

Draft Outline – Commerce City Comments on the Suncor Draft Discharge Permit

1. Purpose – to provide comments on Suncor’s draft surface water discharge permit
2. Introduction and Background
 - a. Description of City, location, population, growth rate, mixed residential/industrial community. Include income stats/health metrics as available (Lotus Engineering and Sustainability)
 - b. Commerce City’s commitment to its citizens
 - i. Protection from activities that affect health and environment. Unfortunate reality: areas with higher rates of low-income households are more likely to experience poor water quality (groundwater and surface water)
 - I. Examples – PFAS, endocrine disruptors, chronic health risks due to bioaccumulation and exposure to “forever chemicals”
 - ii. Fair treatment of all citizens and protection from disproportionate share of negative environmental consequences
 - iii. Commerce City Environmental Justice programs/initiatives
3. Suncor Refinery
 - a. Description of refinery, location, proximity to residential neighborhoods, neighborhood metrics (Lotus Engineering and Sustainability)
 - b. History of violations/enforcement
 - c. Lack of accountability – (examples)
4. Water Quality
 - a. Current 303(d) listed segments (Sand Creek, South Platte)
 - i. Non-compliance with water quality standards
 - b. Contamination of drinking water with industrial pollutants
 - i. Public Drinking Water Wells - PFAS groundwater contamination – Suncor contribution
 - ii. Private Drinking Water Wells – lack of regulatory oversight, vulnerable to contamination, particularly those wells located within the alluvial aquifer nearest to contaminated surface water and contaminated sites
 - c. Long-term protection and Mitigation of Impacts
 - i. Need for stricter discharge permit limits to protect and restore water quality
 - ii. Need for stricter enforcement (HB20-1143: Environmental Health Protections Increase Environmental Fines –time to apply maximum daily fines - \$54,833 per day - for water quality violations and use money to address impacts to environmental justice communities)
 - iii. Need for bridging gaps in regulatory enforcement silos (e.g., RCRA, CWA)
5. Comments on draft permit
 - a. Support of draft permit limits and conditions
 - i. Permit limits – apply appropriate limits to protect water quality
 - ii. Monitoring – gather information to determine other potential impacts and need for future limits
 - iii. Other conditions – activities that will ensure proper oversight
 - b. Request to include a provision for reopening permit if EPA lowers PFAS health thresholds or develops new thresholds for PFAS compounds
6. Conclusion