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Date: 11/25/2014 11:06 AM
Subject: Detailed Concerns Regarding the Phillips 66 Rail Terminal
Project and its REIR

Murry

I have carefully evaluated the Revised Environmental Impact Report issued two months ago and hoped that this document would address and resolve many of the issues raised over the previous DEIR. The purpose of this email is to advise you of my disappointment over the quality of this new document---and specifically its failure to address meaningful, realistic and actionable measures to mitigate the many negative consequences of this project to the residents of SLO County, and those, like me, who live on the Nipomo Mesa. The Phillips 66 Rail Terminal Project presents unacceptable dangers to my community in Nipomo's Trilogy development, located within a 1/2 mile of the proposed rail spur. All aspects of this project present unacceptable threats to the health, economy and environment of our area. Please do your job and protect the citizens of our County as opposed to the welfare of Phillips 66. By copy of this email, I'm requesting that all 5 SLO county supervisors, should this project reach them, cast a negative vote against this ill-conceived and dangerous project.

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There are many aspects of this project that are inimical to our well-being, but I would like to concentrate in this email solely on those relating to our Air Quality and Greenhouse Gases.

The original EIR recognized only two air quality impacts as "Class I" (i.e., impacts that cannot be mitigated to less than significant levels). However, in the REIR, the number of Class I impacts has more than doubled to five which are "significant and unavoidable" ... obviously proving that the original analysis either purposely minimized these issues or was woefully inadequate in its observations.

In the new REIR, the following project impacts were classified as Class I:

1. (AQ.2): Operational activities associated with the Rail Spur Project at the Refinery would generate criteria pollutant emissions that exceed SLOCAPD thresholds.
2. (AQ.3): Operational activities of trains along the mainline rail route outside of SLO County associated with the Rail Spur Project would generate criteria pollutant emissions that exceed thresholds.
3. (AQ.4): Operational activities at the Refinery associated with the Rail Spur Project would generate toxic emissions that exceed SLOCAPCD thresholds.

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4. (AQ.5): Operational activities of trains along the mainline rail route associated with the Rail Spur Project would generate toxic emissions that exceed thresholds.
5. (AQ.6): Operational activities associated with the Rail Spur Project would generate GHG (greenhouse gas) emissions that exceed SLOCAPCD thresholds.

The Key Issues...

- Heightened Recognition Of Specific Threats To Citizens' Health: This REIR recognizes the serious nature of the health risks raised by this project. Increased risks in important health categories such as cancer, heart disease, respiratory disease (especially in the very young and very old) and premature death are recognized and in some cases the risks are quantified.
- Heightened Recognition Of A Threat To Global Climate Change: The impact of this project on California's and SLO County's programs to reduce the threat of global climate change is also quantified in this REIR and the increase in greenhouse gas emissions of this project are found to exceed thresholds.
- Impractical And Unenforceable Mitigation Measures: Although there are mitigation measures discussed in this EIR for all five Class I impacts, the EIR's discussion of the measures, for the most part, makes it very clear they are not truly feasible or adequately enforceable.
- Not Taking Into Account All The Criteria For Determining Compliance With Air Pollution Standards: An issue of great concern with the REIR is its singular reliance on emissions increase thresholds as the sole criteria for the determination of significance under CEQA. The County has identified a list of criteria that can be used as a basis for determining "significance" under CEQA. An emissions increase threshold is only one of them.

Given that this project lies in the heart of a region where the state health standard for particulate matter is violated over 70 times per year and where the federal health standard has been violated in each of the last three years, I believe that any increase in the emissions of particulate matter at this project site violates additional CEQA significance criteria.

In addition to all the above concerns, I have further issue with the refining of tar sands, which can lead to a host of major health problems:

1. The Arrival Of "Tar Sands" In SLO County: The Nipomo refinery's superintendent has told us that with the Rail Terminal Project, there's a good possibility they will ship in "tar sands" crude oil from Alberta, Canada. Tar sands (a "heavy" crude) has substantially higher concentrations of sulfur, copper, nickel, nitrogen, lead and benzene than are found in conventional crude.
2. Health Issue #1 - Higher Levels Of Sulfur Dioxide: The main danger to communities is that facilities that refine tar sands could emit significantly higher amounts of sulfur dioxide. And that could lead to chest tightness, asthma, reduced lung function, respiratory weakness and cardiovascular issues, as

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well as cancer. Sulfur dioxide is especially dangerous for people who have preexisting heart and lung conditions.

3. Health Issue #2 - Increased Quantities Of Petroleum Coke: But the refining of tar sands also yields a significantly higher amount of petroleum coke, known as "petcoke." Phillips' Nipomo refinery already produces petcoke. And it's left onsite as widespread, open hills of black granules and dust. This waste product can easily be blown into residential areas by onshore winds and breathed in by residents.

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Petcoke is linked to a potential increase in heart attacks and respiratory issues.

The REIR fails to adequately address these concerns, or presents "mitigation" measures that are problematic, at best, given the pre-emption status of interstate commerce and the railroads' historic (and current) hostility to any attempt to impose or enforce state or local community health standards. That leaves us with a host of unresolved health issues without any meaningful way to address or mitigate them, under current laws and regulations. In this environment, clearly the project should and must be rejected.

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Thank you in advance for your attention to these issues.

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