

BEFORE THE STATE OF WASHINGTON
ENERGY FACILITY SITE EVALUATION COUNCIL

In the Matter of

WEYERHAEUSER COMPANY
COWLITZ COGENERATION PROJECT

COUNCIL ORDER NO. 711

ORDER APPROVING REQUEST FOR
EXTENSION AND ADDING TERMS TO
COWLITZ SITE CERTIFICATION
AGREEMENT AND
RECOMMENDING GOVERNOR'S
APPROVAL

Procedural Setting: On February 7, 1994, Governor Lowry signed a Site Certification Agreement (SCA) authorizing co-sponsors, Weyerhaeuser Company (Weyerhaeuser) and the Mission Energy Company, to construct and operate the Cowlitz Cogeneration Project. The SCA required construction to begin within eighteen (18) months and operation to begin within five (5) years of signing.

On March 8, 1996, the Governor approved Amendment No. 1 to the SCA, extending its expiration date to July 14, 1997 and deleting Mission Energy Company as a co-sponsor of the project.

On June 9, 1997, during the Council's regularly scheduled meeting, Weyerhaeuser requested that the Council extend the SCA for an additional five years. The Council granted a temporary extension of the SCA to allow time for the Council to review Weyerhaeuser's request. By letter dated June 25, 1997, the Weyerhaeuser Company submitted a written request for amendment of its SCA. Council staff proposed additional changes to the SCA.

On October 1, 1997, after due and proper notice, the Council held a public hearing in Longview, Washington, to receive comments regarding the requested extension and proposed changes. The Council has received no public comment regarding the request or proposed changes.

DISCUSSION

The Council believes that it is in the best interest of the State of Washington to amend the SCA by adding the following requirements. These requirements will make the Cowlitz Cogeneration Project consistent with other combustion turbine projects recently sited by the Council.

1. Six months before commencement of construction, Weyerhaeuser must (i) certify that the representations in the SCA regarding environmental conditions, pertinent technology, and regulatory conditions remain current, or (ii) identify any changes and propose appropriate modifications of the SCA to deal with these changes.

2. The Council will review the identified and proposed changes, if any, and, when satisfied, authorize construction to begin.
3. At least six months prior to commencement of construction, Weyerhaeuser shall present to the Council its initial site restoration plan. Construction may not begin until the Council has approved a plan adequately providing for site restoration and for the funding of site restoration in the event of the Cowlitz Cogeneration Project being terminated before it has completed its planned useful operating life. A detailed site restoration plan shall be submitted consistent with Council rules.
4. Between one year to six months prior to the commencement of construction, Weyerhaeuser shall prepare a report that presents and evaluates projected greenhouse gas emissions and possible carbon dioxide mitigation techniques, concentrating on cost-effective mitigation measures.
5. The SCA is extended to February 7, 2004.

ORDER

Based on the record in this matter and the value of consistency in similar terms for similar projects, the Council enters the following Order:

1. The Council adopts Amendment No. 2 of the Site Certification Agreement for the Cowlitz Cogeneration Project, as shown in Appendix A, and recommends its approval by the Governor.
2. The Council directs that this Order shall be attached to the Site Certification Agreement and Amendment No. 1 and forwarded to the Governor of the State of Washington for his consideration and action.

DATED and effective at Olympia, Washington, this _____ day of October, 1997.

C. Robert Wallis, EFSEC Acting Chair

Notice: This is a final order of the Council. Administrative relief may be available through a petition for reconsideration, filed within ten days of the service of this order, pursuant to RCW 34.05.470 and filed with the Council Manager pursuant to WAC 463-30-335.