APPENDIX E

RESPONSE TO COMMENTS RECEIVED ON THE DRAFT ENVIRONMENTAL IMPACT REPORT

APPENDIX E

FINAL ENVIRONMENTAL IMPACT REPORT

CONOCOPHILLIPS LOS ANGELES REFINERY PM10 AND NOx REDUCTION PROJECTS

COMMENTS AND RESPONSES TO COMMENTS

INTRODUCTION

This Appendix, together with other portions of the Draft Environmental Impact Report (Draft EIR), constitute the Final EIR for the proposed ConocoPhillips Los Angeles Refinery PM10 and NOx Reduction Projects.

The Draft EIR was circulated for a 45-day public review and comment period on April 2, 2007. The Draft EIR is available at the South Coast Air Quality Management District (SCAQMD), 21865 Copley Drive, Diamond Bar, California 91765-4182 or by phone at (909) 396-2039. The Draft EIR can also be downloaded by contacting the SCAQMD's CEQA web pages at http://www.aqmd.gov/ceqa/nonaqmd.html.

The Draft EIR contained a detailed project description, the environmental setting for each environmental resource where the NOP/IS determined there was a potential significant adverse impact, an analysis of the potentially significant environmental impacts including cumulative impacts, project alternatives, and other areas of discussion as required by CEQA. The discussion of environmental impacts included a detailed analysis of aesthetics, air quality, hydrology and water quality, and transportation and traffic.

The SCAQMD received four comment letters on the Draft EIR during the public comment period. The comment letters and responses to the comments raised in those letters are provided in this appendix. The comments are bracketed and numbered. The related responses are identified with the corresponding number and are included following each comment letter.

STATE OF CALIFORNIA Arnold Schwarzenegger, Governor

NATIVE AMERICAN HERITAGE COMMISSION
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April 24, 2007

Mr. Michael Krause, Air Quality Specialist
South Coast Air Quality Management District
21865 Copley Drive
Diamond Bar, CA 91765-4182

Re: SCH#2006111138; CEQA Notice of Completion; draft Environmental Impact Report (DEIR) for **CONOCOPHILLIPS LOS ANGELES REFINERY PM10 AND NOX REDUCTION Project**; SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT; Los Angeles County, California

Dear Mr. Krause:

Thank you for the opportunity to comment on the above-referenced document. The Native American Heritage Commission is the state's Trustee Agency for Native American Cultural Resources. The California Environmental Quality Act (CEQA) requires that any project that causes a substantial adverse change in the significance of an historical resource, that includes archaeological resources, is a 'significant effect' requiring the preparation of an Environmental Impact Report (EIR) per CEQA guidelines § 15064.5(b)(c). In order to comply with this provision, the lead agency is required to assess whether the project will have an adverse impact on these resources within the 'area of potential effect (APE)', and if so, to mitigate that effect. To adequately assess the project-related impacts on historical resources, the Commission recommends the following action: 1-1

√ Contact the appropriate California Historic Resources Information Center (CHRIS). Contact information for the Information Center nearest you is available from the State Office of Historic Preservation (916/653-7278)/ http://www.ohp.parks.ca.gov/1068/files/IC%20Roster.pdf The record search will determine:

- If a part or the entire APE has been previously surveyed for cultural resources.
- If any known cultural resources have already been recorded in or adjacent to the APE.
- If the probability is low, moderate, or high that cultural resources are located in the APE.
- If a survey is required to determine whether previously unrecorded cultural resources are present. 1-2

√ If an archaeological inventory survey is required, the final stage is the preparation of a professional report detailing the findings and recommendations of the records search and field survey.

- The final report containing site forms, site significance, and mitigation measurers should be submitted immediately to the planning department. All information regarding site locations, Native American human remains, and associated funerary objects should be in a separate confidential addendum, and not be made available for pubic disclosure.
- The final written report should be submitted within 3 months after work has been completed to the appropriate regional archaeological Information Center. 1-3

√ Contact the Native American Heritage Commission (NAHC) for:

* A Sacred Lands File (SLF) search of the project area and information on tribal contacts in the project vicinity that may have additional cultural resource information. Please provide this office with the following citation format to assist with the Sacred Lands File search request: USGS 7.5-minute quadrangle citation with name, township, range and section; .

- The NAHC advises the use of Native American Monitors to ensure proper identification and care given cultural resources that may be discovered. The NAHC recommends that contact be made with Native American Contacts on the attached list to get their input on potential project impact (APE). 1-4

√ Lack of surface evidence of archeological resources does not preclude their subsurface existence.

- Lead agencies should include in their mitigation plan provisions for the identification and evaluation of accidentally discovered archeological resources, per California Environmental Quality Act (CEQA) §15064.5 (f). In areas of identified archaeological sensitivity, a certified archaeologist and a culturally affiliated Native American, with knowledge in cultural resources, should monitor all ground-disturbing activities.
- Lead agencies should include in their mitigation plan provisions for the disposition of recovered artifacts, in consultation with culturally affiliated Native Americans. 1-5

√ Lead agencies should include provisions for discovery of Native American human remains or unmarked cemeteries in their mitigation plans. 1-6

* CEQA Guidelines, Section 15064.5(d) requires the lead agency to work with the Native Americans identified by this Commission if the initial Study identifies the presence or likely presence of Native American human remains within the APE. CEQA Guidelines provide for agreements with Native American, identified by the NAHC, to assure the appropriate and dignified treatment of Native American human remains and any associated grave liens. 1-6 cont.

√ Health and Safety Code §7050.5, Public Resources Code §5097.98 and Sec. §15064.5 (d) of the CEQA Guidelines mandate procedures to be followed in the event of an accidental discovery of any human remains in a location other than a dedicated cemetery.

√ Lead agencies should consider avoidance, as defined in § 15370 of the CEQA Guidelines, when significant cultural resources are discovered during the course of project planning. 1-7

Please feel free to contact me at (916) 653-6251 if you have any questions.

Sincerely,

Dave Singleton
Program Analyst

Cc: State Clearinghouse

Attachment: List of Native American Contacts

Native American Contacts
Los Angeles County
April 24, 2007

Cahuilla Band of Indians
Anthony Madrigal, Jr., Interim-Chairperson
P.O. Box 391760 Cahuilla
Anza , CA 92539
tribalcouncil@cahuilla.net
(951) 763-2631

(951) 763-2632 Fax

Gabrieleno/Tongva Tribal Council
Anthony Morales, Chairperson
PO Box 693 Gabrielino Tongva
San Gabriel , CA 91778
ChiefRBwife@aol.com
(626) 286-1632
(626) 286-1758 - Home
(626) 286-1262 Fax

LA City/County Native American Indian Comm
Ron Andrade, Director
3175 West 6th Street, Rm. 403
Los Angeles , CA 90020
(213) 351-5324
(213) 386-3995 FAX

Gabrielino/Tongva Council / Gabrielino Tongva Nation
Sam Dunlap, Tribal Secretary
761 Terminal Street; Bldg 1, 2nd floor Gabrielino Tongva
Los Angeles , CA 90021
office @tongvatribe.net
(213) 489-5001 - Officer
(909) 262-9351 - cell
(213) 489-5002 Fax

Ti'At Society
Cindi Alvitre
6602 Zelzah Avenue Gabrielino
Reseda , CA 91335
calvitre@yahoo.com
(714) 504-2468 Cell

Gabrielino Band of Mission Indians of CA
Ms. Susan Frank
PO Box 3021 Gabrielino
Beaumont , CA 92223
(951) 897-2536 Phone/Fax

Tongva Ancestral Territorial Tribal Nation
John Tommy Rosas, Tribal Adminstrator
4712 Admiralty Way, Suite 172 Gabrielino Tongva
Marina Del Rey , CA 90292
310-570-6567

Gabrielino Tongva Indians of California Tribal Council
Robert Dorame, Tribal Chair/Cultural Resources
5450 Slauson, Ave, Suite 151 PMB Gabrielino Tongva
Culver City , CA 90230
gtongva@earthlink.net
562-761-6417 - voice
562-920-9449 - fax

This list is current only as of the date of this document.

Distribution of this list does not relieve any person of statutory responsibility as defined in Section 7050.5 of the Health and Safety Code, Section 5097.94 of the Public Resources Code and Section 5097.98 of the Public Resources Code.

This list is only applicable for contacting local Native American with regard to cultural resources for the proposed SCH#2006111138; CEQA Notice of Completion; draft Environmental Impact Report (DEIR); for CONOCOPHILLIPS LOS ANGELES REFINERY PM10 AND NOX REDUCTION Project; South Coast Air Quality Management District; Los Angeles County, California.

Native American Contacts
Los Angeles County
April 24, 2007

Gabrielino Tongva Indians of California Tribal Council
Mercedes Dorame, Tribal Administrator
20990 Las Flores Mesa Drive Gabrielino Tongva
Malibu , CA 90265
Pluto05@hotmail.com

This list is current only as of the date of this document.

Distribution of this list does not relieve any person of statutory responsibility as defined in Section 7050.5 of the Health and Safety Code, Section 5097.94 of the Public Resources Code and Section 5097.98 of the Public Resources Code.

This list is only applicable for contacting local Native American with regard to cultural resources for the proposed SCH#2006111138; CEQA Notice of Completion; draft Environmental Impact Report (DEIR); for CONOCOPHILLIPS LOS ANGELES REFINERY PM10 AND NOX REDUCTION Project; South Coast Air Quality Management District; Los Angeles County, California.

COMMENT LETTER NO. 1

NATIVE AMERICAN HERITAGE COMMISSION
APRIL 24, 2007

Response 1-1

The SCAQMD is aware of the requirements of CEQA Guidelines §15064.5 and has complied with this section as well as all other relevant CEQA requirements. As stated on pages 2-12 and 2-13 of the Initial Study for the ConocoPhillips Los Angeles Refinery PM10 and NOx Reduction Projects (see Appendix A of the Final EIR), potential significant adverse impacts on cultural resources were not anticipated and, therefore, were not analyzed further in the Draft EIR. This conclusion is based on the fact that there are no prehistoric or historic structures or objects within the Wilmington or Carson Plants or adjacent areas.

Literature reviews and records search have been conducted at the Carson and Wilmington Plants for previous projects (EIR for the Unocal Los Angeles Refinery, Wilmington and Carson Plants Reformulated Gasoline Project, SCH No. 93011013, 1993). The literature review and records search revealed no previously identified cultural or historic sites of local, state, or national significance within the Carson Plant boundaries. One prehistoric site was identified within a one-mile radius of the Carson Plant. A literature and records search identified 21 prehistoric archaeological sites and one isolated fine within a one-mile radius of the Wilmington Plant. One site was located at the western boundary of the refinery and others were located adjacent to the refinery. The site identified at the Wilmington Plant boundary is described as consisting of broken manos and mortars and at least one complete mortar. The provenance of the artifacts is unclear and the site boundaries reflect only general locations. These artifacts were removed and preserved. Construction activities associated with the proposed project will be located near the center of the Plant and not near the western boundary. No historic sites have been identified within the Wilmington Plant boundaries or within a one-mile radius.

The entire Wilmington and Carson Plant sites have been previously graded and developed. No known human remains or burial sites have been identified at the Wilmington or Carson Plants during previous construction activities so the proposed projects are not expected to result in impacts to cultural resources. If cultural resources were to be encountered unexpectedly during ground disturbance associated with construction of the proposed projects, proper procedures (i.e., contacting professional archaeologist, temporarily halting disturbance work in vicinity, etc.) will be taken. Further, the Refinery's sites do not contain known paleontological resources and thus the proposed projects also are not expected to impact any sites of paleontological value.

As a result, no impacts to historical, archaeological or paleontological resources (as defined in §15064.5 of the CEQA Guidelines) will occur as a result of the implementation of the proposed project.

Response 1-2

The ConocoPhillips Los Angeles Refinery PM10 and NOx Reduction Projects are proposed to occur within the boundaries of existing petroleum refineries. The primary objective of these compliance projects is to install air pollution control equipment adjacent to the existing fluid catalytic cracking unit (FCCU) and a boiler at the ConocoPhillips Wilmington Plant, and adjacent to a boiler at the Carson Plant. The sites adjacent to the existing equipment have been previously disturbed to accommodate refinery projects associated with the placement and relocation of infrastructure (i.e., underground utilities and piping) and no cultural resources or Native American remains were found during these subsurface activities in or surrounding the property (i.e., area of potential effect).

As a result, based on historical activities at the sites, the proposed projects were determined to not cause a potential "substantial adverse change in the significance of any historical resource" which would require a further evaluation of cultural resources in the draft EIR. See also response 1-1.

Response 1-3

An archaeological inventory survey was not required to be performed for the proposed project. See response 1-2 for reasons why a survey was not required.

Response 1-4

For the reasons provided in responses 1-1 and 1-2, additional archaeological investigations are not required.

Response 1-5

As noted in response 1-1, no previous excavation activities at either facility have discovered any cultural or archaeological resources. Further, as concluded on pages 2-12 and 2-13 of the Notice of Preparation/Initial Study for the ConocoPhillips Los Angeles Refinery PM10 and NOx Reduction Projects (see Appendix A of the Final EIR), no impacts to cultural resources were determined to result from the proposed project. As a result, no further analysis of cultural resources in the draft EIR was required and mitigation measures relative to cultural resources were not made conditions for approval of the project.

Based on the historical use of the site and the numerous construction activities in the past, which included subsurface activities, the likelihood of encountering cultural resources is low. It should be noted, however, that construction activities for the proposed projects at

the ConocoPhillips Refinery's Wilmington and Carson Plants include standard procedures for accidentally encountering any archaeological, Native American or cultural resources on-site. Compliance with all local, state and federal regulations (and notifications) will occur in the event of an accidental discovery of any cultural or historic resources.

Response 1-6

With regard to the potential for discovery of Native American remains, refer to responses 1-1, 1-2 and 1-5.

As stated on pages 2-12 and 2-13, the Notice of Preparation/Initial Study (see Appendix A of the Final EIR) did not identify the presence or likely presence of Native American human remains. Therefore, agreements with Native Americans to assure appropriate treatment of Native American human remains are not required unless Native American human remains are discovered during site excavation. See also responses 1-1, 1-2 and 1-5.

Response 1-7

As noted in responses 1-1 and 1-2, discovery of human remains relative to the proposed project is not anticipated. However, the ConocoPhillips Los Angeles Refinery PM10 and NOx Reduction Projects' construction activities will cease to prevent further disturbance if human remains are unearthed, until the County Coroner has made the necessary findings with respect to origin and disposition, as required by Public Resources Code 5097.98-99 and Health and Safety Code 7050.5.
CEQA Guidelines §15370(a) defines avoidance as: "Avoiding the impact altogether by not taking a certain action or parts of an action." As stated on pages 2-12 and 2-13 of the Notice of Preparation/Initial Study (see Appendix A of the Final EIR), the presence or likely presence of Native American human remains was not identified. However, in the event significant cultural resources in the form of Native American human remains are discovered, construction activities will cease and ConocoPhillips will comply with proper federal, state and local regulations as described in response 1-5.

SOUTHERN CALIFORNIA

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Ventura County: Linda Parks, Ventura County • Glen Becerra, Simi Valley • Carl Morehouse, San Buenaventura • Toni Young, Port Hueneme

Orange County Transportation Authority: Art Brown, Buena Park

Riverside County Transportation Commission: Robin Lowe, Hemet

Ventura County Transportation Commission: Keith Millhouse, Moorpark

1.27.07

April 24, 2007

Mr. Mike Krause
SCAQMD
21865 Copley Drive
Diamond Bar, CA 91765-4182

RE: SCAG Clearinghouse No. I 20070190 ConocoPhillips Los Angeles Refinery PM10 and NOx Reduction Projects

Dear Mr. Krause:

Thank you for submitting the **ConocoPhillips Los Angeles Refinery PM10 and NOx Reduction Projects** for review and comment. As areawide clearinghouse for regionally significant projects, SCAG reviews the consistency of local plans, projects and programs with regional plans. This activity is based on SCAG's responsibilities as a regional planning organization pursuant to state and federal laws and regulations. Guidance provided by these reviews is intended to assist local agencies and project sponsors to take actions that contribute to the attainment of regional goals and policies.

We have reviewed the **ConocoPhillips Los Angeles Refinery PM10 and NOx Reduction Projects**, and have determined that the proposed Project is not regionally significant per SCAG Intergovernmental Review (IGR) Criteria and California Environmental Quality Act (CEQA) Guidelines (Section 15206). Therefore, the proposed Project does not warrant comments at this time. Should there be a change in the scope of the proposed Project, we would appreciate the opportunity to review and comment at that time. 2-1

A description of the proposed Project was published in SCAG's **April 1-15, 2007** Intergovernmental Review Clearinghouse Report for public review and comment.

The project title and SCAG Clearinghouse number should be used in all correspondence with SCAG concerning this Project. Correspondence should be sent to the attention of the Clearinghouse Coordinator. If you have any questions, please contact me at (213) 236-1856. Thank you.

Sincerely,

SHERYLL DEL ROSARIO
Associate Planner
Intergovernmental Review

Doc #134902

COMMENT LETTER NO. 2

SOUTHERN CALIFORNIA ASSOCIATION OF GOVERNMENTS
APRIL 24, 2007

Response 2-1

The SCAQMD understands that the ConocoPhillips PM10 and NOx Reduction Projects are not considered to be regionally significant per SCAG criteria and that SCAG has no comments on the proposed project at this time.

THE CENTRAL SAN PEDRO NEIGHBORHOOD COUNCIL

April 25, 2007

Mr. Michael Krause
South Coast AQMD
21865 Copley Drive
Diamond Bar, CA 91765-4182

Subject: Comments on the ConocoPhillips Refinery, PM10 and NOx Reduction Projects

Dear Mr. Krause:

The Central San Pedro Neighborhood Council supports ConocoPhillips' initiative to install the Wet Gas Scrubber system at the Wilmington Refinery.

On February 13, 2007, ConocoPhillips staff provided a presentation about the system to our Council and community stakeholders who attended our Board meeting. After learning about the reductions in emissions of sulfur oxide, ammonia, and particulate matter that would result, members of our Neighborhood Council and the community spoke in support of the wet gas scrubber. While ConocoPhillips' staff also spoke openly about the visible and continuous air plume that would be visible from its operation, it was clear from the reactions of the Council and other participants that support for installing the wet gas scrubber system was unwavering. 3-1

We strongly support ConocoPhillips' initiative. We look forward to the successful results--cleaner air in San Pedro and Wilmington!

If you have questions, please feel free to call me at (310) 701-6470.

Sincerely,

Joe Gatlin, President
Central San Pedro Neighborhood Council

COMMENT LETTER NO. 3

THE CENTRAL SAN PEDRO NEIGHBORHOOD COUNCIL
APRIL 25, 2007

Response 3-1

The SCAQMD understands that the Central San Pedro Neighborhood Council supports the proposed wet gas scrubber at the ConocoPhillips Los Angeles Refinery Wilmington Plant.

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4/27/2007

Mr. Mike Krause
Office of Planning, Rule Development, and Area Sources/CEQA
21865 Copley Drive
Diamond Bar, CA 91765-4182

Dear Mr. Krause:

As citizens interested in the long term development of the Los Angeles region, we the members of the Loyola Marymount University Environmental Action Team respectfully submit the following analysis of the proposed ConocoPhillips Los Angeles Refinery PM10 and NOx Reduction Projects. Our comments will be organized as follows:

1. Introduction
2. Suggestions
    a) EGOWS wastewater treatment system
    b) Reuse of graywater after treatment
    c) Disposal of sludge
    d) Steps to reduce construction emissions during construction
    e) Possible use of steam plume for heating

3. Rationale for these suggestions
4. Conclusion

4-1

1. Introduction:

The proposed project focuses on enhancing safety and achieving compliance with the SCAQMD rule 1105.1 (to reduce PM10 and ammonia emissions from the Fluid Catalytic Cracking Units or FCCU's) and Regulation XX-RECLAIM. The modifications will improve the efficiency of the FCCU, producing "a 0.5 ton per day reduction in filterable PM10, and 1.5 tons per day reduction of condensable PM10 (or 1.5 tons per day of ammonia) by limiting the amount of ammonia slip to 10 parts per million by volume (ppmv) as corrected for three percent oxygen" (SCAQMD 2003 Final EA, page 1-7). We appreciate ConocoPhillips' efforts to meet these guidelines as part of their broader commitment to achieve a more sustainable environment in Los Angeles.

2. Suggestions:

a) The EGOWS wastewater treatment system

One area of concern and potential improvement is the wastewater removal plan, a plan that will dispose of treated water in the Los Angeles River and Dominguez Channel, which flow into the Long Beach Harbor and Los Angeles Harbor respectively. According to the current

4-2

proposal, the wastewater will initially be treated in an Oil Recovery Unit (ORU) which uses American Petroleum Institute (API) separators to remove oil and sludge from wastewater. The treatment units will treat about 2.6 million gallons a day. The API separator will reduce the amount of oil in the water it treats to just below 100 parts per million, while the ORU will use dissolved air floatation units (DAFU) to reduce oil in water to near 20 parts per million.

According to our research, however, these processes are not the most effective or cost-efficient way to treat wastewater. The recently developed Extended Gravity Oil Water Separation (EGOWS) technique reduces oil to below 10 parts per million, a result twice as good from the standpoint of the rivers and harbors. Furthermore, this process requires no energy—a benefit both from the point of view of energy consumption and the production of environmentally hazardous gasses. Third, this system would benefit ConocoPhillips economically; in fact Energy Australia has estimated that this system could save them $18 million over 10 years. Fourth, it would be in ConocoPhillips' best interest to stay ahead of environmental legislation, for it will only be a matter of time before the refinery will be forced to improve their facilities yet again. And finally, in the meantime ConocoPhillips could claim the PR credit for making their facilities more eco-friendly without being coerced by governmental regulations. 4-2 cont.

As far as logistics, the existent API separator could easily be converted into an EGOWS unit, so construction costs would be minimal. A possible problem is that this system requires much more time to separate the oil from water, taking two to three days when the API separator takes 20 to 30 minutes. Given the amount of water that needs to be treated, this process might require a larger ORU, but since it would also render the DAFU unnecessary, the increase in area needed would be mitigated. All things considered, the benefits still seem to us to outweigh the costs. If ConocoPhillips is already planning on modifying its plant, why not use this opportunity to make it both more effective and cost-efficient?

b) Reuse of graywater after treatment

Since water usage at the Wilmington plant will increase by 259,000 gallons per day, ConocoPhillips should seriously consider ways to mitigate the environmental and economic costs of this plant modification. Assuming that the graywater has been well enough treated to dispose of safely, ConocoPhillips could consider reusing the treated water either in the scrubber, in other industrial processes, or for irrigation of its own or neighboring properties rather than simply dumping it in the Los Angeles River and the Dominguez Channel. This option would save money as well as providing an environmental benefit. Although reused graywater might not suffice to keep the WGS at maximum operation, using even a percentage of the treated water along with fresh water would help. 4-3

c) **Disposal of sludge**

The Draft EIR indicates that the wastewater treatment process produces sludge, but does not mention how this sludge will be disposed or any possible steps to remediate sludge production. We believe it would be in ConocoPhillips' best interest to look into innovative means to manage and dispose of this wastewater byproduct. Our research has found, for example, that British Petroleum is selling its sludge to corporations willing to separate and use its 4-4

residual energy value. Significant increases in quantity and variety of wildlife have been noted by other refineries who have adopted more eco-friendly treatment processes. 4-4 cont.

d) Steps to reduce construction emissions during construction

The Draft EIR acknowledges that significant emissions will be produced during the construction phase of the modifications planned for the Carson and Wilmington refineries. While ConocoPhillips cannot completely control the emissions produced during construction, it could mitigate their effects through the following techniques: 4-5

i) Contracting with environmentally friendly construction companies, and

ii) Regulating employee and construction-related travel during peak driving hours to reduce carbon emissions on locally congested highways

Taking steps to mitigate such emissions would uphold several of the values illustrated in the ConocoPhillips "SPIRIT of Performance" statement.

i) Safety: Most obviously, efforts to reduce construction emissions would speak well of ConocoPhillips' commitment to the well-being of others. Since it is widely know that such emissions create health hazards, reducing them would solidify the credibility of ConocoPhillips' commitment to safety.

ii) Integrity: ConocoPhillips has the opportunity to demonstrate its integrity by showing concern for the environment and other people. Reducing emissions during the construction process would provide evidence of ConocoPhillips' desire to do what is ethically proper. 4-6

iii) Responsibility: We believe it is the responsibility of all people to take care of the planet. ConocoPhillips can demonstrate its responsibility by doing all it can to use eco-friendly processes in the construction and operation of the Carson and Wilmington plants.

iv) Innovation: While ConocoPhillips' plan is in compliance with current construction emission standards, the EPA will be implementing new standards for construction vehicles in 2008. To comply with these new standards would demonstrate ConocoPhillips' commitment to being ahead of the curve.

v) Teamwork: ConocoPhillips cannot achieve its high goals without teamwork within the company and with its neighbors. We contend, however, that teamwork is best enhanced by giving employees goals that they can really believe in and commit themselves to.

e) Possible use of steam plume for heating

Is it possible to use the heat energy of the steam plume to heat buildings on site or in the neighboring area? 4-7

3. Rationale for these suggestions

Our research on the techniques that the ConocoPhillips Los Angeles Refinery could use suggests that that the Wet Gas Scrubber and the Dry Electrostatic Precipitator are the best tools to meet the objectives of the project. We do want to stress the importance of choosing nothing less than the best scrubbers and precipitators available. Given how quickly both technologies and regulations change, it is in ConocoPhillips' economic and environmental best interest to invest in more efficient toxin-controlling technology today, rather than replacing older, less efficient technology in the future. Thus while ConocoPhillips' current plans thus appear to meet current environmental regulations, adopting forward-looking alternatives will:

i) Reduce the impact on the environment: The suggestions above will positively impact air and water quality both during the construction process and after. 4-8

ii) Avoid repeat costs: Using techniques that go beyond current standards will not only aid the environment, but will avoid costly future modifications as regulations tighten over time.

iii) Lower operating expenses: The EGOWS water separator is not only environmentally friendlier, but will lower operating expenses for energy and manpower.

iv) Enhance positive public relations: The planned construction will affect the both the local community and the larger LA area; thus it offers both a challenge and an opportunity for ConocoPhillips. Adopting eco-friendly construction and pollution-control techniques will help mitigate negative feelings during the construction phase and enhance positive sentiment about ConocoPhillips well into the future.

4. Conclusion:

ConocoPhillips' powerful name carries a social responsibility. The company's value statement, summed up in the acronym "SPIRIT" (safety, people, integrity, responsibility, innovation, and teamwork), recognizes its obligation to adopt conscientious business practices. These noble goals reflect directly on the projects outlined in the Draft EIR. ConocoPhillips values integrity and innovation, and thus should adopt forward-thinking techniques rather than merely complying with current legislation on emissions control. Adopting the EGOWS technology would not only put ConocoPhillips in the forefront environmentally, but would save money. And by going beyond current standards, ConocoPhillips would enjoy the good public relations it deserved for committing itself to environmentally conscientious decisions, for developing a better relationship with the local community which will be directly affected by the plant's air and water emissions, and for taking an active role in the planetary fight against further environmental degradation. 4-9

Thanks in advance for your serious consideration of the above recommendations.

Respectfully submitted,

Kelsey Bain

Bhavi Patel

Vanessa Castillo

Daniel Sarafinas

Alana Christensen

Adelaide Stegmaier

Joshua McPherson

Rachel Vitemb

W. S. K. Cameron, Ph.D.

The members of the Loyola Marymount University Environmental Action Team

COMMENT LETTER NO. 4

LOYOLA MARYMOUNT UNIVERSITY
APRIL 27, 2007

Response 4-1

Comment 4-1 provides a general overview of the comments made in subsequent sections and does not require a response. Detailed responses are provided in Responses 4-2 through 4-9.

Response 4-2

As discussed in the EIR (see Section 3.4.2 Wastewater Generation, page 3-15), wastewater streams at the ConocoPhillips Wilmington Plant are treated in an Oil Recovery System before being discharged to a sewer under a permit from the Los Angeles City Bureau of Sanitation. There is no direct discharge of "treated water" to the Los Angeles River or Dominguez Channel as suggested in this comment.

As discussed in the Draft EIR, the refinery already operates wastewater treatment facilities that include an Oil Recovery Unit that normally treat about 2.6 million gallons per day. No physical changes to the existing wastewater treatment facilities are proposed or required due to the proposed project. The proposed project will generate additional wastewater associated with the operation of the wet gas scrubber (WGS) and wet electrostatic precipitator (WESP). However, the wastewater generated in the WGS and WESP does not come into contact with oil and will already meet existing refinery discharge water quality requirements. There will be no increase in oil and grease in wastewater at the Wilmington Plant. The analysis of hydrology and water quality impacts, therefore, concluded that the proposed project would not generate significant adverse water quality impacts. As a result, water quality impact mitigation measures, such as the one in the comment, are not required pursuant to CEQA Guidelines §15126.4(a)(3). Further, no modifications to the existing wastewater treatment system is required as part of the proposed project so there is no reason to evaluate other technologies such as the Extended Gravity Oil Water Separator.

Response 4-3

As noted in response 4-2, there is no direct discharge of "treated water" into the Los Angeles River or Dominguez Channel. Water reuse opportunities within the Refinery are beneficial both from an environmental and a cost perspective. As such, they are studied and pursued when possible and practical. The wastewater from the WGS and WESP is not suitable for reuse at the Refinery because ConocoPhillips' Wilmington

facility discharges to the City of LA's Terminal Island Treatment Plant[1]. Therefore, the wastewater will be treated in the existing wastewater treatment system and discharged to the sewer system for further treatment (not directly to the Los Angeles River or Dominguez Channel as suggested by the commentators). So even though the refinery is not able to internally reuse water discharged from the Wet Gas Scrubber, that water will become part of its total discharge to a City sewage treatment plant with the advanced treatment technology that enables reuse by others. See also response 4-4.

Response 4-4

The sludge removed from the WGS and WESP consists of wet FCCU catalyst fines. These wet fines will be removed from the refinery via truck and transported to a local cement kiln for dust suppression use on their conveyer belts, as well as an ingredient in making Portland cement. This recycles the catalyst fines into concrete and reduces the fresh water usage at the cement kiln. Refinery sludge from the wastewater treatment facilities has a residual energy value and is currently recycled to the Refinery Coker located at the Carson Plant.

Response 4-5

Mitigation measures more stringent than suggested in this comment are already recommended for adoption in the EIR. The EIR concluded that construction emissions associated with the proposed project were potentially significant and developed specific mitigation measures to minimize construction emissions. Per CEQA requirements, all feasible mitigation measures have been imposed on the proposed project and are described in Section 4.3.3 Mitigation Measures of the EIR. The mitigation measures require the preparation of a Construction Traffic Emission Management Plan that will include measures to reduce peak hour traffic (see page 4-19). Other mitigation measures include retrofitting large off-road construction equipment with air pollution control devices, where feasible. The mitigation measures have specific requirements and are made enforceable through SCAQMD permit conditions. Therefore, the mitigation measures imposed on the project applicant have more specific requirements than the use of "environmentally friendly construction companies," which is a vague term and unclear what this would be comprised of.

Response 4-6

Please see Response 4-5. The specific construction emission mitigation measures are outlined on page 4-19 of the EIR and will be made enforceable through SCAQMD permit conditions. Therefore, the concerns in this comment regarding air quality impacts during construction activities have already been addressed in the EIR.

[1] http://www.lasewers.org/treatment_plants/terminal_island/index.htm

Response 4-7

The exhaust steam plume will be relatively cool (less than 160 degrees Fahrenheit) and has no pressure. Therefore, it cannot be used as an effective heating medium for the industrial processes onsite.

Response 4-8

See Response 4-2 regarding the use of the EGOWS. The goal of part of the proposed projects is to comply with SCAQMD Rule 1105.1. By installing the WGS and WESP, ConocoPhillips expects to exceed the requirements of Rule 1105.1 for PM10 and ammonia control. In addition, the WGS is expected to reduce SOx emissions by about 1,300 to 1,600 pounds per day, a reduction over and above any reduction required by regulation. Following completion of the construction phase, the proposed projects are expected to provide an overall beneficial air quality impact on the surrounding environment.

Response 4-9

Please see Response 4-1 through 4-8 regarding the issues raised in this comment letter.