From: Laurance Shinderman <lshinderman@sbcglobal.net>
To: "p66-railspur-comments@co.slo.ca.us"
<p66-railspur-comments@co.slo.ca.us>
Date: 10/22/2014 10:06 AM
Subject: Recirculated EIR (Phillips)

Laurance Shinderman
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(See attached file: Visual Blight.docx)

To Murry Wilson:

As a resident of Trilogy at Monarch Dunes I am vehemently opposed to the Phillips 66 Rail Terminal Project.

The Re-Circulated EIR lists multiple areas in which Class I impacts could be mitigated; the reality is that their methodology is flawed and self serving when it comes to mitigating the Visual Impact. (Mitigation Measure AV-1a)

According to the REIR, portions of the project would be seen from public roadways and paths within the Trilogy residential development east of State Route 1.

Westbound Via Concha Road would provide limited views to the easternmost portion of the rail spur, similar to those from along State Route 1 in this area. Portions of Louise Lane would also allow for views of the rail spur to the southwest. From these residential streets the unloading facility would not be easily noticed due to topography and viewing distance. The proposed rail road tracks would be visible from some of the residential homes in the Monarch Ridge Townhome development, which is located just east of the of the development area across Highway 1.

The KVA (Known Viewing Area) of the photos presented in the REIR were taken at the intersection of Via Concha and US1. This elevation is approximately 197 feet. SHL-01

A more appropriate VA(Viewing Area) would have been from the 2nd tee on the golf course, or homes that are adjacent to the 2nd tee. This elevation is approximately 297 ft. (That's approximately 100' higher than the KVA, and a more realistic site to create a simulation). From this 297'elevation, the entire rail spur and oil transfer facility would be visible.

(Location…US1 and Via Concha)

Thus the unloading facility would be in the line of sight and the string of tanker cars would be in full view. The scenic view would be totally compromised by what the Phillips consultant euphemistically called the 80 black tanker cars…a horizontal, linear discordant coloration. would have been more succinct…it's a blight!

SHL-01 cont

This picture would be more reflective of what would be the view; and not the self serving berm that Phillips suggests would mitigate the visual impact. Note the light stanchions. Phillips proposes 30' high light poles; which would be 10' to 20' higher than the berm and cast a nighttime glow; lighting up the transfer facility like a movie set.

We therefore suggest that Phillips cannot mitigate the visual impact; and thus the project should be denied.

From: Laurance Shinderman <lshinderman@sbcglobal.net>
To: "p66-railspur-comments@co.slo.ca.us"
<p66-railspur-comments@co.slo.ca.us>
Date: 10/27/2014 09:22 AM
Subject: Opposition to the Recirculated EIR: Air Quality

We are opposed to the Rail Project as the Santa Maria Refinery is currently a clear and present danger to the health and welfare of the residents on the Mesa. The proposed Rail Terminal will only exacerbate and increase the release of carcinogenic petroleum coke (petcoke) particulates into the air.

Presently, the emissions from the refinery are a toxic soup of carcinogens, neurotoxins and hazardous metals. The EPA has proposed a plan to protect communities from the dangers of oil refineries, including long overdue emission limits, technology standards and expanded air monitoring. Of course the refineries are dragging their feet on this; yelping that it will increase their costs with limited health benefits. Nonsense!

The proposed rail spur lines would extend from the terminus of the current spur. The unloading facility would be located at the end of the existing coke storage area and along an existing internal refinery road. The "spur" would traverse the current coke fields with the 80 tanker cars and diesel engines upon entering and leaving the refinery.

(A coke hopper car currently used at the SMR Refinery…note the piles of coke dust)

SHL-02

80 tanker cars and the diesel engine that would jockey the cars to the unloading facility and the tracks will pass through the coke fields upon entering and leaving the facility.

Coke dust will be disturbed and flumed by the passing tanker cars adding to the toxic air quality presently at the facility. No mention is made as the cars being washed down, so upon leaving the SMR facility. Upon leaving the SMR these tanker cars will be spewing dust up and down the Union Pacific tracks and into the environment….a Google Earth view of the current SMR coke fields will show mountains of black coke, vehicles bulldozing the coke, a long conveyer transferring the coke and blackened earth on the refinery site and at the entrance to refinery from the Union Pacific tracks. As the proposed feed stock by oil by rail will come from tar sands, and thus be described as "heavy crude"; there is every expectation that the by-product of refining this crude; more petroleum coke (pet coke) will be produced.

Current Air Quality

Operational pollutant emissions (i.e., NOx, ROC, and DPM) within San Luis Obispo County and outside the County on the mainline could be potentially significant and unavoidable (Class I). The operational pollutant emissions associated with operation of the Rail Spur Project within the

County would exceed the SLOCAPCD thresholds. Outside the County the mainline emissions would exceed most other air district thresholds.

It is suggested by Phillips that this impact can be reduced to less than significant with the use of Tier 4 locomotive and the application of emission reduction credits, which would make the impact less than significant with mitigation (Class II). This assumes that the Phillips purchases Tier 4 locomotives and that these do in fact release fewer diesel particulates and that emission credits can be used.

The County may be preempted by Federal law from mitigating the air impacts associated with the locomotives outside of the SMR property. (See Section G of the Executive Summary for more discussion on the preemption issue). If the County is preempted from applying mitigation to the locomotive emissions on the UPRR mainline, the impact would remain significant and unavoidable (Class I). However, regardless of the preemption issue, the air emissions within the SMR according to Phillips, can be mitigated through the use of emission reduction credits. This begs the question… will emission credits be purchased…how many are "banked"; can these be used; and will there be sufficient credits for the term of operation which projected to be another 30 years! This calls into question; with transportation costs of oil by rail, and the cost of building the facility, plus emission credit purchases; and the purchase of T4 Diesel locomotives. Is this project economically justified; or is there yet another agenda for Phillips to go to the well yet again to expand the refinery and it's capacity. They have already asked for and received the nod for an additional l0,000 barrel refining increase; why would we not see this as "mission creep". The current air quality is a toxic stew: Phillips states this emphatically in the REIR

SHL-02 cont

Air toxic emissions at the SMR would be significant and unavoidable (Class I) since the cancer risk over a 30-year exposure period would be greater than the 10 in a million threshold established by the SLOCAPCD. This cancer risk is driven mainly by diesel particulate emissions. About half of this cancer risk is due to the diesel particulate emissions from the existing trucking operations at the SMR. Use of Tier 4 locomotives would reduce most of the cancer risk from the rail operations, but the cancer risk would remain significant and unavoidable since the baseline risk is already about the SLOCAPCD threshold. As stated above, the County may be preempted by Federal law from applying mitigation to the UPRR locomotives.

How many emission credits are "in the bank"? Can they be used, and if so how long. Is this in perpetuity? Or is there a time limit in which they can be used and how are they monitored? Considering the ongoing cancer risk, the SMR has unmitigated gall to ask that this project be considered when their house is not in order now as to carcinogens. A better question would be to consider an orderly closing of the facility (my comments only).

For the health and safety of the community; Vote No on this project. There is no upside for the residents of the Mesa and San Luis Obispo County. The only "winner" would be Phillips to garner "advantaged oil" and increase their coffers; but if there were a disaster, SLO County would be left with the bill.

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(See attached file: coke train end of the current line at Phillips on the Mesa.jpg)

[Scanned @co.slo.ca.us]

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To: "p66-railspur-comments@co.slo.ca.us"
<p66-railspur-comments@co.slo.ca.us>
Date: 10/27/2014 09:18 AM
Subject: Recirculated DEIR

Opposition to the Rail Spur:

As a resident of Trilogy at Monarch Dunes I am vehemently opposed to the Phillips 66 Rail Terminal Project. The Re-Circulated EIR lists multiple areas in which Class I impacts could be mitigated; the reality is that their methodology is flawed and self serving when it comes to mitigating the Visual Impact. (Mitigation Measure AV-1a) According to the REIR, portions of the project would be seen from public roadways and paths within the Trilogy residential development east of State Route 1.

The specious RDEIR states: Westbound Via Concha Road would provide limited views to the easternmost portion of the rail spur, similar to those from along State Route 1 in this area. Portions of Louise Lane would also allow for views of the rail spur to the southwest. From these residential streets the unloading facility would not be easily noticed due to topography and viewing distance. The proposed rail road tracks would be visible from some of the residential homes in the Monarch Ridge Townhome development, which is located just east of the of the development area across Highway 1.

The KVA (Known Viewing Area) of the photos presented in the REIR were taken at the intersection of Via Concha and US1. This elevation is approximately 197 feet.

SHL-03

A more appropriate VA(Viewing Area) would have been from the 2nd tee on the golf course, or homes that are adjacent to the 2nd tee. This elevation is approximately 297 ft. (That's approximately 100' higher than the KVA, and a more realistic site to create a simulation). From this 297'elevation, the entire rail spur and oil transfer facility would be visible.

(Location…US1 and Via Concha)

Thus the unloading facility would be in the line of sight and the string of tanker cars would be in full view. The scenic view would be totally compromised by what the Phillips consultant euphemistically called the 80 black tanker cars…a horizontal, linear discordant coloration. I characterize it more succinctly…it's a blight!

This picture would be more reflective of what would be the view; and not the self serving berm that Phillips suggests would mitigate the visual impact. Note the light stanchions. Phillips proposes 30' high light poles; which would be 10' to 20' higher than the berm and cast a nighttime glow; lighting up the transfer facility like a movie set. SHL-03 cont

Phillips cannot mitigate the visual impact; and thus the project should be denied.

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Cc: Frank Mecham <fmecham@co.slo.ca.us>, Debbie Arnold
<darnold@co.slo.ca.us>, "cray@co.slo.ca.us"
<cray@co.slo.ca.us>, Bruce Gibson <bgibson@co.slo.ca.us>, Adam
Hill <ahill@co.slo.ca.us>
Date: 11/02/2014 05:32 PM
Subject: Phillips Re Circuated EIR

The Re circulated EIR notes many areas that present significant impacts yet avoid the realities that the Phillips Rail Terminal presents an "imminent hazard" that cannot be mitigated, and thus pre-exemption is not a skirt that they can hide behind.

In their February 2014, flyer to SLO County residents, Phillips stated that their "crude railcar fleet is one of the newest and are all DOT-111 cars ... including 2,000 that meet or exceed the Association of American Railroads safety standards."

(And as of October 22, 2014, the company had bought or ordered 3,200 railcars, and planned to boost its fleet to 3,700. http://www.reuters.com/article/2014/10/23/crude-freight-unloading-idUSL2N0SI03D20141023)

However, Phillips fails to tell us that it's the DOT-111 tank cars that have been involved in most or all of the previous derailments, explosions, fires and oil spills. While those cars may be state-of-the-art, the state-of-the-art has proven beyond doubt that it's not good enough.

SHL-04

A May, 2013 Phillips press release reported on their new cars - "During the first quarter (of 2013), the company took delivery of 400 railcars, which will transport crude to its refineries on the East and West Coasts."

In the Executive Summary (October 2104) page ES-5 Phillips wrote…

Phillips 66 has proposed to ship crude oil to the refinery in non-jacketed CPC-1232 tank cars (i.e., post October 1, 2011 tank cars). These cars have a capacity of approximately 31,808 gallons per car. Each car has a weight limit of 210,700 pounds of crude oil. Each tank car would be approximately 90 feet long. The tank cars would meet the current specifications that have been established by the American Railroad Association for use in transporting crude oil. The railcars would be designed to meet DOT Packing Group I requirements, which is the highest rating. The tank cars would be equipped with half height head shields, double couplers, and all stainless steel valves. The relief valve would be a designed for high flow. All of the tanker cars servicing the SMR as part of either a unit or manifest train would be owned or leased by Phillips 66. Well not so fast Phillips…In Lynchburg VA the rail tanker cars in a recent U.S. oil train mishap were the newer model CPC 1232 Tanker Cars

May 8 (Reuters) - Many of the tank cars involved in a fiery derailment of an oil train last week met safety standards that some in the industry consider a model for future containers, an official with the National Transportation Safety Board said on Friday. Ten of the 13 tank cars that jumped the tracks near downtown Lynchburg, Virginia, were model CPC-1232, said Eric Weiss, a spokesman for the NTSB.
The CPC-1232 is considered an upgrade from the DOT-111 model that is the workhorse of the oil-by-rail sector. Earlier this week, U.S. Transportation Secretary Anthony Foxx said that DOT-111s are not fit to carry crude oil and should be mothballed or toughened. In the Virginia incident, the 105-car shipment of fuel from North Dakota's Bakken energy patch partially derailed and caught fire within a few hundred feet of a busy restaurant and children's' museum in downtown Lynchburg. Please note: The derailment was within a few hundred feet of a busy restaurant and children's museum in downtown Lynchburg.
So take a moment and let your mind's capture that scene and juxtapose it in downtown San Luis Obispo. A typical afternoon, folks reveling in the pristine air, and enjoying a coffee in their favorite coffee shop, or a meal creek side in one of the many restaurants and bistros…and then suddenly a shattering explosion and San Luis Obispo is no longer the "happiest city" in America, but now a poster child for a rail disaster.. SHL-04 cont

Can't happen here? Are you sure? How sure?

Because Phillips proposes a 1.5 mile long unit train composed of 80 tanker cars carrying crude oil of dubious origin, down the Cuesta Grade 5 times a week; right through the heart of down town San Luis Obispo. This train will pass within yards of the Cal Poly Stadium, traverse local streets, cross Marsh St in the heart of the business district, and meander behind French Hospital.

Is this a bet that you want to take that Phillips and UPRR can mitigate disaster?

I think not…don't let this Phillip's Folly be your legacy…Vote No on the Re-circuated EIR; and tell Phillips not in our town. No Rail Terminal!

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<fmecham@co.slo.ca.us>, Bruce Gibson <bgibson@co.slo.ca.us>,
Debbie Arnold <darnold@co.slo.ca.us>, Adam Hill
<ahill@co.slo.ca.us>
Date: 11/03/2014 10:21 AM
Subject: Opposition to the Phillips 66 Rail Spur

I am vehemently opposed to this Project!

While Phillips 66 should be applauded for the extensive compendium of illustrations and appendices; they may also qualify for excellence in creative writing, by burying this intrusive Rail Terminal Project in a blizzard of nuanced and selectively interpreted visuals.

Let's look at the Visual Impact:

Phillips concludes this section with…By implementing mitigation measures AV-1a through AV-1c the impacts to the visual character and quality of the site and surroundings would be considered *less than significant with mitigation (Class II)*.
The required mitigation measures would cause the project to be less noticeable in the landscape, and as a result the perceived encroachment of industrial character into the current open space would be less evident.

SHL-05

What nonsense and double speak. A 1.5 mile long string of black tanker cars extending into what is now farm land or open land would be a visual blight…or what Arcadis, their consultant termed a **"horizontal linear discordant coloration"**.

SHL-05 cont

But an earlier paragraph stated: The proposed unloading area would be within the existing industrial part of the coke processing facility, and would be consistent with the visual character of that area. The rail spur which would extend approximately 0.9 mile east, would add an industrial element into land which currently serves as visual open space. As seen from State Route 1, the Coastal Trail, the De Anza Trail and other eastern viewpoints, the rail spur and associated rail cars would **represent a visual expansion of the adjacent industrial refinery use**. This expansion of industrial elements would not be entirely unexpected at this location; however **the current balance of visual character elements would be altered**. **The visual encroachment of the industrial refinery-related activities onto the adjacent visual open space would have an adverse effect on the existing character of the site, and would represent a potentially significant impact.**

Their mitigation: *An earthen berm shall be constructed around the eastern perimeter of the rail spur. The berm shall be a minimum of 10 feet tall and a maximum of 20 feet tall above the existing grade and as shown on the Berm Location Concept Map shown below (Figure 4.1-11) for the purpose of reducing views of the rail spur and trains from State Route 1 and the California Coastal Trail / De Anza Trail.*

The view looking west and southwest from State Route 1 is **considered a scenic vista because of the panoramic composition of natural and agricultural land use patterns, sweeping views of the dunes and the coastline, and the Pacific Ocean beyond.** The Rail Spur Project elements, where visible, would not block views of coastal visual resources such as the dunes, the ocean, riparian areas, or agriculture. **The eastern extension of the rail spur and its associated trains would however reduce views of the open space seen in the mid-ground, an important visual contributor to the overall scenic vista, which has the potential to be a significant impact**.

SHL-05 cont

What is most disconcerting is that the KVA (Known Viewing Areas) chosen were selected by Phillips and were along US1; and not the elevations where people actually live along Monarch Ridge and Monarch Dunes; some 100' higher in elevation, and would thus provide a visual blight as the view would look down on to the tracks

Well…let's go with paraphrasing a famous Ronald Regan retort in a Presidential Debate…"there you go again Phillips":

The alignment of the proposed rail spur track extension would be oriented nearly perpendicular to State Route 1, and as a result views of the tracks and trains would generally be looking down the tracks rather than seeing them from the side. This viewing orientation would lessen the visible area of the project relative to the overall view shed as seen from key viewpoints along State Route 1. **Nonsense!**

This is a static view of the proposed 5 track spur, and not just a singular spur as the Project is defined. The reality is that from any elevation the string of 80 black tanker cars and associated diesel engines would be visible and present visual blight. What's more, the system has been designed to allow for up to **two full trains to temporarily be on the Refinery Site at one time** in case a second train arrives while the first is still being unloaded.

That means that there is the reality that 160 black tanker cars will be the "industrial intrusion". Adding to the blight, Phillips proposes a "Bad Order" Track. They continue with**; Track 765** shall be repurposed as **a "Bad Order"** Track. This existing refinery spur track provides storage for crude railcars that cannot be unloaded and for rail cars requiring inspection and/or repair before continued use, as needed..

So not only will we be treated to the visual blight, we will also have endure **a "Bad OrderTrack**" that is…let's call it what it is…a **repair yard**. Thus there will be additional noise as the tanker cars are uncoupled and shunted to this **"Bad Order Track**". Repairs will go on as the other cars are being unloaded presenting a cacophony of discordant sounds of welding, hammering, and grinding and other assaults to the ear; possibly throughout the evening so that schedules can be met. SHL-05 cont

Thus, the visual blight cannot be mitigated and the Project should be denied. We invite you to take a drive through the community and you will get a first hand perspective of what the EIR calls a **scenic vista because of the panoramic composition of natural and agricultural land use patterns, sweeping views of the dunes and the coastline, and the Pacific Ocean**.

To rephrase The Big Yellow Taxi…by Joni Mitchell…What Phillips want to do **is "pave paradise and put up a Rail Terminal!**

Vote No!

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To: "p66-railspur-comments@co.slo.ca.us" <p66-railspur-comments@co.slo.ca.us>, Adam Hill <ahill@co.slo.ca.us>, "cray@co.slo.ca.us" <cray@co.slo.ca.us>, Debbie Arnold <darnold@co.slo.ca.us>, Frank Mecham <fmecham@co.slo.ca.us>, Bruce Gibson <bgibson@co.slo.ca.us>
Date: 11/04/2014 04:59 PM
Subject: Phillips Playing Russian Roulette in Sourcing Crude

I am vehemently opposed to the Phillips 66 Rail Terminal Project as the Project is presents a significant imminent hazard, not only along the mainline of the UPRR through which the crude will be transported, but within the refinery itself on the Nipomo Mesa. According to the federal government, rail shipments of certain crude feedstocks, represent an "imminent hazard," such that a "substantial likelihood that death, serious illness, severe personal injury, or a substantial endangerment to health, property, or the environment may occur". (See U.S. Dept. of Transportation (DOT), Emergency Order: Petroleum Crude Oil.Railroad Carriers, Docket No. DOT-OST-2014-0067 (May 7, 2014).

Indeed, accidents involving these trains have already resulted in catastrophic consequences, including one recent calamity that killed 47 people,in Lac Megantic, incinerated an entire downtown area, and is expected to require the expenditure of $400 million in taxpayer funds to remediate its disastrous environmental impacts.

Lac Megantic" Quebec-On July 5, 2013, a train loaded with 72 tank cars of crude oil being transported from North Dakota to New Brunswick stopped on a track with a descending grade. The train later began rolling downhill toward the town of LacMegantic, about 30 miles from the U.S. border. Near the center of town, 63 tank cars derailed, resulting in multiple explosions and subsequent fires. The accident killed 47 people and destroyed substantial sections of the town, causing the evacuation of 2,000 people. It was later determined that the crude oil released was more volatile than the transporter had originally reported to Canadian authorities. (Fishell, "Quebec government seeking $400 million for Lac-Megantic rail disaster cleanup,"Bangor Daily News (September 19,2014). SHL-06

According to the RDEIR; depending on the source of the crude oil, crude oil trains could use any portion of the UPRR network between Roseville/Colten and the source location of the crude.(Executive Summary page ES-6 Trains would arrive from different oilfields and/or crude oil loading points depending on market availability. The exact location of the source of crude oil that would be delivered to the refinery is unknown and could change over time based upon market conditions and availability.

It is unknown what route UPRR would use to deliver the trains to the SMR and it would likely vary based on the source location of the crude oil. However, there is certainty regarding the two segments of the route on the “Coast Line” that lead to the SMR from the north and from the south where there are no alternative routes. Coming from the north, the available routes merge south of San Jose. Coming from the south, the available routes merge north of Los Angeles.

It is quiet the “shell game” not knowing where the crude is sourced and exactly what crude is coming

either up or down the tracks.

The RDEIR fails to disclose the sources and analyze the environmental impacts of the new crude. There are a wide range of "advantaged" crudes with different chemical compositions currently available in commerce, and an increasing number of unconventional crudes such as crudes produced from bitumen sands (tar sands). Different types of crude can have very different impacts on such things as local air quality, green house gas emissions, and the risks associated with accidental releases. The proposed project will bring in large volumes (over 500 million gallons of crude oil per year; (28,105 gallons/tanker car per "unit train" X 80 tanker cars X 5 times a week X 52 weeks a year) from unidentified distant sources, of more than a mile in length. There is no discussion of the types of crude that will be transported; and this information is critical for a full and fair analysis of air quality.

The amount and toxicity of air emissions and potential releases associated with the transporting and storing of crude of unspecified origin may (including the proposed new pipe line within the facility), contain different or higher levels of contaminants which may result in higher emissions around the refinery. In fact the RDEIR states…

Operational pollutant emissions (i.e., NOx, ROC, and DPM) within San Luis Obispo County and outside the County on the mainline could be potentially significant and unavoidable (Class I). The operational pollutant emissions associated with operation of the Rail Spur Project within the County would exceed the SLOCAPCD thresholds. Outside the County the mainline emissions would exceed most other air district thresholds.

SHL-06 cont

The RDEIR proposes "offsets" using emission credits previously earned for reducing emissions in the past rather than implementing on site mitigation measures. While offsets might reduce air pollution in California, or the general region, they will not reduce the localized air pollution impacts in the community where the Project is located. Not knowing the source and type of crude it fails to identify the risks of refining and storing this crude…For instance higher acid and/or sulfur content in a crude may increase the risk of corrosion to refinery equipment and pipes, which may in turn lead to leaks, explosions or fire. (Pipe Corrosion at the Chevron Richmond refinery contributed to the explosion and fire at the facility). http://www.dir.ca.gov/DIRNews/2013/IR2013.html So here we have it. Phillips in their quest for increased profits is choosing to source "advantaged" crude from disparate and undisclosed locations and is willing to play Russian Roulette with the health and safety and economic vitality of San Luis Obispo County, to say nothing of the entire state of California.
Vote No! on this project.

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Bruce Gibson <bgibson@co.slo.ca.us>, Adam Hill
<ahill@co.slo.ca.us>
Date: 11/06/2014 11:09 AM
Subject: Phillips Fuzzy Math: Opposition to the Rail Terminal Project

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Thursday, November 06, 2014

I strongly object to the proposed Phillips 66 Rail Terminal Project!

Phillips is playing fast and loose with the timelines that the 80 tanker cars will be onsite for loading and unloading. The following in italics are directly from the Re-circulated draft EIR. The bold type has been added by me for emphasis.

Once the unloading operations are complete, the two locomotives that were used for the unloading operations would connect to front of the empty train located on Track 5. These two locomotives would idle until the train left the refinery. During this period the rail car brakes would be pumped up with compressed air. In addition, UPRR would inspect the train to ensure all the cars are connected properly and the brakes are correctly pumped up. The idle time would depend upon how long the train had to wait until the UPRR scheduled departure. Based upon an ***11.5 hour turnaround****, it would be about 1.4 hours.*

5. ***Train Departure –*** *Just prior to departure, the third locomotive on Track 764 would also connect to the front of the train. The empty train would leave the refinery and head back on to the UPRR mainline track with all three locomotives in the front. It is anticipated that each train would be at the refinery for about* ***10 to 12 hours****.*
Table 2.5 provides a summary of the train operations and the estimated times associated with each operation listed above. The total time a train would be at the refinery would be approximately ***10 to 12 hours****, of which about e****ight hours would be needed for unloading, switching and repositioning activities****.* SHL-07

Now here is where the time lines get a bit fuzzy…

The unloading facility would also be equipped with steam lines that would allow the rail cars to be heated prior to unloading. Phillips 66 would construct new infrastructure to utilize steam already produced at SMR to heat cars that have been subject to ***unanticipated delays during transit that has allowed the crude oil to cool.***

The unloading facility would include an access platform and a system of pumps and meters, suction lines from the railcars, carbon beds for vapor treatment, steam lines and steam condensate vessel, and a common pipeline leading to the refinery's existing tank farm.

Note: None of these sources of mechanical noise has been modeled in the EIR and will of course add to the noise pollution in addition to the sounds of the tanker cars being uncoupled and re coupled with diesel engines jockeying the tanker cars around the terminal. <u>We will be treated to raucous cacophony of discordant and abrasive sounds for hours and hours</u>.

During the heating operation, rail cars would be placed on Tracks 1 and 2 and each of the 80 cars would be connected to the steam line coming from the refinery. Each rail car would be equipped heating coils (i.e., piping coils) located on the outside bottom half of the rail cars. The steam would be travel from the inlet steam pipe to the heating coils on each tank car.

*The rail cars would be heated for **about 21 hours** and then the normal unloading operations would begin. During the heating process, all of the locomotives would be shutdown*.

Let's do the math. If the cars will be heated about 21 hours; before the normal unloading operations would begin; then clearly the statement that the total time that the tanker cars will be in the refinery for 10-12 hours is incorrect.

Phillips is playing fast and loose with the time lines. If the tanker cars are sourced from tar sands crude, then they will have to be transported in heated tanker cars or have "rail bit" diluents to make the crude more viscous. So not knowing what the health hazards are with the additives to make the crude more viscous; or having 80 tanker cars that are **a boiling cauldron of crude** coming down the tracks and into the facility, we are being treated to a "heads Phillips wins, and tails we the residents of SLO County lose". SHL-07 cont

This is a recipe for disaster!

The questions keep mounting. Clearly Phillips will need to be more forthright with the type of crude, where it is sourced, and the worst case scenario as to how long the tanker cars will be in the facility.

The simple and easy answer is to Vote No! There is no upside to this project!

Laurance Shinderman
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From: Laurance Shinderman <lshinderman@sbcglobal.net>
To: "p66-railspur-comments@co.slo.ca.us"
<p66-railspur-comments@co.slo.ca.us>
Cc: "kevin.beauchamp@kw.com" <kevin.beauchamp@kw.com>, Linda
Reynolds <lreynolds151@gmail.com>, "gary@mckible.com"
<gary@mckible.com>, "akelassoc@earthlink.net"
<akelassoc@earthlink.net>
Date: 11/13/2014 11:00 PM
Subject: Objection to the RDEIR and the Phillips Rail Project:

To Murry Wilson

The more I read the RDEIR, the more enraged I become that Phillips has the temerity and gall to even consider this Rail Terminal Project and that the planning department would entertain this folly.

Phillips is currently in non compliance in terms of diesel emissions and has the unmitigated chutzpah to suggest that regardless of the preemption issue, the air emissions within the SMR can be mitigated through the use of emission reduction credits. SHL-08

Air toxic emissions at the SMR would be significant and unavoidable (Class I) since the cancer risk over a 30-year exposure period would be greater than the 10 in a million threshold established by the SLOCAPCD. This cancer risk is driven mainly by diesel particulate emissions. About half of this cancer risk is due to the diesel particulate emissions from the existing trucking operations at the SMR. Use of Tier 4 locomotives would reduce most of the cancer risk from the rail operations, but the cancer risk would remain significant and unavoidable since the baseline risk is already above the SLOCAPCD threshold. As stated above, the County may be preempted by Federal law from applying mitigation to the UPRR locomotives. SHL-09

Phillips suggests that the use of Tier 4 locomotives would reduce the risk. Nonsense; while there may be Tier 4 standards, there are currently no Tier 4 locomotives. So this is a complete fabrication!

In describing the unloading processes in the DREIR they projected the amount of time that locomotives would be in operation at the unloading crude oil terminal. These are based upon assumptions that all the trains will arrive on schedule and no trains will have to be shunted aside to a “bad order track” for repair and that the unloading and uncoupling and re coupling and building the train back to the 80 crude oil tanker cars will go on without a hitch.

So let’s use their numbers: SHL-10

A unit train would be at the refinery site for about 11.5 hours. This includes the arrival and departure time. There would be about 19.2 total locomotive-hours of idle on-site, 5.8 total locomotive-hours of switching, and 9.5 locomotive hour of off time. This is a total of 34.5 locomotive- hours of operation (3

locomotives x 11.5 hours = 34.5 locomotive-hours of operation). It is expected that the turnaround for a train at the refinery would be between 10 and 12 hours.

Let’s repeat that: 34.5 locomotive hours of operation for the 10-12 hours to unload the train.
That means 34.5 hours X 5 Days a week equals 172.5 hours a week! For the year that would be 8,970 locomotive hours. Year in and year out. For as long as the refinery is in operation.
That’s a boat load of emission credits that they will have to buy; as they don’t have that many banked.
So while they are using their emission credits; we the residents of the Mesa will be breathing the air borne diesel particulates that are already above the base line risk.

SHL-10 cont

Add to this assault on our health and well being, we will be treated to the cacophony of the discordant and abrasive sounds as diesel engines jockey the cars into position; uncoupling and recoupling them; the clang of metal on metal as valves are hooked up and detached for unloading the crude; and the incessant hiss of steam as brakes are bled and tested or steam is pumped into the coils of the tanker cars so that the crude will flow.

SHL-11

Vote No Project:

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(See attached file: Locomotive.docx)

From: Laurance Shinderman <lshinderman@sbcglobal.net>
To: "p66-railspur-comments@co.slo.ca.us"
<p66-railspur-comments@co.slo.ca.us>
Date: 11/16/2014 10:27 AM
Subject: Opposition to the Phillips 66 Rail Spur Project: Piece Mealing

Phillips 66 in an utter lack of transparency is engaging in unlawful piecemealing of the Rail Project by not co-joining their EIR in Rodeo with that of the SMR in Nipomo. SHL-12

The attached letter reflects my comments.

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Once again, I'm writing to voice my objection to the Phillips 66; euphemistically named **rail spur project**. It is anything but! It is from my perspective the first of many such projects that Phillips has planned to increase refining capacity up and down the coast to take advantage of the political winds that have shifted so that they can refine and ship product off shore under the guise of "energy independence". And how will they do this; simply by sourcing "advantaged crude" from the tar sands that are literally flooding the market with cheap, and dirty crude.

The Phillips Santa Maria Refinery (SMR) and the Phillips 66 San Francisco Refinery, located in Rodeo California, are inextricably connected. They are, in fact, connected by a 200-mile pipeline and there is a direct production link between the 2 facilities. This pipeline has served this facility for decades; but now, Phillips wants to bring oil by rail down the coast on a 2000 mile journey to save a few dollars a barrel while putting the coast line and cities and towns along the route at risk.

The Phillips' website states…
The San Francisco Refinery is comprised of two facilities linked by a 200-mile pipeline. The Santa Maria facility is located in Arroyo Grande, Calif., while the Rodeo facility is in the San Francisco Bay Area.

Yet neither the RDEIR for the Rodeo Phillips 66 Propane Recovery Project (whose comment period closes on December 5, 2014) nor the REIR for SMR addresses the other project in any reasonable manner. Why? Simply because Phillips chooses to move in the dark shadows by withholding relevant information that could impact their twin projects. SHL-13

Make no mistake…these are twin projects; the SMR will be providing partially refined product to the Rodeo refinery. It is obvious that without the SMR pre-refining which they do now, the Rodeo facility would not need the added capacity…and why do they need the added capacity, because the SMR will increase their refining capacity by bringing in crude by rail. But wait…the SMR refining capacity is capped…well, should they get the rail project approved, they will once again file yet another EIR to increase refining capacity…they pretty much said as much at a recent SCAC presentation in Nipomo.

So in their total lack of transparency, the Rodeo facility is not even mentioned under section "3.2 Cumulative Projects List" in the REIR makes us even more suspicious that Phillips may be engaging in what is known as "piecemealing".

The California Environmental Quality Act (CEQA) forbids "piecemeal" review of the significant environmental impacts of a project. In this case, the two projects should be considered as one big PROJECT. And, in doing so, it may be shown that the cumulative impact of both projects is much more environmentally calamitous than each one considered in isolation.
Simply stated: The whole is greater than the sum of the parts.

Vote No Project!

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To: "p66-railspur-comments@co.slo.ca.us"
<p66-railspur-comments@co.slo.ca.us>
Date: 11/22/2014 01:08 PM
Subject: Vote No!

NOPE (Not On Planet Earth) should this ill conceived project from Phillips be approved.

Economic Impact:

There is no basis for a finding that the benefits of the Project would outweigh its significant costs to the environment and to the health and safety of the thousands of people living in San Luis Obispo County and along the UPR main line.

The project objectives that the RDEIR offers in order to help the County develop a statement of overriding considerations include allowing the refinery to obtain a range of competitively priced crude oils, and maximize the use of existing infrastructure and resources to support the economic vitality of the County and State." (simply a self serving consideration) However, the RDEIR later notes that given the limited increase in local expenditures associated with the Rail Spur Project, the economic growth associated with future development at the proposed project site would not be significant," and "minimal new operational employment would be associated with the Rail Spur Project.

Simply stated; Phillips wants to increase it's profits to its shareholder to the detriment of residents up and down the mainline in terms of increased health risks and the potential of a horrific disaster or oil spill. Such a spill or disaster will cost tens of millions to clean up and stultify the economic renaissance and quality of life in the County. SHL-14

Emission Credits:

Clearly the use of "emission credits" is a dodge; because they have not spelled out how many credits are available, do they expire, are they available to purchase for the duration of the refinery life and, are they even legal, when the air quality currently is over the risk level. Yet they want to bring in T-4 locomotives that are not yet on the market, and inflict 34.5 hours of diesel emissions (3 locomotives will be in operation concurrently) during the 12-14 hours of unloading, with emissions building up in huge concentrations as the locomotives will be moving in a confined space. Nor do they factor in the coke dust that will be disturbed and made airborne as 1.5 mile long trains traverse the current coke fields. SHL-15

This is clearly a "heads they win and tails we lose". The county and the residents of San Luis Obispo County and along the coastal corridor that the tar sands laden crude oil tankers will travel should not be put at risk.

Vote No! NOPE!

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