



PUBLIC PARTICIPATION PLAN

**NuStar Energy LP
2565 NW Harborside Drive
Vancouver, WA 98660**

Prepared by
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Southwest Regional Office
Toxics Cleanup Program
300 Desmond Drive
Olympia, Washington 98504-7775

September 2007

TABLE OF CONTENTS

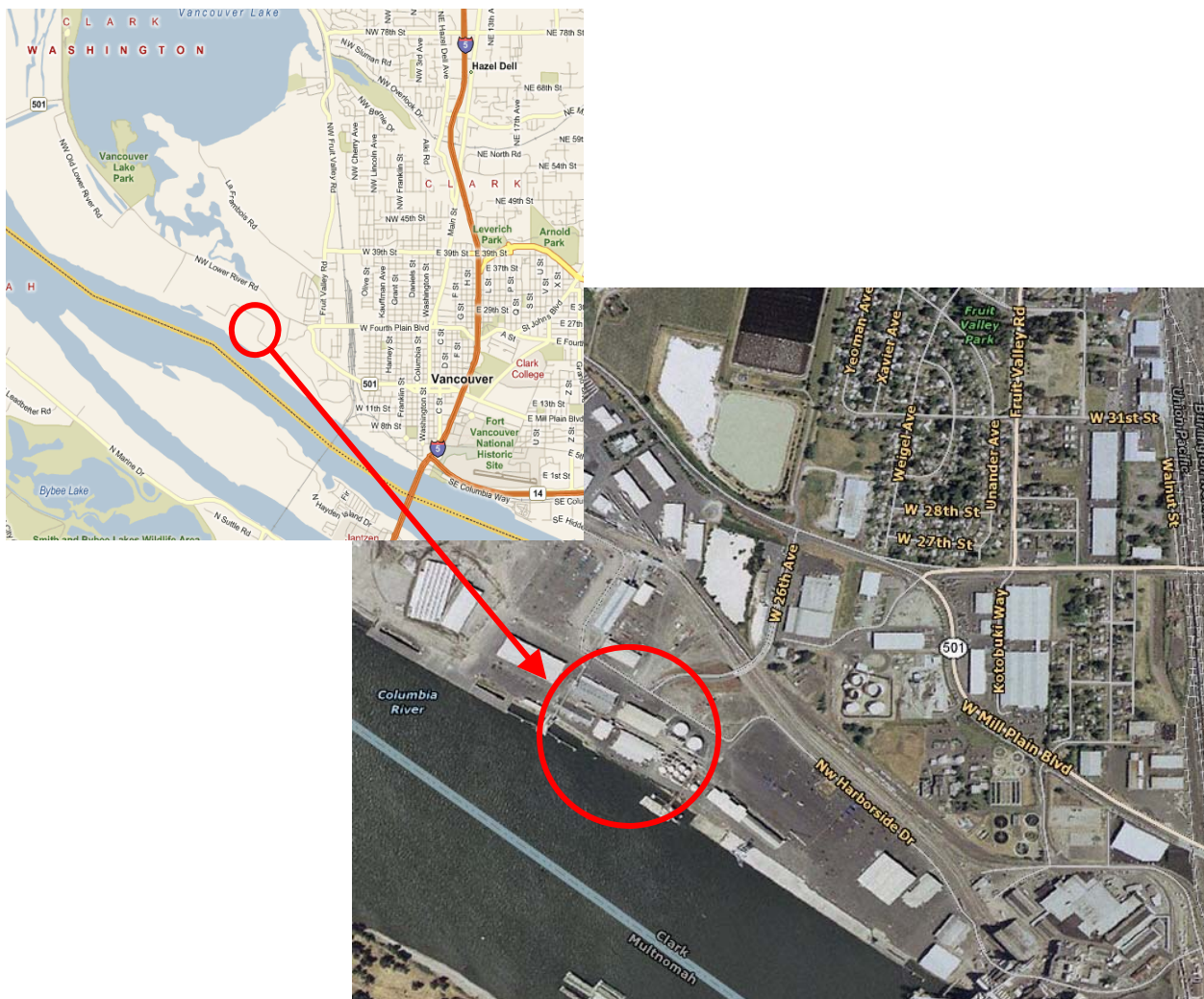
INTRODUCTION	3
SITE BACKGROUND	4
Site Description	4
Site History	4
Current Activity	4
MODEL TOXICS CONTROL ACT	5
PUBLIC PARTICIPATION ACTIVITIES AND RESPONSIBILITIES	7
FIGURES	
Figure 1. Site location.....	3
Figure 2. Cleanup Stages and Opportunities for Public Involvement	6

INTRODUCTION

The Washington State Department of Ecology (Ecology) has developed this public participation plan in cooperation with NuStar Energy LP pursuant to the Washington State Model Toxics Control Act (MTCA) and Agreed Order No. DE 07/1-TC-S3938 to promote meaningful community involvement during the investigation and cleanup of NuStar Energy LP site. **This plan outlines and describes the tools that Ecology uses to inform the public about site activities and identifies opportunities for the community to become involved.**

Ecology and ST Services (subsidiary of NuStar Energy LP) have negotiated a legal agreement called an Agreed Order that formally describes their working relationship, outlines the scope of work and sets a schedule for choosing a cleanup remedy for the site. The agreed order requires that the ST Services parent company, NuStar Energy LP, complete a Remedial Investigation of the site to determine the nature and extent of contamination in this area. It also requires that ST Services complete a Feasibility Study (FS) be completed to evaluate cleanup alternatives and interim actions to reduce the risk of contamination to human health and the environment.

Figure 1. Site Location



SITE BACKGROUND

The NuStar Energy LP site is located at the Port of Vancouver Terminal #2, 2565 NW Harborside Drive in Vancouver and is next to the Columbia River (south of site, see map on page 2). Since 1998, ST Services (now operating as NuStar Energy LP) has operated the site as a ship terminal that receives, stores and transfers bulk chemicals and fuel. The property is owned by the Port of Vancouver and is leased by ST Services.

Various materials (including fertilizer, jet fuel, biodiesel and wood preservatives) are received and shipments occur by pipeline, railroad cars and trucks at the terminal. Other operations at the site include blending, packaging and storage of chemicals.

Prior to 1998, the terminal was owned and operated by GATX. During GATX ownership, contamination of soil and groundwater was discovered on site.

Initial investigations to determine extent of contamination found several contaminants above MTCA cleanup levels including the chlorinated solvents perchloroethylene (PCE) and trichloroethylene (TCE). Chlorinated solvents have not been handled on the site since 1994.

In 1998, ST Services (after purchasing GATX) entered into an Agreed Order with Ecology to complete a Remedial investigation, Feasibility Study and Interim actions.

Before these activities could be completed, Kaneb, the parent company of ST Services, was purchased by Valero L.P. who then assumed responsibility for cleanup of this site. Valero recently changed its name to NuStar Energy L.P.. An Agreed Order has been drafted to continue the investigation and characterize the extent of contamination at this site.

CURRENT ACTIVITY

The proposed actions to be conducted under the Agreed Order include the following:

- Completion of a Remedial Investigation to fully determine the nature and extent of contamination at the site
- Development of a Feasibility Study that will investigate potential cleanup remedies.
- Implement interim action cleanup efforts.

At the end of the public comment period on the Agreed Order, comments will be considered and the order will be modified if necessary. Results of the Remedial Investigation and the Feasibility Study will guide selection of the final cleanup remedy.

Ecology will keep the public informed about progress made in the cleanup process. This plan will be updated as the site cleanup moves forward. Please see the diagram on the next page for specific information about opportunities for public involvement.

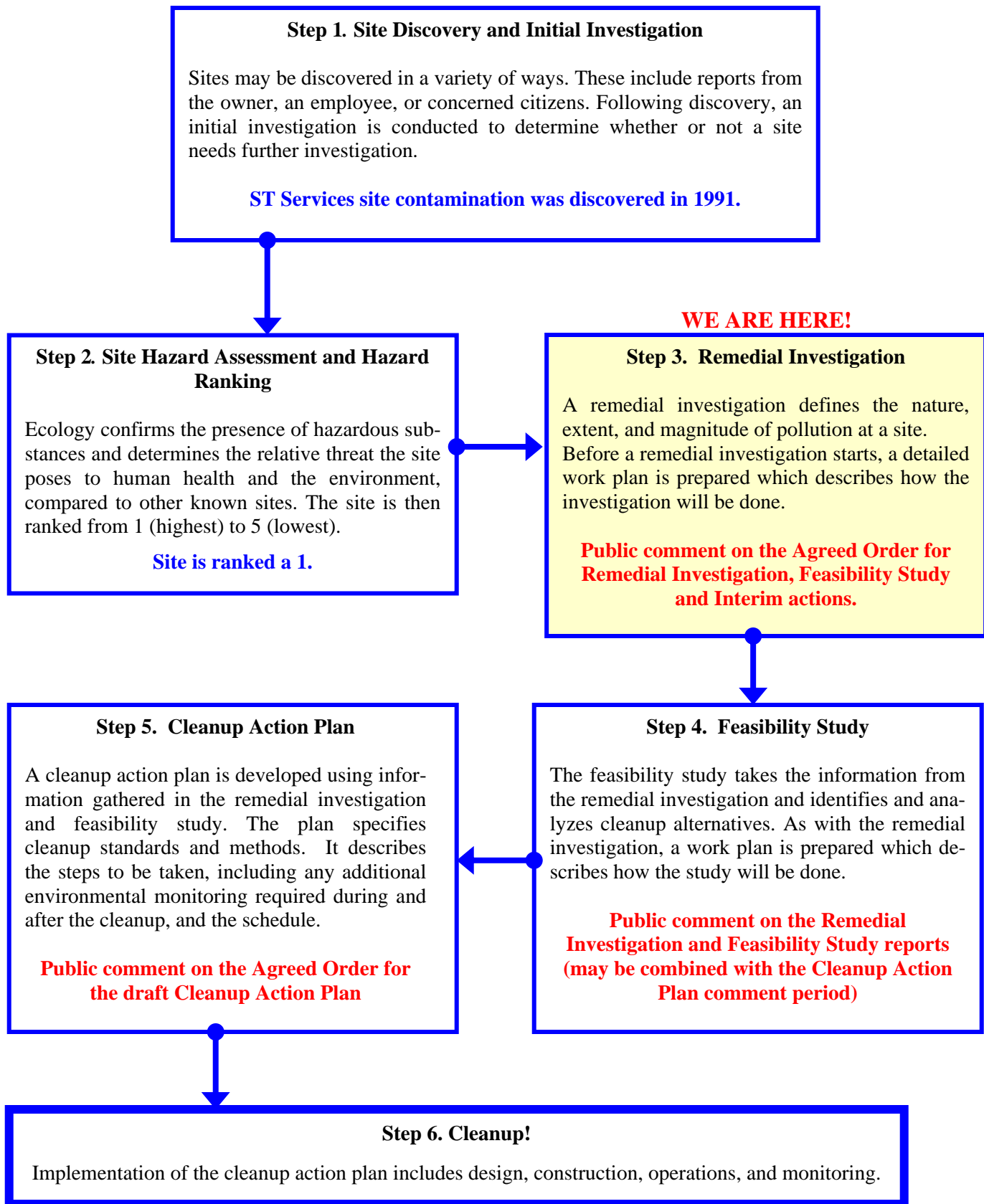
MODEL TOXICS CONTROL ACT CLEANUP STAGES

The Model Toxics Control Act (MTCA) defines each stage of the cleanup process to protect human health and the environment. Figure 2 on page 6 details these stages.

Some steps described in the chart include “agreed orders” or “consent decrees”. These are agreements between Ecology and the parties responsible for cleanup of the pollution. In addition to the steps in the chart, “interim actions” may be taken during steps 1 through 5 (the investigation) to reduce or eliminate pollution that poses an immediate threat to human health or the environment.

The cleanup process is complex. Issues often arise that require more attention or evaluation, and may lead to changes in the steps or schedule. Every effort will be made to keep the public well-informed of changes.

Figure 2. Steps in the Model Toxics Act Cleanup Process



PUBLIC PARTICIPATION ACTIVITIES AND RESPONSIBILITIES

The purpose of this Public Participation Plan is to promote public understanding and participation in the MTCA activities planned for this site. This section of the plan addresses how Ecology will share information and receive public comments and community input on the site activities.

Public Involvement Activities

Ecology uses a variety of activities to facilitate public participation in the investigation and cleanup of MTCA sites. Ecology will implement input provided by the community whenever possible.

The following is a list of the public involvement activities that Ecology will use, their purposes, and descriptions of when and how they will be used during this site cleanup.

Formal Public Comment Periods

Comment periods are the primary method Ecology uses to get feedback from the public on proposed cleanup decisions. Comment periods usually last 30 days and are required at key points during the investigation and cleanup process before final decisions are made.

During a comment period, the public can comment in writing. Verbal comments are taken if a public hearing is held. After formal comment periods, Ecology reviews all comments received and may respond in a document called a Responsiveness Summary.

Ecology will consider the need for changes or revisions based on input from the public. If significant changes are made, then a second comment period may be held. If no significant changes are made, then the draft document(s) will be finalized.

Additional public comment periods will be held for draft remedial investigation/feasibility studies, for any draft cleanup action plans that are developed for the site, and for any future legal agreements regarding this site.

Public Meetings and Hearings

Public meetings may be held at key points during the investigation and cleanup process. Ecology also may offer public meetings for actions expected to be of particular interest to the community. These meetings will be held at locations convenient to the community.

Information Repositories

Information repositories are places where the public may read and review site information, including documents that are the subject of public comment.

Ecology has established two repositories for the NuStar Energy LP cleanup project. Documents available for public review and comment can be found here:

- Ecology Southwest Regional Office, 300 Desmond Dr., Lacey. (Please make an appointment by calling (360) 407-6365).
- Vancouver Regional Library, 1007 E. Mill Plain Road, Vancouver, WA 98663 (360) 695-1566.
- Ecology web site: http://www.ecy.wa.gov/programs/tcp/sites/nuStar/nuStar_hp.htm

Site Register

Ecology's Toxics Cleanup Program uses its bimonthly *Site Register* to announce all of its public meetings and comment periods, as well as many other activities. To receive the *Site Register* in electronic or hard copy format, contact Linda Thompson at (360) 407-6069 or by e-mail at Ltho461@ecy.wa.gov. It is also available on Ecology's web site at http://www.ecy.wa.gov/programs/tcp/pub_inv/pub_inv2.html

Mailing List

Ecology has compiled a mailing list for the site. The list includes individuals, groups, public agencies, elected officials, private businesses, potentially affected parties, and other known interested parties. The list will be maintained at Ecology's Southwest Regional Office and will be updated as needed.

Please contact Meg Bommarito at (360) 407-6255 or mbom461@ecy.wa.gov if you would like to have your address added to or deleted from this mailing list.

Fact Sheets

Ecology will mail fact sheets to persons and organizations interested in the NuStar Energy LP cleanup project to inform them of public meetings and comment opportunities and important site activities. Ecology also may mail fact sheets about the progress of site activities.

Newspaper Display Ads

Ecology may place ads in the *Columbian* to announce public comment periods and public meetings or hearings for the site.

Plan Update

This public participation plan may be updated as the project proceeds. If an update is necessary, the revised plan will be submitted to the public for comment.

Points of Contact

If you have questions or need more information about this plan or the NuStar Energy LP cleanup project, please contact the following:

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