

# Ecolube RECOVERY

December 1, 2021

Kendall Wals  
Associate Planner  
City of Puyallup  
Development & Permitting Services  
333 S. Meridian  
Puyallup, WA 98371

Re: Permit # P-21-0116  
Response to Nov. 16, 2021 DRT Letter

Dear Kendall Wals,

Ecolube Recovery (ECL) is presenting this letter in response to Action Items and Conditions listed in the Development Review Team (DRT) Letter, dated November 16, 2021. The format of this letter provides a summary of each Action Item and Condition presented in the DRT. After each item presented, Ecolube Recovery has responded to each information request from various DRT members in the underlined text.

We look forward to timely resolution of any open items once our responses have been reviewed and considered.

Sincerely,



Eric Spencer

CEO– Ecolube Recovery

## RESPONSES TO 11/16/21 DRT LETTER

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### ACTION ITEMS

PLANNING - Kendall Wals (253) 841-5462 kwals@puyallupWA.gov

Action items - please address the following items, revise the proposal and resubmit permit materials.

#### *SEPA Checklist*

1. The project description of the original Conditional Use Permit notes that only six of the existing tanks were determined to be suitable for storage of used oil (i.e., tanks 1, 2, 4, 7, 8 and 9) and were proposed to be reused as part of the project. On page 16 of the updated checklist, under the Land and Shoreline Use section (Number 8, subsection c), states that there are 9 storage tanks being used. Please explain.

Ecolube Recovery (ECL) Response: There were three existing tanks reused for the storage of used oil (Tanks 1, 2 & 4) and three existing tanks reused for the storage of spent and concentrated antifreeze (Tanks 7, 8 & 9). There were three additional smaller HDPE tanks included on the Fire Construction Permit that were installed for the storage of pre-mix 50/50 antifreeze solution inside the new containment area installed under COP Permit No. E-20-0114.

#### *Critical Areas*

2. The project is located within a Critical Aquifer Recharge Area and the storage or handling of hazardous substances is an activity that requires an approved critical area report in accordance with PMC 21.06.530 and 21.06.1150 [PMC 21.06.1120(2)]. A report and addendum were prepared for the prior Conditional Use Permit application which appears to have reviewed the site comprehensively. Please have your consultant provide a memo to affirm that is the case and whether any additional measures are required for protection of the critical aquifer recharge area by bringing and additional (tank 3) into use on site. Also, please provide the updated emergency response plan and spill prevention, control and countermeasure plan (Appendix A and B of addendum report).

ECL Response: Please find the attached letter from Evren Northwest (10/11/21) that documents a review of the risks based on the Critical Aquifer Recharge Area (CARA) report. The risk of potential impacts to nearby wells and surface water is low and the use of Tank 3 does not change the findings.

The emergency response plan and spill prevention, control and countermeasure plans from the CARA report have been updated and replaced with the current facility Emergency Action Plan (Rev. 06/01/2021) and Spill Prevention, Control and Countermeasure Plan (Rev. October 2021).

#### *Other Items*

3. The City received a Notice of Application (NOA) comment letter from the Department of Ecology dated November 4, 2021, which includes questions from Spill Prevention, Preparedness, and Response. Please provide response to the questions outlined in the letter and acknowledgement of Ecology's general comments.

Ecology's include abbreviated comments the following bold-type categories.

**Ecology Solid Waste Management** - All removed debris resulting from this project must be disposed of at an approved site.

ECL Response: All debris will be disposed at an approved site. Minimal debris is anticipated from the

project.

**Ecology Spill Prevention, Preparedness, and Response** - Ecology recommends clarification regarding the following:

- Have the secondary containment concrete walls and floors been leak tested in the last five years?
- Has the secondary containment ever needed any repairs? If yes, what type of repairs were conducted?
- How are leaks detected in the secondary containment? This includes from piping during transfers and from the storage tanks.
- What storage tanks have high level alarms to prevent overfilling?
- What standard is being used to inspect tank #3 prior to being brought into service?
- What steps are being taken to bring tank #3 into service? Include recommended and required repairs or changes needed to bring tank #3 into service. Ecology recommends including the following information:
  - The capacity of tanks 1-6.
  - The capacity and age of the secondary containment.
  - A site layout map including secondary containment, tanks 1-6, and the truck unloading/loading rack.

ECL Response: Ecolube Recovery has attached the Oil Spill Prevention, Control, and Countermeasure Plan (SPCC) (Feb. 2021) for the Puyallup facility which describes secondary containment features, level and overflow protection measures, spill response planning and equipment, tank and piping inspections, method of leak detection, transfer operation procedures, secondary containment capacity calculations, and other SPCC requirements listed under 40 CFR parts 112.7 & 112.8. Re-use of the existing Tank 3 does not physically affect the secondary containment which is currently being used as containment for Tanks 1, 2 and 4. The containment area construction joint was filled with water-tight elastomeric sealant for concrete joints prior to use with Tanks 1, 2 and 4. The SPCC plan will need to be updated to include information regarding the use of Tank 3. The storage volume of Tank 3 is 25,600 gal, which is less the amount of containment provided (35,599 gal) to contain the volume of the largest tank (Tank 4 = 28,800 gal) plus 4" rainfall in outdoor containment (4,321 gal).

The containment area is visually inspected for tank and piping leaks daily or prior to pumping out containment rain water to the POTW as described in the SPCC plan. All oil tanks have level gauging AND separate high level switches that shut off the unloading transfer pump above safe operating level limits.

Tank 3 was inspected by Mistras consistent with Steel Tank Institute (STI) SP001, 6<sup>th</sup> Edition, January 2018 and AST Certification Report. All required recommendations from the Mistras report will be completed prior to placing Tank 3 in service including replacement of all tank gaskets, and installation of 3" atmospheric vent and 10" emergency vent. Hydraulic leak checks are conducted to ensure piping and tank fittings do not leak prior to being put into service.

Vicinity and site plan map of tanks can be found in the SPCC plan along with a list of individual oil tank capacities. The concrete containment and tanks were installed by ADM when building the plant was initially constructed about 1996.

It should be noted that three tanks onsite currently hold used oil, Tanks 1, 2, and 4. Tank 3 is also proposed to hold used Oil. Existing Tanks 7, 8 & 9 contain antifreeze and are not regulated as oil.

**Toxics Cleanup** – If contamination occurs during the reuse of Tank 3, testing of the potentially contaminated media must be conducted. If contamination of soil or groundwater is readily apparent or is revealed by sampling, the Department of Ecology must be notified.

ECL Response: Ecolube Recovery will report and conduct testing of any contamination to soil or groundwater. Contamination is unlikely because the tank is currently located within a concrete secondary containment area.

**Water Quality / Industrial Operations Unit** – Facilities conducting certain industrial activities that discharge stormwater to a surface waterbody or storm sewer system that drains to a surface waterbody are required to obtain National Pollutant Discharge Elimination System (NPDES) permit coverage for those industrial stormwater discharges under the Department of Ecology's Industrial Stormwater General Permit (ISGP). ...

ECL Response: The facility has obtained a NPDES permit coverage under the ISGP for discharge of non-contact rainwater to the City's storm water collection system. Contact rainwater from tank storage, transfer, and unloading containment areas are treated with an oil-water separator and discharge to the City's POTW under a POTW pretreatment permit and managed consistent with the facility's Accidental Spill Prevention/Slug Discharge Plan (ASSP).

**Water Quality / Watershed Resources Unit** – Erosion control measures must be in place prior to any clearing, grading, or construction. ...

ECL Response: There is no clearing, grading or ground disturbance is associated with reusing Tank 3 in it's existing location on a concrete foundation. Erosion control measures will be used if any unforeseen disturbance of soils is encountered.

4. Please provide more information on the use of the additional tank (Tank 3). How exactly will it be used? Can you provide more information and/or a diagram of the process? Will the use of Tank 3 generate more vehicular trips?

ECL Response: Tank 3 will be used for the bulk storage of used oil like Tanks 1, 2 and 4 are currently being used. Use of Tank 3 will provide additional storage for isolation of different grades of used oil, but does not increase throughput or traffic. Use of Tank 3 is expected to have no effect on inbound traffic and may slightly decrease outbound traffic by reducing the number of partial outbound shipments. Refer to UMO PID-11 showing the transfer and storage process with the additional components shown as clouded revision outline.

ENGINEERING - Anthony Hulse (253) 841-5553 ahulse@puyallupWA.gov

Action items - please address the following items, revise the proposal and resubmit permit materials.

5. Is there an oil/water separator on-site that would separate any contaminants if the tank leaks prior to entering the sewer system?

ECL Response: An Oil/Water separator was permitted, installed and approved under COP Permit No. E-20-0114 along with the addition of containment area berms for containment and permitted use of Tanks 1, 2 & 4 completed earlier 2021. Rain water from tank storage containment is verified to be free of oil before being pumped to the POTW. After inspection, the collected containment rainwater is pumped through an existing Oil/Water Separator and discharged to the POTW under an existing POTW discharge permit. Storage of oil in Tank 3 in addition to tanks 1, 2 and 4 does not change this current storm water

management practice.

TRAFFIC – Bryan Roberts (253) 841-5542 broberts@puyallupWA.gov

Action items - please address the following items, revise the proposal and resubmit permit materials.

6. Provided a detailed description of the anticipated daily truck & passenger car volume for this site.
7. Submit a traffic scoping worksheet that represents the vehicles generated by this development.
8. Submit an AutoTurn analysis that represents that largest anticipated design vehicle for this site.

ECL Response: Traffic plan information was submitted in the original Conditional Use Permit (CUP) for the facility and was permitted, installed and approved under COP Permit No. E-20-0114. Tank 3 allows for the segregation of used oil by quality specification but does not affect the quantity of used oil material received at the facility. Re-use of Tank 3 is expected to slightly reduce the number of outbound tanker trucks from the facility by allowing more full shipments without any effect on the type or quantity of inbound shipments. Since there is no change in volume or type of traffic associate with the use of Tank 3, and the vehicles are able to effectively maneuver on the site currently, the additional economic burden of a traffic analysis for existing operations does not appear to be needed.

FIRE PREVENTION – Ray Cockerham (253) 841-5585 rayc@puyallupWA.gov

Action items - please address the following items, revise the proposal and resubmit permit materials.

1. The letter from Cheme Consultation dated September 10, 2021 regarding tank 3 provides “the anchoring was consistent with the building code at the time of installation”. A letter provided to the City from EcoLube Recovery dated October 8, 2019 provides that the tanks “comply with current seismic anchoring”. Please clarify with the engineer of record the minimum design standard and any revision required.

ECL Response: Both the September 10, 2021 and October 8, 2019 letters evaluated the existing tanks against the seismic requirements at the time of installation per the ADM design calculations from February 1996. The October 8, 2019 letter states that; “Conlee Engineers’ evaluation with associated calculations to determine whether the tanks were adequately anchored at the time of installation are shown in Attachment 2”. Tank 3 was evaluated to the same requirements as tanks 1, 2, 4, 7, 8 & 9 to assure the seismic conditions were met at the time of installation.

2. Ecolube Out of services inspection report page 3 of 7 many of the referenced remaining life cycle detail referenced quarter century or longer in many cases; referencing Course 2 for 12.82 years is referenced in the table. Please explain how this is mitigated.

ECL Response: The required listed tank repairs listed in the Mistras Tank Inspection Report will be completed prior to placing Tank 3 back in-service. Ongoing tank inspections will be conducted per the Aboveground Storage Tank (AST) certified inspector’s recommendations to monitor and update life cycle estimates over time. Oil generally has a low corrosion rate which will be confirmed through AST inspections.

3. The tank appears to have an applied skin for protection which appears to be in rougher shape than the other tanks. Please address the condition of the tank and the repairs needed to the weather protection layer. Fire Protection Consulting letter dated August 8, 2019; pg 2 of 5. Please address in an overview the repairs necessary to address the “extensive repairs” necessary to re-introduce the tank into service, the ChemE consulting letter of September 10 address many items in the scope. Please confirm the repair

scope meets or exceed the previous assessment.

ECL Response: The Fire Protection Consulting Letter described the previous intended use for Tank 3 as "Tank will be kept out of service & never used. Needs extensive repair." Tank 3 was originally not intended to be used, but is now being proposed to address segregation of used oil meeting different quality specifications. The Fire Protection Consulting letter provided an opinion about the level of repair based solely on a review of the tank inspection report conducted by Mistras (6-26-2019).

The AST Tank Certification Report from Mistras (6-26-2019) provided a list of recommendations in bold type required to be corrected for Tank 3 prior to service, including replacement of tank gaskets and addition of 3" atmospheric vent and 10" emergency vent. According to the Mistras report, "The tank is considered suitable for service provided that all venting and level monitoring equipment is reinstalled and that any mandatory recommendations are completed before commissioning the tank."

The repair of exterior coating (insulation cladding) and other considerations noted were not highlighted by Mistras as required improvements for Tank 3 prior to use. There was also a note for repair of an internal lining, "if required for the service". Internal coatings are not required for oil storage service.

BUILDING – Ray Cockerham (253) 841-5585 rayc@puyallupWA.gov

No actions requiring a resubmittal under this permit application at this time; conditions are shown below. Conditions may affect final plan submittal documents, please review and contact staff if you have questions.

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## CONDITIONS

The following are conditions of approval. All future civil and/or building permit submittals shall comply with the following conditions.

PLANNING - Kendall Wals (253) 841-5462 kwals@puyallupWA.gov

### *Site Plan*

1. On March 12, 2021, the property owner executed an assignment of funds for onsite landscaping that was required as part of the original CUP approval in order to postpone the improvements. As a condition for the subject application, the onsite landscaping shall be installed and receive final approval in order for the applicant to start operations on proposed Tank 3. Tank 3 shall not be operational, e.g. not used for testing, filling, or otherwise used for product storage until the landscaping improvements are complete.

ECL Response: ELR acknowledges the landscape is a condition of bringing Tank 3 on-line. ELR is working with the owner of the property to remedy the situation.

### *Critical Areas*

2. The subject site is located within a volcanic hazard area. Per 21.06.1260, new hazardous facilities are prohibited within volcanic hazard areas. This is an existing use/site that was previously determined to not meet the definition of a "hazardous facility" under PMC 21.06.210(65). In review of the subject application, based on review of the current building codes for hazardous occupancies, the city building code official has determined that the proposed modification would not change the prior determination, i.e. the site would not be considered a hazardous facility. Should the project scope change during permit review, city staff will re-evaluate whether it alters this determination.

ECL Response: No response.

ENGINEERING - Anthony Hulse (253) 841-5553 ahulse@puyallupWA.gov

3. Comply with Building, Fire, and Ecology's comments/conditions regarding spill containment.

ECL Response: See the responses provided above with respect to spill containment.

#### 4. Non-residential Tenant Improvements

- Any person or entity who constructs or causes to be constructed any nonresidential tenant improvement on an existing structure which is not an expansion of the building footprint shall construct frontage improvements when the remodel valuation exceeds \$500,000 and the proposed project meets the definition of "substantial improvement," as defined in PMC 11.08.120, based on the value of the commercial unit being remodeled. Nonresidential frontage improvements shall consist of curb, gutter, planter strips, street trees, sidewalks, storm drainage, street lighting, and one-half street paving (only required if the existing pavement condition is poor) in accordance with the city's Public Works Engineering and Construction Standards and Specifications. The frontage improvements shall be required along all street frontage and alleys adjoining the property upon which such tenant improvements will be placed. Frontage improvements shall also be required where any reasonable access to the property connects to the public right-of-way, although the primary access is located on another parcel. Subject to the following conditions:
  - (a) Within the downtown business zones of CBD and CBD Core frontage improvements will be required when the value of remodel exceeds 75 percent of the value of the commercial unit being remodeled and exceeds \$500,000 remodel valuation.
  - (b) Remodel valuation will be given by the applicant on the application but may be verified by the city using usage types and costs based on square footage.
  - (c) Costs of business equipment and costs associated with seismic retrofits shall not count toward remodel valuation when calculating the requirement for frontage improvements. The applicant will provide documentation of the costs contemplated in this subsection in order for such costs to be deducted from the remodel valuation.
  - (d) Value of the commercial unit being remodeled will be calculated using the assessor's listed building valuation or a prorated valuation when connected to a larger structure. Land values shall be determined using assessor's listed land values.
  - (e) Scope of frontage improvements shall be capped at 10 percent of remodel valuation; however, this limit shall not apply to projects that have frontage improvement requirements imposed by a SEPA, CUP, or another mitigation or conditioning document. The unit cost of frontage improvement elements will be established by the city and posted on the city's website. The city will determine the priority of required frontage improvement elements when attempting to reduce the scope to stay under the cap.

ECL Response: Requirements do not appear applicable for this CUP modification request.

TRAFFIC – Bryan Roberts (253) 841-5542 broberts@puyallupWA.gov

5. Traffic Impact fees (TIF) will be assessed in accordance with fees adopted by ordinance, per PMC 21.10.
6. Any existing improvements which are damaged now or during construction, or which do not meet current City Standards, shall be replaced.

ECL Response: Traffic required improvements and upgrades were addressed with the CUP construction last year under permit E-20-0114. No traffic related impacts are anticipated with the re-use of existing Tank 3. Traffic will remain the same or reduce slightly.

FIRE PREVENTION – Ray Cockerham (253) 841-5585 rayc@puyallupWA.gov

7. Separate permits are required.

ECL Response: Separate fire code permits will be submitted for approval.

BUILDING – Ray Cockerham (253) 841-5585 rayc@puyallupWA.gov

8. Separate permits may be required.

ECL Response: Separate building code permits will be submitted, if required.