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Ken Esplin
Washington State Department of Ecology, Spills Program
12121 NE 99th Street, Suite 2100
Vancouver, WA 98682
kenneth.esplin@ecy.wa.gov

Re: Comments on updated Phillips 66 Pipeline LLC, Tacoma Terminal SPCC Plan

Executive Director

Melissa Malott

Dear Mr. Esplin,

Thank you for providing the opportunity to review and comment on Phillips 66's Tacoma Terminal Spill Prevention, Control and Countermeasure (SPCC) Plan.

Board of Directors

Jeff Barney

Brice Boland

Sherrie Duncan

Bryan Flint

Jerry Hallman

Charles Joy

Kelly McCord

Marco Pinchot

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Citizens for a Healthy Bay (CHB) is a 28-year-old organization whose mission is to represent and engage people in the cleanup, restoration and protection of Commencement Bay, its surrounding waters and natural habitat. We are a 501(c)3 nonprofit providing practical, solutions-based environmental leadership in the Puget Sound area. We work side-by-side with local citizens, businesses and governments to prevent water pollution and make our community more sustainable.

Phillips 66 Pipeline LLC presented an updated Spill Prevention, Control and Countermeasure (SPCC) Plan for their Tacoma Terminal for review by Ecology. The SPCC plan is reviewed at least every five years by Phillips management¹, as both technical and non-technical amendments to the plan and the facility get made over time

External notifications in the event of a spill are a crucial part of an effective emergency response procedure. The proposed notification procedures in the SPCC Plan are inadequate to ensure immediate spill responses, public safety, or accountability from Phillips 66 Pipeline LLC.

Comments

CHB finds the public notification requirements of the SPCC plan to be inadequate. The Emergency Rapid Action Plan form only guarantees notification to the National Response Center (U.S. Coast Guard), not the public.¹ In fact, notification and updates to the stakeholders and the public is the lowest of their countermeasure priorities.¹ Furthermore, the notification doesn't need to happen immediately, but rather within 30 to 60 minutes. External notification procedures, including notice to the public, should immediately occur simultaneously with internal communications and should trigger an immediate emergency response. There must be transparency and accountability to the public to ensure safety and equity in the approach to containing and cleaning up any spill. The public should be notified regarding what type of fuel was spilled; how much was spilled, along with a data including known toxicity levels; and potential health impacts.

The Agency Notification to Regional Administrator for Qualified Discharge(s) is required to be submitted to the Regional Administrator (EPA Region 10) within 60 days of specific spill conditions, including: 1) in the event this facility experiences a reportable spill of 1,000 gallons or more; or 2) reportable spills of greater than 42 gallons, each within any 12-month period.² All spills, no matter the volume, should be reported to all the affected, responsible, and overseeing parties. Otherwise, the public will remain uninformed of the impacts and Phillips 66 will not be held accountable for its impact in the Thea Foss Waterway. The SPCC should expand the recipient list for detailed spill reporting and remove the caveats to reporting.

CHB is concerned with the inadequate notification examples provided in the SPCC, especially the lack of public notification elements. Due to this serious concern, we strongly urge Ecology to push for more public notification countermeasures. The current countermeasures are not sufficient for immediate response actions to occur in the event of a spill.

Please contact me if there are questions regarding my comments. Thank you for the opportunity to provide feedback on the Phillips 66 Tacoma Terminal SPCC plan.

Sincerely,



Melissa Malott
Executive Director, Citizens for a Healthy Bay
mmalott@healthybay.org, (253) 383-2429

¹ Phillips 66 Pipeline LLC. 2017. "SPILL PREVENTION, CONTROL AND COUNTERMEASURE(SPCC)PLAN" page 10, Countermeasures.

² Phillips 66 Pipeline LLC. 2017. "SPILL PREVENTION, CONTROL AND COUNTERMEASURE(SPCC)PLAN" Appendix A.