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Kim Wigfield, P.E.
Refinery/Aluminum/Chemical Unit Supervisor
Department of Ecology
Industrial Section
P.O. Box 47600
Olympia, WA 98504

May 1, 2020

Subject: Phillips 66 Ferndale Refinery and Department of Ecology Proposed SEPA Environmental Checklist

Dear Ms. Wigfield:

The Phillips 66 Ferndale Refinery (Phillips 66) appreciates the opportunity to continue to work cooperatively with the Washington State Department of Ecology (Ecology) to provide the SEPA checklist regarding potential future MTCA interim actions under Draft Agreed Order No. DE 16297. Additionally, Phillips 66 has reviewed the Exhibit A Oily Water Sewer Map and has modified the figure to include the major trunk lines from both the oily water sewer and the phenolic sewer systems. Phillips 66 has reviewed the definition of the Oily Water Sewer as written in the Draft Agreed Order and believes the revised figure meets the intent of the definition. Please accept this letter and the attached documents as Phillips 66's response to Ecology's email request, received by Phillip's 66 on April 22, 2020, for a completed SEPA checklist to be submitted to Ecology by May 1, 2020.

Please contact me at 360.384.8377 or email at amie.blystone@p66.com should you have any questions or concerns.

Sincerely,

A handwritten signature in black ink, appearing to be "Amie Blystone", with a long horizontal flourish extending to the right.

Amie Blystone

Attachments: SEPA Checklist
Exhibit A – Major Trunk Lines Oily and Phenolic Water Sewer Map
Wetlands, Stream, and Ditch Overview Map

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:

Investigation and Remediation of Releases from the Oily Water Sewer

2. Name of applicant:

Phillips 66 Company

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

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3901 Unick Road
Ferndale, WA 98248
360-384-8377*

4. Date checklist prepared:

April 2020

5. Agency requesting checklist:

Washington Department of Ecology (Ecology)

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

The proposed project will start with the reissuance of the Dangerous Waste Management Permit in mid- to late-2020. The permit references a proposed Agreed Order that directs the investigation and remediation of releases from the refinery's oily water sewer. The term of the permit is 10 years.

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

There are no plans for future expansions of the oily water sewer connected with this proposal.

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

A Potentially Liable Person determination was documented in a letter from Ecology to Phillips 66 dated September 4, 2019. The PLP letter provides environmental information that serves as the basis for Ecology's issuance of the proposed Agreed Order.

The proposed Agreed Order requires Phillips 66 to submit an Investigation and Response Plan for Ecology's review and approval within 6 months of issuing the proposed Agreed Order. If a release is discovered during the investigation of the oily water sewer, Phillips 66 is required to submit a work plan that describes the extent of soil and groundwater contamination related to the release and the remedial action that will be implemented to address the contamination. Phillips 66 is also required to submit annual progress reports that summarize the findings of the oily water sewer investigation and any remedial actions taken to address releases.

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.

No

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

The government approvals or permits that will be needed for the proposed project are the Agreed Order for Interim Action – Oily Water Sewer from the Washington State Department of Ecology. The approvals and permits needed for the proposed project could include a Land Disturbance Permit from Whatcom County, Critical Areas Review from Whatcom County, an NPDES Construction Stormwater General Permit from Ecology; Clean Water Act (CWA) Section 401 Water Quality Certification from Ecology; Hydraulic Project Approval (HPA) from Washington Department of Fish and Wildlife; Clean Water Act (CWA) Section 404 Nationwide and/or Individual Wetland Permit from U.S. Army Corps of Engineers.

11. Give 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 Phillips 66 are entering into a proposed Agreed Order to implement a project to investigate and address any releases that may have occurred from the refinery's oily water sewer. The order requires that Phillips 66 prepare an assessment to evaluate the integrity of the oily water sewer major trunk lines, identify any potential releases that may have resulted in soil or groundwater contamination, implement repairs to remedy the cause of such releases, and implement interim remedial actions, if necessary, to clean up soil or groundwater contamination that may have resulted from the releases.

The order is intended to address potential releases from the oily water sewer. The order specifies a number of presumptive interim actions that may be used to clean up the releases, if any are found. There is no evidence of a current release from the oily water sewer. The answers provided in this checklist were estimated based on a hypothetical release and a hypothetical boundary range of release and contamination discovered as part of this evaluation, which is addressed using the presumptive actions in the order. The answers are intended to provide information so that the lead agency (Ecology) can evaluate the potential environmental impacts and make a threshold determination under SEPA.

The oily water sewer serves the process areas of the refinery. As such, any presumptive interim actions taken under this order are anticipated to be generally within the footprint of the current operations and product storage/handling areas of the refinery. In general, these are areas of well-established historical and current industrial land use and classified as heavy impact industrial by Whatcom County.

Periods of active remediation required under the proposed Agreed Order are anticipated to be infrequent and will only occur if a release from the oily water sewer requiring action has been confirmed. If active remediation is necessary, it is anticipated

to be of relatively short duration, typically from several days to a month.

If oily water sewer integrity testing identifies a potential release, a program of investigation will be completed to confirm the release and define the nature and extent of contamination resulting from the release. Based on this information, a presumptive interim action will be selected by Phillips 66. In most cases, the presumptive interim action will involve excavation and treatment or off-site disposal of soils. If groundwater is impacted, then ongoing treatment and/or monitoring may be necessary.

If this project identifies releases where remedial actions beyond the presumptive interim actions described in the Order are necessary, then a more detailed work plan for the proposed actions will be developed for Ecology's review and a new SEPA checklist will be completed.

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 Phillips 66 Co Ferndale Refinery is located at 3901 Unick Road in Ferndale, WA, in Township 39N Range 1E Sections 32 and 33. The facility encompasses six parcels. Refinery operations (and thus the oily water sewer) are primarily located on parcel 390133197340. A site map is attached. Abbreviated legal descriptions from the Whatcom County Assessor are as follows:

- 390133197340: N 1/2 SEC 33-GOVT LOTS 1-2-3-4 SEC 32-EXC N 30 FT-E 30 FT-S 25 FT OF SEC 33-EXC N 30 FT-CO RD ALG S SIDE OF SEC 32-TOG WI 2ND CLASS TIDELANDS IN FRONT OF-ADJ TO OR ABTG UPON GOVT LOTS 1-2-3-4 SEC 32 WI FRONTAGE OF 81.23 LINEAL CHAINS M/L-EXC PTN DAF-THAT
- 390133067208: A PARCEL OF LAND LY WITHIN THE S 1/2 OF SEC 33 DAF-COM AT A BRASS DISC MON MARKING THE SW COR OF SD SEC-TH N 02 DEG 11' 44" E ALG W LI OF SD SEC 25.00 FT TO THE N MARGIN OF SLATER RD (CO RD NO 97)-TH CONT N 02 DEG 11' 44" E ALG SD W LI 1297.16 FT TO SW CO
- 390133203208: A PARCEL OF LAND LY WITHIN THE S 1/2 OF SEC 33 DAF-COM AT A BRASS DISC MON MARKING THE SW COR OF SD SEC-TH N 02 DEG 11' 44" E ALG W LI SD SEC 25.00 FT TO N MARGIN OF SLATER RD (CO RD NO 97)-TH CONT N 02 DEG 11' 44" E ALG SD W LI 2619.32 FT TO NW COR OF S
- 390133422149: A PARCEL OF LAND LY WITHIN THE S 1/2 OF SEC 33 DAF-COM AT A BRASS DISC MON MARKING THE SW COR OF SD SEC-TH N 02 DEG 11' 44" E ALG W LI OF SD SEC 25.00 FT TO N MARGIN OF SLATER RD (CO RD NO 97)-TH CONT N 02 DEG 11' 44" E ALG SD W LI 2619.32 FT TO NW COR OF
- 390133110048: A PARCEL OF LAND LY WITHIN THE S 1/2 OF SEC 33 DAF-COM AT A BRASS DISC MON MARKING THE SW COR OF SD SEC-TH N 02 DEG 11' 44" E ALG W LI OF SD SEC 25.00 FT TO N MARGIN OF SLATER RD (CO RD NO 97) SD PT BEING TPOB-TH CONT N 02 DEG 11' 44" E ALG SD W LI 1297.1
- 390133255087: A PARCEL OF LAND LY WITHIN THE S 1/2 OF SEC 33 DAF-COM AT A BRASS DISC MON MARKING THE SW COR OF SD SEC-TH S 89 DEG 03' 59" E ALG S LI OF SD SEC 1310.72 FT TO SW COR OF SE SW OF SD SEC-TH S 88 DEG 33' 59" E ALG S LI OF SE OF SD SW 1290.92 FT TO SE COR THE

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

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

a. General description of the site:

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

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

The steepest slope is approximately 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 general soil type found on-site is silt and clay.

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

There are no indications or history of unstable soils.

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.

The proposed project may result in the excavation and removal of contaminated soils. Soils that are excavated will be designated and hauled to an off-site landfill permitted to accept the material. The excavated area will be back-filled with clean soils and returned to grade.

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

If a release from the oily water sewer is discovered, a work plan will be submitted to Ecology that provides details of the extent of contamination and the proposed remedial action. These details will include the volume of affected soil and any filling, excavation, or grading proposed. The work plan will also identify the source of clean fill and where the excavated soils will 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 during seasonal precipitation events.

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

No impervious surfaces are expected to be added to the site as a result of the proposed project.

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

Best Management Practices (BMPs) from the Department of Ecology's "Western Washington Stormwater Management Manual" will be employed to reduce pollutant loss to stormwater. These BMPs may include erosion control fencing, placing plastic sheeting on stockpiled soils, and revegetating any exposed soils within 30 days.

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.

During any soil excavation, removal, grading, or other investigation and remediation activities, combustion emissions and dust will be temporarily emitted from earth moving equipment such as tractors, backhoes, dump trucks, and drill rigs. Emissions associated with site disturbance activities will be infrequent and short-term. These activities are not 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.

There are no off-site sources of emissions or odor that are expected to affect the proposed project.

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

Best Management Practices (BMPs) from the Department of Ecology's "Western Washington Stormwater Management Manual" will be employed to minimize dust generation. These BMPs may include wetting exposed soils, covering soil stockpiles, and using vacuum street sweepers.

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.

The Strait of Georgia is located approximately 2,000 feet west of the of the project boundary. An intermittent unnamed stream leading to Lummi Bay flows through the (forested) southeast corner of the facility, approximately 800 feet from the nearest oily water sewer line. The Ferndale Refinery has delineated several wetlands within the facility boundaries. A map showing the locations of surface waters at the site is attached.

- 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.

Several portions of the oily water sewer subject to the proposed Agreed Order are located in or within 200 feet of identified wetland areas. A workplan will be prepared by Phillips 66 and submitted to Ecology for review if soil disturbing activities are required in or adjacent to wetland areas.

- 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.

The proposed project does not include any specific fill or dredge activities. However, because a specific release from the oily water sewer has not been identified, it is not possible to know if the proposed project will require any activities in waters of the state. A work plan will be developed if work is required near or in these areas.

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

The proposed project will not 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 proposed project is not 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.

It is not expected that the proposed project will result in the 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 required for remedial purposes, groundwater may be withdrawn from wells. If a release from the oily water sewer is discovered, a work plan will be submitted to Ecology that provides details of the extent of contamination and the proposed remedial action including any groundwater withdrawals from wells. Water will not be discharged to groundwater.

- 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.

The proposed project will not involve discharges of waste material 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.

The proposed project is not expected to increase water runoff from the refinery site. Water runoff is managed in accordance with the Phillips 66 Ferndale Refinery National Pollutant Discharge Elimination System (NPDES) Waste Discharge Permit. Water runoff from the plant drains to the west into the Strait of Georgia, and to the south into unnamed stormwater conveyances that ultimately flow into Lummi Bay.

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

The proposed project will be designed to capture and/or control all project related potential waste materials or spills to prevent such material from reaching ground or surface water.

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

The proposed project is not expected to permanently alter or otherwise affect drainage patterns in the vicinity of the site.

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

Should site disturbance activities occur during seasonal precipitation events, Best Management Practices from Ecology's "Stormwater Management Manual for Western Washington" will be employed to control pollutant loss to stormwater.

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

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

- deciduous tree: alder, maple, birch, cottonwood
 evergreen tree: fir, cedar,
 shrubs: vine maple, twinberry, oso berry, salmonberry
 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

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

Removal of minimal vegetation may be required during remediation activities, such as the excavation of petroleum impacted soil.

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

The oily water sewer is located in a heavy impact industrial area. There are no designated ESA Threatened or Endangered species known to occur on or near the oily water sewer.

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

Vegetation may be established for erosion control purposes in disturbed areas. Native plants will be considered for use where appropriate.

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

*Based upon investigation of other areas in the refinery, some portions of the oily water sewer project area likely contain some or all of the following noxious weed species: reed canarygrass (*Phalaris arundinacea*), St. Johnswort (*Hypericum perforatum*), hairy cat's-ear (*Hypochaeris radicata*), Himalayan blackberry (*Rubus armeniacus*), ox-eye daisy (*Leucanthemum vulgare*), Canada thistle (*Cirsium arvense*), and bull thistle (*Cirsium vulgare*).*

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.

birds: hawk, heron, eagle, songbirds, geese, seagull, duck, starling, crow
mammals: deer, coyote, raccoon
fish: none

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

There are no threatened or endangered species documented on the project site.

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

While the project site is not part of a specific known migration route, it is located within the migratory route of many bird species and is part of the Pacific Flyway, which stretches almost the entire width from the Pacific Ocean to the Cascade Range foothills and is a major north-south route of travel for migratory birds in the Americas extending from Alaska to Patagonia. WDFW has mapped biodiversity areas and corridors north of the refinery along the coast (WDFW 2019, WDFW. 2019. Priority Habitats and Species Online Mapper. <http://apps.wdfw.wa.gov/phsontheweb/>). The proposed project would not affect the use of known migratory bird routes through the area.

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

The proposed project is not expected to have any adverse impact on wildlife.

- e. 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 site.

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 be no long-term energy demands from the proposed project. There will be short-term incremental demands for gasoline, diesel, and electricity. Electricity will be provided by the refinery's existing electrical power system. Gasoline and diesel will be used to power earth moving equipment and electricity will be used to power area lighting.

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

The proposed project will not affect the potential use of solar energy by adjacent properties.

- 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:

Energy conservation measures and procedures currently utilized at the refinery will be applied to all activities required by the proposed project.

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 from an oily water sewer release. Soil and groundwater that have been impacted will be sampled to determine contaminant levels. Phillips 66 utilizes extensive worker protection protocols including activity-specific hazard evaluations and requiring workers to wear the appropriate level of personal protective equipment (PPE) based upon the hazards identified for each activity. These hazards and mitigation strategies will be identified and managed through the job safety analysis developed specifically for the work to be performed.

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

A PLP letter from the Department of Ecology dated September 4, 2019 provides information about the known contamination at the site from present or past uses. Based on site history and previous cleanup actions, potential releases or threatened releases of hazardous substances from the oily water sewer include Total Petroleum

Hydrocarbons - gasoline and diesel range (TPH-G and TPH-D); Benzene, Toluene, Ethylbenzene, and Xylene (BTEX); polycyclic aromatic hydrocarbons (PAHs), and metals.

- 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 proposed project will require the main trunk lines in the underground piping system of the oily water sewer to be inspected. Inspection procedures will be established in the Investigation and Response Plan which shall be submitted within six (6) months of the effective date of the proposed Agreed Order.

Inspection and response procedures used will be affected by the nature of the liquids in the sewer (corrosive, toxic, and/or flammable), the continuous operation of the refinery and flow in the oily water sewer, the depth to the oily water sewer, the risk to personnel from sewer gases, the air emission control systems which are installed on the sewer, and refinery infrastructure which overlies the buried oily water sewer. There are aboveground pipelines containing hydrocarbon material near the proposed project whose locations 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 proposed project is not expected to produce, store, or use hazardous chemicals.

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

No special or new emergency services will be required. Trained refinery personnel are able to respond to emergencies onsite. Phillips 66 will utilize the site emergency response plan (if needed) and coordinate with local emergency responders as needed during the project.

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

The proposed project will require development and implementation of a health and safety plan to ensure worker protection.

b. Noise

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

The proposed project is located within an active heavy impact industrial area. Existing noise sources (vehicular, air, rail, and water traffic and surrounding operations) will 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.

The proposed project may slightly increase ambient noise as employees and contractors operate vehicles and other equipment. This will be a short-term and intermittent impact. Vehicle and equipment operation will only occur between the hours of 8:00 am to 10:00 pm.

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

Noise mitigation 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)*
- *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 heavy impact industrial facility. The project area is completely encompassed by the Phillips 66 Ferndale Refinery. The proposed project is not expected to affect the current land uses of nearby properties.

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?

The project site has not been used for working farmlands or working forest lands.

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

c. Describe any structures on the site.

The proposed project is located within an 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 the proposed project will require the demolition of any structures.

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

The site is currently zoned for heavy impact industrial use by Whatcom County.

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

The current comprehensive plan designation of the site is Major/Port Industrial Urban Growth Area.

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

The shoreline along the western edge of the refinery is designated as part of the Cherry Pt. Management Area in the Whatcom County Shoreline Master Program.

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

A portion of the oily water sewer is within a "High Susceptibility – 10 Year Travel Time" wellhead protection zone. Aquifers underlying undeveloped portions of the facility property have been assessed as low to moderate susceptibility. The unnamed intermittent stream in the southeast (forested) portion of the facility has been designated as a habitat/area associate with a State Priority Species. It is categorized as a fish bearing stream with presumed potential or historic distribution. The facility is in an area of "low" to "low to moderate" liquefaction susceptibility during seismic events. Wetlands are identified on the Whatcom County Critical Areas Ordinance map. Wetlands have been discussed in Section B.3.a.

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

The proposed project will have no permanent effect on facility employment or area population.

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

The proposed project will not cause any displacement.

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

The proposed project will not cause any displacement.

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

The proposed project will have no impact on the existing land use as heavy manufacturing. The project is located within a petroleum refinery.

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

The proposed project will not impact agricultural and forest lands.

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

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

No housing units will be provided as part of the proposed project.

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

No housing units will be eliminated as part of the proposed project.

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

The proposed project will not cause housing impacts.

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?

No structures are proposed as part of the project.

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

No views will be obstructed as part of the proposed project.

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

The proposed project will not impact aesthetics.

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

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

The proposed project is not expected to produce light or glare.

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

The proposed project is not expected to produce light or glare.

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

There are no off-site sources of light or glare that are expected to affect the proposed project.

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

The proposed project is not expected to produce light or glare.

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

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

The nearest recreational facility is privately owned and maintained by Phillips 66 for employees and their families. The employee park is located west of the proposed project area and is accessed through a locked gate along Slater Road.

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

The proposed project 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 proposed project will not impact recreational opportunities.

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.

Segments of the oily water sewer will be evaluated for historically significant buildings, structures, or sites if soil disturbing activities are required.

- 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.

Segments of the oily water sewer will be evaluated for landmarks, features, or other evidence of Indian or historic use or occupation if soil disturbing activities are required.

- 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.

Methods that will be used to assess the potential impacts to cultural and historic resources on or near the project site may include some or all of the following: consultation with tribes, literature review and records search of the Department of Archaeology and Historic Preservation's (DAHP) Washington Information System for Architectural and Archaeological Records Data (WISAARD), historic maps review, GIS data, and visual observations.

- 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.

Pending a cultural resources assessment, plans to avoid identified resources will be prepared for the proposed project as needed.

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.

The site is bordered by Unick Road, Lake Terrel Road, and Slater Road. The main gates to enter the refinery are located on Unick Road. Additional locked gates are located on Slater Road.

- b. 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?

The site is not served by public transit. The nearest transit stop is approximately 4 miles away.

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

The proposed project will not require additional parking spaces or eliminate parking spaces.

- d. 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).

The proposed project will not require any new roads or streets or improvements to the local transportation system.

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

The proposed project is not expected to use water, rail, or air transportation.

- f. 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 non-passenger vehicles). What data or transportation models were used to make these estimates?

The proposed project is expected to create <1 additional vehicle trips/day by employees and contractors to access the site during an average week. There may be occasional short duration increases during remediation activities of up to < 10 additional vehicle trips/day. Some of this traffic increase could be the result of commercial traffic (trucks) if soil contamination is identified and removal is required. This will be a temporary impact.

- g. 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.

The proposed project will not affect movement of agriculture or forest products on roads

or streets in the area.

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

The proposed project is not expected to impact transportation in the area.

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 proposed project is 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.

The proposed project is not expected to impact public services.

16. Utilities [help]

a. Utilities currently available at the site include:

Electricity, natural gas, water, steam, refuse service, telephone, wastewater treatment.

c. 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.

No new utilities are proposed for the project. The proposed project may use any combination of the above listed utilities, which will be provided by the refinery's existing infrastructure.

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 Annie Blystone

Position and Agency/Organization Environmental Specialist/Phillips 66

Date Submitted: 05/01/2020

D. Supplemental sheet for nonproject actions [HELP]

(IT IS NOT NECESSARY to use this sheet for project actions)

Because these questions are very general, it may be helpful to read them in conjunction with the list of the elements of the environment.

When answering these questions, be aware of the extent the proposal, or the types of activities likely to result from the proposal, would affect the item at a greater intensity or at a faster rate than if the proposal were not implemented. Respond briefly and in general terms.

1. How would the proposal be likely to increase discharge to water; emissions to air; production, storage, or release of toxic or hazardous substances; or production of noise?

The proposal is not expected to result in the discharge of any waste materials to surface waters or groundwater.

The proposal will likely create short-term emissions from internal combustion engines, and dust during grading and remediation activities.

The proposal may result in the excavation and removal of soils contaminated with hazardous substances to be hauled to an off-site landfill facility permitted to accept the material for treatment and/or disposal.

Proposed measures to avoid or reduce such increases are:

One of the main purposes of the proposal is to inspect and repair the oily water sewer lines to avoid or reduce future contamination of soils.

The proposal will be designed to capture and/or control all potential waste materials or spills to prevent such material from reaching soil, surface water, or groundwater.

Best Management Practices (BMPs) from the Department of Ecology's "Western Washington Stormwater Management Manual" will be employed to minimize dust generation.

2. How would the proposal be likely to affect plants, animals, fish, or marine life?

Vegetation may be disturbed or removed during remediation activities, such as the excavation of petroleum impacted soil.

Animals may be disturbed by the presence of construction equipment during remediation activities.

The proposal is not likely to affect fish or marine life.

Proposed measures to protect or conserve plants, animals, fish, or marine life are:

Vegetation may be established for erosion control purposes in disturbed areas.

The duration of proposed remediation activities will be limited and the proposal is not expected to have any permanent adverse impact on wildlife.

The proposal is not expected to include work in fish bearing waterways or marine waters.

3. How would the proposal be likely to deplete energy or natural resources?

The proposal is not expected to require long-term energy demands or deplete natural resources.

Proposed measures to protect or conserve energy and natural resources are:

Energy conservation measures and procedures currently utilized at the Phillips 66 refinery will be applied to all activities required by the proposal.

4. How would the proposal be likely to use or affect environmentally sensitive areas or areas designated (or eligible or under study) for governmental protection; such as parks, wilderness, wild and scenic rivers, threatened or endangered species habitat, historic or cultural sites, wetlands, floodplains, or prime farmlands?

The proposal may require subsurface investigations in wetland areas. If contamination is identified, the subsurface investigations could lead to remediation activities in wetlands.

Proposed measures to protect such resources or to avoid or reduce impacts are:

The proponent shall apply for and follow appropriate permitting procedures prior to disturbing wetlands or associated buffers.

5. How would the proposal be likely to affect land and shoreline use, including whether it would allow or encourage land or shoreline uses incompatible with existing plans?

The proposal does not include any changes to current land and shoreline uses.

Proposed measures to avoid or reduce shoreline and land use impacts are:

The proposal does not include any changes to current land and shoreline uses.

6. How would the proposal be likely to increase demands on transportation or public services and utilities?

The proposal is expected to require <1 additional vehicle trips/day by employees and contractors to access the site during an average week. There may be occasional short duration increases of up to < 10 additional vehicle trips/day. This will be a temporary impact.

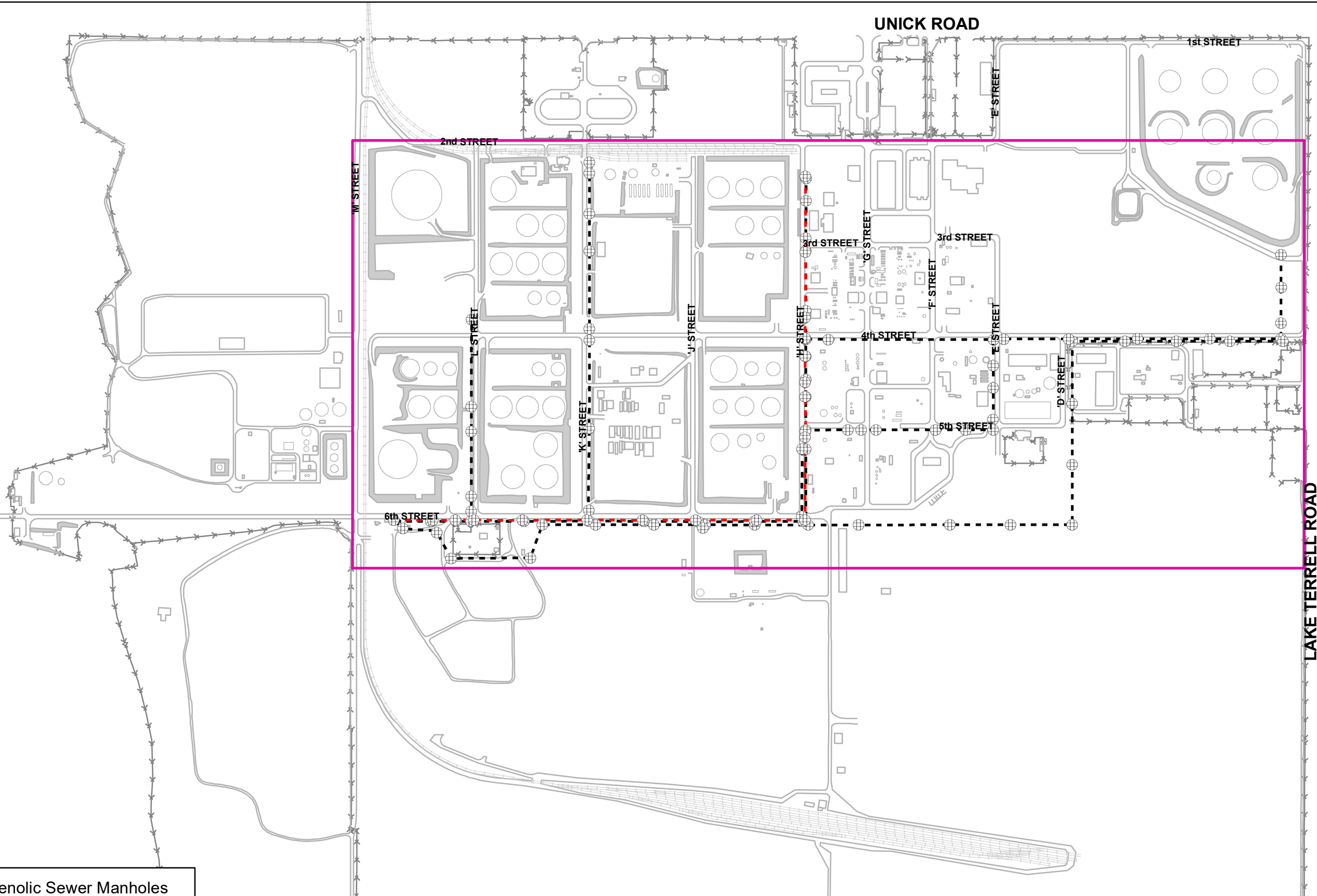
The proposal is not expected to increase demands on public services or utilities.





Proposed measures to reduce or respond to such demand(s) are:

The proposal is not expected to impact transportation or public services and utilities in the area.

7. Identify, if possible, whether the proposal may conflict with local, state, or federal laws or requirements for the protection of the environment.

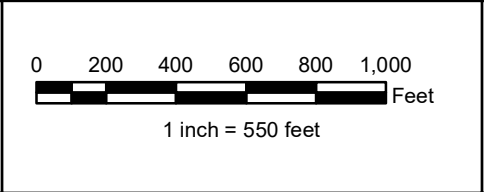
The proposal will follow the guidance outlined in the proposed Agreed Order (once finalized) and is not expected to conflict with local, state, or federal laws or requirements for the protection of the environment.



-  Oily and Phenolic Sewer Manholes
-  Phenolic Sewer Major Trunk Lines
-  Oily Water Sewer Major Trunk Lines
-  SEPA Project Boundary

Phillips 66 Base Map:
Carbon Canister and Conservation
Vent Location Map
(27-BS-207 R.7)

All data are approximate and should be
used for relative location reference only.



Phillips 66 Ferndale Refinery
3901 Unick Road
Ferndale, WA 98248

Major Trunk Lines
Oily and Phenolic Water Sewer Map

Prepared on:
04/24/20

Exhibit A

