



October 18, 2023

Project No. M1866.01.002

Steve Eberl, PE

Washington State Department of Ecology

300 Desmond Drive SE

Lacey, Washington 98503

Re: NuStar Terminals Permit ST 6225—Modification Request

Dear Steve Eberl:

NuStar Terminals Operations Partnership, LP (NuStar), located at 5420 NW Fruit Valley Road, Vancouver, Washington, has been issued a State Waste Discharge Permit Number ST 6225 (Permit). In addition to the Permit's discharge limits, monitoring, and recordkeeping requirements, the Permit also charged NuStar with preparing an All Known, Available and Reasonable Methods of Prevention, Control, and Treatment (AKART) Report; an Engineering Report; plans; and specifications. The AKART Report was submitted before the May 1, 2021, deadline, and conditional approval of the AKART was requested on January 12, 2022, when the revised AKART was submitted addressing Washington State Department of Ecology (Ecology), City of Vancouver (City), Clark Public Utilities (CPU), and Department of Health comments. On March 10, 2022, NuStar requested and was granted a permit modification to extend the due date for the Engineering Report and subsequent plans and specifications to May 1, 2023, and November 1, 2023, respectively, due to additional groundwater and site investigations that were required to inform the Engineering Report. The Engineering Report was submitted prior to the May 1, 2023, deadline. Comments were received from the City on May 26, 2023, from CPU on July 18, 2023, and from Ecology on August 25, 2023.

After the City and CPU comments were received, NuStar began coordinating with both agencies to understand and address their concerns and comments. However, NuStar waited to schedule any meetings with the agencies until all comments were received to ensure they could address them in their entirety. NuStar held meetings with both the City and CPU on October 10, 2023, to review and discuss each agency's comments and to identify an appropriate path forward that would be satisfactory to the agencies. While the discussions with the local agencies went well, additional time will be needed to meet with them jointly, to meet with Ecology to address its comments, to prepare responses to all comments, and to update the Engineering Report accordingly.

The current Permit requires the plans and specifications to be submitted by November 1, 2023. However, since the Engineering Report has not been finalized due to receiving comments much later than anticipated and in turn delaying agency coordination on the comments, NuStar is requesting a permit modification to extend the time of when the plans and specifications are due. NuStar would also like to request approval to submit conceptual plans and an operation and maintenance manual as outlined in the Washington Administrative Code 173-240-110. NuStar understands this does not relieve them from developing engineered plans to permit through the City and any other appropriate agencies.

Given the delays in receiving comments for the Engineering Report and the time needed to appropriately coordinate and respond to agency comments, NuStar would like to request to submit conceptual plans and an operation and maintenance manual as well as a permit modification to change the due date of the plans and specifications to May 1, 2024.

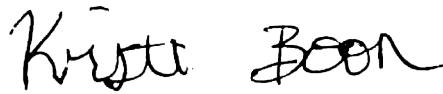
Your consideration of this request is much appreciated, and we look forward to your response.

Sincerely,

Maul Foster & Alongi, Inc.



Neil Alongi, PE
Principal Engineer



Kristi Boon, PE
Senior Engineer

Attachments: Limitations

Limitations

The services undertaken in completing this report were performed consistent with generally accepted professional consulting principles and practices. No other warranty, express or implied, is made. These services were performed consistent with our agreement with our client. This report is solely for the use and information of our client unless otherwise noted. Any reliance on this report by a third party is at such party's sole risk.

Opinions and recommendations contained in this report apply to conditions existing when services were performed and are intended only for the client, purposes, locations, time frames, and project parameters indicated. We are not responsible for the impacts of any changes in environmental standards, practices, or regulations subsequent to performance of services. We do not warrant the accuracy of information supplied by others, or the use of segregated portions of this report.



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