/Health
Officer Clark County Public Health: Will address issues relating to
potential risks to environmental and/or human health.
10. Joe Laxon, Environmental Health Program Manager, Clark County
Public Health Department: Will address issues relating to potential
risks to environmental health.
11. Chuck Harman, Environmental Health Program, Clark County Public
Health Department: Will address issues relating to potential risks to
environmental health.
12. Emergency response expert to be identified in the future: Will address
issues relating to emergency response.

Clark County reserves the right to supplement and/or revise this *preliminary* list of witnesses to include additional witnesses and/or to revise the issues or subject matter associated with each witness's testimony.

III. Preliminary List of Exhibits:

1. Applicant Vancouver Energy's Preliminary Draft Environmental Impact Statement (PDEIS).
2. Energy Facility Site Evaluation Council's Draft Environmental Impact Statement (DEIS).

3. Lease between Vancouver Energy and Port of Vancouver.
4. Maps of the Clark County Jail Work Center.
5. Drawings, maps and plans reflecting the site and/or design of the proposed oil terminal and its proximity to the Clark County Jail Work Center.
6. Safety Data Sheet(s) for Bakken Crude.
7. Clark County Hazard Identification Vulnerability Analysis, “A comprehensive guide to natural and technological hazards in Clark County and its cities”. Clark County Emergency Services Agency, 2011.
8. Agency for Toxic Substances and Disease Registry, Toxicological Profiles and Appendices.
9. *Bakken Crude Oil Burn Demonstration, Air Monitoring and Sampling Report*, Prepared for Williams Fire and hazard Control, Beaumont, TX, Center for Toxicology and Environmental Health Project # 106829, January 2015.
10. California Environmental Protection Agency, Office of Environmental Health Hazard Assessment (OEHHA Acute, 8-hour and Chronic Reference Exposure Levels, and associated toxicological profiles.
11. *Characterizing Risks Posed by Petroleum Contaminated Sites: Implementation of the MADEP VPH/EPH Approach*, Final Policy, October 2002.
12. Crude Oil Properties Relevant to Rail Transport Safety: In Brief, Anthony Andrews, Congressional Research Service, February 18, 2014.
13. Department of Ecology State of Washington, Guidance Document (Chapter 173-460), September 2010 (revised August 2015).
14. Draft Environmental Impact Statement (DEIS) for Tesoro Savage Vancouver Distribution Terminal Facility, November, 2015.
15. *Final Supplemental Environmental Impact Statement for the Keystone XL Project*, Department of State, Bureau of Oceans and International Environmental and Scientific Affairs, January, 2014.
16. Integrated Risk Information System, US Environmental Protection Agency.

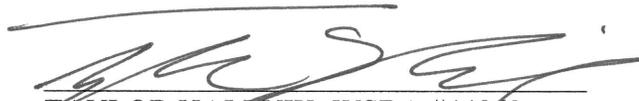
17. Material Data Safety Data Sheet for Bakken crude, Cenovus Energy, 500 Center Street, Calgary, AB T2P 0M5.
18. Provisional Peer Reviewed Toxicity Values for Superfund, US Environmental Protection Agency.
19. Reference Doses for Petroleum Mixtures, Department of Ecology State of Washington, Department of Health, February 2005.
20. Regional Screening Levels Tables, US Environmental Protection Agency.
21. *Risk Assessment Guidance for Superfund, Volume I, Human Health Evaluation Manual (Interim Final)*, EPA/540/1-89/002, U.S. Environmental Protection Agency Washington, D.C., EPA/540/1-89/002, December 1989.
22. *Risk Assessment Guidance for Superfund, Volume I: Human Health Evaluation Manual, Part F, Supplemental Guidance for Inhalation Risk Assessment, (Final)* EPA/540-R-070-002, OSWER 9285.7-82, Environmental Protection Agency Washington, D.C., January, 2009.
23. Clark County Hazard Identification Vulnerability Analysis, “A comprehensive guide to natural and technological hazards in Clark County and its cities”. Clark County Emergency Services Agency, 2011.
24. Analysis Group, Inc. Assessment of Vancouver Energy Socioeconomic
25. Impacts: Primary Economic Impacts. July, 2014.
26. The North Dakota Petroleum Council Study on Bakken Crude Properties, August, 2014.
27. Tesoro Savage Overall Site Plan for location characteristics.
28. American Petroleum Institute Recommended Practice 752, Management of Hazards Associated with Location of Process Plant Buildings, Third Edition, December 2009.

29. American Petroleum Institute Recommended Practice 753, Management of Hazards Associated with Location of Process Plant Portable Buildings, First Edition, June 2007.
30. Guidelines for Facility Siting and Layout, Center for Chemical Process Safety of the American Institute of Chemical Engineers, Wiley, 2003.
31. PHAST User Manual, DNV version 6.7, 2013 (www.dnv.com/PHAST).
32. Guidelines for Hazard Evaluation Procedures, Center for Chemical Process Safety of the American Institute of Chemical Engineers, Wiley, 3rd edition, 2008.
33. Guidelines for Engineering Design for Process Safety (Process Safety Guidelines and Concept), Center for Chemical Process Safety of the American Institute of Chemical Engineers, Wiley, 2nd edition, 2010.
34. Lees, F.P., Loss Prevention in the Process Industries (3rd Edition), Elsevier, 2006.
35. Fire and Exposure Profile Modeling; Some Threshold Damage Limit (TDL) Data, Thomas F. Barry, TF Barry Publications.
36. American Petroleum Institute Recommended Practice 521, Pressure-Relieving and Depressurizing Systems, 5th Edition, Addendum 2008.
37. Facility Damage and Personnel Injury from Explosive Blast, Montgomery and Ward, 1993.
38. UK Health and Safety Executive (HSE) Hydrocarbon Release Database (HCR), <https://www.hse.gov.uk/hcr3/>.
39. IP Research Report, Ignition Probability Review, Model Development and Look-up Correlations, January 2006.
40. Offshore Reliability Data (OREDA), Volume 1 – Topside Equipment, SINTEF, 5th Edition, 2009.

41. Guidance for the location and design of occupied buildings on chemical manufacturing sites, Chemical Industries Association, 3rd Edition, 2010.
42. Methods of approximation and determination of human vulnerability for offshore major accident hazard assessment, SPC/Tech/OSD/30, 2010.
43. Effects of Flashfires on Building Occupants, Research Report 084, HSE Books, 2003.
44. Methods for the calculation of Physical effects, 'Yellow Book', CPR 14E, C.J.H van den Bosch, R.A.P.M. Weterings, 3rd Edition, 2005.

Clark County reserves the right to supplement and/or revise this *preliminary* list of exhibits to include additional exhibits that are identified following additional review of the DEIS.

Dated this 8th day of January, 2016.



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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. I hereby certify that on January 8, 2016, I served the following document, via email, on the parties listed below:

1. *Clark County's Preliminary List of Proposed Adjudication Issues, Witnesses and Exhibits*

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