BP Cherry Point Cogen
DEIS Comment - 26

November 1, 2003

Subject: BP Cherry Point Cogeneration Project

Dear Allen Fiksdal, Manager -Energy Facility Site Evaluation Council,

Thank you for this opportunity to voice our concerns about the project. We live only 3 miles from the BP Cherry Point refinery.

We have two obvious concerns about the cogeneration project. They are air quality and massive water use from the Nooksack River. The amount of electricity that the refinery needs to operate is 85 megawatts. The applicant calls for a 720 megawatt plant. We think that a large cogeneration plant coupled with the SE-1 and SE-2 powerplants will cause a cummulative degradation of our air quality that is unwarranted by our areas' electrical use. We think that if BP wants a local source of power either to buy it from SE-1 and SE-2 or bulid a smaller plant that would meet the needs of the refinery. This would also require much less water from the Nooksack River, a river that has more permits than water. It appears that lack of water rather that lack of electricity will be our county's most serious problem. 1

Again, thank you for this opportunity.

Steve and Helene Irving
2664 Brown Road
Ferndale, Wa. 98248

Steve Irving
Helene Irving

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BP Cherry Point Cogen
DEIS Comment - 27

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 10
1200 Sixth Avenue
Seattle, Washington 98101

October 29, 2003

Reply To
Attn Of: ECO-088

Ref: 02-049-BPA

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EVALUATION COUNCIL

Thomas McKinney
Bonneville Power Administration (KC-7)
P.O. Box 14428
Portland, OR 97293-4428

Dear Mr. McKinney:

The Environmental Protection Agency (EPA) has completed its review of the draft Environmental Impact Statement (EIS) for the proposed **BP Cherry Point Cogeneration Project** (CEQ No. 030422) in accordance with our authorities and responsibilities under the National Environmental Policy Act (NEPA) and Section 309 of the Clean Air Act. The draft EIS has been prepared in response to a proposal to construct and operate a 720-megawatt natural gas-fired cogeneration facility in Whatcom County, Washington and interconnect the project with the Federal transmission system managed by the Bonneville Power Administration (BPA). The EIS evaluates the applicant's proposed power plant and a single transmission line alignment as well as the No Action alternative. An agency-preferred alternative is not explicitly identified in the draft EIS.

Based on our review and evaluation, we have assigned a rating of EC-2 (Environmental Concerns - Insufficient Information) to the draft EIS. This rating, and a summary of our comments, will be published in the *Federal Register*. A copy of the rating system used in conducting our review is enclosed for your reference.

Our concerns are related to the following topics:

Wetlands

The EIS should provide sufficient information to demonstrate that the applicant-proposed project represents the least environmentally damaging practicable alternative, a demonstration that is necessary before an Army Corps of Engineers permit can be issued pursuant to Section 404 of the Clean Water Act. As part of this demonstration, the EIS must show that impacts to waters of the United States, including wetlands, have been avoided, minimized, and mitigated, consistent with the analysis procedures outlined in the Section 404(b)(1) Guidelines (see 40 CFR Part 230). We recommend that the EIS be revised to include more detailed evaluation of alternatives that would avoid or reduce impacts to wetlands, comply with the requirements of the 404(b)(1) Guidelines, and demonstrate that the proposed project represents the least damaging practicable alternative. 1

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We are concerned with the wetland functions and values evaluation of the existing condition of the proposed mitigation sites. In reviewing the *Revised Cogeneration Project Compensatory Mitigation Plan, BP Cherry Point* (April 21, 2003), EPA finds that the functions and values of the proposed mitigation sites (CMA1 and CMA2) were rated lower than we would have rated the sites. Of particular concern was the low rating given for removing sediment, removing nutrients, removing toxic metals and recharging groundwater. Based on our field visit to the project area, EPA finds these existing wetland areas, even though they may be dominated by non-native wetland vegetation and have been ditched, still provide these functions at a high level. As a consequence, we do not believe that the mitigation planned in CMA1 and CMA2 would increase the values of these sites to the level that would offset project impacts. 2

We recommend that additional mitigation be developed that would adequately replace the functions and values that would be lost with the permanent filling of 30.51 acres of wetlands and the temporary loss of 4.76 acres of wetlands. This mitigation should be identified in the EIS. 3

Government-to-Government Consultation with Tribes

Section 2.7 of the draft EIS presents information related to communications and meetings that have taken place between the applicant and potentially affected Tribal entities. The information presented does not indicate that any consultations have taken place between the Federal government (BPA or the Corps of Engineers) and the governments of affected tribes, as directed by Executive Order (EO) 13175 (*Consultation and Coordination with Indian Tribal Governments*). While we believe that it is important that the project proponent work with affected Tribes, the Federal government has a unique trust relationship with tribes. We recommend that the BPA and the Corps of Engineers engage affected Tribal governments, pursuant to EO 13175, in the further development of the project and the EIS to ensure that the Federal government meets its obligation to consult with tribes on a government-to-government basis. Results from such consultations should be reported in the EIS. 4

Thank you for the opportunity to provide comments on the draft EIS. I urge you to contact Bill Ryan of my staff at (206) 553-8561 at your earliest opportunity to discuss our comments and how they might best be addressed in the EIS.

Sincerely,

Judith Leckrone Lee, Manager
Geographic Implementation Unit

Enclosure

cc: Allen Fiksdal, EFSEC
Olivia Romano, Corps of Engineers

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11/2/03

ALLEN FIKSDAL, MANAGER
ENERGY FACILITY SITE EVALUATION COUNCIL
P.O. BOX 43172
OLYMPIA, WA 98504-3172

RE: PROPOSED BP CHERRY POINT COGENERATION PROJECT

DEAR MR. FIKSDAL,

AS I GLANCE THROUGH PORTIONS OF THE DRAFT ENVIRONMENTAL IMPACT STATEMENT FOR THE BP CHERRY POINT COGENERATION PROJECT I AM APPALLED BY THE NUMEROUS UNSUBSTANTIATED ASSUMPTIONS MADE, AND BY THE INADEQUACY OF WHICH SOME ISSUES ARE ADDRESSED, OR GLOSSED OVER.

AS YOU CAN SEE BY THE DATE OF MY LETTER, I DO NOT HAVE TIME TO ADDRESS EVEN A SMALL PORTION OF THE UNSUBSTANTIATED ASSUMPTIONS OR THE ISSUES THAT WERE INADEQUATELY ADDRESSED. I HAVE TO WONDER IF THE HUXLEY PROFESSOR AT WESTERN WASHINGTON UNIVERSITY WOULD HAVE CONCLUDED THE SAME THING ABOUT

THIS ENVIRONMENTAL IMPACT STATEMENT AS SHE DID ABOUT THE ONE F.E.R.C. WROTE FOR THE GEORGIA STRAIT PIPELINE (GSX): "IF A STUDENT HANDED THIS IN, IN MY CLASS THEY WOULD NOT RECEIVE A PASSING GRADE."

IN VOLUME 1 OF DOE/EIS-0349, CHAPTER 3, (3.3-14) IT MENTIONS WATER DISCHARGE AND WASTEWATER. NO WHERE IN THAT PARAGRAPH DOES IT EVEN ADDRESS ANY IMPACT THAT THE WASTEWATER, ALTHOUGH TREATED, MAY HAVE ON THE SALT WATER, THE SEA CREATURES, AND PLANT LIFE AT CHERRY POINT. IT IS JUST IGNORED BECAUSE THERE IS ALREADY AN EXISTING WASTE WATER DISCHARGE POINT; OUTFALL 001, INTO GEORGIA STRAIGHT UNDER AN EXISTING PERMIT (NPDES PERMIT). 1

THERE ARE MANY FACTS THAT ARE GIVEN ELSEWHERE IN THE EIS AND THERE ARE MANY STATEMENTS OF THE STATUS QUO, BUT IT DOESN'T EVEN MENTION HOW MUCH FRESH WATER IS ALREADY FLOWING INTO GEORGIA STRAIGHT AT THAT PARTICULAR CHERRY POINT OUTFALL, OR WHETHER OR NOT THERE ARE ANY LIMITS ON THE AMOUNT OF WATER THAT CAN BE DISCHARGED UNDER THE EXISTING NPDES PERMIT.

WHAT ENVIRONMENTAL IMPACT DOES 3 MILLION, 3 HUNDRED SIXTY SIX THOUSAND, 7 HUNDRED AND TWENTY GALLONS OF FRESH WATER HAVE, →

(2,338gpm x 60 x 24 = 3,366,720)

TO: ALLAN FIKSDAL
FROM: CATHY CLEVELAND
— 2 —

WHEN ADDED WITH THE UNDISCLOSED AMOUNT OF WATER ALREADY GUSHING OUT INTO GEORGIA STRAITS, TO MARINE ANIMAL AND PLANT LIFE? **1 cont.**

WHILE THE SECTION ON HABITAT, WILDLIFE, FISHERIES, AND ENDANGERED SPECIES DOES AN INVENTORY OF SPECIES PRESENT IN THE CHERRY POINT AREA, NO WHERE DOES IT REALLY ADDRESS ANY IMPACT TO THOSE SPECIES. FOR EXAMPLE, THE EIS MENTIONS PACIFIC HERRING (3.7-12) BUT, DOES NOT MENTION THAT THE PACIFIC HERRING STOCK THAT SPAWNS AT CHERRY POINT HAS UNDERGONE A DRAMATIC DECLINE IN THE LAST 20-30 YEARS. (A REGIONAL ASSESSMENT OF THE POTENTIAL STRESSORS CAUSING THE DECLINE OF THE CHERRY POINT PACIFIC HERRING RUN AND ALTERNATIVE MANAGEMENT ENDPOINTS FOR CHERRY POINT RESERVE (WASHINGTON, USA) Wayne Landis, P. Bruce Duncan, Emily Hart Hayes, April Markiewicz, and Jill Thomas; Institute of Environmental Toxicology, Huxley College of the Environment, Western Washington University, Bellingham, WA 98225 USA) SEE ALSO: CHERRY POINT HERRING REGIONAL RISK ASSESSMENT PHASE II Emily S. Hayes & Markiewicz 2001 **2**

I AM VERY SHORT ON TIME, BUT THERE IS A WONDERFUL LIST OF BIRDS ON PAGE 3.7-6, BUT THEY ALL APPEAR TO BE "LAND" BIRDS, NOT MARINE BIRDS, SUCH AS SEAGULLS OR THE GREAT BLUE HERON, WHICH HAS A ROOKERY, OR RESERVE, WITHIN A MILE OF THE B.P. PROPERTY. MANY MARINE BIRDS HAVE SHOWN SERIOUS POPULATION DECLINES, INCLUDING REPRESENTATIVES FROM ALL NORTHWESTERN (GEORGIA STRAIT PUGET SOUND) WASHINGTON MARINE BIRD FAMILIES. (ASSESSING SOUTHERN STRAIT OF GEORGIA MARINE BIRD POPULATIONS SINCE 1980, DR. John L. Bower, Western Washington University, 2003) 3

WHY DOESN'T THE EIS SHOW ANY STUDIES OF WHAT DE-SALINIATION OF SALT WATER DOES TO THE MICROSCOPIC ORGANISMS OF THE SALT WATER FOOD CHAIN. DOES IT AFFECT WHAT THE HERRING FEED ON? OR DOES IT AFFECT THE KELP BERS THE HERRING PREFER TO INHABIT? OR DOES IT AFFECT THE MARINE ANIMAL LIFE UPON WHICH THE MARINE BIRDS FEED? I KNOW FRESH WATER KILLS MARINE LIFE. 4

AND NOW THAT THE CHERRY POINT AREA HAS BEEN DETERMINED TO BE AN AQUATIC RESERVE BY THE DEPARTMENT 5

TO: ALAN FIKSDAL
FROM: CATHY CLEVELAND
- 3 -

OF NATURAL RESOURCES, SHOULDN'T THE DNR BE ALLOWED TO SERIOUSLY LOOK INTO HOW ANY FURTHER HEAVY INDUSTRIAL GROWTH WILL IMPACT THEIR AQUATIC RESERVE? DNR SHOULD DO AN EIS TO PROTECT THE AQUATIC RESERVE. (TO ASSESS WHAT NEEDS TO BE DONE TO PROTECT THE AQUATIC RESERVE.) 5 cont.

A REGIONAL ECOLOGICAL RISK ASSESSMENT FOR THE NEAR SHORE MARINE ENVIRONMENT IN NORTHWEST WASHINGTON, WHICH ANALYZED CUMMULATIVE IMPACTS FROM MULTIPLE SOURCES OF CHEMICAL AND NON-CHEMICAL STRESSORS IN THE NEAR SHORE REGIONS AND UPLAND WATERSHEDS OF CHERRY POINT, FOUND THE CHERRY POINT REGION TO BE HIGH RISK. (REGIONAL ECOLOGICAL RISK ASSESSMENT OF A NEAR SHORE MARINE ENVIRONMENT: CHERRY POINT, WA; Emily Hart Hayes and Wayne G. Landis (author to whom correspondence should be addressed), Institute of Environmental Toxicology, Huxley College of the Environment, Western Washington University, Bellingham, WA 98225-9180 USA) (Risk Assessment involved WA Dept. of Natural Resources, WA Dept. of Fish + Wildlife, WA Dept. of Ecology, National Ocean Service, the Lummi Nation, and Whatcom County Planning and Development Services + other county dept.) 6

AND WHAT ABOUT THE NEW PUGET SOUND

FURTHERMORE, THERE IS NO MENTION OF POTENTIAL IMPACT OF PARTICULATES ON THE SALT WATER: (MOST LIKELY IMPACT FROM WIND DIRECTION, BIRCH BAY) AND FRESH WATER (MOST LIKELY IMPACT, TERRELL CREEK, WHICH IS CURRENTLY BEING CLEANED UP FOR SALMON SPAWNING, AND VARIOUS WETLANDS). THERE IS SOMEONE, TONY BASABE, WHO IS SUPPOSED TO BE WORKING WITH THE SWINOMISH INDIANS TO STUDY THE IMPACT(S) OF PARTICULATES ON PADILLA (OR FIDALGO) BAY AND THE ANACORTES AREA. UNFORTUNATELY, I DID NOT FIND THE TIME TO CONTACT HIM. (I JUST FOUND MY E-MAIL - THIS INFORMATION SHOULD BE ON ERSEC'S WEBSITE + EPA - ATMOSPHERIC DEPOSITIONS) IF THERE IS INFORMATION ON THIS TOPIC, IT SHOULD NOT BE IGNORED. IT MUST BE ADDRESSED. IF TOXINS IN PARTICULATES ACCUMULATE IN FISH OR ANY OTHER MARINE SPECIES EATIBLE BY MAN, LIKE MERCURY DOES, IT MUST BE ADDRESSED NOW, NOT 20, 30, 40 OR 50 YEARS FROM NOW WHEN PEOPLE ARE GETTING SICK AND/OR DYING. AND, ARE ANY OF THESE POLLUTANTS OR PARTICULATES FILTERING INTO TO OUR WATERSHEDS?

BY THE WAY, FOR THOSE OF YOU WHO ARE NOT CHEMISTS, MERCURY IN THE IONIC FORM, Hg^{+2}, IN THE FORM OF MERCURIC CHLORIDE, $HgCl_2$, AND IN THE FORM OF MERCURIC OXIDE, HgO, CAN ALL BE FOUND IN PRESENT IN OR ON PARTICULATE MATTER. PARTICULATE MATTER, (A HANDBOOK FOR WATERSHED MANAGERS, U.S. ENVIRONMENTAL PROTECTION AGENCY)

7

8

9

TO: ALAN FIKSDAL
FROM: CATHY CLEVELAND

—4—

ALSO, MAY CONTAIN LEAD (Pb), CADIUM (Cd) AND MANY OTHER COMPOUNDS YOU WOULDN'T CHOOSE TO BREATH.

I BELIEVE THE ISSUE OF PARTICULATES HAS BEEN SERIOUSLY GLOSSED OVER AND HAS BEEN PRESENTED IN A CONFUSING (NOT STRAIGHT FORWARD) MANNER IN THE 3.2, AIR QUALITY SECTION, YOU SHOULD HAVE RECEIVED A LENGTHY REPORT REGARDING PARTICULATE MATTER FROM MY FATHER, ARNE CLEVELAND. IF NOT, PLEASE ALLOW ME TO INTRODUCE IT INTO EVIDENCE AFTER THE DEADLINE FOR COMMENTS, AS IT IS CREDIBLE DATA AND FACTS RESEARCH ON PM 2.5 (WHICH WILL BE EMITTED FROM THE COGENERATION PLANT). IT CONCLUDES, AMONG OTHER THINGS THAT "THERE WILL BE SEVERE HEALTH IMPLICATIONS FOR THE WEST AS NATURAL GAS-FIRED POWER PLANTS COMMENCE SPEWING HUNDREDS OF TONS OF PM 2.5 AND AMMONIUM SULFATE ANNUALLY, IN 1997, THE EPA CONCLUDED THAT HIGH LEVELS OF FINE PARTICULATE MATTER (2.5) POSES UNACCEPTABLE HEALTH RISKS! HEALTH

10

11

RISKS INCLUDED, BUT ARE NOT LIMITED TO; ASTHMA, PNEUMONIA, CHRONIC OBSTRUCTIVE PULMONARY DISEASE, AND A BROAD RANGE OF EFFECTS LEADING TO HOSPITALIZATION, INCLUDING SUDDEN DEATHS FROM CHANGING HEART RHYTHMS IN PEOPLE WITH EXISTING CARDIAC PROBLEMS. (NATIONAL CAMPAIGN AGAINST DIRTY POWER). **11 cont.**

I WAS UNABLE TO MEET WITH BP'S CHEMIST TO ASK MANY QUESTIONS ABOUT PARTICULATES, ESPECIALLY PM2.5. BUT, THE EIS DOES NOT EVEN ADDRESS THE FACT THAT THERE ARE CONTROL DEVISES TO TRAP PARTICULATES. I ALSO, DO NOT RECALL THE EIS ADDRESSING WHAT HAPPENS IF THE LEVEL OF PARTICULATE MATTER EMITTED IS HIGHER THAN PREDICTED? AND WERE ESTIMATIONS DETERMINED TO BE LOW IN ORDER TO AVOID A HIGHER DEGREE OF SCRUTINY AND REGULATION?

UNFORTUNATELY, I DID NOT FIND TIME TO DO MORE ENVIRONMENTAL CHEMISTRY RESEARCH, BUT WHY WEREN'T ANY OF THE FOLLOWING METHODS OR DEVISES ADDRESSED TO REDUCE PARTICULATES?: **12**

1) GRAVITATIONAL SETTLING CHAMBERS
2) CENTRIFUGAL SEPARATORS
3) WET SCRUBBERS (0.05 μm)
4) FILTERS (BAGHOUSE 0.01 μm)
5) ELECTROSTATIC PRECIPITATORS (0.005 μm)

TO: ALAN FIRSDAL
FROM: CATHY CLEVELAND
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ASTONISHINGLY,
NO WHERE IN THE (3.10), THE EXISTING LAND USE SECTION DOES IT MENTION THAT THE BP REFINERY LAND IS ADJACENT TO THE BIRCH BAY GROWTH MANAGEMENT AREA, WHICH IS DESIGNATED UNDER THE COUNTY COMPREHENSIVE PLAN TO BECOME A CITY. WHILE THE POPULATION SECTION (3.12 + 3.12-1) ACCURATELY STATES THE WA STATE OFFICE OF FINANCIAL MANAGEMENT NUMBERS: THAT WHATCOM COUNTY CONTAINS 2.8% OF WASHINGTON STATE'S POPULATION, IT DOES NOT MENTION THAT THERE IS OVER 5,000 PEOPLE CURRENTLY LIVING, FULL TIME IN THE BIRCH BAY GROWTH MANAGEMENT AREA, AND THAT DURING THE SUMMER, THAT NUMBER TRIPLES! (U.S. CENSUS FIGURES FOR 2000; SAME CENSUS SHOWING MORE THAN 1/2 OF THE HOUSES AT BIRCH BAY ARE EMPTY AT (NON-SUMMER) JANUARY CENSUS TIME.) 13

THEREFORE, THE STATEMENT, "NORTHWEST OF THE REFINERY, SEASONAL RESIDENTIAL PROPERTIES OCCUR IN THE BAYFRONT COMMUNITY OF BIRCH BAY", IS A GROSS MISREPRESENTATION OF THE FACTS!
I HAD TO WONDER IF BP WROTE THIS

SECTION OF THE EIS. FOR SOME REASON, I THOUGHT THAT AN INDEPENDENT AGENCY, LIKE THE DEPARTMENT OF ECOLOGY, WROTE THE EIS. BUT, NO. I FLIP TO THE COVER OF THE EIS AND I SEE THAT BOTH LEAD AGENCIES ARE PRO-ENERGY AGENCIES. NOT THAT I AM AGAINST ENERGY — JUST NOT ENERGY WITHOUT REGARD TO THE COSTS AND WHEN IT IS DONE RATHER, FOR A LACK OF A BETTER WORD, DISHONESTLY, VIA THE EIS. 14

IN LAW, THEY USE THE TERMS, "CONFLICT OF INTEREST" AND "APPEARANCE OF IMPROPRIETY." THERE IS TRULY A CONFLICT OF INTEREST WHEN THE SAME AGENCY WHO "SITES" THE POWER PLANT LOCATION, ALSO WRITES THE EIS. NO WONDER I HAVE SEEN SO MANY INADEQUATELY ADDRESSED ISSUES AND UNSUBSTANTIATED ASSUMPTIONS AND FACTS.

WANDERING OFF TRACK FOR A MINUTE...

FOR EXAMPLE, THE SECTION ON ODOR (3.2-9) MISREPRESENTS THE FACTS. MY FATHER, ALONE, HAS MADE MORE THAN "SEVERAL" COMPLAINTS TO NWAPA REGARDING SULFUR SMELL. CITIZENS AND NEIGHBORS HAVE TOLD ME THEY COMPLAINED AT THE BIRCH BAY PLANNING MEETINGS, AND I EVEN HEARD MULTIPLE COMPLAINTS WHEN I TOURED THE REFINERY WITH A GROUP OF CITIZENS. LOCAL OFFICIALS NEVER DETECT THE SULFUR BECAUSE IT IS EMITTED AT NIGHT, 15

TO: ALLAN FIKSDAL
FROM: CATHY CLEVELAND

—6—

USUALLY AROUND 11pm OR 1 OR 2 AM
OR ANYTIME WHEN OFFICIALS ARE NOT
AROUND TO CHECK, e.g. HOLIDAYS. I WORKED FOR
THE DEPARTMENT OF JUSTICE ON
THE EXXON VALDEZ CASE. SCIENTISTS
KNOW THAT CRUDE OIL FROM ALASKA
HAS A HIGHER CONTENT OF SULFUR
THAN (MIDDLE EASTERN) SAUDI OIL. ARCO AND BP
RECEIVE OIL FROM ALASKA, SO 16
LET'S STOP PLAYING THIS GAME THAT
THERE HAVE NEVER BEEN SULFUR
EMISSIONS FROM THAT REFINERY.* !!!!
ONE DOES NOT SMELL SULFUR AS
FREQUENTLY AS ONE DID IN THE
PAST, SO MAYBE BP HAS IMPLEMENTED
A PROCESS TO REDUCE THE EMISSION
OF SULFUR.
* MY ENVIRONMENTAL CHEMISTRY, MOORE + MOORE
TEXTBOOK SPECIFICALLY MENTIONS THAT SULFUR IS
IN FOUND IN BOTH FOSSIL FUELS,
COAL AND PETROLEUM. SO, I
FIND IT DISTURBING THAT REFINERY
OFFICIALS RESPOND TO CITIZENS
AS IF THEY HAVE AN OVERACTIVE
IMAGINATION WHEN THEY MENTION
SULFUR EMISSIONS, AND ALLUDE TO THE
BUILD-UP ON THE CARS AT BIRCH BAY AS, "POLLEN".

AIR QUALITY STANDARDS (3.2-1) SECTION.
PURSUANT TO THE CLEAN AIR ACT
OF 1970, THE EPA ESTABLISHED
AIR QUALITY STANDARDS FOR THE
FOLLOWING AIR POLLUTANTS, INCLUDING
PARTICULATE MATTER
PM10 AND PM 2.5.
SO, THEN WHY DO VARIOUS TABLES
NOT EVEN INDICATE HOURLY EMISSIONS 17
OF $PM_{2.5}$? EG. TABLES 3.2-6,
3.2-7, 3.2-9, 3.2-20, 3.2-22,
3.2-23, 3.2-29, AND 3.2-21; ESPECIALLY
IMPORTANT 3.2-20 AND 3.2-21 WHICH
WOULD SHOW OVERALL REDUCTION OR
EMISSION, IF ANY, OF PM2.5.
ONCE AGAIN, IMPORTANT DATA IS OMITTED!

THE AIR QUALITY SECTION ALSO DOES
NOT MENTION WHAT THE SIGNIFICANT
EMISSION RATE THRESHOLDS ARE IN
WAC 173-400-030. NOR DOES THE EIS
SPECIFICALLY SAY BY WHAT AMOUNT,
QUANTITY, OR VOLUME THE PROPOSED
PROJECT WOULD BE EXCEEDING THE
100 tpy OF NO_x, CO, PM_{10} AND $PM_{2.5}$.
THE NUMBERS SHOULD BE UPFRONT. 18
ONE SHOULD NOT HAVE TO GUESS BY LOOKING
AT VARIOUS TABLES. (3.2-5)
JUST BECAUSE "PM 2.5" IS NOT A REGULATED
POLLUTANT UNDER THE PSD PROGRAM AT THIS
TIME" (3.2-5) DOES NOT IN ANY WAY EXEMPT
IT FROM FEDERAL REGULATION UNDER THE CLEAN
AIR ACT. SOMEHOW AFTER THIS STATEMENT
PM 2.5 IS IGNORED AS MUCH AS POSSIBLE.

TO: ALLEN FIKSDAL
FROM: CATHY CLEVELAND
-7-

MITIGATION MEASURES ARE TOTALLY INADEQUATE. (3.2-36) THERE SHOULD BE, AT MINIMUM, FINES FOR EXCEEDING ANY AND ALL LIMITS ON POLLUTION, NOT JUST CO_2; AND ESPECIALLY PARTICULATE MATTER.

PERSONALLY, I BELIEVE THE ONLY ETHICAL AND EQUITABLE MITIGATION FOR EXCEEDING $PM_{2.5}$ EMISSIONS IS A FUND FOR FUTURE MEDICAL EXPENSES FOR $PM_{2.5}$ RELATED MEDICAL PROBLEMS. I THINK ALL BIRCH BAY CITIZENS SHOULD GET A BASE-LINE HEALTH EXAM BEFORE THE CO-GEN PLANT IS FINISHED. AND, IF NO ONE SMOKES IN THEIR FAMILY, POSSIBLY/HOPEFULLY PROXIMATE CAUSE CAN BE ESTABLISHED, AND MEDICAL EXPENSES WILL BE AWARDED. 19

ALSO, NO WHERE IN THE SECTION ON AIR QUALITY (3.2) DOES IT MENTION THE SYNERGISTIC EFFECT BETWEEN TWO POLLUTANTS. THE TOTAL INFLUENCE OR AFFECT OF BOTH POLLUTANTS COMBINED IS GREATER THAN THE SUM OF THE NEGATIVE CONSEQUENCES EACH 20

WOULD PRODUCE ALONE. [THE SYNERGESTIC EFFECT MAY HAVE ALSO BEEN IGNORED AMONG MANY OTHER PHYSICAL, CHEMICAL AND THERMO DYNAMIC LAWS AND PRINCIPLES DUE TO ASSUMPTIONS AND QUESTIONABLE ACCUMULATION OF RESEARCH DATA IN THAT ONE, LONE TEST REPORT, WHICH BP WOULD LIKE TO RELY ON TO SUPPORT THEIR APPLICATION & Prepared by Stephanie Wien and Glen England at GE Energy and Environmental Research Corporation, Irvine, CA, October 23, 2002 — Another energy company biased test] 21

A SYNERGESTIC EFFECT HAS BEEN DOCUMENTED BETWEEN PARTICULATES AND SULFUR OXIDES. PARTICULATES SERVE AS NUCLEATION SITES FOR FORMULATION OF WATER AND/OR FOG DROPLETS, AND THEIR LARGE SURFACE AREA ALLOWS THE CATALYSIS OF OXIDATION OF SO_2. OXIDATION OF SULFUROUS AND SULFURIC ACID FORMED BY THE REACTION OF SO_2 WITH WATER IS QUITE RAPID. SULFURIC ACID IS OFTEN ABSORBED ON THE SURFACES OF PARTICLES WHOSE DIAMETERS FALL IN PRECISELY THE RANGE TO BE ABSORBED DEEP INTO THE LUNGS (IN THE BRONCHIOLES AND ALVEOLI). FROM THERE, BIO-CHEMICAL REACTIONS MAKE BREATHING MORE DIFFICULT AND STRAIN THE VICTIM'S HEART, LEADING TO BOTH ACUTE AND CHRONIC HEALTH DAMAGE. NONE OF THE ABOVE IMPACTS ARE DISCUSSED OR EVEN MENTIONED IN THE EIS. 22

(ENVIROMENTAL CHEMISTRY, MOORE + MOORE)

-8-

THERE ARE MANY, MANY MORE THINGS THAT SHOULD BE ADDRESSED IN THE EIS. IT IS ALMOST MIDNIGHT ON SUNDAY. I HAVE WORKED ON THIS FOR EIGHT HOURS. (UNABLE TO DO SO PREVIOUSLY BECAUSE I HAVE BEEN OUT OF TOWN FOR THE LAST MONTH AND A HALF ON WEEK-ENDS) MY ONLY REAL TIME TO ADDRESS THESE ISSUES. I TAKE A BUS TO WORK, SO MY WORK DAY IS 11 HOURS FROM THE TIME A LEAVE HOME UNTIL THE TIME I ARRIVE HOME.) SO, AS YOU CAN SEE, THE AVERAGE CITIZEN DOES NOT REALLY HAVE MUCH TIME TO RESPOND TO SOMETHING THAT WILL SO DRAMATICALLY AND PERMANENTLY CHANGE THEIR LIFE.

I WOULD ASK, THAT IF YOU MUST APPROVE THIS DUE TO FEDERAL POLITICAL PRESSURE AT MOST THAT YOU ONLY ALLOW ENOUGH ENERGY FOR BP TO USE ON THEIR REFINERY. OTHER ALTERNATIVES WERE NOT SERIOUSLY ADDRESSED. LOOK AT OTHER SITES — THE INTALCO PLANT IS TRULY IN A RURAL AREA. IF THEY LEAVE, THAT SITE WOULD BE MORE APPROPRIATE. THERE ARE PLANS FOR TRANSMISSION 23

LINES
WIRES TO BE BUILT ANYWAY. FOR THE SAKE OF PEOPLE'S HEALTH, IT IS **IRRESPONSIBLE** TO PUT A POWER PLANT ALMOST IN THE MIDST OF A GROWING CITY, KNOWING THE SERIOUS, INEVITABLE HEALTH CONSEQUENCES.

SINCERELY,
Cathy Cleveland

CATHY CLEVELAND
4961 MORGAN DRIVE
BLAINE, WA 98230
(H) (360) 371-9056
(W) (360) 650-3380

P.S. IF THIS NEEDS TO BE TYPED, I CAN TYPE IT NEXT WEEKEND AND MAIL IT TO YOU ON NOVEMBER 10TH.

BP Cherry Point Cogen
DEIS Comment - 29

THE BERGS
7585 Sterling Ave., Birch Bay, WA 98230
Kathy (360) 371-0171 *Dick*

November 1, 2003

RECEIVED
NOV 04
ENERGY FACILITY SITE
EVALUATION COUNCIL

Allen J. Fiksdal, Manager
Energy Facility Site Evaluation Council
P.O. Box 43172
Olympia, WA 98504-3172

Dear Mr. Fiksdal:

Re: BP Cherry Point Cogeneration Project Draft EIS

It is with grave concern that I write this letter regarding the Cogeneration Project. My concern is for two issues: 1. Air quality, and 2. Noise.

1. Air Quality – It is most disconcerting to be told by the BP spokesman that when the modeling results were higher than BP liked, they proceeded to change the model so that results met their desired result. What good is modeling, what confidence can we have in the modeling results, why should the results be relied upon under these conditions? Even with the BP desired results, the most harmful pollutants, PM2.5 at an estimated 270 tons per year, will be carried by the prevailing south wind over the fastest growing urban growth area in Whatcom County as measured by the Census between 1990 and 2000. Because Birch Bay is a resort community as well, with the population doubling, even tripling, during the summer months, that many more people, especially the children and senior adults, will be exposed to very hazardous conditions. Short of not building the cogen plant at all, at least proper monitoring should take place with a stop generating order in place to reduce the hazard during peak hazardous conditions. 1

2. Noise – Despite repeated requests and explanations regarding the noise pollution from the existing BP Cherry Point Refinery, noise-monitoring stations have never been placed where the noise is most prevalent and irritating. Again, how can the noise monitoring results be relied upon for decision-making purposes when the results of the monitoring are skewed in BPs favor rather than based on the reality of the residents' experience? Again, short of not building the cogen plant at all, at least appropriate monitoring should take place and a stop generating/stop refining order should be in place when noise levels reach the point of interrupting sleep at night. 2

Unfortunately, the BP heavy industry property is literally right across the street from an urban growth area that has always been a resort area. Activities at BP must, therefore, pass the test of operating accordingly, even though they exist in a heavy industry zoned area.

Your consideration of these concerns and matters will be greatly appreciated.

Kathy Berg

Kathy Berg

BP Cherry Point Cogen
DEIS Comment - 30

Makarow, Irina (EFSEC)

From: Tom Pratum [tkpratum@romarr.com]
Posted At: Monday, November 03, 2003 10:04 PM
Conversation: BP DEIS Comment
Posted To: EFSEC

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Thank you for the opportunity to comment on the BP Co-generation Facility DEIS. In this comment, I wish only to make two points:

1. Water quantity and quality (sections 3.3 and 3.4). Water quantity is being measured against what is currently used by Intalco for once-through cooling of an air compressor (approx 2,700 gpm). It is stated that, if the Intalco plant continues at full operation, this water will be used again for cooling of the co-generation plant, thereby creating no net increase in water use from the Nooksack River. However, it is highly unlikely that Intalco will continue at anywhere near full operation. In such a case, the co-generation plant will indeed result in a net increase in water withdrawals over what would be present if the plant were not to come into existence. To state otherwise is somewhat dishonest. In addition to this somewhat misleading presentation of the water usage, it should be noted that this water will then be discharged into the Strait of Georgia with chemical and physical parameters much different from what would come out of the Nooksack River, or if it were just to proceed through the Intalco air compressor. Even if we compare the water quality parameters of the water from Intalco with what would come out of the co-generation facility after treatment, we see that the temperature would increase from 21.4 C (70.5 F) to 93.8 F and COD would increase from ND (not detectable) to 323 lbs/day. This is significant for these two parameters, and that assumes Intalco still supplies the cooling water. If this water were to instead come from the Nooksack River the comparison looks very much more grim. 1 2
This level of increased water usage and water quality degradation is clearly unacceptable - especially given the fact that most of the electricity generated by this facility is destined for distant markets, and will not in any way mitigate the local environmental impacts.

2. Wildlife Habitat (section 3.7) In this section, there is scant mention of the effect of the project on the protected heronry located fairly close to the site. As the document states "Increased noise levels created by heavy machinery could cause birds to abandon their nests ...." Given that such a possibility is acknowledged, it would be reassuring if the applicant provided more information to ensure that this will not occur at the heronry. 3

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