

EXHIBIT 2



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WA State Department
of Ecology (SWRO)

STATE OF WASHINGTON
ENERGY FACILITY SITE EVALUATION COUNCIL

1300 S. Evergreen Park Dr. S.W., PO Box 43172 • Olympia, Washington 98504-3172

April 1, 2013

Ken Shoemake
HSEQ Regional Manager
Westway Terminals Company LLC
9325 East Avenue S
Houston, Texas 77012

Subject: Grays Harbor Fuel Storage Facility Expansion – EFSEC Determination of Jurisdiction

Dear Mr. Shoemake:

In a March 6, 2013 conference call with the Energy Facility Site Evaluation Council (EFSEC), the Department of Ecology (Ecology), and the City of Hoquiam, EFSEC requested Westway provide additional information describing the proposed expansion of your existing facility at the Port of Grays Harbor. EFSEC requested this information to help determine whether it had statutory jurisdiction over the project.

After careful consideration of the information you have provided, EFSEC has determined that it does not have jurisdiction over the proposed expansion of your facility.

EFSEC acknowledges that Ecology and the City of Hoquiam are co-lead agencies for implementing the State Environmental Policy Act.

Please contact Jim La Spina at 360-664-1362 or jlaspina@utc.wa.gov if you have any questions concerning this letter.

Sincerely,

A handwritten signature in cursive script that reads "Stephen Posner".

Stephen Posner
Interim EFSEC Manager

cc: Alan Bogner – ORA
Sally Toteff – Ecology/SWRO
Diane Butorac – Ecology/SWRO

