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24 January 2014

Mr. Stephen Posner
Energy Facility Site Evaluation Council
WA Utilities and Transportation Commission
P.O. Box 43172
Olympia, WA 98504-3172

Subject: Tesoro Savage Vancouver Energy Distribution Terminal
EFSEC Application No. 2013-01 – UTC Docket No. EF131590
Response to EFSEC Application Review

Dear Mr. Posner:

On behalf of Tesoro Savage Petroleum Terminal LLC (the Applicant), BergerABAM is providing a response to the Energy Facility Site Evaluation Council's (EFSEC) review of Application for Site Certification (ASC) No. 2013-01 for compliance with the requirements contained in WAC 463-60 and WAC 463-62.

The Applicant was provided with four memoranda by EFSEC staff as follows:

- Memorandum 1, dated 18 October 2013, provided the review comments prepared by EFSEC's independent consultant, Cardno-Entrix;
- Memorandum 2, dated 13 November 2013, provided the review comments from Washington State Department of Ecology (Ecology) staff (air quality and spills), as well as clarifications on certain comments from Cardno-Entrix;
- Memorandum 3, dated 4 December 2013, provided the review comments from Washington State Department of Fish and Wildlife (WDFW); and
- Memorandum 4, dated 30 December2013, provided the review comments from Washington Department of Archeology and Historic Preservation (DAHP).

This submittal responds to these four memoranda[1] and includes the following:

- The "Applicant's Responses to EFSEC and Agency Review Comments" (in matrix form) indicating each comment prepared by Cardno-Entrix and agency reviewers, and respective responses by the Applicant.
- Where updates to the ASC were merited as a result of the Application review, replacement pages showing such updates.

[1] On 3 December 2013, EFSEC also provided to the Applicant a letter regarding the Prevention of Significant Deterioration (PSD)/Notice of Construction (NOC) Permit Application Review: Application Incompleteness Determination, Application No. 2013-01; Docket: EF-131590. The Applicant is providing responses to the 3 December determination under separate cover.

Since the submittal of the ASC in August 2013, and in consideration of the comments provided by EFSEC's consultants (Cardno-Entrix, and staff from Ecology and WDFW), DAHP and other agencies the Applicant has been coordinating with, the Applicant has continued to refine project design. The refinements further minimize potential impacts, demonstrate the Applicant's commitment to mitigation, document preliminary oil spill prevention and response plans. As a result of these refinements, the Applicant has included the following supplemental information in this same package.

1) Minor facility boundary modifications have been made, primarily to assist with location of the upland facilities related to Area 400 – Marine Terminal; as a result, the site legal description has been revised (See Section 2.2.2 of the Application Supplement). As noted in the introduction of this Section of the ASC the site boundary remains preliminary until final project design has been completed; prior to construction the Applicant would submit the final Facility site boundary to EFSEC.

2) Modifications to berths 13 and 14 (Area 400 – Marine Terminal) have been revised to entirely eliminate the installation of new permanent piling below the Ordinary High Water Mark (OHWM). The revised design relies upon removal of existing piling, strengthening of existing piling, and modifications to the above-water portions of the berths. This design, in association with upland improvements, will provide a structure that meets the Applicant's operational needs and seismic design requirements, while greatly minimizing impacts to aquatic habitats below the OHWM. The revised modifications will incur significantly less construction work below the OHWM, and will avoid the use of impact hammer pile driving below the OHWM. The revised modifications also do not add any new permanent overwater structures, relying instead, for example, on retractable catwalks for dock access. This modified design has resulted in changes to the following sections of the ASC:
   a. Section 2.3 – Construction On Site
   b. Section 2.17 – Construction Methodology
   c. Section 3.4 – Habitat, Vegetation, Fish, and Wildlife
   d. Appendix H.1 – Biological Resources Report
   e. Appendix H.2 – Joint Aquatic Resources Permit Application

3) The Applicant has clarified in Section 2.3.5 – Area 500 – Transfer Pipelines, that the transfer pipeline conveyance system will be designed to also allow conveyance from the rail unloading area directly to the marine terminal.

4) The Applicant has corrected in Section 2.3.3.1 – Rail Car Unloading, that the secondary containment tanks located in the vicinity of the administration buildings will be sized to contain 900 barrels of crude.

5) The Applicant has clarified in Section 2.3.4 – Administrative and Support Buildings, that signage will be used to identify the Facility location to direct the flow of visitors.

6) The Applicant has corrected in Section 2.3.7 – Area 400 – Marine Terminal, the footprint and height of the dock-side control house.

7) The ASC inadvertently omitted the copy of a letter sent to the Cowlitz Indian Tribe as part of the consultation necessary under WAC 463-60-362 (5). This additional letter has been added to Appendix A.

8) The Applicant has developed a preliminary Spill Prevention Control and Countermeasure Plan (replacing Appendix B.2), and a preliminary Oil Spill Contingency Plan (added as a new Appendix B.3).

9) The Applicant received a letter from the City of Vancouver regarding the availability of sewer capacity to receive waste water from the Facility; this letter is added to Appendix E.

10) The Applicant's consultant, GRI, has completed a detailed geotechnical assessment of the proposed site; a report describing the findings of this assessment is included as a new Appendix L to the ASC.

We are also providing a CD-ROM with these same materials in electronic format to facilitate your review. A complete copy of this submittal is also being provided to EFSEC's consultant (Cardno Entrix, c/o Jan Aarts) by overnight delivery.

It is the Applicant's understanding that following review of these materials and upon a finding by EFSEC that the Application is "in such detail as determined by the council to enable the council to go forward with its application review" (WAC 463-60-010), the Applicant will provide to EFSEC copies of the updated ASC pages and sections (in hard copy and electronic format) in the number prescribed by EFSEC staff.

Please feel free to contact me at 206/431-2373, or irina.makarow@abam.com, should you have any questions about this submittal. We look forward to further coordination with you, your staff, and EFSEC's consultants.

Sincerely,

Irina Makarow
Senior Environmental Project Manager

IM:nb

Enclosure ( 2 copies)
A13.0267/EFSEC/Planning

Application Review Response Matrix
Application Supplement Pages
CD-ROM

cc: Kelly Flint, Savage Companies
David Corpron, Savage Companies
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