

Highlights from U.S. Environmental Protection Agency and National Park Services Letters to the U.S. Army Corps of Engineers on the Tesoro-Savage Oil-by-Rail Project (Vancouver, WA)

U.S. Environmental Protection Agency (EPA)

- The Tesoro-Savage does not comply with the Clean Water Act.
 - “EPA has several concerns about the proposed project as we believe it doesn’t currently comply with the Clean Water Act 404(b)(1) Guidelines.” EPA Letter to the U.S. Army Corps of Engineers (“Corps”) at 1 (July 31, 2015) (hereafter “EPA Letter”).
 - Note: The Corps cannot issue any permits for the Tesoro-Savage project unless the project complies with the Clean Water Act 404(b)(1) Guidelines.
- EPA recommends that the Corps not issue the key permit for Tesoro-Savage to upgrade docks at the Port of Vancouver. Tesoro-Savage cannot operate the project without dock improvements need to move oil from massive onshore storage tanks to ocean-going oil tankers.
 - “The EPA recommends that the Corps not issue a permit for this project until its potential direct, secondary and cumulative impacts are fully characterized.” EPA Letter at 1.
- The project threatens the Columbia River.
 - “The operation of the terminal has the potential to increase the risk of catastrophic accidents, such as an inadvertent release of crude oil to the environment.” EPA Letter at 3.
- The project threatens public health and safety.
 - “We are especially concerned about the risk of rail-related accidents and the severity of potential effects to highly sensitive and irreplaceable natural resources, as well as impacts to tribes, and vulnerable communities.” EPA Letter at 4.

National Park Service

- The National Park Service is concerned about the Tesoro-Savage Project’s impact on multiple national parks, including Glacier National Park, Fort Vancouver National Historic Site, the Lewis and Clark National Historic Park, and National Historic and National Geologic Trails.
 - “We are concerned about potential impacts involving the direct and indirect effects of the crude oil distribution project, including railroad shipment from the Midwest, port operations, marine vessel shipment and climate changes impacts associated with eventual fuel refining and

combustion.” National Park Service Letter to Corps (July 28, 2015) (hereafter “NPS Letter”).

- Train traffic to support the Tesoro-Savage project would impact and threaten the Fort Vancouver National Historic Site.
 - “The BNSF railroad runs through Fort Vancouver NHS and a portion of the lines are on an easement that dates back to 1906 when the original Spokane, Portland, and Seattle (SP&S) Line was built across the U.S. Army post. We are concerned about increased rail traffic associated with the project which could have direct and indirect effects on the properties of Fort Vancouver NHS.” NPS Letter at 3.
- The Tesoro-Savage project threatens the Lewis and Clark National Historic Park, which consists of seven sites totaling 3,400 acres in the lower Columbia River estuary and along the Pacific Ocean.
 - “We are concerned about potential oil spills from marine vessels on natural resources and visitor use and enjoyment at Lewis and Clark NHP.” NPS Letter at 3.