



NOTICE OF MITIGATED DETERMINATION OF NON-SIGNIFICANCE (MDNS)

Project Name: Pier 2 Prilled Sulfur Shipment Operations

Location: The project area is the Port of Anacortes' Pier 2, an existing bulk cargo loading marine terminal located on the Guemes Channel off of 4th Street between R and T Avenues in Anacortes, Washington.

Proponent: Port of Anacortes

Description of Proposal: The proposed project is the loading of bulk prilled sulfur from trucks at Pier 2 into ships. Pier 2 is an existing bulk loading marine terminal designed to accommodate the storing, sorting, loading, unloading, and handling of bulk cargos and other large items. Pier 2 has an existing mechanized covered conveyor loading system that will be used for the prilled sulfur. The operation necessitates modification of the existing air operating permit from the Northwest Clean Air Agency. The modification, if approved, would allow the transfer of up to 300,000 metric tons per year of prilled sulfur into ship holds. No capital improvements or other modifications are proposed.

No on-site storage of sulfur prills will take place at Pier 2. The covered trucks will be unloaded directly via bottom dump over the hopper of the existing conveyor system and the sulfur prills will be conveyed directly into the hold of a ship. The Port has a Contingency Plan for transportation and maritime loading of bulk products that includes measures for minimizing the risk of spills or accidents and includes best management practices for truck transport and ship loading. A complete description of the project is provided in the SEPA Environmental Checklist.

Mitigation measures: The project includes the following mitigation measures intended to eliminate, reduce, and/or avoid significant adverse environmental impacts:

- Dust control measures include:
 - a covered conveyor loading system
 - water mist system at the unloading hopper and at the spout at the end of the system
 - covered trucks to and from the pier
 - wheel wash system for trucks leaving the pier
- Hours of operation will be limited to the hours between 7:00 am to 10:00 pm
- The Port will provide funding to the City for regular road maintenance of Q and R Avenues.

Lead Agency: The lead agency under the State Environmental Policy Act is the Port of Anacortes.

Determination: The Port of Anacortes has determined that prilled sulfur loading operations, in conjunction with mitigation measures, will not have a probable significant adverse impact on the environment. An environmental impact statement (EIS) is not required under RCW 43.21C. 030(2)c. This decision was made after review of a completed SEPA environmental checklist and other supporting documents. This information is available to the public on request, and is available for review at the Port's administrative offices located at First St. & Commercial Ave., Anacortes WA, 98221. The Port's office is open 8:00 AM to 5:00 PM on weekdays. The SEPA Checklist can also be reviewed on the Port's website: www.portofanacortes.com.

Comment Period: This MDNS is issued under WAC 197-11-340(2); the lead agency will not act on this proposal for 30 days from the date of publication listed below. Agencies, Tribes, and members of the public are invited to

comment on the MDNS. Written comments must be postmarked no later than January 8, 2010, and should be mailed to the Port's Environmental Administrator:

Connie Thoman, Environmental Administrator
Port of Anacortes
P.O. Box 297
Anacortes, WA 98221

Comments may also be submitted to the Port by:

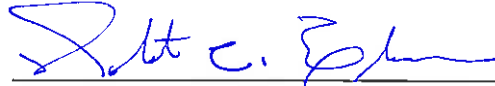
(a) E-mail to connie@portofanacortes.com or, (b) Fax to (360) 293-9608

Comments will not otherwise be accepted by telephone or personal conversation.

Signed and dated this 2nd day of December, 2009 by Robert Elsner, Port of Anacortes SEPA Responsible Official.

DATE (Effective): December 2, 2009

SIGNED:



Robert Elsner, Port of Anacortes SEPA Responsible Official