

## **PUBLIC NOTICE**

### **NORTHWEST CLEAN AIR AGENCY**

#### **PROPOSAL TO RESCIND REGULATORY ORDER**

NOTICE IS HEREBY given that the Northwest Clean Air Agency (NWCAA) is proposing to rescind Regulatory Order #44 (RO-44), a voluntary limit on production at the Naphtha Hydrotreater (NHT) Unit at:

**Tesoro Refining & Marketing Company LLC  
10200 March Point Road  
Anacortes, WA 98221**

Tesoro Refining & Marketing Company LLC (Tesoro) owns and operates the Anacortes Refinery. Tesoro is requesting that the NWCAA rescind RO-44, which provides a voluntary 39,600 barrel per day (bpd) limit on production at the NHT Unit. NWCAA issued RO-44 at Tesoro's request on February 2, 2016 because of potential air permitting concerns arising from the timing of the NHT reactor replacement project and other upcoming projects. These concerns were resolved through the issuance of Prevention of Significant Deterioration (PSD) permit 17-01 on July 18, 2017. PSD 17-01 approved 46,000 bpd of production at the NHT Unit. The 39,600 bpd production limit in RO-44 is no longer necessary and Tesoro has requested that NWCAA rescind it.

The NWCAA is proposing to approve Tesoro's request to rescind RO-44.

Public Review: Interested parties may view the draft documents associated with this decision on the NWCAA's website, <http://nwcleanairwa.gov/public-notices/>. Documents are also available for review Monday through Friday, 8:00 am to 4:30 pm, at the following location:

**Northwest Clean Air Agency  
1600 South Second Street  
Mount Vernon, WA 98273**

**Interested parties may request information, submit written comments, or request a public hearing by contacting Agata McIntyre, Engineering Manager, at the address above or by emailing [agatam@nwcleanairwa.gov](mailto:agatam@nwcleanairwa.gov).** If requesting a public hearing, please indicate your interest in writing and include why a hearing is warranted. If NWCAA determines a public hearing is warranted, a new public notice will be posted and the comment period will be extended through the public hearing.

The NWCAA will accept comments until the close of business on September 25<sup>th</sup>, 2018. All persons, including the applicant, must raise all issues and submit all arguments supporting their position by the end of the comment period. The NWCAA cannot incorporate any supporting materials by reference unless they are already part of the administrative record in the same proceeding, or are generally available reference material.

Final Determination: The NWCAA will send copies of the final determination to all persons who submit comments and have provided a mail or email address. The final determination will also be available for review at the NWCAA office.

Appealing Decisions: Within 30 calendar days following the NWCAA's final determination, any person may petition the Washington State Pollution Control Hearings Board (PCHB) to review any condition of that decision (Chapter 371-08 WAC, and Chapter 43.21B RCW). See <http://www.eluho.wa.gov/Board/PCHB> for details for the appeal procedures.

For more information regarding the agency's preliminary determination, please call Agata McIntyre at 360-419-6848 or e-mail [agatam@nwcleanairwa.gov](mailto:agatam@nwcleanairwa.gov).

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