EXHIBIT 9

Westway Group, Inc.
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December 4, 2012

Sally Toteff
SWRO Regional Manager
Department of Ecology
PO Box 47775
Olympia, WA 98504-7775

Jim La Spina
Energy Facility Siting Specialist
Energy Facility Site Evaluation Council
Utilities and Transportation Commission
1300 S. Evergreen Park Drive SW
Olympia, WA 98504

Re: Westway Terminal Company LLC (Westway) "Crude By Rail" Project

Dear Ms Toteff, Mr. La Spina:

Westway Terminal Company LLC currently operates a bulk liquid storage facility located in the Port of Grays Harbor, Hoquiam, WA. The terminal services one customer for whom we receive, store and ship methanol. We are proposing to expand the terminal to include the receipt of crude oil by rail from North Dakota, storage of the crude oil in four, 200,000 barrel tanks and shipment out via barge and vessel.

In this letter, we would like to address two topics; EFSEC applicability and SEPA Lead Agency status.

EFSEC applicability:

Westway has previously submitted to EFSEC through the Governor's Office of Regulatory Assistance, an email stating our position that this project is not subject to the Energy Facility Siting rules found in the Revised Code of Washington (RCW), Chapter 80.50. In this email chain, Mr. La Spina stated that "the proposed project does not appear to fall within EFSEC's jurisdiction." Since his finding, we have changed the scope of the project in that we are now planning to build four, 200,000 barrel tanks verses two tanks as originally proposed. Our position is that the EFSEC rules will still not apply as the facilities receipt capabilities is not changing; the design is to receive an average of 26,300 barrels per day, which is less than the applicability threshold of an average of 50,000 barrels per day. The change from two to four tanks is being made to provide additional storage capacity so that the terminal can continue to receive product in the event vessels/barges are delayed in arriving at the terminal.