



November 30, 2015

Westway and Imperium Terminal Services Expansion Projects EISs
c/o ICF International
710 Second Avenue, Suite 550
Seattle, WA 98104

RE: Draft Environmental Impact Statements (EIS) Scoping for Westway and Imperium Expansion Projects

To Whom It May Concern:

Thank you for the opportunity to comment on the Draft Environmental Impact Statements (DEIS) for the proposed Westway and Imperium Terminal Crude Oil Storage and Handling Expansion Projects proposed in the Port of Grays Harbor in Southwest Washington.

With the proposed expansion, Westway would handle up to 806 million gallons, including up to 751 million gallons of crude oil. Imperium could handle up to 1.3 billion gallons of bulk liquids, including crude oil. Trains would bring oil and other liquids to these facilities to be transloaded to ships and barges. Together, the proposed expansions are projected to generate over 1,000 additional train trips and 600 vessel trips annually.

We are members of the **Safe Energy Leadership Alliance**, more than 165 elected leaders from five states and British Columbia who are advocating for full assessment of costs and risks for oil terminal and coal export proposals that will bring significant rail traffic, health, and environmental risks to communities across our region.

We share concerns about catastrophic risks from oil train derailment, explosion and fire. Increased oil and coal trains already snarl traffic, delaying emergency vehicles, truck freight, and commuters at at-grade crossings. We are also connected by rivers, estuaries, and the coastal waters where a spill in one location would be carried by flowing water or tides over a large area, damage habitat and fisheries, and impair treaty rights.

We have the following concerns about the adequacy of the DEIS for Westway and Imperium:

- **Geographic scope of analysis for health, safety, environment and traffic impacts of rail traffic is too narrow**

The DEIS assessment of health, safety, environment and traffic impacts is focused primarily on local vicinity of the Puget Sound and Pacific (PS&P) rail line, the final 59 miles from Centralia to the project site. The risk of derailment, spills, fire, leaks, and "crude shrinkage" doesn't stop at an arbitrary distance from the project site; risks and impacts will span the entirety of the rail lines from oil fields to the project site. As the Draft EIS notes, oil will be transported at higher speed limits up to 40 mph on rail segments beyond the PS&P line, bringing higher risks of accident to communities outside the local area proposed for terminal expansion.

Similarly, the Draft EIS assessment of risk from oil spills to water focuses on Grays Harbor rather than the full route of vessel traffic from terminal to refineries. A detailed assessment of risk to fish and wildlife in Grays Harbor is definitely warranted, it should also extend along any potential vessel routes beyond the harbor.

- **The Draft EIS understates traffic impacts**

The draft EIS Rail Traffic Fact Sheet states that the draft EIS “looked at the PS&P rail line and modeled current and future rail traffic to find any impacts from increased trains from the proposed projects” and concluded that “No rail work would be required to move trains safely to and from the project sites.” However, the same fact sheet notes significant increases in traffic blockages along the local PS&P line. For example, the Fact Sheet notes that from Centralia to Aberdeen, blockages would increase from 7 to 26 minutes a day to 40 to 59 minutes a day. We can only assume the crossings further up line would see delays. The final EIS should assess the impacts of increased gate-down time on movement of emergency vehicles, freight, and commuters for representative communities along the rail line from point of oil extraction to terminal (e.g., densely populated urban area, port city, major employment center, city with highways accessed by at-grade rail crossing). The EIS should include an assessment of type and cost of infrastructure improvements needed to mitigate for traffic and safety impacts of increased oil-by-rail traffic.

The Washington State Environmental Policy Act requires evaluation of direct, indirect, and cumulative impacts. The Final EIS should assess cumulative impacts along rail lines serving the proposed Westway and Imperium expansions in conjunction with the other recent and proposed expansions of oil-by-rail capacity at Washington State refineries that would also impact feeder rail lines.

- **The DEIS fails to assess and adequately address impacts to treaty fishing rights**

The DEIS acknowledges the operation of the proposed terminals would impact the ability of the Quinault Indian Nation to conduct their treaty-fishery, and that a large spill along the PS&P rail line or a ship or barge would harm or kill wildlife or plants, and could affect tribal resources. While the DEIS notes that docking schedules could be managed to minimize fishing schedules, this would seem to put the onus on the Tribe to work around the vessel traffic and associated risks created by this proposal. The DEIS acknowledges that mitigation actions would reduce but may not eliminate impacts on tribal resources, but leaves uncertainty about the extent of impacts to tribal fishing. The Final EIS must include a detailed assessment of the impacts of the proposed expansion of Westway and Imperium on the ability of the Tribe to pursue treaty-protected harvest. If the impacts cannot be mitigated, and treaty rights are impaired, then the projects should be denied. Further, the Final EIS should identify risks to treaty-fisheries for other Tribes with usual and accustomed fishing areas along the full length of the rail and vessel routes that would serve the proposed terminals.

- **Crude oil environmental health and safety risk assessment relies on uncertain federal, state and local government standards and investments to mitigate risk**

At several points in the Draft EIS, the analysis notes reliance on existing federal and state requirements for federal and state laws for rail safety, oil spill planning, and oil spill response. The DEIS relies further on coordination of federal, state, and local oil spill and emergency response plans. However, federal and state standards have repeatedly proven inadequate to prevent train derailments, oil spills, and fires. Earlier this year, a federal study predicted that

trains hauling crude oil or ethanol will derail an average of 10 times each year over the next two decades, causing more than \$4 billion in damage and endangering the lives of people in densely populated areas. We know from first-hand testimony of SELA members that many local governments do not have the equipment, trained staff, or capacity to respond to an oil train derailment, spill, and fire.

The Final EIS must fully assess the risk and impacts of leaks and spills along the rail and vessel routes serving the proposed terminal expansion, including the worst-case scenarios for derailment, spill and explosion of a unit train along a major water body and in a densely populated urban area. In assessing risk, the EIS should consider types of crude oil to be transported, including volatile Bakken crude and heavy tar sands bitumen, each with different risks of explosion and clean-up challenges. The EIS should also assess the increased financial burden to local governments for emergency planning, response and recovery associated with these increased risks of spill and catastrophic fire and explosion. Relying on current federal and state requirements, which are widely recognized as failing to prevent risks of spill, explosion and fire, is not acceptable.

- **The analysis of health impacts, both at the project site and along rail lines is inadequate**

The Final EIS should assess health impacts associated with emissions from oil trains, both from combustion of diesel fuels by the trains and “crude shrinkage” along entire rail route serving the terminals. The final EIS should include a Health Impacts Analysis (HIA) that assesses disproportionate impacts to health and safety of people living and working close to rail corridors.

Hundreds of communities across our region will bear the burden of impacts to traffic, health, and environment and face catastrophic risks for spills and explosions from oil trains and spill from vessels serving the proposed facilities. The final EIS must be comprehensive, detailed, and reflect cumulative impacts along rail and vessel routes that are integral to the proposed terminal expansions. Mitigation for risk to public health and safety cannot rely on uncertain federal and state regulations that are known to be inadequate. Finally, the impacts on treaty fishing rights must be fully assessed and mitigated. If treaty rights are impaired, then the proposals should be denied.

Sincerely,



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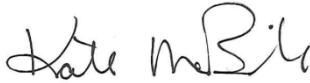
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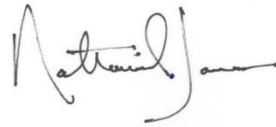
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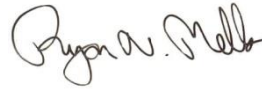
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