

**WHATCOM COUNTY**  
Planning & Development Services  
5280 Northwest Drive  
Bellingham, WA 98226-9097  
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**Mark Personius, AICP**  
Director

## **Notice of Application**

**File Number:** MDP2019-00001 and SEP2019-00094

**Assessor's Parcel Number:** 390133 197340

**Project Name:** Green Apple Renewable Fuels Project

**Applicant:** Green Apple Renewable Fuels, LLC

**Date Submitted:** December 9, 2019

**Notice of Completeness Date:** January 2, 2020

**Notice of Application Date:** January 16, 2020

**Comments Due Date:** February 18, 2020

**Project Description:** Green Apple Renewable Fuels, LLC is proposing to build a renewable fuels facility which will be co-located with the Phillips 66 Refinery in Ferndale, WA. The proposed plant will occur on approximately 40 acres of developed and undeveloped land within the Phillips 66 property and would include:

- Renewable fuel production facility,
- On-site hydrogen plant, adjacent to the renewable diesel production facility,
- Additions and modifications to the Phillip 66 Ferndale Refinery's existing rail and truck facilities to support handling of animal fats, cooking and vegetable oils, and grease and renewable product logistics,
- Storage tanks for the fats, oils, grease, and renewable product,
- Internal pipelines or tie-ins between existing pipelines to carry feedstock and production materials (renewable diesel, renewable propane, renewable jet fuel, and renewable naphtha),
- Whatcom County Public Utility District No. 1 electrical substation upgrades, and
- Cascade Natural Gas pipeline upgrade to natural gas supply (approximately seven miles of new pipeline co-located with current pipeline).

The plant could produce about 250 million gallons of renewable fuel products per year, including renewable diesel, with minor products of renewable naphtha and renewable propane. It would use existing ship, rail, and truck facilities at Phillips 66 to receive feedstock and ship out the finished product.

**Zone:** Heavy Impact Industrial

**Comprehensive Plan Designation:** Major/Port Industrial Urban Growth Area

**Waterbody:** Strait of Georgia

**Shoreline Jurisdiction:** Cherry Point Management Area

**Site Address:** 3901 Unick Road, Ferndale

This notice is to give you the opportunity to comment on the proposal and review process. You may provide comments to Amy Keenan, Senior Planner, Whatcom County Planning and Development Services (PDS), by phone at (360)778-5943 or by e-mail at [akeenan@whatcomcounty.us](mailto:akeenan@whatcomcounty.us). The file and supporting documents may be reviewed at Whatcom County Planning and Development Services, 5280 Northwest Drive, Bellingham, WA, 98226 and is also available online at <http://www.whatcomcounty.us/3316/Green-Apple-Renewable-Fuels-Facility>.

The County and the Washington State Department of Ecology (Ecology) have determined that this proposal may have probable significant adverse impact(s) on the environment. An environmental impact statement is required under WCC 16.08 and RCW 43.21C.030(2)(c). The agencies will be issuing a joint Determination of Significance (DS) and scoping notice concurrent with this Notice of Application. See following website for additional information and for SEPA comments: <https://ecology.wa.gov/Regulations-Permits/Permits-certifications/Industrial-facilities-permits/Green-Apple>.

Development regulations that will be used for project mitigation and consistency: Titles 15, 16, 17, 20, 22, 23 and 24, International Building Code (IBC), International Fire Code (IFC), Whatcom County Development Standards, Washington State Stormwater Manual.

To the extent known, county agencies may require the following permits not included in this application:

- Whatcom County PDS: Land Disturbance Permits, Shoreline permit (for temporary barge landing), Commercial Building Permits and Certificates of Occupancy;
- Whatcom County Health Department – On-site Sewage System Design and Installation Permits, Water Verification and Solid waste (spent filter aid) authorization for landfill or digester; and
- Whatcom County Public Works – Division of Engineering – Revocable Encroachment Permit and Moving Permit (for temporary barge landing).

The following state and federal agencies may require the following permits not included in this application:

- U.S. Army Corps of Engineers: Clean Water Act (CWA) Section 404 Individual Wetland Permit and CWA Section 404 Nationwide Wetland Permit (for geotechnical investigation).

- Ecology: CWA Section 401 Water Quality Certification, Coastal Zone Management Consistency Certification, National Pollutant Discharge Elimination System (NPDES) Construction Stormwater General Permit, NPDES Industrial Stormwater General Permit, Potentially Prevention of Significant Deterioration (PSD) Permit and State Waste Discharge Permit.
- Northwest Clean Air Agency (NWCAA): Notice of Construction (NOC) Air Permit Application
- Washington State Department of Fish and Wildlife (DFW): Hydraulic Project Approval (HPA) for temporary barge landing (to facilitate off-loading of large process equipment/vessels and/or equipment modules) and HPA for work within ditches/streams at the proposed mitigation site.
- Washington Department of Natural Resources (DNR): Authorization that proposed activity is consistent with current aquatic lands lease.
- Ecology/U.S. Environmental Protection Agency (USEPA) Region 10/U.S. Coast Guard (USCG): Integrated Spill Response Contingency Plan (ICP) and Integrated Oil Spill Prevention/Spill Prevention, Control, and Countermeasure (SPCC) Plan
- USEPA: Risk Management Plan (RMP) associated with storage of renewable propane, Resource Conservation and Recovery Act (RCRA) waste registration number and generator status, Fuel and Fuel Additive producer Registration System Part 79 registration, Renewable Fuel Standards producer registration and "pathway" applications for each proposed feedstock. Includes third-party engineering review.

The following studies were submitted with this application:

- Wetland Delineation and Critical Areas Assessment Report,
- Conceptual Wetland Mitigation Plan,
- Cultural Resources Assessment,
- Renewable Fuels Project Transportation Study,
- Construction Stormwater Pollution Prevention Plan (SWPPP)
- Stormwater Design Report,
- Traffic Impact Analysis, and
- Carbon Intensity Report.

Additional studies will be required throughout the review process.

You have the right to receive notice of and participate in any hearings, request a copy of the decision once made, and to appeal a decision when allowed by law. If you wish to receive notice of decisions and hearings, please contact PDS either at (360) 778-5943, [akeenan@whatcomcounty.us](mailto:akeenan@whatcomcounty.us) or in writing at 5280 Northwest Drive, Bellingham WA 98226.

All requests for notification will be forwarded to the Whatcom County Hearing Examiner's office prior to public hearing. Notices of public hearings are mailed to interested parties fourteen days prior to the hearing date. Public hearing dates for the major project permit have not been scheduled.

Sincerely,

Amy Keenan, AICP  
Senior Planner  
Whatcom County Planning and Development Services