



Shell Oil Products US

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**Via Electronic Mail**

September 12, 2013

California Regional Water Quality Control Board  
San Francisco Bay Region  
ATTN: Mr. Devender Narala  
1515 Clay Street, #1400  
Oakland, CA 94612

**Subject: August 16, 2013 Tentative Order for Updated Waste Discharge Requirements for the Shell Martinez Refinery**

Dear Mr. Narala:

We have reviewed your Tentative Order dated August 16, 2013 for the proposed updated waste discharge requirements (WDR) order for the Shell Martinez Refinery. We understand the Board will consider this tentative order during its October 9, 2013 public hearing. Except as set forth below, Shell believes the tentative order is acceptable.

Shell appreciates the opportunity to work with Board staff on the development of this tentative order. Shell offers the following specific comments on the tentative order:

Shell's comments:

- (1) Page 5, item 14. Shell requests the addition of the word *currently* as indicated below. Shell currently does perform the indicated monitoring on a quarterly basis but in the development of the updated Sampling and Monitoring Plan required by Provision #6, Shell may find that a different monitoring period is more appropriate.

*14. The refinery contains 17 inactive unlined Class II WMUs that have active groundwater monitoring: Unit K, Unit I, Unit H, Unit B, Unit PS, Unit L, Unit YY, Unit N, Unit O, Unit W, Unit X, Unit Y, Unit Z, Unit AA, Unit DD, Unit FP, and Unit JT. Two other WMUs (Unit M and the former Unit Q) are not currently monitored. An additional unit identified as the PG&E Sludge Terraces currently undergoes quarterly groundwater monitoring. Each of these WMUs is monitored under the WDR because all contain contaminated materials and have the potential to leak contaminants to the environment.*

- (2) Page 13, item 13: As indicated in paragraph 13 on page 5 and paragraph 15 on page 8 of the draft order, Shell has a number of active surface impoundments. Shell requests the following changes to this condition to make it clearer that continued operation of these impoundments is allowed provided that they don't represent a threat to the environment.

*~~If it is determined that a surface impoundment is leaking or there is a failure which causes a threat to water quality, There-there shall be no discharges to ~~a-that~~ surface impoundment, and any residual liquids and sludge shall be removed expeditiously. if it is determined the surface impoundment is leaking or there is a failure which causes a threat to water quality.~~*

- (3) Page 17, item 23: For contingency stormwater/wastewater storage during the rainy season, Shell occasionally uses Units B and PS under Provision B.25 of the current order (WDR 95-234). This contingency is necessary to manage the incoming flows to protect the integrity of the wastewater treatment plant so that excess water doesn't either cause an overflow at or a bypass of the wastewater treatment plant (WWTP). Shell proposes to update this permit condition to provide a specific exemption for this activity.

Waters from Units W and Z' are normally routed to the wastewater treatment plant but during periods of high rainfall, the stormwater falling on these units can be routed to one of Shell's stormwater impoundments and discharged under Shell's NPDES permit R2-2012-0052. Therefore, Shell requests a change indicative of this practice which is also consistent with the current order (WDR 95-234).

*~~Stormwater-Water~~ that accumulates within the AST berms located on top of Units B, PS, H, W, and Z' shall be drained of ponded water within 48 hours ~~and discharged to the WWTS~~. The Regional Board shall be notified within 24 hours if the ponded water cannot be drained within the 48-hour period. The wetland pond that has been created on a portion of Unit X is exempt from the ponding requirements of this specification. ~~The emergency interim storage of stormwater/wastewater at Units B and PS necessary to maintain WWTP integrity, including that necessary to prevent WWTP flooding and bypassing, is exempt from the ponding requirements of this specification.~~*

- (4) Page 25, item 27: Shell requests a change to the time required for the written report from 72 hours to 2 weeks to be consistent with the Provision D.10 of the current order (WDR 95-234) and to allow more time for the investigation of the WMUs and the preparation of the report.

*Earthquake Inspection: The Discharger shall submit a detailed Post Earthquake Inspection Report acceptable to the Executive Officer, in the event of any earthquake generating ground shaking of Richter Magnitude 7 or greater at or within 30 miles of the refinery. The report shall describe the containment features, groundwater monitoring, and control facilities potentially impacted by the static and seismic deformations of any WMU or groundwater containment system. Damage to any waste containment facility, which may impact waters of the State or waters of the United States, must be reported immediately to the Executive Officer*

**COMPLIANCE DATE:** *Verbally as soon as the data becomes available and in writing within ~~72 hours~~ 2 weeks of a triggering seismic event. Any damage that may cause negative impacts to waters of the State must be reported immediately upon discovery to the Spill Hotline at 1-800-852-7550 and by sending an email to [Rb2SpillReports@waterboards.ca.gov](mailto:Rb2SpillReports@waterboards.ca.gov)*

We appreciate your consideration of these comments. If you have any questions, please contact Mike Armour at (925) 313-3886.

Very truly yours,



Marelo Ognian, Manager  
Health, Safety, Security & Environmental