



"The mission of the Council is to represent the citizens of Cook Inlet in promoting environmentally safe marine transportation and oil facility operations in Cook Inlet."

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Borough*

*Municipality
of Anchorage*

July 14, 2017

John Harry
Environmental Program Specialist
Alaska Department of Environmental Conservation
555 Cordova Street
Anchorage, AK 99501

RE: Comments and requests for additional information on Tesoro Logistics' Kenai Refinery Storage Facility and Truck Terminal Oil Discharge Prevention and Contingency Plan (#12-CP-2019)

Dear Mr. Harry:

Cook Inlet Regional Citizens Advisory Council has reviewed Tesoro Logistics' Kenai Refinery Storage Facility and Truck Terminal Oil Discharge Prevention and Contingency Plan on behalf of our member entities. Our mission is to represent the citizens of Cook Inlet in promoting environmentally safe marine transportation and crude oil facility operations in Cook Inlet.

Our enclosed comments highlight a number of issues that we believe can help to improve the utility of the plan, particularly for responders unfamiliar with the immediate area and operations.

We hope our enclosed comments will be helpful to ADEC and the plan holder. If you have any questions or wish to discuss this further, I can be reached at (907) 283-7222 or via email at MikeMunger@circac.org.

Sincerely,


Michael Munger
Executive Director

Cc: Graham Wood



Comments and Requests for Additional Information

Regarding

Tesoro Logistics

Kenai Refinery Storage Facility and Truck Terminal

Oil Discharge Prevention and Contingency Plan

(#12-CP-2019)

Submitted

By

COOK INLET REGIONAL CITIZENS ADVISORY COUNCIL

JULY 14, 2017

Overview

Tesoro Logistics' plan includes the Kenai Refinery and Nikiski Truck terminal. The plan combines two previous, separate plans that covered these facilities independently. Some of our comments likely identify vestiges from this process which could be improved for clarity. At a minimum, we suggest that the plan holder ensure acronyms are spelled out at first use and use a single format in each section (for scenarios and checklists, for example).

We strongly suggest that the plan also be reviewed for language that is not applicable to the facilities covered. We identify some examples in our comments, but do not attempt an exhaustive edit. There are several references to on-water response or an on-water response planning standard (although none is calculated). The potential need for a remote communications center is mentioned though not described, and the need is unclear given the expectation that a spill will remain on site at either the refinery or truck terminal. There are also non-specific references to pipelines, which do not appear to be part of the plan (although facility piping is included).

In these comments we reference both the regulations at 18 AAC 75 Chapter 4 and ADEC's c-plan Application Package Review and Guidance Document dated December 2016 (henceforth, "ADEC Guidance").

Introduction

The plan does not include a plan number on the cover page or front matter. This is a minor but helpful reference to accurately identify the plan and should be added.

1.0 Response Action Plan

1.1 Spill Action Checklists

This section provides general checklists for different positions. It does not include the title and phone number of the individual(s) who will be making notifications (18 AAC 75.425(e)(1)(B)(i), or the recommended wallet card reference tool (18 AAC 75.425(e)(1)(A).

The section also includes a generic flowchart of response actions (Figure 1.1-1). This is a useful general figure, but it is not clear how it fits into the plan itself. We suggest that its purpose should be clarified or the figure should be removed to avoid confusion with the more specific checklists.

1.2 Reporting and Notification

This section "State Agencies" table references an ADEC office in Kenai. This should be changed to Soldotna.

This section lists a number of phone numbers which may be useful but do not necessarily warrant notification by Tesoro Logistics in the event of a spill. These include, among others, the National Weather Service, local hotels not in the immediate vicinity (not close enough that they would be notified for safety purposes, but rather, presumably, to accommodate responders). This list should be modified so that it is clear who *will* be notified in the event of a spill. We appreciate that Cook Inlet RCAC has been identified to receive notification. We understand it is not a requirement to notify CIRCAC; however, in order for us to be effective as a prevention and response partner we do ask for CIRCAC notification to be made directly after agency notifications are

accomplished. From this list, it is not clear when CIRCAC can expect to be notified in the event of a spill.

Finally, Table 1.2-2 identifies PHMSA for notification of a spill from the Tesoro Alaska Pipeline. Please clarify whether PHMSA would be notified for any spills from the facilities *included* in this plan.

1.3 Safety

This section references CISPRI's site safety plan and provides a link that does not work to a job aid for the Tesoro Site Safety and Health Plan. While we realize that this may be an internal site, without viewing it is not possible to determine whether the steps to create an incident-specific site safety plan should be added, as required by 18 AAC 75.425 (e)(1)(C).

1.4 Communications

1.4.2 Major Spill Response Communications

Section 1.4.2 indicates that "CISPRI's mobile command center provides the means to establish a communications center in a remote location" yet there is no mention of a mobile command center in the CISPRI Technical Manual. This may be a known resource among responders in the Cook Inlet area but from the standpoint of someone (i.e. new employee or from outside the area) having to use this plan to implement a response, more information on this resource should be provided.

1.5 Deployment Strategies

The list of initial response actions should be reviewed to ensure there is no conflict or confusion with the lists provided in Section 1.1 and 1.2. For example, this section states that the Tesoro Liaison Officer will notify external parties in the event of a spill, while the earlier section specifies that the Qualified Individual will do this.

It is not clear why the development of a Waste Management plan is included in this section. We suggest this should be reconsidered.

1.6 Spill Response Strategies

It appears that the scenarios were taken directly from previous plans, and not aligned in format or strategies. The clarity of the plan would be improved by using a single format for all scenarios. Source Control measures are discussed for four scenarios, while there are only two described in full. Simply naming and numbering scenarios and providing a list of all scenarios at the start of the section will help to clarify the text.

The "piping rupture scenario" mentions sending vacuum trucks to the spill site to collect oil while source control measures are being undertaken (Table 1.6-3). Please clarify why this would not be a prudent action for the other response scenarios as well.

Source control measures listed should align with those described in Part 4 Best Available Technology (BAT). Please review and clarify as needed.

In "Response Scenario #1: (it is unclear which scenario this is – though we assume it is the 425,000 bbl release from Tank 25), contacting the Legislature is listed as part of community notification. If this is an important contact, it should be noted among the many listed in Sections 1.2. Please also clarify why HAZWOPER training is being offered on the first day of the response, instead of as part of the on-going training plan as described in Section 2. Please describe procedures and resources for monitoring the 160,000 bbl of oil that escapes secondary containment as required at 18 AAC

75.445(d)(3). Finally, please describe what sensitive areas may be affected and describe the specific tactics that will be used to protect them.

For "Response Scenario #2" please clarify what has been spilled – the Jet-A Fuel identified in the table at the start of the scenario or oil as mentioned in the scenario text below the introductory table?

1.7 Non-mechanical Response Information

The plan is inconsistent regarding the potential for oil to reach water (as noted in Section 3.2 specifically). If oil did reach water, it would be spilled from shore and dispersants would not be used in the nearshore area.

Likewise, the use of in-situ burning in an area where a significant volume of oil is likely to remain stored seems questionable at best. While these are both important potential strategies, we suggest that the applicability of dispersants and in-situ burning in this particular plan should be reconsidered or provide the rationale to keep them as viable strategies at these facilities

2.0 Prevention Plan

2.1 Prevention Programs in Place

2.1.2 Substance Abuse and Medical Condition Programs

This section mentions that the testing program for employees includes "new hire, random, and probable cause elements" but does not meet the minimum requirements in the ADEC Guidelines regarding the information to be provided. For substance abuse, these include: positions required to participate, type of program (recommend random testing over scheduled, or use a combination), nature of test, number of tests per employee/year, frequency of testing. For medical conditions, this section does not identify the physical conditions for which screening is conducted (vision, hearing, coordination), methods (med. exam, observations, performance test), or the frequency of testing/monitoring.

2.1.4 Petroleum Transfer Procedures

This section provides detailed checklists for transfer procedures, both for pipeline transfers and truck transfers (as well as transfers between tanks within the refinery). It is not clear why transfers to/from the KPL dock are referenced (2.1.4.1 Kenai Refinery Storage Facility).

Overall, transfer procedures should be re-evaluated to ensure all required elements are addressed, including ensuring communications throughout the transfer [18 AAC 75.025(d)] and checking drains before filling and prior to truck departure [18 AAC 75.025(g)]. Additionally, a procedure for a pre-transfer conference should be described, as per the ADEC Guidelines.

Formatting for this section should also be checked. On Page 2.1-8, there is a title for "Appendix A," which appears to be misplaced. Similar to the scenarios, a consistent format for the transfer procedure checklists would improve plan clarity.

2.3.7 Discharge Estimates

Table 2.3-1 Potential Discharge Volumes should specify the units used (presumably barrels) for clarity.

2.4.1 Seismic Activities

Earthquakes happen with little to no warning. There should be some sort of procedure in place to describe what will happen and provide guidance during and immediately following a seismic event such as alarms or automated closures or shutdowns. Please describe restart procedures and what inspections and /or system(s) testing will be done immediately following a seismic event.

3.0 Supplemental Information

3.2 Receiving Environment

The introduction to this section states the possibility that, "Oil spilled from the facilities covered by this plan has the potential of staying on the land or entering lakes, streams, rivers, and Cook Inlet." However, Section 3.2.1 states, "It is unlikely that oil spilled from the Refinery would flow far from the immediate vicinity of the spill or into Cook Inlet," and Section 3.2.2 echoes this for the Truck Terminal. Please clarify which facilities covered by this plan could spill to lakes, streams rivers, and Cook Inlet and provide the necessary estimation of the portion of the response planning standard that could reach open water.

Other sections of the plan also refer variably to on-land response only, or to the use of vessels or on-water response. Please clarify.

3.3 Incident Command System

Figure 3.3-1, which shows the Unified Command structure, appears to be repeated within this section. We suggest that this section also describe the factors that will determine whether the FOSC is from the Environmental Protection Agency or Coast Guard.

3.5 Logistical Support

This section references CISPRI's contract vessels and states that they have sufficient vessels to meet response planning standard (RPS) requirements. Please clarify if there is an on-water RPS. If not, this reference should be removed. If so, an appropriate scenario should be added.

3.7 Non-mechanical Response Information

This section reiterates the same general information found in Section 1.7. We recommend that the need for dispersants for an on-land response be clarified, as well as the role of in-situ burning in the vicinity of stored oil. It also states that, "It is Tesoro's intent to pursue any non-mechanical option that can be mutually agreed upon by Federal and State agencies to respond to an oil spill." This should at minimum be clarified to refer to the Unified Command rather than Federal and State agencies which, as noted in Section 3.3, could include local or Tribal on-scene coordinators; in addition to what we understand to be a general reference to the Alaska Regional Response Team.

3.8.2 Industrial Response Action Contractors

Please describe what "Industrial Response Action Contractors" are and clarify whether this refers to a spill in the general area of Cook Inlet or to Inlet waters (this section refers to a spill "in Cook Inlet").

3.10 Protection of Environmentally Sensitive Areas

This section indicates that environmental sensitivity in the area is most likely higher in sub-freezing conditions. While this may be true for year-round species, this section should consider whether there could be greater levels of activity during spring or fall migrations through the area, or other lifecycle stages.

This section also states that, "as described throughout the plan, provisions for rapid containment boom deployment are in place..." We did not note any such references. Please clarify or revise.

Please clarify the role of Cook Inlet Geographic Response Strategies in this plan. While we agree that these are valuable and informative tools, they are primarily designed to protect shoreline areas from spills in the Inlet itself.

4.0 Best Available Technology

This section provides best available technology (BAT) analyses for different components of the facilities and response system as required by regulations. The BAT tables should discuss specific costs, rather than refer to "major purchase" or another non-specific term when discussing cost. Where specific costs are provided, it is not clear if cost information is current as there is no update indicated in the redline version.

4.2 Source Control

Source control is discussed for both tanks and "pipelines." The information provided focuses on pipelines, however. We suggest that options for tanks should be described in a separate table as the applicable measures will indeed be different. The "BAT Summary" states that, "pipe repair bands will be recommended for refinery pipe repair kits." As this information has not been updated, please clarify whether this addition has been made.

4.3 Trajectory Analysis and Forecasts

This section refers entirely to on-water tracking and surveillance methods which are not relevant to the operations covered in this plan. Different methods are needed to assess the spread of oil that escapes secondary containment on land.