

Exhibit 3

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May 8, 2025

U.S. Environmental Protection Agency
Region 9, Water Division
Attn: Prasad Gullapalli
NPDES Permits Section (WTR-2-3)
75 Hawthorne Street
San Francisco, CA 94105-3901
Via email: R9NPDES@epa.gov

Re: Draft National Pollutant Discharge Elimination System ("NPDES")
NPDES Permit No. MP0020397 for Bulk Fuel Storage Facilities in Saipan

Dear Mr. Gullapalli,

Mobil Oil Mariana Islands, Inc. (Mobil) is pleased to submit its comments on the draft NPDES permit for discharges from its bulk fuel facility located in Saipan. A consideration with respect to certain provisions of the draft permit is that the Saipan Terminal is in a remote location and there are no local laboratories on island capable of conducting tests, limited flights. There are presently no laboratories capable of testing the samples. Samples for all the pollutants (except field measurements for pH, salinity, and temperature and laboratory measurements for enterococci, biochemical oxygen demand and bacteria) must be sent to the continental U.S. for analysis. Analyses with a holding time less than approximately three days will typically not meet the holding time.

Mobil requests that the Fact Sheet acknowledge the infrequency and low daily volume of the intermittent discharges from the Saipan Terminal. Mobil has compiled the Outfall 001 dates, total flows, and duration of discharge for all events from January 2019 through October 2024. There were 54 days during this period when the Terminal discharged to the Harbor. The flow data are provided in the table attached to these comments.

During the January 2019 – October 2024 time period, the Saipan Terminal discharged an average of 10.8 days/year (average duration = 7.4 hours/year total - i.e., most discharges were less than one hour duration). The average flow/discharge was 16,003 gallons/day. The limits in the draft permit are calculated assuming a continuous discharge 24 hours/day, 365 days/year from Outfall 001 so they are highly protective, given that the actual discharges are very infrequent and result from significant rainfall events.

Our specific comments on the draft permit are identified the sections in the Fact Sheet and draft NPDES Permit.

Fact Sheet

Provision VI.C. Temperature

Mobil acknowledges that the Commonwealth of the Northern Marianas Islands (CNMI) has established a water quality standard of 1 °C rise above ambient water temperature. Mobil believes that the CNMI temperature standard is unclear with respect to its application at a specific discharge location, such as in Tanapag Harbor, that may have naturally elevated water temperatures because it is closed on three sides and is shallow compared to ocean water surrounding the island. The CNMI water quality standards (WQS) mixing zone regulation at § 65-130-501 is applicable to temperature as promulgated, i.e., it is not limited to any specific water quality constituents. CNMI has authorized a mixing zone for Outfall 001 and Mobil believes that the approved mixing zone should be considered as applicable in any future evaluation of effluent temperature.

Mobil does not object to temperature monitoring when discharging but wants the permit records to reflect that it does not generate a thermal wastewater, i.e., there is no heat source, other than natural heating, at the terminal that would increase the temperature of the effluent above ambient air temperatures and sunlight. The comparison to ambient water temperatures in the ocean water around Saipan, as acknowledged in the Fact Sheet, is likely not applicable to the near shore, shallower water in the Harbor. Moreover, the Saipan Terminal has no method to allow it to cool the wastewater effluent.

Provision IX.E. Asset Management

Mobil objects to the inclusion of a requirement to develop an Asset Management Plan (ASP) for the Saipan Terminal. The objective of an ASP, as described by EPA, is: "the practice of managing infrastructure capital assets to minimize the total cost of owning and operating them while delivering the service level customer's desire. This management framework has been widely adopted by the water sector as a means to pursue and achieve sustainable infrastructure."¹ The EPA's ASP guidance is designed for public and private water utilities that have many residential and business customers and often have collection and treatment systems serving large geographic areas. They are not comparable to wastewater treatment systems at industrial facilities.

Major industrial companies, including Mobil, have comprehensive asset management systems that may or may not comport with EPA's model approach. Industry asset management systems include a diverse range of equipment and operations, e.g., testing of the integrity of storage tanks at a bulk terminal or assessing the operating life of pumps in the wastewater treatment system. Developing a site-specific asset management plan – focused only on wastewater treatment – is redundant and impractical.

Permit

Part I.B. Table 1. Ammonia, Outfall 001

The permit requires analysis of effluent ammonia once/discharge. It does not specify if the analysis is for ammonia as NH₃ or ammonia as N. The CNMI water quality standard (WQS) for ammonia is 0.02 mg/L (unionized)(§65-130-410 Nutrients). The ionization of ammonia is dependent upon the pH of an aqueous solution. For example, at pH 8.9, the maximum allowable pH of the Outfall 001 effluent, approximately 34% of the ammonia in an effluent sample will be ionized ammonia. At the lower effluent pH limit in the draft permit of 7.2 the fraction of ionized ammonia is 1.4%. Mobil requests

¹ <https://www.epa.gov/dwcapacity/about-asset-management>

that the ammonia monitoring and reporting requirement in the permit be measured and reported as ionized ammonia to allow comparison to the CNMI WQS.

Part I.B. Table 1. Dissolved Oxygen Monitoring, Outfall 001

Table 1 of the draft permit includes monitoring the effluent for dissolved oxygen (DO) once/discharge. There is no technical or regulatory basis provided in the Fact Sheet for the proposed monitoring of DO in the effluent. The effluent monitoring history as shown in Table 3 of the Fact Sheet documents that the maximum concentration of 5-day biochemical oxygen demand (BOD) in 13 effluent samples was 2.4 mg/L; 10 of the samples were reported as not detected. These data support that the oxygen demanding constituents in the Outfall 001 discharge is negligible. In addition, because discharges only occur intermittently during or shortly following a significant rain event, the runoff will have oxygen concentrations that are essentially at saturation.

Part I.C. Chronic Toxicity Effluent Limits and Monitoring Requirements – Outfall Number 001

Mobil appreciates that EPA has extended the holding time for whole effluent toxicity (WET) samples to 72 hours for the Pacific Islands when samples must be shipped to the mainland for analysis (Permit – Part II.c.4.c.). As stated at the beginning of these comments, even this holding time extension may be insufficient for samples from the Saipan Terminal because the samples are shipped by air from Saipan to Guam and then from Guam to California. Furthermore, because the discharge from the Saipan Terminal is intermittent (primarily driven by stormwater captured on-site) it can be difficult logistically to identify when to send the consultant to collect the sample, return it to Guam, and then ship it to California to assure it arrives at the laboratory in time for them to start the testing before the 72 hours elapse from the time of collection to when the test is initiated by the lab lapses.

Because of these limitations, Mobil requests that the EPA add a provision in the permit that allows the company to document its efforts to meet the 72-hour requirement and acknowledges that the schedule may not be achieved through no fault of the discharger as supported by the documentation.

Part II.E. Tiered Outfall Habitat Assessment and Reporting

There is no mention or regulatory/scientific justification for this Special Condition provided in the Fact Sheet. Mobil objects to this Standard Condition for the following reasons:

1. The Mobil discharge enters the harbor through the Commonwealth Port Authority (CPA) storm sewer that drains the dock area. The Mobil discharge is a very small proportion of the total flow discharged from the storm sewer to Tanapag Harbor. The 6-foot by 3-foot underground CPA storm sewer drains the dock and the contiguous area. Vehicles, including many large trucks, containers, vessel loading and unloading and related port activities contribute pollutants that accumulate on the paved surface of the port. The CPA drainage area served by the storm sewer is over three times larger in surface area than the drainage area of the Mobil Terminal. The fact that the area is paved means that rainfalls of 0.25 inches or less will generate stormwater runoff that is discharged to Tanapag Harbor.
2. Tanapag Harbor is used for moorage and loading/unloading of motor vessels. These vessels and supporting operations offer the opportunity to leak small amounts of fuels and lubricants into the harbor waters. Vessel exhausts will release combustion byproducts to the surface water, especially when those exhausts are submerged. Unlike the infrequent discharges from the Mobil Terminal, these sources of pollutants will be operating every day that there are vessels using the Harbor, including when they are moored.

3. The Mobil Saipan Terminal collects and stores rainfall on the site in the storage tank containment areas so that it can be treated and discharged at a controlled rate to assure effective treatment. In contrast, the CPA drainage area has no containment and treatment and constituents on the paved surfaces such as oil and fuel that may leak from vehicles, residues from vehicle exhaust, materials spilled from containers, and rubber from tires all are washed into the storm sewer and discharged to Tanapag Harbor from every rainfall event.
4. The Saipan Terminal discharges approximately 16,000 gallons/event and discharged on only 54 days between January 2019 and through October 2024 (approximately 3% of the days in the record).
5. Mobil's self-reporting data for its discharges (Table 3, Fact Sheet) documents that the treated effluent contributes insignificant amounts of pollutants to Tanapag Harbor when there is a discharge from Outfall 001. When the low volume of each discharge and the very low frequency of discharge is considered, it is apparent that the Saipan Terminal is de minimis in comparison with the surface runoff from the CPA dock area and the use of the Harbor by motor vessels.
6. CPA's storm sewer discharges untreated stormwater to Tanapag Harbor every time there is a rainfall event. If there is any accumulation of pollutants in the Harbor, the dominant source such pollutants will be the CPA stormwater.

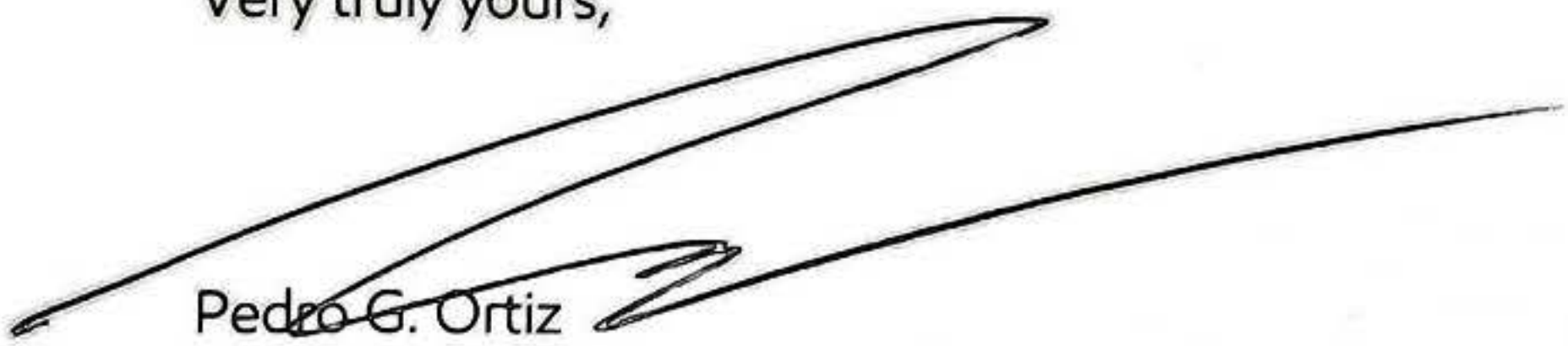
Given that the Mobil Saipan Terminal is the most insignificant potential source of water pollutants discharged to the Tanapag Harbor, it is inequitable and not technically justified to require it to perform the proposed Tiered Outfall Habitat and Assessment and Reporting.

Part II.F. Asset Management

Mobil objects to this requirement for the reasons explained in our comments on the Fact Sheet. Industry asset management systems include a diverse range of equipment and operations, e.g., testing of the integrity of storage tanks at a bulk terminal or assessing the operating life of pumps in the wastewater treatment system. Developing a site-specific asset management plan – focused only on wastewater treatment – is redundant and impractical.

Mobil appreciates the opportunity to provide these comments. Should you have any questions or comments, please contact Analissa Mariano Mercado, APFO Regulatory/Environmental Compliance Advisor, at 671-687-7178 (analissa.mercado@exxonmobil.com).

Very truly yours,



Pedro G. Ortiz
CNMI Field Operations Manager
Mobil Oil Mariana Islands, Inc.

Attachment: Saipan Terminal Discharges (NPDES Permit No. MP0020397)

c: Lial Tischler, Tischler/Kocurek

Saipan Terminal Discharges (NPDES Permit MP0020397)

Date	Minutes	Hours	Flow (gal)
1/24/19	19	0.32	4661
1/27/19	32	0.53	32950
1/27/19	44	0.73	32710
1/29/19	42	0.70	26920
1/29/19	42	0.70	26922
5/22/19	9	0.15	8437
7/8/19	15	0.25	2893
7/10/19	13	0.22	2667
8/6/19	72	1.20	22335
8/8/19	43	0.72	14906
8/14/19	18	0.30	2491
8/19/19	21	0.35	7473
8/20/19	26	0.43	9964
8/21/19	6	0.10	2411
8/26/19	20	0.33	6266
8/27/19	15	0.25	6659
9/4/19	63	1.05	23986
9/7/19	16	0.27	5343
9/12/19	67	1.12	27321
9/16/19	85	1.42	37693
9/19/19	21	0.35	11957
9/24/19	11	0.18	11793
9/21/19	25	0.42	7250
10/8/19	67	1.12	49917
10/10/19	10	0.17	2571
10/22/19	99	1.65	85523
11/27/19	13	0.22	11827
1/4/20	3	0.05	870
2/3/20	18	0.30	5220
9/21/20	25	0.42	7250
9/22/20	35	0.58	10440
10/2/20	35	0.58	8990
10/20/20	8	0.13	2320
10/22/20	8	0.13	3190
10/26/20	22	0.37	6380
10/27/20	15	0.25	4350
11/10/20	22	0.37	5800
6/23/21	12	0.20	3480
6/24/21	28	0.47	8120
7/13/21	29	0.48	9371
6/27/22	106	1.77	28507
6/28/22	66	1.10	19140
6/29/22	164	2.73	47560
8/4/22	22	0.37	6090
8/6/22	47	0.78	17400
8/8/22	30	0.50	8700
8/31/22	70	1.17	21062
9/20/22	43	0.72	12470
9/26/22	73	1.22	21170
10/3/22	56	0.93	16240
10/6/22	36	0.60	10440
10/15/22	71	1.18	20590
10/25/24	65	1.08	18850
10/26/24	201	3.35	54330
54	2224	37.07	864176
Gallons/discharge			16003
Days/year			10.8
Hours/year			7.4
Minutes/day			41