

Response to Comments on the Draft NPDES Permit No. AK-000105-8
Tesoro Alaska Petroleum Company
Kenai Pipeline Facility

U.S. EPA Region 10, August 2006

Background

On June 19, 2006, EPA issued a public notice advertising the availability of a draft NPDES permit and fact sheet for the Tesoro Alaska Petroleum Company, Kenai Pipeline Facility (Tesoro). The draft permit provides Clean Water Act authorization for the discharge of treated ballast water to Cook Inlet near Point Nikiski, Alaska. The original comment period ended on July 21, and was extended by two weeks to end on August 4, 2006. During the six week extended comment period, comments were submitted by the Cook Inlet Regional Citizens Advisory Council (CIRAC).

Comment #1

CIRAC commented that there were several discrepancies between the fact sheet and permit regarding the length of the compliance schedule for total aromatic hydrocarbons (TAH) and total aqueous hydrocarbons (TAqH). The fact sheet identified a two year compliance schedule whereas the permit identified a four year compliance schedule.

Response

The two year compliance schedule indicated in the fact sheet was a typographical error. As indicated in the draft permit, the compliance schedule for achieving the discharge limits of 10 µg/l for TAH and 15 µg/l of TAqH is four years.

Comment #2

CIRAC commented that a four year compliance schedule to comply with end-of-pipe TAH and TAqH limits was too long, and should be shortened to two years.

Response

EPA does not agree with this comment. Tesoro currently maintains two separate wastewater outfalls under two separate NPDES permits. This permit (AK-000105-8) covers primarily treated ballast water whereas permit No. AK-000084-1 covers all wastewater discharges related to the refinery itself. The ballast water treatment plant is old and in need of upgrading, whereas there are components of the refinery treatment plant that are undersized and also in need of improvement. Tesoro currently has conceptual plans to combine both discharges into one outfall, and maintain one treatment plant and one NPDES permit. EPA is supportive of these changes. Due to the low effluent limits (criteria at end-of-pipe), and the complexity associated with the refinery treatment works, four years to plan, design, contract, construct and begin operation of a new wastewater treatment plant does not seem like an unreasonable period of time. In addition, EPA may decide to write a combined NPDES permit for both refinery and ballast water discharges in the future.

Comment #3

The draft permit contains a requirement of four sampling events (rounds) for expanded effluent testing (i.e., all priority pollutants) and whole effluent toxicity testing in years 2, 3, 4 and 5 of the permit cycle. CIRAC requests that these tests be performed during each of the five years of the permit. In addition, the draft permit includes monitoring requirements for chemical oxygen demand, total organic carbon and chloride at a frequency of one sample per discharge batch during years 2 through 5 of the permit cycle. CIRAC also requests that these tests be performed in year one of the permit. The purpose of these tests is to provide sufficient data to determine if additional effluent limitations are necessary during the next permit issuance.

Response

While EPA believes that the sampling frequency of expanded effluent testing, whole effluent toxicity, chemical oxygen demand, total organic carbon and chloride are sufficient to determine if additional effluent limits are necessary in the future, additional sampling does provide a better statistical basis upon which to make these decisions. Accordingly, this comment is accepted, and the permit includes monitoring for these parameters over the five year permit cycle.

Comment #4

CIRAC commented that results of expanded effluent testing, whole effluent toxicity, chemical oxygen demand, total organic carbon and chloride testing should be reported monthly on the Discharge Monitoring Reports (DMRs) rather than with the application for permit renewal.

Response

As noted in the response to Comment #3, the results of these tests will be used during the next permit issuance to determine if additional effluent limits are necessary. Consequently, EPA will not evaluate these sample results until work begins on permit reissuance. In these situations, it is easier for EPA to have monitoring results reported with the permit application as no action will occur prior to that time anyway. Accordingly, EPA does not agree with this comment.

Comment #5

CIRAC commented that there was a discrepancy regarding the date of the Biological Evaluation (BE) that was prepared in support of the draft NPDES permit. The reference list in the fact sheet identified a date of December 2006, a date in the future. The CIRAC also noted that that the BE was not posted on EPA's web site along with the draft permit and fact sheet.

Response

The reference list in the fact sheet contained a typographical error. The publication date of the BE was March 2006. EPA does not typically post BE's on our web site during the public notice of a draft permit and fact sheet. A copy of the BE is available upon request.

Comment #6

To comply with narrative water quality standards, the draft permit contains visual monitoring requirements for floating solids, foam and visible sheens on the water surface. Since the final discharge orifice of Outfall 001 is shared with ChevronTexaco and their groundwater remediation facility, CIRAC commented that if a sheen were observed on the water surface in the vicinity of Outfall 001, they were uncertain how could it be attributed to Tesoro and not to ChevronTexaco.

Response

Tesoro discharges treated ballast water in relatively small batches approximately five to nine times per year whereas ChevronTexaco discharges treated groundwater continuously and at relatively constant concentrations. Accordingly, if a sheen is observed on the water surface in the vicinity of the pipe outfall during a discharge event of ballast water, it should first be assumed that its presence is due to the ballast water discharge, not the groundwater remediation facility.