May 7, 2026

Crystal Rau
Air Quality Scientist – Permits, Federal Rules
Northwest Clean Air Agency
1600 S. 2nd Street
Mount Vernon, WA 98273

Submitted via email: crystalr@nwcleanairwa.gov

RE: Trans Mountain Pipeline Laurel Station - Order of Approval to Construct (OAC) 1002c DRAFT

Dear Ms. Rau,

Thank you for the opportunity to comment on the draft Order of Approval to Construct (OAC) 1002c for the Trans Mountain Pipeline (Puget Sound) LLC's Laurel Station. The Laurel Station includes two 100,000-barrel (4.2 million gallon) tanks that were previously approved in 2007 under OAC 1002. Laurel Station is a pump station on Trans Mountain's Puget Sound Pipeline that delivers Canadian tar sands crude oil to Washington State's four northern refineries. OAC 1002c is characterized as a revision to the VOC emissions tracking method from "a simplified tracking method (crude throughput as a surrogate for VOC)" to a "tracking method to require monthly VOC emission calculations."[1]

The undersigned represent six organizations that work on environmental, public health, and safety issues in Washington State. The undersigned organizations opposed Canada's Trans Mountain Pipeline expansion project, completed in May 2024, that increased pipeline throughput of Canadian tar sands crude oil (aka oil sands, diluted bitumen, and dilbit) and oil products by 590,000 barrels per day. Trans Mountain is now proposing to further increase throughput by another 360,000 barrels per day.[2] The proposed increase includes the Puget Sound Pipeline. According to Oil Sands Magazine:

> Capacity of the Puget Sound Pipeline can also be increased by 60,000 bbl/day [barrels per day] through optimization of the Sumas Terminal in Abbotsford, BC, and Laurel Station in Whatcom County, WA.[3]

[1] NORTHWEST CLEAN AIR AGENCY. PUBLIC NOTICE. DRAFT REVISED ORDER OF APPROVAL TO CONSTRUCT. Trans Mountain Pipeline (Puget Sound) - Laurel Station. PDF page 6. https://nwcleanairwa.gov/wp-content/uploads/2026/04/OAC-1002c-Public-Notice-Documents.pdf.
[2] Trans Mountain Corporate Update Q3 2025. Slide 11. https://docs.transmountain.com/Corporate-Reports/Q3-2025-Presentation-EN_v2.pdf.
[3] Oil Sands Magazine. December 11, 2025. Pipeline Egress Outlook to 2030 — 2026 Edition. https://www.oilsandsmagazine.com/market-insights/2025/12/11/pipeline-egress-outlook-to-2030-2026-edition.

As stated in the draft permit, OAC 1002c "supersedes OAC 1002a issued January 9, 2020." On June 27, 2025, Trans Mountain submitted an application to revise OAC 1002a. That application states:

> Puget Sound Pipeline is requesting that the Laurel Station's current permit, Order of Approval to Construct (OAC) #1002a, be revised to increase the maximum allowable annual combined throughput for Laurel Station's two internal floating roof tanks from $7.64x10^8$ gallons to $1.37x10^9$ gallons per calendar year. This increase will provide Laurel Station operational flexibility. It does not increase the storage capacity at Laurel Station. No physical modifications to site infrastructure are required to facilitate increased throughput through the tanks. While construction is not contemplated in this Application, to accommodate increased throughput, on behalf of Puget Sound Pipeline, ALL4 LLC (ALL4) is submitting this letter to the Northwest Clean Air Agency (NWCAA) to serve as a Notice of Construction (NOC) application (Application). The NOC and Permit Application form for OAC #1002a are included as Attachment A.

According to the June 27, 2025, application, the throughput at Laurel Station would increase by 79.32 percent, from $7.64x10^8$ (764 million) gallons to $1.37x10^9$ (1.37 billion) gallons. Subsequently, Trans Mountain submitted a revised application, "Date: TBD," that removed the proposed increase in throughput included in the June 27, 2025, application.

OAC 1002c Notice of Construction Technical Worksheet states:

> Trans Mountain's current request (OAC 1002c) does not involve any physical changes to equipment, any new equipment, nor any increases in air emissions above those applied for and evaluated in 2007 under OAC 1002. It is simply a change in how VOC emissions from the existing tanks are tracked to ensure compliance with the emissions reviewed in the project proposal. This will allow Laurel Station to fully utilize the emission increase requested in the original application materials reviewed by NWCAA when the pump and breakout tanks were upgraded.

NWCAA is relying upon a 2007 State Environmental Policy Act (SEPA) review and a mitigated determination of non-significance (MDNS) issued by Whatcom County Planning and Development Services to determine that the current application represents "an administrative revision" of the application that was submitted in 2007 (OAC 1002a). NWCAA's reliance on the nearly 20-year-old 2007 SEPA review allows the VOC emissions to increase from the current average of 6-7 tons per year to 23 tons per year.

The draft Order of Approval to Construct (OAC) 1002c states:

> While not necessary to its SEPA review, NWCAA also has determined:
> - The original documents meet our environmental standards and cover this current proposal,

- There are no proposed physical modifications to any equipment at the facility necessary to accommodate the proposed change to permit conditions, and
- The current proposal will not have any additional probable significant adverse impact on the environment beyond those previously disclosed in 2007.

The undersigned take issue with the assumptions NWCAA makes in its reliance on the 2007 SEPA review. Oil produced from tar sands is far more carbon-intensive and toxic than oil produced from conventional crude, and tar sands oil spills pose an elevated risk to the environment and public safety.[4] And not only is more tar sands oil coming through Laurel Station than was the case in 2007, but also, since 2007 peer-reviewed science has demonstrated that spills of tar sands crude oil (also known as diluted bitumen):

- can sink and persist in aquatic environments,[5]
- contaminate sediments and benthic ecosystems,[6]
- cause prolonged lethal and sublethal toxicity under realistic spill conditions,[7]
- create new exposure pathways not captured by conventional oil spill models,[8] and

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[4] Madelon L. Finkel. (2018) *The impact of oil sands on the environment and health*. https://doi.org/10.1016/j.coesh.2018.05.002.
A joint report by Natural Resources Defense Council, National Wildlife Federation, Pipeline Safety Trust, and Sierra Club. (2011) Tar Sands Pipelines Safety Risks. https://www.nrdc.org/sites/default/files/tarsandssafetyrisks.pdf.

[5] Adewale et al. (2024) Behavior of Diluted Bitumen in a Freshwater Environment: Chemical Analysis. International Oil Spill Conference 2024, 1. https://iosc.kglmeridian.com/view/journals/iosc/2024/1/article-246s1.xml.
Hao, X. (2014). A review of oil, dispersed oil and sediment interactions in the aquatic environment: Influence on the fate, transport and remediation of oil spills. Marine Pollution Bulletin. https://doi.org/10.1016/J.MARPOLBUL.2013.12.024.

[6] Mehler et al. (2022) Freshwater Sediment Toxicity Evaluation from Meso-Scale Spill Tests of Diluted Bitumen and Conventional Crude. Environmental Toxicology and Chemistry—Volume 00, Number 00—pp. 1–11. https://www.researchgate.net/profile/Qin_Xin9/publication/362900421_Freshwater_Sediment_Toxicity_Evaluation_from_Meso-Scale_Spill_Tests_of_Diluted_Bitumen_DB_and_Conventional_Crude_CC/links/63f7d2ca0cf1030a56463387/Freshwater-Sediment-Toxicity-Evaluation-from-Meso-Scale-Spill-Tests-of-Diluted-Bitumen-DB-and-Conventional-Crude-CC.pdf.
Cederwall et al. (2020) Life under an oil slick: response of a freshwater food web to simulated spills of diluted bitumen in field mesocosms. Can. J. Fish. Aquat. Sci. 77: 779–788. https://cdnsciencepub.com/doi/pdf/10.1139/cjfas-2019-0224.

[7] Hepditch et al. (2024) Aquatic toxicity and chemical fate of diluted bitumen spills in freshwater under natural weathering. Environment International, 190, art. no. 108944, DOI: 10.1016/j.envint.2024.108944
Gutierrez-Villagomez et al. (2024) Diluted bitumen weathered under warm or cold temperatures is equally toxic to freshwater fish. Front. Environ. Sci. 12:1328313. doi: 10.3389/fenvs.2024.1328313

[8] National Academies of Sciences, Engineering, and Medicine. (2016) Spills of Diluted Bitumen from Pipelines: A Comparative Study of Environmental Fate, Effects, and Response. Washington, DC: The National Academies Press. https://www.phmsa.dot.gov/sites/phmsa.dot.gov/files/2021-10/Spills%20of%20Diluted%20Bitumen%20from%20Pipelines.pdf.
Zhong et al. (2022) Diluted Bitumen: Physicochemical Properties, Weathering Processes, Emergency Response, and Recovery. Front. Environ. Sci. 10:910365. doi: 10.3389/fenvs.2022.910365.
Cederwall et al. (2020) Life under an oil slick: response of a freshwater food web to simulated spills of diluted bitumen in field mesocosms. Can. J. Fish. Aquat. Sci. 77: 779–788 (2020) dx.doi.org/10.1139/cjfas-2019-0224

- pose unique challenges for spill response and recovery.[9]

These findings represent environmental impacts not yet established in the peer-reviewed literature prior to 2007, but that now form the well-accepted scientific basis for differentiated oil spill risk and impact assessments involving tar sands crude oil. Because of the evolution of scientific understanding of tar sands spills and exposures, a new SEPA review is needed to assess the probable significant adverse impacts of this proposal that would increase throughput at the Trans Mountain Puget Sound pipeline's Laurel Station, especially in the event of spill, release, and/or explosion.

A new checklist with current information is required. Otherwise NWCAA's reliance on outdated information runs the risk of being invalidated by the Pollution Control Hearings Board, if appealed.

Assuming that Whatcom County is not requiring a permit at this time and assuming that this project isn't exempt from SEPA, NWCAA is the Lead Agency under SEPA for this permitting process. NWCAA can propose using the existing SEPA document but NWCAA must take action to adopt it, including an independent review that states why the 2007 SEPA is being adopted, and issuing a new threshold determination.

WAC 197-11-600(2) states:

> An agency may use environmental documents that have previously been prepared in order to evaluate proposed actions, alternatives, or environmental impacts. The proposals may be the same as, or different than, those analyzed in the existing documents.

But to use an existing environmental document, NWCAA

- "...must independently review the content of the document and determine that it meets the adopting agency's environmental review standards and needs for the proposal"[10] and
- "...shall adopt an environmental document by identifying the document and stating why it is being adopted, using the adoption form substantially as in WAC 197-11-965."[11]

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[9] Adewale et al. (2024) Behavior of Diluted Bitumen in a Freshwater Environment: Chemical Analysis. International Oil Spill Conference 2024, 1. https://iosc.kglmeridian.com/view/journals/iosc/2024/1/article-246s1.xml.
Zhong et al. (2022) Diluted Bitumen: Physicochemical Properties, Weathering Processes, Emergency Response, and Recovery. Front. Environ. Sci. 10:910365. doi: 10.3389/fenvs.2022.910365
National Academies of Sciences, Engineering, and Medicine. (2016) Spills of Diluted Bitumen from Pipelines: A Comparative Study of Environmental Fate, Effects, and Response. Washington, DC: The National Academies Press. https://www.phmsa.dot.gov/sites/phmsa.dot.gov/files/2021-10/Spills%20of%20Diluted%20Bitumen%20from%20Pipelines.pdf.

[10] WAC 197-11-630(1)

[11] WAC 197-11-630(2)

We urge NWCAA to require the applicant to submit a revised SEPA checklist that addresses any potential increase in pipeline throughput, including the composition of the crude oil and any diluent transported through the pipeline, which is needed to calculate and evaluate the VOC emissions.

In addition, the undersigned are concerned that this application could be a segment of a larger, still undisclosed, project that requires careful scrutiny. Such segmentation, also known as piecemealing, would be a clear violation of SEPA:

> Proposals or parts of proposals that are related to each other closely enough to be, in effect, a single course of action shall be evaluated in the same environmental document.[12]

It is NWCAA's duty to ensure that Trans Mountain does not circumvent careful regulatory review and adequate public engagement around a consequential project to expand throughput of the Trans Mountain Pipeline in Washington State.

The undersigned also request a public hearing. This Trans Mountain Pipeline application has significant public interest.

Further, the undersigned want to ensure that NWCAA has conducted consultations with Tribes, as required by Washington State.

Sincerely,

Lovel Pratt
Marine Protection and Policy Director
Friends of the San Juans

Rodd Pemble
Board President
Whatcom Environmental Council

Rick Eggerth
Sierra Club Mt. Baker Group

Marlene Finley
Board President
Evergreen Islands

Keith Curl-Dove
Climate and Communities Senior Manager
Washington Conservation Action

Sonia Hitchcock
Climate and Air Quality Manager
Washington Conservation Action

Ander Russell
Co-executive director
RE Sources

[12] WAC 197-11-060(3)(b)

Cc: The Honorable Washington State Representative Debra Lekanoff
The Honorable Washington State Representative Alex Ramel
The Honorable Washington State Senator Liz Lovelett
The Honorable Washington State Representative Alicia Rule
The Honorable Washington State Representative Joe Timmons
The Honorable Washington State Senator Sharon Shewmake
Tom Buroker, Director, Northwest Regional Office, Department of Ecology
Carlos Clements, Program Manager; Spills Prevention, Preparedness, and Response Program; Department of Ecology