



STATE OF WASHINGTON  
DEPARTMENT OF ECOLOGY

PO Box 47775 • Olympia, Washington 98504-7775 • (360) 407-6300

November 10, 2009

**CERTIFIED MAIL**  
**7009 1410 0002 4420 2062**

U.S. Oil & Refining Company  
ATTN: Nick Peelo  
3001 Marshall Avenue  
Tacoma, WA 98421

RE: Coastal Zone Management Consistency Determination for U.S. Oil & Refining Co., Corps  
Reference No. NWS-2009-234, Dock Structure Replacement within the Blair Waterway,  
Tacoma, Pierce County, Washington

Dear Mr. Peelo:

On August 28, 2009, U.S. Oil & Refining Company, submitted a Certification of Consistency with the Washington State Coastal Zone Management Program (CZMP). Pursuant to Section 307(c)(3) of the Coastal Zone Management Act of 1972 as amended, the Department of Ecology (Ecology) concurs with U.S. Oil & Refining Company's determination that the proposed work is consistent with Washington's CZMP.

You also have the right to appeal this decision to the Pollution Control Hearings Board. To appeal this you must:

- File your appeal with the Pollution Control Hearings Board within 30 days of the "date of receipt" of this document. Filing means actual receipt by the Board during regular office hours.
- Serve your appeal on the Department of Ecology within 30 days of the "date of receipt" of this document. Service may be accomplished by any of the procedures identified in WAC 371-08-305(10). "Date of receipt" is defined at RCW 43.21B.001(2).

Be sure to do the following:

- Include a copy of this document that you are appealing with your Notice of Appeal.
- Serve and file your appeal in paper form; electronic copies are not accepted.

**1. To file your appeal with the Pollution Control Hearings Board**

Mail appeal to:

The Pollution Control Hearings Board  
PO Box 40903  
Olympia, WA 98504-0903

Deliver your appeal in person to:

OR

The Pollution Control Hearings Board  
4224 – 6th Ave SE Rowe Six, Bldg 2  
Lacey, WA 98503



**2. To serve your appeal on the Department of Ecology**

Mail appeal to:

The Department of Ecology  
Appeals Coordinator  
P.O. Box 47608  
Olympia, WA 98504-7608

Deliver your appeal in person to:

OR  
The Department of Ecology  
Appeals Coordinator  
300 Desmond Dr SE  
Lacey, WA 98503

**3. And send a copy of your appeal to:**

Lori Ochoa  
Department of Ecology  
Southwest Regional Office  
P.O. Box 47775  
Olympia, WA 98504-7775

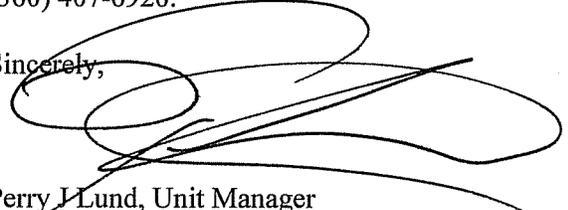
For additional information visit the Environmental Hearings Office Website: <http://www.eho.wa.gov>

To find laws and agency rules visit the Washington State Legislature Website:  
<http://www1.leg.wa.gov/CodeReviser>

Your appeal alone will not stay the effectiveness of this Order. Stay requests must be submitted in accordance with RCW 43.21B.320. These procedures are consistent with Ch. 43.21B RCW.

If you have any questions regarding Ecology's consistency determination please contact Lori Ochoa at (360) 407-6926.

Sincerely,



Perry J. Lund, Unit Manager  
Shorelands and Environmental Assistance Program  
Southwest Regional Office

PJL:LO:dn

cc: Pamela Sanguinetti, Corps of Engineers  
Jeff Baker, Sitts & Hill Engineers, Inc.  
Bill Rehe, WDFW  
Mary Julvezan, City of Tacoma

e-cc: [ecyrefedpermits@ecy.wa.gov](mailto:ecyrefedpermits@ecy.wa.gov)  
Loree' Randall, Ecology/HQ  
Alex Callender, Ecology/SWRO/SEA  
Deb Cornett, Ecology/SWRO/WQ  
Lori Ochoa, SWRO/SEA