

From: [Esplin, Kenneth \(ECY\)](#)
To: [Erin Dilworth](#); [Melissa Malott](#)
Cc: [Ferguson, Dan \(ECY\)](#)
Subject: RE: NuStar SPCC Plan
Date: Wednesday, May 22, 2019 9:20:17 AM

Erin,

Sorry for such a long delay in responding. I have been traveling and I finally have the time to effectively respond.

First off, we are grateful for the comments to the 2019 Tacoma Prevention Plan. I read your document and tried to take your comments and rephrase it then respond. If I misinterpreted your comment, please let me know.

Comment #1:

The Citizens for a Health Bay (CHB) identified difficulties by having separate reference documents and suggests that we combine them.

Response:

Ecology recognizes the difficulties, however NuStar is not required to combine these plans into the Prevention plan.

If you are looking for more information about the NuStar facilities there is a “Combined Plan” that includes the latest approved Prevention Plan. It is over 1,000 pages long. The Combined Plan, like most of Ecology-Spills plans, is renewed every 5 years, is publically accessible during its comment period. The Combined Plan can also be obtained through our public disclosure process.

No changes to NuStar’s Prevention Plan was required in response to this comment.

Comment #2:

The CHB would like the inspection and maintenance index to be attached to the Prevention Plan.

Response:

WAC 173-180-630(11)(b) indicates that a current index of maintenance and inspection records of the storage and transfer facilities must be included.

The Prevention Plan will be revised to meet this requirement in response to this comment.

Comment #3:

CHB has concerns that the inspection sheets are not properly identified or were included on page C-12.

Response:

Ecology understood that the inspection sheets were outlined as required on pages C-41 and C-42. No change to the Prevention Plan was required in response to this comment.

Comment #4

CHB has concerns that internal corrosion checks are not being performed.

Response:

Internal tank corrosion inspections are a key component of API 653 inspections. They are required per WAC 173-180-330(3). The API 653 inspections are occurring and reoccurring at a frequency defined by API.

No change to the Prevention Plan was required in response to this comment.

Comment #5

CHB requests that a protocol for checking internal piping corrosion be added to the plan.

Response:

Ecology has various protocols depending on the pipe function.

Transmission pipelines see WAC 173-180-310; Transfer pipelines see WAC 173-180-340; Process pipelines see WAC 173-180-025(29).

NuStar has no Transmission pipelines at their facility.

Transfer pipelines are to be inspected according to API 570 or alternatively coated correctly. NuStar has elected to coat their Transfer pipe. They are all above ground.

Process pipes do not have a mandated corrosion protocol. It should be noted that the Process pipes are all located within secondary containment. NuStar coats these pipes similar to Transfer pipelines. No change to the Prevention Plan was required in response to this comment.

Comment #6

CHB requests that detailed damage criteria (that would require repair/replacement) be identified.

Response:

Ecology requires a summarized description, not a detailed damage criteria, in the Prevention Plan. See WAC 173-180-630(11)(a). The summary is included on page C-27.

It should be noted that an API 653 internal tank inspection takes about a week to perform, creates a 50-100 page document, lists items that must be repaired that are out of compliance. Ecology reviews these inspections and verifies that the required repairs have been made.

No change to the Prevention Plan was required in response to this comment.

Comment #7

CHB states that integrity testing does not meet the regulations requirements.

Response:

WAC 173-180-630(11)(a)(ii) states that frequency, pressures used, means to identify that a leak occurred, and measures to reduce spill risk if test material is product.

Section C12 bullet #8 answers included:

- Frequency (annually),
- Pressure used (1.5 maximum allowable working pressure (MWAP) of 100 psi=150 psi).
- The ratio of test pressure to maximum operating pressure is 1.5.
- Duration is 1 hour

- Means to identify that a leak occurred (a pressure gage was implied)
- Measures to reduce spill risk if test material is product (fittings and flanges are covered)

Ecology assumed that a pressure gage would be the means used to verify that 150 psi was reached and also be used to identify if a leak occurred during the test.

No change to the Prevention Plan was required in response to this comment.

Comment #8

CHB requests that inspection and maintenance records need to be physically stored together with the Prevention Plan.

Response:

Ecology does not require that all maintenance and inspection records be stored with the prevention plan. However, each facility has extensive records. WAC 173-180-040(1)(b) requires that inspection and maintenance records, for the tank and pipes be kept for the life of the equipment. Pumps, valves and equipment records must be kept for 10-years.

Thanks,

Ken Esplin P.E.
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From: Erin Dilworth [mailto:edilworth@healthybay.org]
Sent: Friday, April 26, 2019 9:13 AM
To: Esplin, Kenneth (ECY) <kesp461@ECY.WA.GOV>
Subject: NuStar SPCC Plan

Mr. Esplin,

I understand the comment period for NuStar's SPCC plan ended yesterday evening. Citizens for a Healthy Bay does have comments prepared, and they are attached. I hope Ecology can still accept these comments. Please let me know.

Thank you!

Erin Dilworth | Policy & Technical Program Manager
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