



December 20th, 2021

Water Quality Control Division
Colorado Department of Public Health and Environment
4300 Cherry Creek Drive South
Denver, CO 80246

Re: Suncor Refinery – Draft Water Quality Permit Renewal

Honorable Chair and Members of the Committee,

On behalf of the City Council of Commerce City, I am speaking in strong support for the new water quality permit for the Suncor Oil Refinery. The new requirements will reduce exposure of our citizens to harmful chemicals in their drinking water and would go a long way to improving the overall environmental and public health in Commerce City.

In recent history, the State’s regulations on the Suncor Refinery have been ineffective, putting our community members’ health at risk.

The Refinery sits on the banks of Sand Creek at its juncture with the South Platte River. Along with the Burlington Ditch, which crosses the Suncor campus, these waterways make up a large portion of the City’s water resources. Our reliance on these water sources makes it extremely troubling for the City when we see repeated violations, spills, and exceedances coming from the Refinery. Water Quality Division Director Michelle Rowan admitted just this in a press release, stating that “the site has frequent problems with poor maintenance, spills, and violations.” The City has also been floored by the repeated reports of toxic substances on the banks of Sand Creek, including dangerous amounts of PFAS (Forever) Chemicals and benzene. I have recently expressed my disapproval with the Department’s decision to allow the Refinery to continue to operate with an expired permit despite their continued exceedances of their previous permit. Given that decision, it is the expectation of the City of Commerce City that the Division uses this opportunity to improve the environmental safety of our waterways.

The current draft permit is a start, but Suncor’s record justifies even stricter regulations.

The City believes that this opportunity for permit renewal, which only comes around every 5 years, is the best chance to maximize the State’s ability to hold Suncor accountable. From the period that Suncor’s last permit was issued to now, the State has had nothing but problems holding Suncor accountable. This even came to a head when the State required Suncor to pay a 9-million-dollar settlement for its pollution exceedances since 2017. The City believes this record justifies stricter regulations.

The City strongly agrees with the draft permit’s reporting and inspection requirements; however, the permit should have strong enforcement mechanisms like fines to hold Suncor accountable if (and when) future pollution incidents occur.

The City also wants to emphasize how critical the new public reporting feature is to ensuring public trust in our community's environmental safety. We will continue to refer our citizens to the Suncor Commerce City text notification system to help the public hold the refinery accountable for incidents at the refinery.

Overall, this draft permit is a great start to improving our community's environmental safety. The City hopes that the Division listens to the community members commenting on this permit, as their health is on the line when this permit is issued. We genuinely hope that the Suncor Refinery will work to improve their environmental safety practices, not just with water quality but also with air quality. Yet, if the Refinery continues to violate the public trust with spills, violations, and incidents of pollution, the state regulatory agencies have the responsibility to hold them accountable. The City hopes you take that responsibility seriously.

On behalf of the City Council of Commerce City, we look forward to continuing to work with CDPHE and other state regulatory agencies to ensure we build a quality community for a lifetime.

Thank you.

Sincerely,

Benjamin Huseman
Mayor
Commerce City

