Newport Smelter Public Scoping Workshop

**About the Smelter**

PacWest Silicon is proposing to build a smelter on more than 180 acres in Newport Washington at the Washington-Idaho border to produce up to 73,000 tons of silicon metal each year.

Responsible Growth\*NE Washington is a nonprofit citizen group that opposes this smelter because of the likely environmental impacts and the significant changes this industrial project will bring to their community.

**Comments Due**

**Friday October 26th 2018**

**How to Submit**

By Mail To Grant Pfeifer, Regional Director
Department of Ecology, Eastern Regional Office
4601 N. Monroe St.
Spokane, WA 99205

Online At https://ecology.wa.gov/Events/AQ/PacWest-Silicon-EIS-Scoping/PacWest-Silicon-Newport-comment-period-closes-Oct

By Email: PacWestSiliconEIS@ecy.wa.gov

**Need More Information?**

Responsible Growth\*NE Washington Website https://www.rgnew.org/

Citizen’s Against Newport Silicon Smelter https://canss.org/

Kalispel Tribe Smelter Website <https://stopnewportsmelter.org/>

Tips for Commenting to Agency

The scoping period is the best time to identify all the issues and resources that the agency must consider when preparing an EIS, as well as the potential impacts the proposed action may have on those resources.

This includes all the resources and values that are likely to be impacted by the proposed action, including:

* Air quality
* Water quality and quantity
* Wildlife and vegetation, including endangered, threatened, and other special status species
* Wildlife movement corridors
* Soils
* Watersheds Floodplains, wetlands, and riparian areas
* Cultural and Archeological resources
* Visual resources and scenic values
* Dark skies
* Recreation
* Transportation and traffic
* Public safety
* Socioeconomic Impacts
* Property Values
* Growth Management Act

The scoping period is also the best time to identify all the potential impacts that are likely to result from the proposed action. The potential impacts will vary depending on the specific activity being proposed, and can include ecological, aesthetic, historic, cultural, economic, social, and health related impacts. When assessing potential impacts, the agency must look at -

**Direct impacts** (caused by the action and occur at the same time and place)

**Indirect impacts** (caused by the action and are later in time or farther removed in distance, but are still reasonably foreseeable (e.g., induced changes in land use patterns, population density, and related effects on natural resources and ecosystems))

**Cumulative impacts** (the impact on the environment which results from the incremental impact of the action when added to other past, present, and reasonably foreseeable future actions, regardless of what agency or person undertakes such - actions - cumulative impacts can result from individually minor but collectively significant actions taking place over a period of time)

***REMEMBER: You don’t have to do the analysis for the agency.*** At the scoping stage, you just need to identify the issues and potential impacts that must be analyzed. You should also submit any research or supporting documentation that is relevant to assessing the significance of the project’s potential impacts.

**Talking Points for PacWest Smelter Scoping Process**

**The SEPA process is starting too early**

**Regulations that govern Ecology’s implementation of SEPA, WAC 197-11-055, state that the SEPA process should begin when there is a proposal to evaluate – a proposal exists “when an agency is presented with an application or has a goal … the environmental effects can be meaningfully evaluated.” There is no application that has been submitted for the smelter and Ecology cannot have a goal of building a smelter – building a polluted industrial site is outside the agency’s statutory authority. It is unclear to the public why Ecology is so zealous to accommodate this Canadian corporation who seeks to build a significant pollution source is our region. Moreover, there is real questions as to whether that PacWest legally owns the property in question. There is active litigation over the unlawful land transfers by the County of the Public Utility District to PacWest.**

**SEPA should not move forward until there is an actual application and until the legal issues surrounding this property is resolved.**

**Effect on local environment and culture**

By its nature, the smelter will emit carbon monoxide, carbon dioxide, nitrogen oxide, sulfur dioxide, and silica dust. These substances are known to contribute to acid rain and associated human health issues. The smelter will impact a small rural community and have significant impacts on the Kalispel Tribe, which is renewing itself following decades of disenfranchisement. The smelter poses a direct threat to the health of their children and to their future generations.

Ecology must impact the environmental justice impacts of this proposal on the Tribe and the impacts to the community and economy of Newport and the surrounding area.

**Impact on air quality**

From a global perspective, the silicon smelter will become one more contributor to greenhouse gases accelerating the onset of climate change. Emissions data recently disclosed in PacWest’s Draft PSD Modeling state that the smelter would generate 320,000 tons of greenhouse gases, 760 tons of sulfur dioxide, and 700 tons of nitrogen oxides each year. This facility would be the State’s 5th largest emitter of sulfur dioxide, 12th largest emitter of nitrogen oxides, and 15th largest of emitter of greenhouse cases. This is roughly equivalent to the amount of greenhouse gases produced by 65,000 cars driving 11,000 miles each through the streets of Newport per year, and the amount of sulfur dioxide generated by burning 165,000 woodstoves continuously for 365 days per year on one acre.

The Kalispel Tribe, in a letter dated November 2017, explains:

“Even if HiTestSand’s air quality modeling suggests that its emissions will meet applicable regulations, there is a possibility that its actual emissions will not. By that time, the $300 million facility will have been built and be, for all intents and purposes, too big to fail. HiTestSand will be given time and leeway to fix any emission violations. Monitoring corrective actions will take even more time. In short, our community may have to endure elevated levels of air pollution for years before the smelter’s actual emissions are adequately controlled or the facility is shut down.”

Moreover, the Spokane Tribe has a designated Class 1 Airshed designation and the Kalispel Tribe designation is imminent. Ecology must analyze the air and climate impacts of this proposal. This means considering consistency with the tribal airshed designations. It also means that Ecology must consider the cumulative impacts of the transportation of the raw materials, emissions from the facility, and all other foreseeable impacts. Ecology also cannot assume that the impacts will be offset because the material will be used to make solar panels absent a solid contractual commitment that it will in fact occur. PacWest has, at best, said it was possible that its materials would be used to manufacture solar panels.

**Concerns about water**

There are significant impacts associated with water use. At the Sept. 11, 2017, meeting in the Newport City Council Chambers, PacWest said that 300 gallons of water per day would be needed for the proposed smelter. Later estimates were reported to be about 8,000 gallons per day. In January 2018, the company requested 240,000 gallons of water per day from City of Newport. Where will the water come from? The property that HiTest Sand has purchased for the proposed smelter straddles the Little Spokane and the Pend Oreille watersheds. The Little Spokane watershed is already an over-allocated water system that has to go on water rationing at certain times of the year. Use of ground water will impact instream flows in the Spokane River and could be contrary to the new instream flow rule. Moreover, there are significant legal questions as to whether use of water in an industrial facility amounts to a “municipal use.”

Ecology must analyze the impacts of the water withdrawals on flows in the Spokane River.

**Transportation of raw materials**

Truck transportation of raw materials is also an area of concern, even though the actual number of delivery vehicles per day has come under dispute. PacWest estimates daily materials delivery at 37 trucks per day. This will impact the City of Newport in the form of noise and fossil fuel pollution, and wear and tear on the highways and Newport’s roads. Blue gem coal needed for the smelting process will be brought in by rail. The transport of coal continues to be hazardous and accidents are well documented. An [Assessment of the Health and Safety Implications of Coal Transpor](https://humanimpact.org/hipprojects/an-assessment-of-the-health-and-safety-implications-of-coal-transport-through-oakland/)t lists the serious risks in detail. The report documents how trains, trucks, and marine vessels hauling coal release toxic air pollutants, including nitrogen oxide and particulate matter into the air, primarily through diesel exhaust. Nitrogen oxides and PM2.5 are linked to stunted lung development and hospital admissions for potentially fatal cardiac rhythm disturbances. Diesel particulate matter that is less than 2.5 microns in size, is emitted by coal trains increasing the probability of heart attacks, ischemic heart diseases, disturbances of heart rhythm, and congestive heart failure. In addition, some of the coal dust that leaves the trains will enter the surface stream system, degrading water quality.

Impacts of transportation – environmental, increased traffic, and safety must all be analyzed.

**Land Use Compatibility**

The PacWest site is currently zoned as public lands and located outside of the Newport Urban Growth Area. Under the County zoning code, no industrial development is allowed in the public land zone. Even if it is rezoned, the Growth Management Act generally prohibits industrial development outside of an urban growth area in rural areas and prohibits cities from providing water and sewer services. Moreover, it is unclear how the proposed change to land use advanced by Pend Oreille County will be analyzed. The County has proposed removing the public lands designation for land across the County. The entirety of this proposal must be analyzed – including changes to the PacWest site. SEPA requires that there is an analysis of the maximum potential development of the proposal. By starting this process too early, Ecology is inheriting the responsibility to analysis the cumulative impacts of the land use changes – include this unwise proposal to simply eliminate the public lands designation.

SEPA specifically provides that Ecology must analyze land use compatibility of this proposal.