

BP Cherry Point, Phillips 66, and Tesoro Refineries and Intalco Aluminum Smelter

Opportunity to Comment

The Department of Ecology (Ecology) invites you to comment on modifications to the National Pollutant Discharge Elimination System (NPDES) wastewater permits for the BP Cherry Point, Phillips 66, and Tesoro refineries, and the Intalco aluminum smelter.

We'll accept written comments only on the changes, not entire permits, by mail or e-mail November 4 – December 7, 2015.

Send comments on the BP and Phillips 66 permit modifications to:

Liem Nguyen
Department of Ecology
Industrial Section
P.O. Box 47600
Olympia, WA 98504-7600
Liem.Nguyen@ecy.wa.gov

Send comments on the Tesoro permit modification to:

Mark Dirkx
Department of Ecology
Industrial Section
P.O. Box 47600
Olympia, WA 98504-7600
Mark.Dirkx@ecy.wa.gov

Send comments on the Intalco permit modification to:

Judy Schwieters
Department of Ecology
Industrial Section
P.O. Box 47600
Olympia, WA 98504-7600
Judith.Schwieters@ecy.wa.gov

DATES AND LOCATIONS

Comment period

November 4 – December 7, 2015

Read the proposed changes at these locations:

Anacortes Public Library
1220 10th Street
Anacortes, WA 98221

Bellingham Public Library
210 Central Ave
Bellingham, WA, 98225

Ferndale Public Library
2007 Cherry Street
Ferndale, WA 98248

Online:

<https://fortress.wa.gov/ecy/industrial/UIPermit/DraftPermits.aspx>

If you have questions, contact:

Kim Wigfield
kim.wigfield@ecy.wa.gov
(360) 407-6931

Accommodation Requests

To request ADA accommodation including materials in a format for the visually impaired, call Ecology at (360) 407-7668.

Persons with impaired hearing may call Washington Relay Service at 711. Persons with speech disability may call TTY at 877-833-6341.

Why are we modifying these permits?

Whole Effluent Toxicity (WET) testing determines if wastewater will be toxic to organisms similar to, or the same as, those found in the water receiving it. The current permits do not find the failure of a single WET test to be a permit violation, as long as the facility takes certain actions to address the issue.

In a recent ruling on an appeal of the BP permit, the Court of Appeals decided the failure of a single WET test is a permit violation if Ecology finds the test is not “anomalous.” An anomalous test happens when the lab appears to have done the test correctly but the results are considered unreliable. In these cases, the test must be repeated. If the results of the test are considered reliable and exceed the WET limit, it is a permit violation and the facility is required to investigate the toxicity.

The Court’s ruling also applies to the Phillips 66, Tesoro, and Intalco permits because they were each appealed for the same reason. We’re changing the permits to reflect the Court’s ruling.

Facility information

- The BP Cherry Point oil refinery is located at 4519 Grandview Road in Blaine. It discharges wastewater and stormwater to the Strait of Georgia and stormwater to Terrell Creek that flows to Lummi Bay.
- The Phillips 66 oil refinery is located at 3901 Unick Road in Ferndale. It discharges wastewater to the Strait of Georgia and stormwater to an unnamed tributary that eventually leads to Lummi Bay.
- The Tesoro Anacortes oil refinery is located on March Point Road in Anacortes. It discharges wastewater to Fidalgo Bay.
- The Intalco aluminum smelter is located at 4050 Mountain View Road in Ferndale. It discharges wastewater to the Strait of Georgia.