

Mr. Murry Wilson  
SLO County Planning Department

Murray,

I am writing in response to the request for comments on the Recirculated PHILLIPS 66 RAIL TERMINAL PROJECT EIR.

I am a resident on the Nipomo Mesa and have been here for seven years. During that period I have worried about the Phillips refinery but have been content until recently because they seem to have been a good neighbor. I have talked to many Mesa residents who have been here much longer than I have and they seem to echo the same sentiment.

However, there have been some recent changes which have resulted in this proposed project that I have some concerns about:

1. Phillips Revised Business Model - It appears that the Phillips management has a new business direction that will result in major changes to the way the plant currently operates. I feel that their new business direction means that they will no longer be a good neighbor. While the people at the plant seem to hear our concerns, I believe that the Phillips management which this plant reports to does not have our best interest at heart. They have their own profit objectives at heart. I don't feel that the continued operation of the plant under their new direction is in the best interest of the residents of the Mesa, San Luis Obispo County and the State of California MUJ-01
2. Jobs/Tax base/County Revenue – We all recognize that there are a number of jobs at the Refinery and that it and the employees provide revenue to the County and local businesses. The growth of communities on the Mesa is also creating a significant, new revenue source for the County and local businesses. I feel that there is a financial tradeoff here that should be considered as part of the project evaluation. The question I have is whether the Phillips Refinery and the jobs they provide sacrosanct or whether the growth of revenue from the Mesa would allow consideration of shutting down the Refinery if it creates the issues that have been identified in the EIR. MUJ-02
3. Unmitigated Class I Issues – There is a very scary list of Class I issues identified in the EIR. These issues cannot be mitigated. It appears that Phillips is saying we should not worry about these issues because they cannot be mitigated – there is nothing they can do about them. I would ask – How many projects have the County Planning Commission and the County approved that have 5 Class I issues that cannot be mitigated? I would think one issue would be enough to issue a “No Project” response. I believe that Phillips is hiding behind the State Law versus Federal Law issue. MUJ-03
4. Violations of the San Luis Obispo Land Use Policies – The County has done a great service to the residents by creating Land Use policies to protect the residents of the County, County assets and the County itself. My concern is with the Land Use policies as they relate to the health and welfare of the residents. This project contains many violations of the County Land Use Policies. I don't understand how a project that contains these violations could ever be seriously considered. Again I would ask – How many projects have the County Planning Commission and the County approved that have as many Land Use Policy violations? MUJ-04
5. Air Quality on the Mesa – The current air quality on the Mesa violates California air standards between 50 and 100 times per year. It also violates US EPA standards 2 to 3 times per year. This project is going to greatly exacerbate the problem. What happens to this project or the operation of the plant if the project is approved and the US EPA standards are violated significantly more than the 2 to 3 times per year. EPA could/should step in and require that air quality be reduced to meet federal standards. This could potentially result in the shutdown of the Refinery as the only solution to the problem. It is hard to MUJ-05

predict what might happen but I have heard that EPA will not sit still for a long time with violations occurring and when they address the problem, they will come down hard and ask for immediate action.

MUJ-05  
cont

There are a number of other items that could be addressed. However, I feel that I have covered enough to lead one to a No Project vote.

Thank you for your consideration.

Jim Murray