

## Speak Up to Protect the Lower Columbia River From NEXT's Proposed Refinery and Rail Yard at Port Westward

*Join us in telling the Army Corps to take a hard look at all of the potential impacts of the proposed NEXT renewable diesel refinery at Port Westward.*



Photo: Port Westward area, site of proposed refinery and rail yard. April 2022.

The Army Corps of Engineers is developing an environmental impact statement (EIS) for a proposed new refinery and rail yard at Port Westward. Houston-based NEXT Renewables plans to build a massive refinery to turn seed oil, animal fats, or other feedstocks into “renewable” diesel—using large quantities of fracked gas in the process. The EIS will inform the Corps’ decision about whether to approve or deny the NEXT diesel refinery, likely in late 2023 or later.

The Corps should use the EIS to take a hard look at all of the potential impacts that a new diesel refinery would have on neighbors to the refinery, nearby communities, and the Lower Columbia River. Join us in urging the Corps to do a broad and deep analysis of all the direct, indirect, and cumulative impacts of the proposed refinery and rail yard.

### **Use This Guide to Take Action:**

- 1) Register and testify during the Corps’ virtual hearings on June 1 (6-8pm) and June 2 (1-3pm) - see details below for how to register and the link to join.
- 2) Send written comments by June 9 to: [nexteis@usace.army.mil](mailto:nexteis@usace.army.mil) - state that you are commenting on the NEXT Renewable Diesel Project, Corps Number NWP-2020-383.

### **These are some of the issues that the Corps should address in the EIS:**

- **Define the Proper Purpose and Need for the Project.** NEXT proposes a project with region-wide impacts. Because the project could supply diesel to the West Coast and other markets, there are a broad range of alternatives available. Producing, shipping and storing millions of barrels of diesel in the Lower Columbia River could have major

impacts locally and throughout the entire region, including to fisheries, downstream communities, and uprail communities.

- **Provide a reasonable range of alternatives.** The EIS should look at alternatives to the project and alternative designs for the project, such as:
  - A fully-developed no action alternative, establishing a basis for understanding the natural resources and nearby uses in the project area. The no action alternative should be robust, and it offers health, economic, and ecological benefits of its own.
  - A region-wide look at alternatives to the project, including increased electrification and alternate locations for the production and shipment of renewable diesel.
  - Alternative project designs, including cleaner options for the proposed activity such as the production and use of electrolytic hydrogen (rather than making hydrogen from fracked gas, as NEXT proposes to do).
  
- **Take a hard look at all of the direct, indirect and cumulative impacts of the entire project and connected actions.** How would the project impact the community, its health, safety, and the natural resources they depend on?
  - What are the traffic impacts? Noise impacts? Odor impacts?
  - What are the risks associated with diesel, chemical, or feedstock spills into water, both at the site (amid sensitive wetlands and farms) and along the rail line, shipping lanes, or highways that NEXT will rely on to transport materials, feedstocks, and finished products?
  - What air pollution impacts will occur? The proposed activity will have impacts across the region. Pollution impacts will extend into Washington, and Cowlitz County already shows elevated levels of pollution and smog from existing pollution sources. The NEXT project would contribute more VOCs, particulate matter, and smog to this airshed.
  - Provide an adequate baseline understanding of the site and the water quality of the waters that will receive pollution from the proposed project.
  - Consider differences among potential feedstocks and how they introduce different air pollution and climate-changing pollution impacts.
  - Consider alternatives to diesel and renewable diesel altogether.
  - Consider direct, indirect, and cumulative impacts of the project:
    - Water quality impacts - water resources in the area sustain agricultural uses and nearby salmon habitat, wetlands, and wildlife habitat.
    - Avian, Terrestrial, and Aquatic Wildlife Impacts will be significant from the project. The potential for spills, air pollution, polluted runoff, and a 350-foot flare stack and other industrial features could alter the area's wildlife habitat significantly.
    - The area is considered a linchpin for salmon recovery and survival: how would the refinery fit into the Corps' regional approach to salmon recovery and restoration?

- What are the implications of a spill from the refinery and the impacts of ships carrying feedstock and/or fuel? What are the potential risks of a truck or rail spills for diesel and other materials related to the refinery and 400-car rail yard?
  - What are the lifecycle climate impacts of the renewable diesel that NEXTEIS proposes to make? The carbon intensity of renewable diesel changes with different feedstocks, and pollution impacts at the facility also vary with feedstocks. How much carbon dioxide, methane, and other pollution will be released as a result of this facility?
- What existing pollution in the area remains unaddressed? Does the Corps have a clear picture of soil contamination at the site?
- How will the project impact the Beaver Drainage District and its residents? The proposal would alter drainage patterns in the area, relocate and/or fill drainage infrastructure, and introduce increased risks for runoff and spill pollution. Farmers in the Beaver Drainage District have objected to the potential impacts of the proposed project and its potential negative consequences for nearby dike, drainage, and irrigation infrastructure.
- What are the seismic risks associated with the area? How will the area's soils behave in an earthquake (if built, a Cascadia Subduction Zone event could occur in the lifespan of the refinery), and how will the Port Westward area and the refinery, railyard, dock, and pipelines be impacted in the case of a major event? The risks of a spill or accident in the area associated with the facility's tanks, trains, pipes, or ships is significant.

## **Details: Speak up at a public hearing and in writing!**

The virtual hearings will be held on June 1, 6-8pm and June 2, 1-3pm.

- 1) Register to speak. Send an email to [nexteis@usace.army.mil](mailto:nexteis@usace.army.mil) - state that you are requesting to testify, and include your name, phone number, and the date of the hearing you'd like to attend. Pre-registered speakers will get to testify first, and people who do not register will be able to speak only if time allows.
- 2) Join the virtual meeting online at: <https://zoom.us/j/92009468278>  
Or Join the virtual meeting by phone-only:  
US: +1 646 558 8656  
Enter Webinar ID: 920 0946 8278
- 3) Send your own written comment to [nexteis@usace.army.mil](mailto:nexteis@usace.army.mil) by **June 9, 2022**. Reference the Corps number NWP-2020-383 in your comments. **You can also add your name to a comment through Columbia Riverkeeper's website:** <https://www.columbiariverkeeper.org/take-action-port-westward>

## **Resources**

<https://www.federalregister.gov/documents/2022/05/10/2022-10035/notice-of-intent-to-prepare-an-environmental-impact-statement-for-the-next-renewable-fuels-oregon> - Army Corps' Public Notice for NEXT Refinery EIS.

<https://www.nwp.usace.army.mil/Missions/Regulatory/Environmental-Impact-Statements/> - NEPA EIS overview for NEXT, project description, and timeline. Draft EIS due in early 2023, and Final EIS in late 2023.

<https://usace.contentdm.oclc.org/digital/collection/p16021coll7/id/20286> - Memorandum stating Corps' reasons for conducting an EIS. The Corps anticipates negative impacts to a variety of resources and states, "The degree of effects on wetlands from the proposed project far exceeds that of typical development projects in Oregon."

[https://www.nwp.usace.army.mil/Portals/24/docs/regulatory/publicnotices/NWP-2020-383\\_figures.pdf](https://www.nwp.usace.army.mil/Portals/24/docs/regulatory/publicnotices/NWP-2020-383_figures.pdf) - Figures from NEXT's application to the Corps.

<https://www.nwp.usace.army.mil/Missions/Regulatory/Notices/Article/2835083/nwp-2020-383/> - Overview of NEXT application to the Corps.

Sample Comment:

Dear U.S. Army Corps of Engineers:

I support the Corps' decision to conduct a full EIS of the NEXT Renewable Diesel Project, Corps Number NWP–2020–383. I urge you to conduct a broad, in-depth analysis of the potential impacts from the NEXT refinery, rail yard, and the dock at Port Westward. After careful analysis, the Corps should deny the Clean Water Act permit for this proposal. Producing, shipping and storing millions of barrels of diesel in the Lower Columbia River could have major impacts locally and throughout the entire region, including to fisheries, downstream communities, and uprail communities. In the EIS, I urge the Corps to:

- **Define the Proper Purpose and Need for the Project.** NEXT proposes a project with region-wide impacts. Because the project could supply diesel to the West Coast and other markets, there are a broad range of alternatives available.
- **Provide a reasonable range of alternatives.** The EIS should look at alternatives to the project and alternative designs for the project. For example, the analysis should involve a robust no action alternative, a region-wide look at alternatives to the project (including increased vehicle electrification), alternative locations for the production and shipment of renewable diesel, and alternative project designs that pose fewer impacts.
- **Take a hard look at all of the direct, indirect and cumulative impacts of the entire project and connected actions.** There are many concerns for the Corps to consider. How would the project impact the community, its health, safety, and the natural resources they depend on? How will the project impact the climate? (The project will emit over 1 million tons per year of climate-changing pollution at the refinery site, making it one of Oregon's largest potential emitters, but that is only part of the picture.) What are the proposal's traffic impacts? Noise impacts? Odor impacts? What are the risks associated with diesel, chemical, or feedstock spills into water, both at the site (amid sensitive wetlands and farms) and along the rail line or highways where NEXT will ship materials, feedstocks, and finished products? What air pollution impacts will occur in the region? The proposed activity will have impacts that extend into Washington, and the Cowlitz County area already shows elevated levels of pollution from existing industrial activities.
- **Consider spill risks and other impacts to the whole Lower Columbia River.** The area is considered a linchpin for salmon recovery and survival: how would the refinery, its pollution, and its spill risks fit into the Corps' regional approach to salmon recovery and restoration?
- **Address the full lifecycle impacts of NEXT's proposal and the fracked gas used by the project.** What are the lifecycle climate impacts of NEXT's renewable diesel production? The EIS must address how much carbon dioxide, methane, and other pollution will be generated as a result of the proposed refinery, rail yard, and the energy and materials they demand. How much fracked gas will be used, and what are the consequences of so much fracked gas use?

Thank you for considering these comments, and I urge you to conduct a broad, in-depth EIS that fully considers all direct, indirect, and cumulative impacts related to the proposed refinery and rail yard.

Sincerely,