

BEFORE THE STATE OF WASHINGTON
ENERGY FACILITY SITE EVALUATION COUNCIL

In the Matter of Compliance By The)
WASHINGTON PUBLIC POWER SUPPLY)
SYSTEM NUCLEAR PROJECT NO. 3)
With Chapters 80.50 and 90.48 RCW)
and the Rules and Regulations of the)
Energy Facility Site Evaluation Council)
.....)

ORDER MODIFYING
ORDER NO.656
(NOTICE OF VIOLATION
EFSEC NO. 89-002)

This matter came before the Energy Facility Site Evaluation Council (hereinafter Council or EFSEC) at its regular meeting of September 10, 1990 to reconsider the order issued on December 11, 1989 which included a requirement that monthly water samples be taken at three locations until a discontinuance was mutually agreed upon and to continue operation of the McTighe separator. By letter of August 10, 1990 the Supply System requested discontinuance of sampling at the west ditch of the erosion control system and the use of the McTighe separator. The Supply System represents that the west ditch sample results have been low and that the levels of contaminants in the interceptor well are sufficiently low that it is no longer efficient or necessary.

At the request of the Certificate Compliance Committee the Department of Ecology reviewed this request and by letter of August 28, 1990 agreed with the Supply System's request.

Based upon the foregoing, the Council enters the following:

FINDINGS OF FACT

That the Supply System has demonstrated that: a) continued monitoring at the west ditch will no longer provide useful information in assessing cleanup activities; b) continued use of the McTighe separator to remove floating petroleum products is not necessary and further cleanup can be accomplished by other methods.

Based upon the foregoing Findings of Fact, the Council enters the following:

CONCLUSIONS OF LAW

That the Supply System has demonstrated that modification of the previous order would be consistent with the protection of public health, safety and welfare and the Site Certification Agreement.

Based upon the foregoing Findings of Fact and Conclusions of Law, the Council enters the following:

ORDER

IT IS HEREBY ORDERED That the Council Order No. 656 of December 11, 1989 is hereby modified to read as follows:

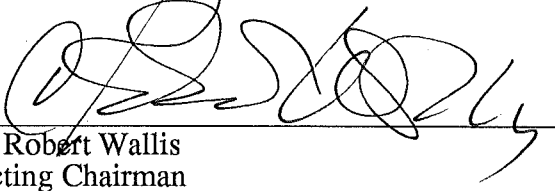
The Council notes that any further violation of the terms of the SCA may result in an assessment of a civil monetary penalty.

The Council admonishes the Supply System to be mindful of all of the conditions of the WNP-3 SCA including, but not limited to, its responsibilities to perform the following:

1. Continue water sampling at the following two locations during the 1990-91 rainy season:
 - a. Interceptor gas well;
 - b. Incinerator discharge
2. Samples will be taken monthly; other sample points may be maintained; and sampling will be discontinued at a mutually acceptable date.
3. Report and review sample results with the Council to determine the extent of long-range remediation measures.
4. Continue operation of the interceptor gas well until the Council is satisfied water in the well meets Department of Ecology water cleanup standards.
5. Maintain the WNP-3 Oil Spill Prevention and Countermeasure Plan, to include having equipment and materials available to respond to spill incidents.
6. The Council shall review the sample results and other information regarding the mitigation efforts and reserves the right to reconsider revisions to this order as necessary for protection of the public.

DATED at Olympia and effective this 10th day of September, 1990.

WASHINGTON STATE ENERGY
FACILITY SITE EVALUATION COUNCIL

By 
C. Robert Wallis
Acting Chairman

ATTEST:

By 
Jason Zeller
EIS/SEC Manager