

SEPA ENVIRONMENTAL CHECKLIST

Purpose of checklist:

Governmental agencies use this checklist to help determine whether the environmental impacts of your proposal are significant. This information is also helpful to determine if available avoidance, minimization or compensatory mitigation measures will address the probable significant impacts or if an environmental impact statement will be prepared to further analyze the proposal.

Instructions for applicants:

This environmental checklist asks you to describe some basic information about your proposal. Please answer each question accurately and carefully, to the best of your knowledge. You may need to consult with an agency specialist or private consultant for some questions. You may use "not applicable" or "does not apply" only when you can explain why it does not apply and not when the answer is unknown. You may also attach or incorporate by reference additional studies reports. Complete and accurate answers to these questions often avoid delays with the SEPA process as well as later in the decision-making process.

The checklist questions apply to all parts of your proposal, even if you plan to do them over a period of time or on different parcels of land. Attach any additional information that will help describe your proposal or its environmental effects. The agency to which you submit this checklist may ask you to explain your answers or provide additional information reasonably related to determining if there may be significant adverse impact.

Instructions for Lead Agencies:

Please adjust the format of this template as needed. Additional information may be necessary to evaluate the existing environment, all interrelated aspects of the proposal and an analysis of adverse impacts. The checklist is considered the first but not necessarily the only source of information needed to make an adequate threshold determination. Once a threshold determination is made, the lead agency is responsible for the completeness and accuracy of the checklist and other supporting documents.

Use of checklist for nonproject proposals:

For nonproject proposals (such as ordinances, regulations, plans and programs), complete the applicable parts of sections A and B plus the [SUPPLEMENTAL SHEET FOR NONPROJECT ACTIONS \(part D\)](#). Please completely answer all questions that apply and note that the words "project," "applicant," and "property or site" should be read as "proposal," "proponent," and "affected geographic area," respectively. The lead agency may exclude (for non-projects) questions in Part B - Environmental Elements –that do not contribute meaningfully to the analysis of the proposal.

A. Background [\[HELP\]](#)

1. Name of proposed project, if applicable:

Oily Water Sewer Investigation and Response Plan

2. Name of applicant: [BP Products North America, Inc. \(BPPNA\)](#)

3. Address and phone number of applicant and contact person:

4519 Grandview Road, Blaine, WA 98230; (360) 371-1500; Jim Verburg

4. Date checklist prepared: April 30, 2020

5. Agency requesting checklist: Washington Department of Ecology (Ecology)

6. Proposed timing or schedule (including phasing, if applicable):

The proposed project will commence upon Ecology reissuance of the BPPNA Cherry Point Refinery (BP) Dangerous Waste Management Permit (the "permit") in mid- to late-2020. The permit references an Agreed Order (the "order") that will direct the investigation and assessment of releases from the refinery's existing Oily Water Sewer (OWS) over the permit term. The term of the permit is ten (10) years. The order will also require BP to submit an Investigation and Response Plan for Ecology's review and approval within six (6) months of permit issuance.

7. Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal? If yes, explain.

- The purpose of the project is to develop and implement an OWS Investigation and Remediation Plan (IRP) in accordance with the provisions of the order. There are no plans for future additions or expansions of the IRP scope at this time.
- Remedial actions are only required if an OWS release has occurred. As of the date of this checklist, no release has occurred and there is no cause for remedial action. However, potential future project activities related to implementation of the IRP may include remedial actions if OWS investigation and assessment were to find soil and/or groundwater contamination that exceeds applicable Model Toxics Control Act (MTCA) cleanup standards.
- After full implementation of the order, Ecology will evaluate whether it is necessary to repeat the investigation, response, and reporting process during the next Dangerous Waste Management Permit review cycle.

8. List any environmental information you know about that has been prepared, or will be prepared, directly related to this proposal.

- *Pollution Prevention and Corrective Action Plan (CAP) for the Cherry Point Refinery Oily Water Sewer* – A CAP, dated 27 July 2016, was previously submitted by BP to Ecology and it is in the administrative record. This document summarizes the refinery's ongoing Sewer Integrity Program and MTCA Compliance Program.
- *Potentially Liable Person (PLP) Determination* – A final PLP determination was documented in a letter from Ecology to BP, dated 4 September 2019. The PLP letter references environmental information that serves as the basis for Ecology's issuance of the proposed Agreed Order.
- *Investigation and Remediation Plan (IRP)* – BP will develop an IRP in accordance with the provisions of the final order. The IRP will be submitted to Ecology for approval.

- *Annual Progress Reports* – Under the order, BP will be required to submit annual progress reports that summarize the findings of the OWS investigation and any remedial actions taken to address releases.
- *Work Plan* – Preparation and submittal of a Work Plan is only required if an OWS release has occurred. As of the date of this checklist, no release has occurred and there is no cause for preparation of a Work Plan. If a release was discovered during the investigation of the OWS, BP would then be required to submit a Work Plan to Ecology that describes the extent of soil and groundwater contamination related to the identified release and the remedial action that would be implemented to address the contamination.

9. Do you know whether applications are pending for governmental approvals of other proposals directly affecting the property covered by your proposal? If yes, explain.

Not applicable.

10. List any government approvals or permits that will be needed for your proposal, if known.

- Washington Department of Ecology (Ecology) reissuance of Dangerous Waste Management Permit
- Ecology and BP execution of *Agreed Order for Interim Action – Oily Water Sewer* (No. DE 16296)
- Ecology approval of an OWS *Investigation and Response Plan*, per agreed order

If the OWS assessment was to identify a release or potential release of hazardous substances that would require soil or groundwater remediation, or associated infrastructure repairs, then the following agency permits may apply:

- Whatcom County – Land Disturbance Permit
- Ecology – NPDES Construction Stormwater General Permit

11. Give a brief, complete description of your proposal, including the proposed uses and the size of the project and site. There are several questions later in this checklist that ask you to describe certain aspects of your proposal. You do not need to repeat those answers on this page. (Lead agencies may modify this form to include additional specific information on project description.)

Ecology and BP are entering into the proposed agreed order to prepare and implement a plan to investigate and address any potential releases that may occur from the refinery's OWS. The order will require that BP prepare an IRP and conduct integrity testing and inspections of the OWS (the "project") to evaluate the integrity of the OWS main trunk lines, identify any potential releases, fix the cause of any identified releases, and take interim remedial actions to clean up any confirmed soil or groundwater contamination that may have resulted from a release. The order only addresses potential releases from the OWS.

In general, the IRP would include:

- a. A proposed schedule and map showing the segments of the OWS. Approximately 10% of the segments will be inspected annually. The entire OWS will be inspected every 10 years.

- b. Procedures that would be followed to inspect the internal integrity of all main trunk lines of the OWS.
- c. Methods for assessing the internal integrity of the OWS main trunk lines.
- d. Procedures for determining whether a release has occurred if integrity testing identifies a potential leak in the OWS.
- e. Measures to correct the cause of an identified release or threat of release.
- f. Procedures for reporting any release of hazardous substances in accordance with MTCA reporting requirements.
- g. Procedures for determining the nature and extent of soil contamination associated with an identified OWS release, including a proposed schedule for procedure implementation, in accordance with MTCA RF/IS and investigation study requirements.
- h. Methods for assessing whether or not groundwater has been impacted, in accordance with MTCA groundwater cleanup standards.
- i. Procedures for implementation of a groundwater monitoring program in the event that an OWS release to groundwater is identified.
- j. Procedures for determining the nature and extent of ground water contamination associated with an OWS release, including a proposed schedule for procedure implementation.
- k. Provisions for submittal of a Work Plan.
- l. Measures to assess and prevent potential risk of soil and groundwater contamination migration to inaccessible areas.
- m. Procedures for documenting OWS inspection dates, findings, location of a release, cause of a release or potential release, corrective actions or interim measures taken or planned, and areas where soil or groundwater contamination would be left in place.

This SEPA checklist does not confirm that an OWS release has occurred; rather, an investigation will be conducted. If a release is discovered and confirmed, action will be taken. There is no evidence of a current release from the OWS. The answers provided in this checklist are for a hypothetical release that could be discovered as a result of this project. The answers in this checklist are intended to provide information so that the SEPA lead agency (Ecology) can evaluate the potential environmental impacts and make a threshold determination under SEPA. The following paragraphs generally describe potential future project implementation activities that may be implemented if the project was to identify an OWS release.

If OWS integrity testing was to identify a potential release, a program of investigation would be completed to confirm a release and define the nature and extent of contamination resulting from the release. Based on this information, a presumptive interim action would be selected by BP. In most cases, the presumptive interim action would involve excavation and treatment or off-site disposal of soils at an agency-approved disposal facility. If groundwater was impacted, then ongoing treatment and/or monitoring may be necessary. The proposed order specifies a number of presumptive interim actions that may be used to clean up a release, if any are found. These are included in Exhibit C (model remedies for sites with petroleum contaminated soil) and Exhibit D (model remedies for sites with petroleum impacts to groundwater) of the order. If the project was to identify a release where remedial actions beyond the presumptive interim actions described in the order are necessary, then a more detailed Work Plan for the proposed actions would be developed for Ecology review and, if necessary, a new project-specific SEPA checklist would be completed.

Active remediation under the order may or may not be applicable. Such action would only occur if investigation findings confirm that an OWS release requiring action has occurred. If remediation was to take place, it is anticipated that it would be an infrequent occurrence and of relatively short durations; typically from several days to a month.

12. Location of the proposal. Give sufficient information for a person to understand the precise location of your proposed project, including a street address, if any, and section, township, and range, if known. If a proposal would occur over a range of area, provide the range or boundaries of the site(s). Provide a legal description, site plan, vicinity map, and topographic map, if reasonably available. While you should submit any plans required by the agency, you are not required to duplicate maps or detailed plans submitted with any permit applications related to this checklist.

The overall project site is situated within the existing developed perimeter of the refinery, which is located at 4519 Grandview Road, Blaine, WA 98230. The project site and any potential future project implementation work that may be required would occur within Section 7, Township 39 North, Range 1 East, W.M.; Whatcom County Assessor parcel number 390107-317235. More specifically, the project site follows the alignment and footprint of the Oily Water Sewer Piping – Main Trunk Lines shown in the attached Figure.

B. Environmental Elements [\[HELP\]](#)

1. **Earth** [\[help\]](#)

a. General description of the site:

(circle one): Flat, rolling, hilly, steep slopes, mountainous, other _____

The project site follows the existing OWS (main trunk lines) that are located within existing developed areas of the refinery that are relatively flat.

b. What is the steepest slope on the site (approximate percent slope)?

The overall OWS corridor slope is approximately 1 – 5% with the steepest slope being 5%.

c. What general types of soils are found on the site (for example, clay, sand, gravel, peat, muck)? If you know the classification of agricultural soils, specify them and note any agricultural land of long-term commercial significance and whether the proposal results in removing any of these soils.

The refinery is built primarily on the Bellingham Drift, a massive, brown to blue-gray, unsorted sandy to silty clay with scattered pebbles and occasional boulders, which is up to 80 feet thick. The Bellingham Drift is subdivided into the upper weathered unit and the lower unweathered unit and is underlain by Deming Sand. The Deming Sand is a brown to gray, stratified, well sorted, medium to coarse sand with layers of clay, silt, and gravel.

The U.S. Department of Agriculture (USDA) Natural Resources Conservation Service (NRCS) Web Soil Survey identifies the project site as containing Urban land (soil unit No. 171), which consists of existing developed areas that obscure soil identification. More specifically, areas of the project site are covered by existing asphalt roads, industrial development, compacted gravel, etc. over imported fill.

Whatcom County has not designated any portion of the project site for agricultural use. Therefore, the project and any future potential project implementation activities that may be required would not remove agricultural soils or alter agricultural lands of long-term commercial significance.

- d. Are there surface indications or history of unstable soils in the immediate vicinity? If so, describe.

There are no known surface indications or history of unstable soils within the project site.

- e. Describe the purpose, type, total area, and approximate quantities and total affected area of any filling, excavation, and grading proposed. Indicate source of fill.

Project site investigation and potential future project implementation activities, if an OWS release was identified and remedial action is required, may result in the excavation and removal of soils contaminated with hazardous substances. Any soils that would be excavated would be designated and hauled to an off-site disposal facility that is permitted to accept the material or would be treated on-site. Any excavated area would then be back-filled with clean soils and graded.

Since a specific release from the OWS has not been identified, it is not possible to estimate a specific volume of soil that might need to be removed and transported for treatment or disposal. However, for the purposes of this environmental review, it is anticipated that any release addressed using one of the presumptive interim actions in the Agreed Order would be less than 1000 cubic yards.

If a release from the OWS was discovered during project site investigation, a Work Plan would be prepared and submitted to Ecology. The Work Plan would provide details of the extent of contamination and the proposed remedial action. The Work Plan details would include the volume of affected soil, as well as the quantities and area of any proposed excavation, fill, and/or grading activities. The Work Plan would also identify the source of clean fill materials and the destination where excavated soils would be taken.

- f. Could erosion occur as a result of clearing, construction, or use? If so, generally describe.

It is possible that soil erosion could occur during site disturbance activities and seasonal precipitation events. However, erosion potential will be minimized through implementation of the construction Stormwater Pollution Prevention Plan (SWPPP) that will be prepared for the project, along with Best Management Practices (BMPs), and any additional erosion control measures required by regulatory agencies.

- g. About what percent of the site will be covered with impervious surfaces after project construction (for example, asphalt or buildings)?

As previously described, areas of the project site are currently covered with existing asphalt roads, industrial development, compacted gravel, etc. Therefore, it is not expected that the project or any potential future project implementation activities would result in additional impervious surface coverage.

- h. Proposed measures to reduce or control erosion, or other impacts to the earth, if any:

Best Management Practices (BMPs) from Ecology's "Western Washington Stormwater

Management Manual" will be employed to reduce pollutant loss to stormwater. Exposed soils will be kept to the minimum practicable and standard erosion and sediment control BMPs, such as mulch berms, straw wattles, triangular silt dikes, spring berms, check dams, vegetative dispersion/filtration, outlet protection, and/or other construction BMPs will be implemented as applicable.

The project SWPPP will include erosion and sediment control information, locations where BMPs will be implemented, and site inspection/maintenance requirements that will be followed throughout the project.

2. **Air** [\[help\]](#)

- a. What types of emissions to the air would result from the proposal during construction, operation, and maintenance when the project is completed? If any, generally describe and give approximate quantities if known.

If a release was identified during OWS site inspection and remedial action was required, combustion emissions and dust could be temporarily emitted by heavy equipment (e.g., tractors, backhoes, dump trucks, well drilling equipment) during soil excavation, removal, and/or grading activities. Potential emissions associated with site disturbance activities and well drilling, if required, would be infrequent and short-term. Dust that may be temporarily generated during construction would be controlled with watering, as applicable. These activities would not be expected to result in air quality impacts.

- b. Are there any off-site sources of emissions or odor that may affect your proposal? If so, generally describe.

No.

- c. Proposed measures to reduce or control emissions or other impacts to air, if any:

No air quality impacts are expected as a result of the completed project. If remedial action was required, temporary air quality control measures would include standard vehicle/equipment maintenance and implementation of applicable BMPs (e.g., dust suppression) during construction.

3. **Water** [\[help\]](#)

- a. Surface Water: [\[help\]](#)

- 1) Is there any surface water body on or in the immediate vicinity of the site (including year-round and seasonal streams, saltwater, lakes, ponds, wetlands)? If yes, describe type and provide names. If appropriate, state what stream or river it flows into.

No surface water bodies are located on or in the vicinity of the project site.

- 2) Will the project require any work over, in, or adjacent to (within 200 feet) the described waters? If yes, please describe and attach available plans.

Not applicable.

- 3) Estimate the amount of fill and dredge material that would be placed in or removed from surface water or wetlands and indicate the area of the site that would be affected. Indicate the source of fill material.

Not applicable.

- 4) Will the proposal require surface water withdrawals or diversions? Give general description, purpose, and approximate quantities if known.

It is not anticipated that project site investigation or any potential future project implementation activities would require surface water withdrawals or diversions.

- 5) Does the proposal lie within a 100-year floodplain? If so, note location on the site plan.

The project site is not located within a designated 100-year flood plain.

- 6) Does the proposal involve any discharges of waste materials to surface waters? If so, describe the type of waste and anticipated volume of discharge.

The project or potential future project implementation activities would not involve discharge of any waste materials to surface waters.

b. Ground Water: [\[help\]](#)

- 1) Will groundwater be withdrawn from a well for drinking water or other purposes? If so, give a general description of the well, proposed uses and approximate quantities withdrawn from the well. Will water be discharged to groundwater? Give general description, purpose, and approximate quantities if known.

If a release was identified during OWS site inspection and remedial action is required, groundwater may be withdrawn from a well for monitoring purposes if needed for testing. A minor amount of water (< 15 gallons) would be withdrawn with each sample. Groundwater may also be withdrawn for treatment as part of a remedial action if required due to a leak in the OWS. It is anticipated that any contaminated groundwater would be treated in the refinery's existing onsite wastewater treatment plant (WWTP).

If a release from the OWS was discovered during project site investigation, a Work Plan would be prepared and submitted to Ecology. The Work Plan would provide details of the extent of contamination (including approximate quantities) and the proposed remedial action. If impacts to groundwater are identified, on-going groundwater monitoring and/or treatment may be necessary. These activities may require the installation of wells and then sampling of the wells on a recurring basis, typically quarterly or semi-annually.

- 2) Describe waste material that will be discharged into the ground from septic tanks or other sources, if any (for example: Domestic sewage; industrial, containing the following chemicals. . . ; agricultural; etc.). Describe the general size of the system, the number of such systems, the number of houses to be served (if applicable), or the number of animals or humans the system(s) are expected to serve.

Not applicable. The project and any potential future project implementation activities that may be required would not involve discharge of waste materials into ground water.

c. Water runoff (including stormwater):

- 1) Describe the source of runoff (including storm water) and method of collection and disposal, if any (include quantities, if known). Where will this water flow? Will this water

flow into other waters? If so, describe.

Any potential future project implementation actions (e.g., remedial actions, monitoring, testing), if required, would not increase the quantity of stormwater draining from the project site. Stormwater runoff from the project site is currently managed in the refinery's existing stormwater drainage system. Post-construction stormwater would continue to discharge to the on-site WWTP.

All surface water drainage in the OWS service area is captured and directed to the refinery WWTP. Existing internal refinery roadside ditches are located in the vicinity of the OWS main trunk lines. These constructed ditches are non-vegetated and lined with gravel/riprap. The ditches generally flow north/northwest and drain into the refinery WWTP. The WWTP then discharges the treated water at the refinery's NPDES permitted Outfall 001 located in the Strait of Georgia. No surface water runoff from the project site discharges offsite via other flowpaths.

2) Could waste materials enter ground or surface waters? If so, generally describe.

The project and any potential future project implementation activities that may be required would be designed to capture and/or control all potential waste materials or spills to prevent such materials from reaching ground or surface waters.

3) Does the proposal alter or otherwise affect drainage patterns in the vicinity of the site? If so, describe.

It is not expected that the project or any potential future project implementation activities would permanently alter or otherwise affect existing drainage patterns in the vicinity of the project site.

d. Proposed measures to reduce or control surface, ground, and runoff water, and drainage pattern impacts, if any:

As described in Section B.1.h of this checklist, measures to avoid potential construction stormwater runoff impacts, if any future potential project implementation activities are to occur, they will include implementation of temporary erosion and sediment control BMPs as applicable to ensure compliance with stormwater requirements. The construction contractor will prepare a stormwater pollution prevention plan (SWPPP) to be implemented during site development. After completion, the project site will continue to be subject to the provisions of the refinery's existing facility-wide NPDES permit SWPPP.

Spill kits with absorbent materials will be located on site to address small spills of oil, fuel, hydraulic fluids and other pollutants if they occur during construction.

BP's on-going Waste Management Program provides specific direction on how to identify, minimize and manage all waste types at the refinery, including excavated soils, spill waste, debris, recyclables, etc. A project-specific waste management plan will also be developed and will be implemented during construction.

The completed project will not increase existing site impervious surface coverage or alter existing stormwater flow paths.

As discussed previously in Section B.1.c of this checklist, the refinery is built primarily on the Bellingham Drift, which forms a low permeability aquitard. The presence of low permeability

soil beneath the refinery acts as a natural barrier that would retard the movement of any potential release from the OWS that might occur. The estimated velocity of groundwater in the Bellingham Drift is < 5 feet per year. This beneficial condition, coupled with the refinery's existing pollution prevention and MTCA compliance programs, reduces the potential for significant contaminant migration in the event of a release.

4. **Plants** [\[help\]](#)

a. Check the types of vegetation found on the site:

- deciduous tree: alder, maple, aspen, other
- evergreen tree: fir, cedar, pine, other
- shrubs
- grass
- pasture
- crop or grain
- orchards, vineyards or other permanent crops
- wet soil plants: cattail, buttercup, bullrush, skunk cabbage, other
- water plants: water lily, eelgrass, milfoil, other
- other types of vegetation

No vegetation is present within the project site.

b. What kind and amount of vegetation will be removed or altered?

None. The project site is located within an existing developed area of the refinery that does not contain vegetation.

c. List threatened and endangered species known to be on or near the site.

No threatened or endangered plant species are known to be located within or near the project site.

d. Proposed landscaping, use of native plants, or other measures to preserve or enhance vegetation on the site, if any:

Not applicable.

e. List all noxious weeds and invasive species known to be on or near the site.

No noxious weeds or invasive species are known to be located within or near the project site.

5. **Animals** [\[help\]](#)

a. List any birds and other animals which have been observed on or near the site or are known to be on or near the site.

Examples include:

- birds: hawk, heron, eagle, songbirds, other:
- mammals: deer, bear, elk, beaver, other:
- fish: bass, salmon, trout, herring, shellfish, other:

The following birds and animal species have been observed in the general refinery area: hawks, eagles, herons, songbirds, shorebirds, coyote, beaver, and deer.

- b. List any threatened and endangered species known to be on or near the site.

No threatened or endangered species are known to use or be located on or near the project site.

- d. Is the site part of a migration route? If so, explain.

Yes, all lands in the Whatcom County lowlands are within the Pacific Flyway, which is a flight corridor for waterfowl and other avian fauna migration. This migration route would not be altered or impacted by the completed Project.

- e. Proposed measures to preserve or enhance wildlife, if any:

No bird or animal species or associated habitat are known to be located within the project site, so project activities are not expected to adversely impact wildlife. Therefore, no measures are proposed.

- f. List any invasive animal species known to be on or near the site.

No invasive animal species are known to be on or near the project area.

6. **Energy and Natural Resources** [\[help\]](#)

- a. What kinds of energy (electric, natural gas, oil, wood stove, solar) will be used to meet the completed project's energy needs? Describe whether it will be used for heating, manufacturing, etc.

There will not be any incremental, long-term energy demands for the project. There may be short-term incremental demands for gasoline, diesel, and electricity to implement any potential future project implementation activities. Electricity would be provided by the refinery's existing electrical power system. Gasoline and diesel would be used to power earth moving equipment and electricity may be used to power work area lighting.

- b. Would your project affect the potential use of solar energy by adjacent properties? If so, generally describe.

The project and any potential future project implementation activities would not affect potential use of solar energy by adjacent properties. It is anticipated that any potential future project-related activities that may be required would focus on existing infrastructure and/or subsurface areas within the existing developed perimeter of the refinery.

- c. What kinds of energy conservation features are included in the plans of this proposal? List other proposed measures to reduce or control energy impacts, if any:

Any project site investigation activities or potential future project implementation activities would be intermittent and short term. Completed project activities would not require an energy source. Therefore, no additional measures are proposed.

7. **Environmental Health** [\[help\]](#)

- a. Are there any environmental health hazards, including exposure to toxic chemicals, risk of fire and explosion, spill, or hazardous waste, that could occur as a result of this proposal? If so, describe.

Workers may be exposed to contaminated soil and/or groundwater if an OWS release was to occur. Soil and groundwater found to have been impacted by a release would be sampled to determine if contaminant levels exceed applicable MTCA cleanup levels. Contaminated soil and groundwater would be managed in accordance with appropriate health and safety standards.

- 1) Describe any known or possible contamination at the site from present or past uses.

A PLP letter from Ecology, dated 4 September 2019, references information about known or possible contamination at the site from present or past uses.

- 2) Describe existing hazardous chemicals/conditions that might affect project development and design. This includes underground hazardous liquid and gas transmission pipelines located within the project area and in the vicinity.

The Ecology Agreed Order and implementing IRP will require the main trunk lines of the OWS sewer piping system to be inspected. This would entail cleaning and, if a finding is identified, repair, relining and pressure testing as outlined in the refinery's existing Sewer Integrity Program. Existing aboveground pipelines containing hydrocarbon materials are near the project site, but the locations and management/avoidance of these pipelines are well documented and controlled.

- 3) Describe any toxic or hazardous chemicals that might be stored, used, or produced during the project's development or construction, or at any time during the operating life of the project.

The project is not intended to produce, store, or use any toxic or hazardous chemicals. The overall purpose of the project is to investigate, identify and clean up any potential future findings of hazardous substances that may have been or may be released from the OWS.

- 4) Describe special emergency services that might be required.

No special or new emergency services would be required. Existing trained refinery personnel are able to respond to emergencies onsite. BP would coordinate with local emergency responders as needed.

- 5) Proposed measures to reduce or control environmental health hazards, if any:

Project site investigation and any potential future project implementation activities will require development and implementation of a health and safety plan to ensure worker protection. Pre-construction and job-site meetings would be held to inform contractors and personnel of any health/safety risks and management protocols associated with the project work.

Any project-related activities would also be conducted in accordance with the provisions of an Ecology-approved IRP that will be developed under this proposal and any project-specific Work Plan that may be developed in accordance with the IRP and Agreed Order.

The provisions of the refinery's existing ongoing Inspections and Sewer Integrity Programs, MTCA Compliance Program, Waste Management Program, Oil Spill Prevention/Spill Prevention Control and Countermeasures (OSP/SPCC) Plan, Oil Spill Contingency Plan (OSCP), and NPDES SWPPP would continue to be implemented before, during and after any applicable site investigation or potential future project implementation work that may occur.

b. Noise

- 1) What types of noise exist in the area which may affect your project (for example: traffic, equipment, operation, other)?

The project site and any potential future project implementation areas are located within an active industrial area. Existing noise sources (e.g., vehicular, air, rail, water traffic, surrounding operations) would not affect the project.

- 2) What types and levels of noise would be created by or associated with the project on a short-term or a long-term basis (for example: traffic, construction, operation, other)? Indicate what hours noise would come from the site.

Some short-term noise may be generated from construction vehicles and heavy equipment during site investigation work or potential future project implementation activities. However, construction activities are expected to be typical of other industrial plant construction projects and noise would be expected to be within the range of normal activities in the area. Noise generated by any project-associated construction activities would be temporary and would not be expected to be disruptive. The completed project would not generate any additional noise.

- 3) Proposed measures to reduce or control noise impacts, if any:

Any construction noise associated with project site investigation or potential future project implementation activities would be short term and temporary. However, measures including but not limited to the following may be implemented, as applicable:

- Compliance with applicable local and state regulatory provisions related to noise
- Incorporation of industry best management practices into construction plans and contractor specifications
- Use of standard manufacturer's equipment (e.g., mufflers on engines, intake silencers, engine enclosures)
- Use of quieter equipment or construction practices
- Turning off construction equipment when not in use

8. Land and Shoreline Use [\[help\]](#)

- a. What is the current use of the site and adjacent properties? Will the proposal affect current land uses on nearby or adjacent properties? If so, describe.

The current use of the site is an active industrial facility, BP Cherry Point. Adjacent undeveloped and developed industrial properties are also owned by BP, as well as other industrial and energy sector property owners. The project is not expected to affect adjacent land uses or properties. The OWS serves the process areas of the refinery. As such, any presumptive interim actions taken under this order would be expected to be

within the footprint of the current operations and product storage/handling areas of the refinery. In general, these would be existing areas of intensive industrial land use.

- b. Has the project site been used as working farmlands or working forest lands? If so, describe. How much agricultural or forest land of long-term commercial significance will be converted to other uses as a result of the proposal, if any? If resource lands have not been designated, how many acres in farmland or forest land tax status will be converted to nonfarm or nonforest use?

Lands associated with the Cherry Point Refinery were utilized for agricultural livestock production prior to the refinery's existence. However, the site has not been used for agricultural purposes for 50 years.

Whatcom County has not designated any agricultural or forest lands of long-term commercial significance within the Cherry Point Urban Growth Area (UGA). Additionally, the subject parcel is not in farmland or forest land tax status. Therefore, the project will not impact or convert Whatcom County's current or planned long-term resource lands supply.

- 1) Will the proposal affect or be affected by surrounding working farm or forest land normal business operations, such as oversize equipment access, the application of pesticides, tilling, and harvesting? If so, how:

The project will not affect or be affected by surrounding agricultural or forest land operations.

- c. Describe any structures on the site.

The project site is located within an existing operating petroleum refinery. Typical structures associated with a refinery are present on the site.

- d. Will any structures be demolished? If so, what?

It is not anticipated that potential future project implementation would require the demolition of any structures.

- e. What is the current zoning classification of the site?

Heavy Impact Industrial (HII)

- f. What is the current comprehensive plan designation of the site?

Major/Port Industrial Urban Growth Area (a.k.a., Cherry Point UGA)

- g. If applicable, what is the current shoreline master program designation of the site?

Not applicable. No portion of the project site is located within shoreline jurisdiction.

- h. Has any part of the site been classified as a critical area by the city or county? If so, specify.

No portion of the project site or any potential future project implementation area within the project site has been classified as a critical area by Whatcom County.

- i. Approximately how many people would reside or work on the completed project?

None.

- j. Approximately how many people would the completed project displace?

None.

- k. Proposed measures to avoid or reduce displacement impacts, if any:

Not applicable.

- l. Proposed measures to ensure the proposal is compatible with existing and projected land uses and plans, if any:

The project is intended to be implemented in conjunction with the refinery's existing MTCA and spill prevention and control programs, which are designed to maintain the ongoing integrity of existing refinery operations and site management. Therefore, it is anticipated that the project and any potential future project implementation activities would be consistent with existing and projected heavy manufacturing use within the refinery.

- m. Proposed measures to reduce or control impacts to agricultural and forest lands of long-term commercial significance, if any

Not applicable. Whatcom County has not designated any agricultural or forest lands of long-term commercial significance within the Cherry Point UGA.

9. **Housing** [\[help\]](#)

- a. Approximately how many units would be provided, if any? Indicate whether high, middle, or low-income housing.

Not applicable. No housing units would be provided.

- b. Approximately how many units, if any, would be eliminated? Indicate whether high, middle, or low-income housing.

Not applicable. No housing units would be eliminated.

- c. Proposed measures to reduce or control housing impacts, if any:

Not applicable. The refinery is located within the HII zone district, which precludes residential development. Therefore, the project and potential future project implementation would not impact the existing or projected housing supply.

10. **Aesthetics** [\[help\]](#)

- a. What is the tallest height of any proposed structure(s), not including antennas; what is the principal exterior building material(s) proposed?

Not applicable. No new structures are proposed.

- b. What views in the immediate vicinity would be altered or obstructed?

Not applicable. No views would be altered or obstructed as a result of the project or potential future project implementation.

- c. Proposed measures to reduce or control aesthetic impacts, if any:

Not applicable. Potential future project implementation would not impact existing aesthetics as such work would be subsurface and would not be visible outside the existing developed perimeter of the refinery. Therefore, no measures are proposed.

11. **Light and Glare** [\[help\]](#)

- a. What type of light or glare will the proposal produce? What time of day would it mainly occur?

Not applicable. It is not expected that the project or potential future project implementation would produce light or glare.

- b. Could light or glare from the finished project be a safety hazard or interfere with views?

Not applicable.

- c. What existing off-site sources of light or glare may affect your proposal?

None.

- d. Proposed measures to reduce or control light and glare impacts, if any:

Not applicable. Potential future project implementation would not be expected to generate light or glare. Therefore, no measures are proposed.

12. **Recreation** [\[help\]](#)

- a. What designated and informal recreational opportunities are in the immediate vicinity?

Formal public recreation sites within three miles of the refinery include Birch Bay State Park and the BP Unit Whatcom Wildlife Area to the northwest, the Whatcom County Point Whitehorn Marine Reserve to the west, and the Lake Terrell Wildlife Area to the southeast. Informal recreational opportunities located in the general vicinity of the refinery include, but are not limited to, a variety of shoreline accesses in the Birch Bay and Cherry Point areas.

- b. Would the proposed project displace any existing recreational uses? If so, describe.

Proposed site investigation activities and potential future project implementation would not displace any existing recreational uses.

- c. Proposed measures to reduce or control impacts on recreation, including recreation opportunities to be provided by the project or applicant, if any:

The project and potential future project implementation would not impact existing recreational opportunities. Therefore, no measures are proposed.

13. **Historic and cultural preservation** [\[help\]](#)

- a. Are there any buildings, structures, or sites, located on or near the site that are over 45 years old listed in or eligible for listing in national, state, or local preservation registers? If so, specifically describe.

Research previously conducted by professional archaeologists has not identified any buildings, structures or sites within the project area that are listed on, or eligible for listing on, national, state, or local preservation registers.

- b. Are there any landmarks, features, or other evidence of Indian or historic use or occupation? This may include human burials or old cemeteries. Are there any material evidence, artifacts, or areas of cultural importance on or near the site? Please list any professional studies conducted at the site to identify such resources.

The BP Cherry Point Refinery has a facility-wide Cultural Resources Management Plan that provides additional information and findings. A copy of the management plan is available upon Ecology request.

- c. Describe the methods used to assess the potential impacts to cultural and historic resources on or near the project site. Examples include consultation with tribes and the department of archeology and historic preservation, archaeological surveys, historic maps, GIS data, etc.

Professional archaeologists have conducted records and literature reviews using the Washington State Department of Archaeology and Historic Preservation (DAHP) online restricted-access Washington Information System for Architectural and Archaeological Records Data (WISAARD) to identify previously conducted surveys and documented resources within the overall project area, review historic aerial photos and maps, and examine DAHP's statewide predictive model for archaeological resources. Archaeologists have also conducted numerous intensive pedestrian surveys on refinery property over the last several years using exploratory shovel probes. The Cultural Resources Management Plan includes additional discussion of research and survey methods that have been conducted.

- d. Proposed measures to avoid, minimize, or compensate for loss, changes to, and disturbance to resources. Please include plans for the above and any permits that may be required.

A Cultural Resources Management Plan and Inadvertent Discovery Plan (IDP) has been developed for the BP Cherry Point Refinery and would be implemented during any project site investigation and any potential future project implementation activities involving ground disturbance. In the event of an inadvertent discovery of cultural or historic resources, all ground disturbing activities within the discovery area would cease and the appropriate Tribes and agencies would be contacted, as applicable.

14. **Transportation** [\[help\]](#)

- a. Identify public streets and highways serving the site or affected geographic area and describe proposed access to the existing street system. Show on site plans, if any.

Public streets serving the project area include:

- Grandview Road to the north
- Blaine Road to the east/northeast
- Kickerville Road to the east

- Jackson Road to the west
- Brown Road (public to the west / private to the east)
- Aldergrove Road (public, but closed to vehicle traffic east of Jackson Road per Whatcom County Ordinance No. 2002-001)

Public roads that may be used to access the project site, if required, include Grandview, Blaine, Jackson, Brown and Aldergrove Roads, as well as existing internal facility roads. No new or permanently modified road accesses would be required for any activities that may be associated with project implementation.

- e. Is the site or affected geographic area currently served by public transit? If so, generally describe. If not, what is the approximate distance to the nearest transit stop?

According to Whatcom Transit Authority (WTA) route maps, there is no regular public transit service in the vicinity of the refinery. The closest transit route is the 75 – Blaine/Birch Bay that generally operates on I-5 between the cities of Bellingham and Blaine. The closest transit stop is located approximately 2.5 miles north of the refinery, in the Birch Bay Urban Growth Area.

- f. How many additional parking spaces would the completed project or non-project proposal have? How many would the project or proposal eliminate?

None. The project and any potential future project implementation would not require additional parking spaces or eliminate existing parking spaces.

- g. Will the proposal require any new or improvements to existing roads, streets, pedestrian, bicycle or state transportation facilities, not including driveways? If so, generally describe (indicate whether public or private).

Not applicable. The project and any potential future project implementation activities would not require new roads or streets or any improvements to existing public transportation facilities.

- h. Will the project or proposal use (or occur in the immediate vicinity of) water, rail, or air transportation? If so, generally describe.

The refinery includes an existing marine terminal located directly off Cherry Point that facilitates deep water access for industrial shipping operations necessary to maintain on-going refinery functions, as well as direct access to the BNSF Railroad Custer Spur to the east and a branch line of the BNSF Railroad to the south. However, project site investigation activities and potential future project implementation would not use water, rail, or air transportation.

- i. How many vehicular trips per day would be generated by the completed project or proposal? If known, indicate when peak volumes would occur and what percentage of the volume would be trucks (such as commercial and nonpassenger vehicles). What data or transportation models were used to make these estimates?

Project site investigation activities and any potential future project implementation activities may generate <25 additional vehicle trips/day by employees and contractors accessing the project site. If applicable, any vehicle trips that might be generated would be intermittent and temporary. No additional vehicle trips would be generated by the completed project.

- j. Will the proposal interfere with, affect or be affected by the movement of agricultural and forest products on roads or streets in the area? If so, generally describe.

Not applicable. The project and potential future project implementation would not affect or be affected by the movement of agriculture or commercial forestry products on roads or streets in the area.

- k. Proposed measures to reduce or control transportation impacts, if any:

No transportation impacts are anticipated as a result of any completed project work. Therefore, no permanent management measures are proposed.

15. **Public Services** [\[help\]](#)

- a. Would the project result in an increased need for public services (for example: fire protection, police protection, public transit, health care, schools, other)? If so, generally describe.

The project and any potential future project implementation activities are not expected to result in an increased need for public services.

- b. Proposed measures to reduce or control direct impacts on public services, if any.

Not applicable. The project and potential future project implementation are not expected to impact public services. Therefore, no measures are proposed.

16. **Utilities** [\[help\]](#)

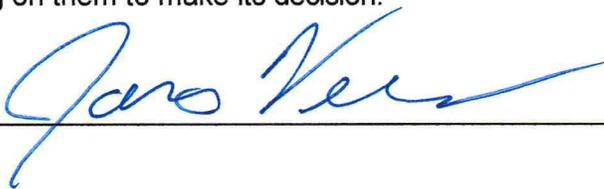
- a. Circle utilities currently available at the site: electricity natural gas water refuse service telephone sanitary sewer septic system, other: internet

- b. Describe the utilities that are proposed for the project, the utility providing the service, and the general construction activities on the site or in the immediate vicinity which might be needed.

Not applicable. No new utility services would be required for project implementation.

C. Signature [\[HELP\]](#)

The above answers are true and complete to the best of my knowledge. I understand that the lead agency is relying on them to make its decision.

Signature:  _____

Name of signee _____ James Verburg _____

Position and Agency/Organization Sr. Environmental Engineer/BP Cherry Pt. Refinery

Date Submitted: 5/01/2020