



Washington State Energy Facility Site Evaluation Council REVISED AGENDA

MONTHLY MEETING
Tuesday, October 20, 2015
1:30 PM

1300 S Evergreen Park Drive SW
Olympia, WA 98504
Hearing Room 206

1. Call to Order Bill Lynch, EFSEC Chair
2. Roll Call Tammy Mastro, EFSEC Staff
3. Proposed Agenda Bill Lynch, EFSEC Chair
4. Minutes **Meeting Minutes**..... Bill Lynch, EFSEC Chair
 - September 15, 2015
5. Projects **a. Kittitas Valley Wind Project**
 - Operational Update.....Eric Melbardis, EDP Renewables**b. Wild Horse Wind Power Project**
 - Operational Update.....Jennifer Diaz, Puget Sound Energy**c. Grays Harbor Energy Center**
 - Operational Update.....Rich Downen, Grays Harbor Energy**d. Chehalis Generation Facility**
 - Operational Update.....Mark Miller, Chehalis Generation Staff**e. Columbia Generating Station**
 - Operational Update.....Shannon Khounnala, Energy Northwest**f. WNP - 1/4**
 - Non-Operational Update.....Shannon Khounnala, Energy Northwest
 - Amon Creek Preserve Mitigation Update.....Jim La Spina, EFSEC Staff**g. Tesoro/Savage Vancouver Energy Distribution Terminal**
 - Project Update.....Sonia Bumpus, EFSEC Staff
 - Extension of Application Processing Time Request.....Stephen Posner, EFSEC Staff

*The Council may consider and take **FINAL ACTION** on the Tesoro/Savage request to extend the time for processing of Application 2013-01..*
6. Other **a. NPDES Rules Adoption**
 - Activity Update..... Jim La Spina, EFSEC Staff

*The Council may consider and take **FINAL ACTION** on adoption of NPDES rules to authorize issuance of coverage under Ecology general permits, and the submission of a JARPA under certain circumstances.*

b. Cost Allocation
 - 2nd Quarter Cost Allocation.....Stephen Posner, EFSEC Staff
7. Adjourn Bill Lynch, EFSEC Chair

Note: "FINAL ACTION" means a collective positive or negative decision, or an actual vote by a majority of the members of a governing body when sitting as a body or entity, upon a motion, proposal, resolution, order, or ordinance. RCW 42.30.02

Verbatim Transcript of Monthly Council Meeting

Washington State Energy Facility Site Evaluation Council

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WASHINGTON STATE
ENERGY FACILITY SITE EVALUATION COUNCIL
Richard Hemstad Building
1300 South Evergreen Park Drive Southwest
Conference Room 206
Olympia, Washington
Tuesday, September 15, 2015
1:32 p.m.

MONTHLY COUNCIL MEETING
Verbatim Transcript of Proceeding

REPORTED BY: ANITA W. SELF, RPR, CCR #3032

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APPEARANCES

Councilmembers Present:

Bill Lynch, Chair
Liz Green-Taylor, Department of Commerce
Cullen Stephenson, Department of Ecology
Joe Stohr, Department of Fish and Wildlife
Dennis Moss, Utilities and Transportation Commission

Local Government and Optional State Agency:

Ken Stone, Department of Transportation
Greg Shafer, Clark County
Larry Paulson, Port of Vancouver, via telephone

Assistant Attorney General:

Ann Essko, Assistant Attorney General

Staff in Attendance:

Stephen Posner
Jim LaSpina
Tammy Mastro
Sonia Bumpus
Cassandra Noble
Joan Aitken

Guests in Attendance:

Richard Downen, Grays Harbor Energy Project

Guests in Attendance Via Phone:

Mark A. Miller, PacifiCorp Chehalis Generation Facility
Shannon Khounnaja, Columbia Generating
System & WNEP 1 and 4
Kristen Boyles, Earthjustice
Eric Melbards, EDP Renewables
Karen McGaffey, Perkins Cole

OLYMPIA, WASHINGTON, SEPTEMBER 15, 2015

1:32 P.M.

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P R O C E E D I N G S

CHAIR LYNCH: Good afternoon. Today is
Tuesday, September 15th, the regular monthly meeting of
the Energy Facility Site Evaluation Council.

Can we please have the clerk call the roll.

THE CLERK: EFSEC regular council,
Department of Commerce.

MS. GREEN-TAYLOR: Liz Green-Taylor appears.

THE CLERK: Department of Ecology?

MR. STEPHENSON: Cullen Stephenson, here.

THE CLERK: Fish and Wildlife?

MR. STOHR: Joe Stohr, here.

THE CLERK: Department of Natural Resources
is excused.

Utilities and Transportation Commission?

MR. MOSS: Dennis Moss is here.

THE CLERK: For the Vancouver -- Tesoro
Vancouver Energy Project, Department of Transportation?

MR. STONE: Ken Stone is here.

THE CLERK: City of Vancouver?

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(No response.)

THE CLERK: Clark County?

MR. SHAFER: Greg Shafer present.

THE CLERK: Port of Vancouver?

MR. PAULSON: Larry Paulson on the phone.

THE CLERK: Sir, there is a quorum for the
regular and for the Tesoro Project Council.

CHAIR LYNCH: Thank you.

I believe Mr. Snodgrass will probably call
in in the next few minutes. I hadn't heard that he
didn't plan to, and that's what he did last time. Thank
you.

And if I could just have the Council take a
quick look over the proposed agenda and see if they have
any recommended changes.

I will just note that today is going to be a
very quick hearing. We have no action items scheduled
for today.

Any proposed changes to the agenda? Hearing
none, we'll go ahead and move forward. And that's
approval of the August 18, 2015, minutes. I'll give
councilmembers a quick moment to review those again, and
then I'll entertain a motion for their approval.

MR. MOSS: Chair Lynch, I would move for
approval of the August 18, 2015, minutes as transcribed.

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<p>1 CHAIR LYNCH: Do we have a second?</p> <p>2 MR. STEPHENSON: I'll second.</p> <p>3 CHAIR LYNCH: It's been moved and seconded</p> <p>4 that the minutes from the August 18, 2015, Council</p> <p>5 hearing be approved.</p> <p>6 All those in favor, say "aye."</p> <p>7 MULTIPLE SPEAKERS: Aye.</p> <p>8 CHAIR LYNCH: Oppose?</p> <p>9 Motion carries.</p> <p>10 I would just note for the councilmembers,</p> <p>11 for the previous meeting, we got the July minutes a</p> <p>12 little later than we normally do, and we were just -- we</p> <p>13 just skimmed those. And I took the time between then</p> <p>14 and now to go through the minutes, and there were --</p> <p>15 everything was accurate, so there are -- we don't need</p> <p>16 to do any changes there.</p> <p>17 Is there anybody on the phone who wishes to</p> <p>18 identify themselves at this time? And I also ask for</p> <p>19 people to please mute their phones again, because we're</p> <p>20 starting to get some feedback over our lines here.</p> <p>21 So first of all, I'll ask people who wish to</p> <p>22 identify themselves to do so, though you're not</p> <p>23 required.</p> <p>24 MR. MILLER: This is Mark Miller, Chehalis</p> <p>25 Generation.</p>	<p>1 Assistance Report.</p> <p>2 And I'll just ask Mr. LaSpina, is there</p> <p>3 anything to add to that?</p> <p>4 MR. LASPINA: No, sir.</p> <p>5 CHAIR LYNCH: Okay. Very good.</p> <p>6 Then we'll move to the Grays Harbor Energy</p> <p>7 Center.</p> <p>8 Mr. Downen, always a welcome sight.</p> <p>9 MR. DOWNEN: Thank you, Chair Lynch.</p> <p>10 Good afternoon, and good afternoon Council</p> <p>11 and Staff.</p> <p>12 For Grays Harbor this month, the -- there</p> <p>13 are a couple of items that are a little off normal.</p> <p>14 Item 2.2 on our -- on our report is we</p> <p>15 performed the annual stack and relative accuracy test</p> <p>16 audit for both combustion turbines.</p> <p>17 And then related to that, Item 5.1 is Robert</p> <p>18 Moody with ORCAA was on-site for the performance of that</p> <p>19 testing, and the testing went well. We don't have our</p> <p>20 final report back yet, but it was -- all the preliminary</p> <p>21 data looks -- was very good.</p> <p>22 The other items would be Item 6.2, the</p> <p>23 installation of the noise monitoring equipment was</p> <p>24 performed and completed with the exception of adding</p> <p>25 that signal so that the output of that -- that meter has</p>
Page 6	Page 8
<p>1 MS. KHOUNNALA: Shannon Khounnala, Energy</p> <p>2 Northwest.</p> <p>3 MS. BOYLES: Kristen Boyles, Earthjustice.</p> <p>4 MR. MELBARDIS: Eric Melbardis, EDP</p> <p>5 Renewables.</p> <p>6 MS. MCGAFFEY: Karen McGaffey, Perkins Coie.</p> <p>7 CHAIR LYNCH: Anyone else? Okay.</p> <p>8 Let's go ahead and proceed to our project</p> <p>9 updates.</p> <p>10 Kittitas Valley Wind Project, Mr. Melbardis?</p> <p>11 MR. MELBARDIS: Good afternoon. This is</p> <p>12 Eric Melbardis with EDP Renewables for the Kittitas</p> <p>13 Valley Wind Power Project.</p> <p>14 For the September project update, there</p> <p>15 is -- there's nothing nonroutine to report.</p> <p>16 CHAIR LYNCH: Thank you.</p> <p>17 Any questions for Mr. Melbardis regarding</p> <p>18 the Kittitas Valley Wind Power Project?</p> <p>19 Thank you, Mr. Melbardis.</p> <p>20 Then I would note that Jennifer Diaz with</p> <p>21 Puget Sound Energy for the Wild Horse Wind Power Project</p> <p>22 will not be calling in today, and there is nothing out</p> <p>23 of the ordinary to report. And there is a pink sheet</p> <p>24 that has their submission for the month, and there</p> <p>25 are -- which includes the Stormwater Technical</p>	<p>1 a local readout, and then the output of that also is</p> <p>2 going to be transmitted wirelessly into our control</p> <p>3 system, so it will be an indication in the control room.</p> <p>4 But we can't -- we can't do that until we shut down, and</p> <p>5 we've been running since May. So as soon as we shut</p> <p>6 down the plant for a day or so, we'll -- we'll get that</p> <p>7 uploaded into the DCS.</p> <p>8 Also Item 6.3, installation of the outfall</p> <p>9 monitoring recirculation line, we -- we installed that</p> <p>10 line, which allows us to have continuous flow in those</p> <p>11 outfall instruments even when we're not outfalling water</p> <p>12 from the cooling tower to the -- to the Chehalis River</p> <p>13 so that we can see what those indications look like</p> <p>14 without -- before we open that valve. So we did that.</p> <p>15 And we also -- about halfway through that</p> <p>16 paragraph, additionally we changed the DCS logic for the</p> <p>17 outfall isolation to include the cooling tower basin pH,</p> <p>18 which will give us a little bit of anticipatory</p> <p>19 protective control.</p> <p>20 And again, that -- that upload into the DCS</p> <p>21 will be finalized when we shut down and can make that</p> <p>22 change. If we upload those -- if we upload logic</p> <p>23 changes online, there's a chance that we could trip, so</p> <p>24 we have to wait until we're offline.</p> <p>25 So those are the only additions that we</p>

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Washington State Energy Facility Site Evaluation Council

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1 would have to the normal report.
 2 CHAIR LYNCH: Okay. Very good.
 3 Are there any questions for Mr. Downen?
 4 Yes, Ms. Green-Taylor.
 5 MS. GREEN-TAYLOR: I have a question and a
 6 comment.
 7 Comment first. I really appreciate the
 8 effort and detail that you go into with your reports.
 9 That's very impressive and I really -- it really tells
 10 me the story and I appreciate that.
 11 The question I have is, what does ORCAA
 12 stand for?
 13 MR. DOWNEN: Olympic Region Clean Air --
 14 actually, there may be a second A in there.
 15 CHAIR LYNCH: It's Agency.
 16 MR. DOWNEN: Yeah, it's Agency. So they're
 17 the -- I -- Jim, you could probably explain it a
 18 little better.
 19 MR. LASPINA: The EFSEC contracts with the
 20 clean air agency to provide technical support and
 21 compliance support to us for their air program, for the
 22 permitting needs in our program.
 23 MS. GREEN-TAYLOR: Okay. I knew that, but
 24 somehow the acronym was just going in one ear and out
 25 the other.

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1 Okay. Thank you.
 2 CHAIR LYNCH: Any other questions for
 3 Mr. Downen?
 4 Very good. Thank you, Mr. Downen.
 5 MR. DOWNEN: Thank you.
 6 CHAIR LYNCH: And just for a little extra
 7 background, the state is divided up into different
 8 regions, and they have different clean air agencies that
 9 serve the various regions of the state, though there are
 10 some regions that are not regulated by local air
 11 authority, and that's where the Department of Ecology
 12 actually does the regulating for them. So we have
 13 contracts with not only ORCAA, but the Southwest Clean
 14 Air Agency is another entity that we have contracts
 15 with, and I'm not sure if we do with the Benton Clean
 16 Air Agency or not.
 17 MR. LASPINA: No.
 18 CHAIR LYNCH: Okay. Thank you.
 19 And now we're ready for the update from the
 20 Chehalis Generation facility. Mr. Miller?
 21 MR. MILLER: Good afternoon, Chair Lynch,
 22 councilmembers and Staff. This is Mark Miller, the
 23 plant manager of PacifiCorp Chehalis Generating
 24 Facility.
 25 I have no non-routine comments to add today.

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1 Thank you.
 2 CHAIR LYNCH: Any questions for Mr. Miller?
 3 Very good. Thank you, Mr. Miller.
 4 MR. MILLER: You're welcome.
 5 CHAIR LYNCH: Now we'll turn to the Columbia
 6 Generating Station, and WNP 1 and 4.
 7 Ms. Khounnala?
 8 MS. KHOUNNALA: Yes. This is Shannon
 9 Khounnala with Energy Northwest.
 10 In regards to Columbia Generating Station,
 11 we have no nonroutine items to report, although I do
 12 believe we have one bring-back from a question last
 13 month in regard to the reactor feed water valve that
 14 we've been discussing in some of these updates following
 15 coming back from our refueling outage.
 16 I -- I apologize that I don't know the
 17 councilmember who asked the last question in my absence
 18 last month, but I do believe the question was whether or
 19 not the reactor feed water valve would be receiving
 20 ongoing inspections.
 21 And we have confirmed that that valve does
 22 receive weekly inspections, and it will continue to
 23 receive those inspections through the time for our next
 24 refueling outage where we will be looking at it again.
 25 CHAIR LYNCH: Very good.

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1 Are there any questions for Ms. Khounnala?
 2 Apparently not.
 3 And Ms. Khounnala, you were speaking for
 4 both WNP 1 and 4 and Columbia, or just Columbia?
 5 MS. KHOUNNALA: Oh, that was just for
 6 Columbia.
 7 In regards to WNP 1 and 4, there are no
 8 other items to report. Our status remains the same,
 9 unchanged from June in that we're waiting for a cost
 10 estimate from the Department of Energy to perform the
 11 NEPA work for our lease extension.
 12 CHAIR LYNCH: Okay. Very good. Any
 13 questions for Mr. Khounnala regarding either WNP 1 and 4
 14 or the Columbia Generating Station? No?
 15 Thank you, Ms. Khounnala.
 16 MS. KHOUNNALA: Thank you.
 17 CHAIR LYNCH: Now we'll turn to Staff.
 18 Ms. Bumpus, if you would give us an update
 19 regarding the Tesoro/Savage Vancouver Energy
 20 Distribution Terminal.
 21 MS. BUMPUS: Thank you.
 22 Good afternoon, Chair Lynch and
 23 councilmembers. I don't have any new updates to share
 24 relative to review of the permit applications. However,
 25 I do have updates to share on development of the Draft

1 Environmental Impact Statement.

2 Cardno submitted the preliminary Draft

3 Environmental Impact Statement to EFSEC on August 11th,
4 which was on schedule. The last several weeks, EFSEC
5 has spent that time reviewing the preliminary DEIS.

6 Our review began on August 12th, and
7 comments were collected and provided to Cardno on
8 September 8th. Let's see here. Cardno is currently
9 working to review those comments, which were provided by
10 EFSEC staff, EFSEC agency contractors and EFSEC's AG,
11 and they are doing that in preparation for EFSEC's next
12 review, which is scheduled to begin on September 30th
13 and will end on October 6th.

14 Are there -- that's all I have relative to
15 the DEIS development. Are there any questions?

16 CHAIR LYNCH: Any questions for Ms. Bumpus?

17 Things are just moving quietly along.

18 MR. SHAFER: Mr. Chair, a brief question.

19 So will the Council receive the updates
20 based on those reviews, the comments from Staff as they
21 proceed?

22 CHAIR LYNCH: Thank you, Mr. Shafer.

23 I'll just have Ms. Bumpus give timelines,
24 and please answer that question.

25 MS. BUMPUS: So the -- the next review

1 Mr. Posner, anything else to add today?

2 MR. POSNER: No, I do not have anything,
3 Chair Lynch.

4 CHAIR LYNCH: Any further business before
5 the Council today?

6 With that, I appreciate all your
7 participation, and we are adjourned.

8 (Meeting concluded at 1:48 p.m.)

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1 cycle, as I was saying, that will begin on
2 September 30th; it will end on October 6th.

3 Cardno will be looking at those comments
4 from that next review cycle. They will have from
5 October 7th to October 13th to address those comments
6 and make revisions.

7 And at that point, on October 14th, EFSEC
8 councilmembers will be reviewing it along with Staff.
9 That particular review period goes from October 14th to
10 November 10th.

11 CHAIR LYNCH: So yes.

12 MR. SHAFER: Thank you.

13 CHAIR LYNCH: Thank you.

14 MS. BUMPUS: I just wanted to go over all of
15 the various dates that we have, right?

16 CHAIR LYNCH: I'm just teasing. I
17 appreciate that. Thank you.

18 Any questions for Ms. Bumpus?

19 This might be our shortest meeting yet.

20 Okay. Very good. Thank you.

21 And just regarding other Council business, I
22 would note that EFSEC has awarded the contract for the
23 small modular nuclear reactor study that was included
24 within the operating budget to Golder Associates, and
25 they are on their way to preparing that study.

CERTIFICATE

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1 I, ANITA W. SELF, a Certified Shorthand Reporter
2 in and for the State of Washington, do hereby certify
3 that the foregoing transcript is true and accurate to
4 the best of my knowledge, skill and ability.

5 IN WITNESS WHEREOF, I have hereunto set my hand
6 and seal this 23rd day of September, 2015.

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17 ANITA W. SELF, RPR, CCR #3032
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Kittitas Valley Wind Power Project Monthly Project Update

September 15, 2015

Project Status Update

August Production Summary:

Power generated: 33,549 MWh
Wind speed: 8.6 m/s or 19.2 mph
Capacity Factor: 45.7%

Safety:

No incidents

Compliance:

Project is in compliance as of September 11, 2015.

Sound:

No complaints

Shadow Flicker:

No complaints

Environmental:

No incidents

Wild Horse

Wind Production: August generation totaled 56,889 MWh for an average capacity factor of 28.05%.

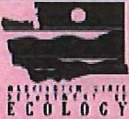
Safety: No lost-time accidents or safety incidents to report in August.

Compliance/Environmental:

- In accordance with the SCA, site staff received annual training on the Spill Prevention Control & Countermeasures Plan (SPCCP) and the Stormwater Pollution Prevention Plan (SWPPP)
- The Department of Ecology submitted the final stormwater inspection report for the site inspection completed on April 16, 2015 (see report attached). The purpose of the site inspection was to evaluate the operational erosion and sediment controls installed on-site and review the SWPPP for needed updates. Ecology noted that overall the site appears well maintained. No obvious signs of spills, litter or environmental consequences were observed and the revegetation has been largely successful. As recommended by the Ecology inspector, the Operational SWPPP will be updated and resubmitted to Ecology and EFSEC for review and approval.

4/16/15

Wild Horse Wind Farm

		STORMWATER TECHNICAL ASSISTANCE REPORT		WADCOE Stormwater Compliance Inspection Form Last updated (07/14)	
State of Washington Department of Ecology 15 West Yakima Avenue, Yakima, WA 98902				Phone (509) 575-2490	
Section A: General Data					
Inspection Date April 16, 2015	EFSEC Permit WH-SW-1	County Kittitas	Receiving Waters Whiskey Dick	Inspector(s) Ray Latham	Facility Type Construction
Discharges to: Surface Water <input checked="" type="checkbox"/> Ground Water <input checked="" type="checkbox"/>				ANNOUNCED Inspection	
Section B: Facility Data					
Name and Location of Construction Site Inspected Wild Horse Wind Farm 25901 Vantage Highway Ellensburg, WA 98926			GPS: Lat: 47°08'25" Long: -120°42'56"		
Certified Erosion and Sediment Control Leads (CESCL): (or on-site rep.) Jennifer Diaz Brennan Dan Rottler Shane			Additional Participants: Jim LaSpina EFSEC Jennifer Diaz Environmental Dan Rottler Spill Response		
Responsible Official(s): Jennifer Diaz Environmental Manager Phone: Office 509.964.7813 Cell 509.859.1107			Dan Rottler Plant Manger Phone: Office 509.964.7814 Cell 509.859.3811		
Samples Taken? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Photos Taken? <input checked="" type="checkbox"/> <input type="checkbox"/>					
Section C: Summary of Findings/Comments					
<u>BACKGROUND</u> <p>Wild Horse Wind Farm (WHWF) is a series of 149 wind turbines located on the ridgelines of Whiskey Dick Mountain. Ancillary buildings and facilities include an office/maintenance shop, a visitor's center, a substation and solar power demonstration array. PSE owns approx. 7600 ac., with approx. 3000 ac. leased from DNR and WDFW for the project. There are approximately 32 miles of interconnecting primary and secondary roads. By agreement with the DNR and WDFW the property is accessible by the public for hunting and recreation, by written permission only. All turbine access roads are gated to restrict motorized public access to sensitive areas.</p> <p>Construction started in late 2005 and was completed in December 2006. Twenty-two additional turbines were authorized in 2008 and installed in 2009. The site was under an NPDES Construction Stormwater Permit for erosion and sediment controls until 2010. Ground disturbing activities included the access roads, utility trenching and towers for power lines, clearing and leveling for concrete turbine pads on ridgelines, substation, and various building sites. Upon achieving soil, slope and channel stabilization the NPDES permit was cancelled.</p> <p>The purpose of the site review is to evaluate the operational erosion and sediment controls on the site, provide technical assistance on areas that may attention and review the Stormwater Pollution Prevention Plan (SWPPP) for needed updates. <i>The italicized revisions to the original report on the number of turbines acreage, ownership and access management were suggested by Jennifer Diaz.</i></p>					
<u>INSPECTION/OBSERVATIONS</u> <p>Jim LaSpina, EFSEC representative, and I met with WHWF managers Jennifer Diaz, and Dan Rottler at the Puget Sound Energy Wild Horse office on Whiskey Dick Mountain. We discussed the general requirements of the SWPPP before touring the site.</p> <p>A more extensive review of the Operational SWPPP was conducted when an electronic version was forwarded after the inspection. We took a drive out Beacon Ridge Road back past the Pines to the more northern lines.</p>					

4/16/15

Wild Horse Wind Farm

Observations made of erosion controls on the tour of roads, cut banks and ditches :

- The mild winter had not produced much snow accumulation and subsequently little runoff.
- A steep pitch on the north facing slope of Beacon Ridge Road past the visitor's center gave a good opportunity to observe the effective use of rock check dams.
- The series of checks appeared to effectively slow velocities and prevent significant channel erosion.
- Spring maintenance of sediment traps had been completed. Only the bottom traps appeared to be collecting significant amounts of sediment from the few spring rain events.
- A small cutbank on the inside of the road was stabilized with a series of 3 stacked jute rolls. These have held up well despite having been trampled by elk. Revegetation growth is sparse on the rolls, but more grass would only attract elk.
- Erosion and sediment controls appear to be effective with no obvious sign of rill or sheet erosion and accumulation of sediments in rock check dams or deposition below outfalls
- Revegetation of disturbed areas has been successful. Areas around the towers and along the buried power line corridors are generally fully stocked with native plants and free of noxious weed.
- The roads were lacking ruts and well graveled.

Section D: Compliance/Recommendations

The review notes include:

- Update to permit needed? The last update to the operational SWPPP was 2009, a year prior to the construction permit being terminated.
- Include acquired acreages, access roads and turbines...if necessary.
- Be critical in inspection reports by documenting where environmental issues arise. e.g. Observations of erosion channels forming below culverts indicate need for increased runoff dispersal or channel protection.
- Review the maintenance records for areas that require frequent repair. Identify BMPS to resolve. An example might be to improve sub-drainage in specific areas where roads are soft in the spring.
- Preparation of a mitigation plans for wild fire provides opportunity for minimization of impacts of runoff at critical areas.
- Include a review of current contractors and procedures for spills and handling hazardous / dangerous waste.

Overall the site appears well maintained. No obvious signs of spills, litter or environmental consequences were observed. The revegetation has been largely successful.

Ray Latham, CPSWQ
Industrial/Construction Stormwater Inspector
Water Quality Program

Date

4/16/15

Wild Horse Wind Farm



ROCK GABION AT 1ST RELIEF CULVERT ON BEACON RIDGE RD.
R LATHAM WHWF 4-16-15



OUTFALL OF 1ST RELIEF CULVERT BELOW BEACON RIDGE RD.
R LATHAM WHWF 4-16-15



ROCK CHECK DAMS FUNCTIONED WELL THIS YEAR.
R LATHAM WHWF 4-16-15



THIS CHECK DAM COULD USE A CLEANOUT.
R LATHAM WHWF 4-16-15



ELK TRACKS ON JUTE ROLLS. NOTE GRASSES GROWING
THROUGH JUTE MATS. R LATHAM WHWF 4-16-15



THE JUTE ROLLS STABILIZE THE TOE OF THE SLOPES.
R LATHAM WHWF 4-16-15

4/16/15

Wild Horse Wind Farm



NOTE REVEGETATED AREAS ALONG BEACON RIDGE ROAD.
R LATHAM WHWF 4-16-15



DEER UTILIZE THE SHADE FROM THE TOWERS AT A GOOD
VANTAGE POINT. R LATHAM WHWF 4-16-15



JENNIFER DIAZ IS RIGHTLY PROUD OF HER EROSION CONTROLS
ON BEACON RIDGE ROAD. R LATHAM WHWF 4-16-15



SEDIMENT HAS BEEN CLEANED OUT FROM THIS ROCK CHECK DAM.
R LATHAM WHWF 4-16-15

GRAYS HARBOR ENERGY

EFSEC Monthly Operational Report

August, 2015

1. Safety and Training

- 1.1. There were no accidents or injuries during the month of August.
- 1.2. Conducted scheduled and required monthly training.
- 1.3. Conducted the scheduled safety committee meeting.

2. Environmental

- 2.1. Submitted the July Discharge Monitor Report (DMR) for outfall to EFSEC.
- 2.2. Stack and Relative Accuracy Test Audit (RATA) testing was completed on Units #1 and #2.
- 2.3. A sound monitor has been installed on the site's west sound wall. This instrument will be used to collect noise levels during normal operations and upset conditions.
- 2.4. Completed the annual waste water priority pollutant sample.

3. Operations & Maintenance

- 3.1. Grays Harbor Energy (GHE) operated 31 days and generated 392,639 MWh during the month of August.
- 3.2. The capacity factor (CF) was 85.1% in August, and 41.4% YTD.
- 3.3. The availability factor (AF) was 100% in August, and 93.4% YTD.

4. Noise and/or Odor

- 4.1. There were no complaints made to the site during the month of August.

5. Site Visits

- 5.1. Robert Moody with ORCA was on site during the performance of the 2015 RATA testing.

6. Other

- 6.1. Grays Harbor is fully staffed with 22 personnel.
- 6.2. Installation of noise monitoring equipment was performed during the month of August. The noise monitor is functional, and will be added into the DCS for control room indication the next time the plant is off line.
- 6.3. Installation of the outfall monitoring recirculation line was performed during the month of August. This line allows us to restore outfall flow from maintenance activities on the outfall instruments or from upset conditions without forcing data points in the DCS. Additionally we have changed the DCS logic for outfall isolation to include the cooling tower basin pH signal, giving us better anticipatory protection in the event of a basin pH excursion. This logic will be uploaded into the DCS the next time the plant is off line.



Chehalis Generation Facility
1813 Bishop Road
Chehalis, Washington 98532
Phone: 360-748-1300

Chehalis Generation Facility---Monthly Plant Report - August 2015 **Washington Energy Facility Site Evaluation Council**

14 September 2015

Safety:

There were no recordable incidents this reporting period and the plant staff has achieved 4669 days without a Lost Time Accident.

Environment:

Waste water monitoring results are in compliance with the permit limits for the month of August 2015.

Personnel:

Authorized plant staffing level is currently 19 with 19 positions filled.

Operations and Maintenance Activities:

The Plant generated 100,486 MW-hrs in August and a capacity factor YTD of 19.7%.

Regulatory/Compliance:

There were no air emissions deviations, waste-water or stormwater deviations or spills during the month of August 2015.

Sound monitoring: There were no noise complaints to report.

Carbon Offset Mitigation

No update.

Respectfully,

Mark A. Miller
Manager, Gas Plant

**Energy Northwest
EFSEC Council Meeting
September 15, 2015
(Shannon Khounnala)**

I. Columbia Generating Station Operational Status

Columbia is online at 100% power and producing 1140 MWs. The plant has been online for 79 days.

There are no other events, safety incidents, or regulatory issues to report.

II. WNP 1/4 Water Rights

No change from the June 2015 report:

The Department of Energy continues to work on the NEPA Environmental Assessment (EA) for WNP 1/4. Currently, DOE is awaiting the bid from their contractor for preparation of the EA. The NEPA Environmental Assessment will allow a new lease to be signed between EN and the Department of Energy, and thereby allow for use of the water rights obtained in January of this year. The preparation of the NEPA Environmental Assessment is expected to last through the summer and fall of 2015 with formal reviews to follow.

Kittitas Valley Wind Power Project

Monthly Project Update

October 20, 2015

Project Status Update

September Production Summary:

Power generated:	23,832 MWh
Wind speed:	7.1 m/s or 16.33 mph
Capacity Factor:	32.8%

Safety:

No incidents

Compliance:

Project is in compliance as of October 15, 2015.

Sound:

No complaints

Shadow Flicker:

No complaints

Environmental:

No incidents

Project will de-energize for a 5 year substation maintenance for a duration of two days later this month.

Wild Horse

Wind Production: September generation totaled 55,297 MWh for an average capacity factor of 28.17%.

Safety: No lost-time accidents or safety incidents to report in September.

Compliance/Environmental: The Operational SWPPP was updated and submitted to Ecology and EFSEC for review and approval on September 18th.

EFSEC Monthly Operational Report

September, 2015

1. Safety and Training

- 1.1. There were no accidents or injuries during the month of September.
- 1.2. Conducted scheduled and required monthly training.
- 1.3. Conducted the scheduled safety committee meeting.

2. Environmental

- 2.1. Submitted the August Discharge Monitor Report (DMR) for Outfall 001.
- 2.2. Three employees completed opacity recertification training.

3. Operations & Maintenance

- 3.1. Grays Harbor Energy (GHE) operated 30 days and generated 372,902 MWh during the month of September.
- 3.2. The capacity factor (CF) was 83.5% in September, and 46.1% YTD.
- 3.3. The availability factor (AF) was 100% in September, and 94.1% YTD.

4. Noise and/or Odor

- 4.1. There were no complaints made to the site during the month of September.

5. Site Visits

- 5.1. There were no site visits by regulatory personnel during the month of September.
- 5.2. Invenenergy/Grays Harbor Energy hosted a group of various legislative staff personnel for lunch and a plant tour on September 22nd.

6. Other

- 6.1. Grays Harbor is fully staffed with 22 personnel.
- 6.2. Noise monitoring equipment is installed and is functional, and will be added into the Distributed Control System (DCS) as a Main Control Room indication the next time the plant is off line.
- 6.3. Distributed Control System (DCS) logic for automatic isolation of the Outfall stream (Outfall 01) is modified to include the Cooling Tower Basin pH signal as an isolation parameter. This logic will be uploaded into the Distributed Control System (DCS) the next time the plant is off line.



Chehalis Generation Facility
1813 Bishop Road
Chehalis, Washington 98532
Phone: 360-748-1300

Chehalis Generation Facility----Monthly Plant Report - September 2015

Washington Energy Facility Site Evaluation Council

19 October 2015

Safety:

There were no recordable incidents this reporting period and the plant staff has achieved 4700 days without a Lost Time Accident.

Environment:

Waste water monitoring results are in compliance with the permit limits for the month of September 2015.

Personnel:

Authorized plant staffing level is currently 19 with 19 positions filled.

Operations and Maintenance Activities:

The Plant generated 151,168 MW-hrs in September and a capacity factor YTD of 20.5%.

Regulatory/Compliance:

There were no air emissions deviations, waste-water or stormwater deviations or spills during the month of September 2015.

Sound monitoring: There were no noise complaints to report.

Carbon Offset Mitigation

No update.
Respectfully,

Mark A. Miller
Manager, Gas Plant

**Energy Northwest
EFSEC Council Meeting
October 20, 2015
(Shannon Khounnala)**

I. Columbia Generating Station Operational Status

Columbia is online at 100% power and producing 1149 MWs. The plant has been online for 113 days.

There are no other events, safety incidents, or regulatory issues to report.

II. WNP 1/4 Water Rights

No change from the June 2015 report:

The Department of Energy continues to work on the NEPA Environmental Assessment (EA) for WNP 1/4. Currently, DOE is awaiting the bid from their contractor for preparation of the EA. The NEPA Environmental Assessment will allow a new lease to be signed between EN and the Department of Energy, and thereby allow for use of the water rights obtained in January of this year. The preparation of the NEPA Environmental Assessment is expected to last through the fall and winter of 2015 with formal reviews to follow.

October 16, 2015

Stephen Posner, Manager
Energy Facility Site Evaluation Council
Utilities & Transportation Commission
1300 S. Evergreen Park Dr. SW
P.O. Box 43172
Olympia, Washington 98504-3172

Re: Tesoro Savage Vancouver Energy Distribution Terminal
Project No. 2013-01— Request to Extend Statutory Deadline

Dear Mr. Posner,

Tesoro Savage Petroleum Terminal LLC dba Vancouver Energy ("Applicant") submitted its application for site certification for the referenced terminal facility on August 29, 2013. State law provides that EFSEC "shall report to the governor its recommendation as to the approval or rejection of an application for certification within twelve months of receipt by the council of such an application, or such later time as mutually agreed by the Council and the Applicant." Based on the time then expected to complete the EFSEC process, the Applicant requested on August 6, 2014 a six-month extension for completion, to March 2, 2015, and the Council granted that extension (the "First Extension") at its regular meeting on August 19, 2014. The Applicant requested on February 5, 2015 an additional six-month extension for completion, to November 1, 2015, and the Council granted that extension (the "Second Extension") at its regular meeting on February 27, 2015.

The Second Extension will expire on November 1, 2015, and it is now apparent that date cannot be met, and that a further extension is required. The Applicant therefore requests an additional six-month extension to May 1, 2016.

Thank you for your consideration of this extension. Applicant looks forward to meeting with you to discuss further the schedule for completing the EFSEC process.

Sincerely,



Kelly J. Flint

cc: Jared Larrabee, Tesoro Savage Petroleum Terminal LLC
Jay Derr, Van Ness Feldman
Irina Makarow, BergerABAM

October 19, 2015

Honorable William Lynch, Chair

Energy Facility Site Evaluation Council

Olympia, Washington 98504

Re: *Request for Delay of Public Comment Period to January 2, 2016/Tesoro-Savage/Vancouver Energy Draft Environmental Impact Statement*

Dear Chair Lynch:

I write as your predecessor to request that you and the EFSEC Council postpone release of the Tesoro-Savage/Vancouver Energy Draft Environmental Impact Statement (DEIS) until January 2, 2016.

Absent such a delayed release, and presuming the DEIS is otherwise completed November 24, the public will be required to comment on a very long, complex, and highly technical document during the holiday period of November 24-January 10. Insisting on such a review period – over a time frame including Thanksgiving, Hanukah, Christmas, Kwanza, and the New Year – is inconsistent with the public interest and the public's ability to meaningfully comment because of competing demands that all have during this period.

The Counsel for the Environment's responsibility is also to protect the public interest. I have spoken with Mr. Kernutt and have reason to believe he will join in supporting this request.

Having followed the Tesoro proceedings with interest, I appreciate EFSEC Manager Posner's request to Vancouver Energy asking for a 60 day comment period (Stephen Posner letter of June 8, 2015 to Vancouver Energy). Manager Posner made this request for the same reasons I advance: because of the importance, complexity, and presumable length of the document.

I was very disappointed that Vancouver Energy replied to Mr. Posner and insisted on no more than the 45 day review period provided by SEPA rules, complaining as it has throughout these proceedings that the EFSEC process has taken far too long. (June 24 and 29, 2015 Vancouver Energy to Stephen Posner)

It is true that the EFSEC process has been lengthy. But Vancouver Energy's own poor quality Preliminary Draft EIS is primarily responsible for this delay. (Stephen Posner letter to Vancouver Energy, July 2, 2015).

Stated differently, Vancouver Energy has "dirty hands" in the delay it complains about. EFSEC should not aid it by releasing the DEIS for a limited public comment during the November-January 2015 holiday time period. To do so would only reward Tesoro for its poor quality Preliminary DEIS work.

In summary, and for reasons stated above, I respectfully request that in the public interest that EFSEC exercise its discretionary authority and postpone release of the Tesoro DEIS until January 2, 2016.

Best regards,

James Luce

310 Pasadena Way

Vancouver, Washington 98661

360-907-3323



STATE OF WASHINGTON

ENERGY FACILITY SITE EVALUATION COUNCIL

PO Box 43172 • Olympia, Washington 98504-3172

BRIEFING MEMO

TO: Energy Facility Site Evaluation Council (EFSEC)

FROM: Staff

DATE: October 20, 2015

SUBJECT: Recommendation for Adoption of Revisions to:

- Chapter 463-60 WAC – Applications for Site Certification
- Chapter 463-76 WAC – Regulations for Compliance with NPDES Permit Program

Background

EFSEC is authorized by the U. S. Environmental Protection Agency (EPA) to implement the National Pollutant Discharge Elimination System (NPDES) Permit program through a delegation agreement executed in August, 1979. In accordance with the Memorandum of Agreement between EFSEC and EPA executed concurrently with the delegation letter, and consistent with state law (RCW 90.48.262(2) and RCW 80.50.040(9)), EFSEC is required to 'adopt procedures which will provide the maximum coordination and avoid duplication between EFSEC and Ecology to implement a comprehensive permitting program'.

The above statutory language clearly directs EFSEC to implement and maintain a permitting program consistent with Ecology. WAC 463-76-031 allows an applicant for site certification to apply for coverage under state general permits for stormwater discharges. Ecology general stormwater permits relevant to EFSEC-licensed projects include the Construction Stormwater General Permit and the Industrial Stormwater General Permit. Furthermore, WAC 463-60-537(3) states that an application for site certification must include a notice of intent to be covered under any applicable statewide general permit for stormwater discharge. However, the existing rule does not explicitly authorize EFSEC to issue those permit coverages.

In addition, WAC 463-60-537 also requires applicants for site certification to include a completed NPDES permit application for any proposed discharge to surface waters, and a completed state waste discharge application for any proposed discharges to ground water or to publicly owned treatment works. EFSEC also issues other types of permit coverage, such as water quality certifications under section 401 of the Federal Water Pollution Control Act, hydraulic project approvals, coverage under Ecology's statewide General Permit for Sand and Gravel, as well as coverage under other permits. EFSEC regulations, however, are silent as to what an applicant must submit in order to obtain coverage under these other types of permits.

Current Rule Adoption

The main purpose of this rule revision is to clarify EFSEC's statutory authority to issue coverages under Ecology promulgated general permits. Revisions to three sections of Chapter 463-76 WAC clarify EFSEC's authority to issue the permit coverages. These proposed rule revisions will allow EFSEC to more effectively implement the statutory intent of the legislature.

EFSEC also proposes adding a new section to Chapter 463-60 WAC. WAC 463-60-540 requires applications for site certification to include a completed joint aquatic resource permit application (JARPA) for activities that require the issuance of a 401 water quality certification or a hydraulic project approval. Applications must also include a notice of intent to be covered under the General Permit for Sand and Gravel, and a notice of intent to be covered under any other permits otherwise issued by state agencies.

The regulatory justifications for this rule revision are consistent with the intent of issuing general permits, which is to maximize coordination and minimize duplication between EFSEC and Ecology. The other justification for this rule revision is to provide guidance for applicants on what must be submitted in order to obtain certain types of permit coverage.

EFSEC's current rule adoption utilized the expedited rulemaking process. The expedited rulemaking process requires a minimum 45-day public comment period. The public comment period began when the CR-105 notice was published in the State Register on September 2, 2015 and ended October 19, 2015. EFSEC did not receive any comments on the proposed rule adoption.

Recommendation

Adoption of these proposed revisions to EFSEC's water quality rule, Chapter 463-76 WAC, will clarify EFSEC's authority to issue coverages under Ecology issued general permits. These revisions will also maximize coordination and minimize duplication of permitting efforts between EFSEC and Ecology. Adoption of WAC 463-60-540 will provide guidance to applicants regarding what must be submitted in order to obtain certain types of permit coverage. For these reasons EFSEC Staff recommends the Council approve the proposed revisions to EFSEC's rules.



EXPEDITED RULE MAKING

CR-105 (June 2004)
(Implements RCW 34.05.353)
EXPEDITED RULE MAKING ONLY

Agency: Energy Facility Site Evaluation Council (EFSEC)

Title of rule and other identifying information:

Chapter 463-60 WAC – Applications for Site Certification, subsection -540.

Chapter 463-76 WAC – Regulations for Compliance with NPDES Program, subsections -005, -010, and -025.

NOTICE

THIS RULE IS BEING PROPOSED UNDER AN EXPEDITED RULE-MAKING PROCESS THAT WILL ELIMINATE THE NEED FOR THE AGENCY TO HOLD PUBLIC HEARINGS, PREPARE A SMALL BUSINESS ECONOMIC IMPACT STATEMENT, OR PROVIDE RESPONSES TO THE CRITERIA FOR A SIGNIFICANT LEGISLATIVE RULE. IF YOU OBJECT TO THIS USE OF THE EXPEDITED RULE-MAKING PROCESS, YOU MUST EXPRESS YOUR OBJECTIONS IN WRITING AND THEY MUST BE SENT TO

Name: Stephen Posner

Agency: EFSEC

Address: PO Box 43172, Olympia WA 98504-3172

AND RECEIVED BY October 19, 2015

Purpose of the proposal and its anticipated effects, including any changes in existing rules:

The purpose of this rulemaking is to clarify existing language in the two above cited WAC chapters. The proposed rule revisions will not substantively change the existing rules.

Reasons supporting proposal:

The proposed revisions will clarify EFSEC issuance of coverages under Ecology-issued NPDES general permits, authorized by RCW 90.48.160, RCW 90.48.262(2), and RCW 80.50.040. EFSEC issuance of coverages under Ecology-issued NPDES general permits implements the legislative directive to adopt rules which will provide maximum coordination and avoid duplication between the two agencies with respect to permits. RCW 90.48.262(2). In addition, the documents an applicant must file as part of a site certification application for certain permit coverage is clarified.

Statutory authority for adoption: RCW 90.48.262(2)

Statute being implemented: RCW 80.50.040

Is rule necessary because of a:

Federal Law?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Federal Court Decision?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
State Court Decision?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No

If yes, CITATION:

DATE

August 19, 2015

NAME (TYPE OR PRINT)

Stephen Posner

SIGNATURE

TITLE

EFSEC Manager

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
FILED

DATE: August 19, 2015

TIME: 8:21 AM

WSR 15-17-115

(COMPLETE REVERSE SIDE)

Name of proponent: EFSEC

☐ Private
☐ Public
☒ Governmental

Name of agency personnel responsible for:

	Name	Office Location	Phone
Drafting.....	Jim LaSpina	EFSEC, Olympia, WA	(360) 664-1362
Implementation....	Jim LaSpina	EFSEC, Olympia, WA	(360) 664-1362
Enforcement.....	Jim LaSpina	EFSEC, Olympia, WA	(360) 664-1362

Agency comments or recommendations, if any, as to statutory language, implementation, enforcement, and fiscal matters:



RULE-MAKING ORDER

CR-103P (May 2009)
(Implements RCW 34.05.360)

Agency: Energy Facility Site Evaluation Council (EFSEC)

Permanent Rule Only

Effective date of rule:

Permanent Rules

☒ 31 days after filing.

☐ Other (specify) _____ (If less than 31 days after filing, a specific finding under RCW 34.05.380(3) is required and should be stated below)

Any other findings required by other provisions of law as precondition to adoption or effectiveness of rule?

☐ Yes ☒ No If Yes, explain:

Purpose: The purpose of this rulemaking is to clarify existing language in Chapter 463-60 WAC and Chapter 463-76 WAC. The proposed rule revisions will not substantively change the existing rules.

Citation of existing rules affected by this order:

Repealed:

Amended: Chapter 463-60 WAC - Applications for Site Certification
Chapter 463-76 WAC - Regulations for Compliance with NPDES Program

Statutory authority for adoption: RCW 90.48.262(2)

Other authority: RCW 80.50.040

PERMANENT RULE (Including Expedited Rule Making)

Adopted under notice filed as WSR _____ on _____ (date).

Describe any changes other than editing from proposed to adopted version: No changes.

Cost-benefit analysis was not prepared under RCW 34.05.328, because this is not a significant legislative rule.

Date adopted:

CODE REVISER USE ONLY

NAME (TYPE OR PRINT)

Stephen Posner

SIGNATURE

TITLE

EFSEC Manager

(COMPLETE REVERSE SIDE)

**Note: If any category is left blank, it will be calculated as zero.
No descriptive text.**

**Count by whole WAC sections only, from the WAC number through the history note.
A section may be counted in more than one category.**

The number of sections adopted in order to comply with:

Federal statute:	New	_____	Amended	_____	Repealed	_____
Federal rules or standards:	New	_____	Amended	_____	Repealed	_____
Recently enacted state statutes:	New	_____	Amended	_____	Repealed	_____

The number of sections adopted at the request of a nongovernmental entity:

New	_____	Amended	_____	Repealed	_____
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The number of sections adopted in the agency's own initiative:

New	1	Amended	3	Repealed	_____
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The number of sections adopted in order to clarify, streamline, or reform agency procedures:

New	1	Amended	3	Repealed	_____
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The number of sections adopted using:

Negotiated rule making:	New	_____	Amended	_____	Repealed	_____
Pilot rule making:	New	_____	Amended	_____	Repealed	_____
Other alternative rule making:	New	_____	Amended	_____	Repealed	_____

NEW SECTION

WAC 463-60-540 Other permit applications. The application for site certification shall include:

(1) A completed joint aquatic resource permit application (JARPA) for any proposed activities that would require the issuance of a water quality certification under section 401 of the Federal Water Pollution Control Act, or would otherwise require the issuance of a hydraulic permit approval;

(2) A notice of intent to be covered under a statewide general permit for sand and gravel promulgated by ecology; and

(3) A notice of intent to be covered under other permits that are otherwise issued by state agencies.

AMENDATORY SECTION (Amending WSR 04-23-003, filed 11/4/04, effective 11/11/04)

WAC 463-76-005 Purpose. (1) This chapter establishes regulations specifying procedures and other rules which will be utilized by the council in implementing section 402 of the Federal Water Pollution Control Act, as amended, 33 U.S.C. 1251 et seq.

(2) The purpose of these regulations is to establish a state ~~((individual))~~ permit program, applicable to the discharge of pollutants and other wastes and materials to the surface waters of the state, which complies with the requirements of chapters 80.50 and 90.48 RCW, EPA, and applicable state laws and regulations through the issuance of individual permits or coverage under storm water general permits promulgated by the department of ecology.

(3) These regulations apply to:

(a) Any energy facility for which a certification agreement has been executed pursuant to chapter 80.50 RCW et seq.; and

(b) Any energy facility for which an application has been filed with the council for certification pursuant to chapter 80.50 RCW et seq.

(4) The authority for these regulations is based upon RCW 80.50.040(1), chapter 90.48 RCW, chapter 155, Laws of 1973, and the act.

AMENDATORY SECTION (Amending WSR 04-21-013, filed 10/11/04, effective 11/11/04)

WAC 463-76-010 Definitions. As used in this chapter, the following terms shall have the meanings indicated below:

(1) "Act" means the Federal Water Pollution Control Act (FWPCA) as amended, (33 U.S.C. 1251, et seq.).

(2) "Administrator" means the administrator of the United States Environmental Protection Agency.

(3) "Applicable water quality standards" means all water quality standards of the state of Washington to which a discharge is subject under state and federal law((~~7~~)) including, but not limited to, those which are codified in chapters 173-200, 173-201A, and 173-204 WAC, and 40 C.F.R. 131.36.

(4) "Applicant" shall mean any person who has applied for an NPDES permit pursuant to this chapter.

(5) "Certification agreement" means that binding site certification agreement executed between an applicant under chapter 80.50 RCW and the state, and shall contain the conditions set forth in the NPDES permit to be met prior to or concurrent with the construction or operation of any energy facility coming under chapter 80.50 RCW.

(6) "Chair" means the chairman of the energy facility site evaluation council.

(7) "Contiguous zone" means the entire zone established or to be established by the United States under Article 24 of the Convention of the Territorial Sea and the Contiguous Zone.

(8) "Council" means the Washington state energy facility site evaluation council.

(9) "Council manager" means the individual holding the position of manager of the council.

(10) "Discharge of pollutant" and the term "discharge of pollutants" each mean:

(a) Any addition of any pollutant or combination of pollutants to surface waters of the state from any point source;

(b) Any addition of any pollutant or combination of pollutants to the waters of the contiguous zone or the ocean from any point source.

(11) "Domestic wastewater" means water carrying human wastes, including kitchen, bath, and laundry wastes from residences, buildings, industrial establishments or other places, together with such groundwater infiltration or surface waters as may be present.

(12) "Domestic wastewater facility" means all structures, equipment, or processes required to collect, carry away, treat, reclaim, or dispose of domestic wastewater together with such industrial waste as may be present. In case of subsurface sewage treatment and disposal, the term is restricted to mean those facilities treating and disposing of domestic wastewater only from a septic tank with subsurface sewage treatment and disposal and an ultimate design capacity exceeding fourteen thousand five hundred gallons per day at any common point.

(13) "Ecology" means the Washington state department of ecology.

(14) "Effluent limitations" means any restriction established by the state of Washington or the administrator on quantities, rates and concentrations of chemical, physical, biological and other constituents which are discharged from point sources into surface waters, the waters of the state, including schedules of compliance.

(15) "Energy facility" means any energy facility, as defined in RCW 80.50.014.

(16) "EPA" means the United States Environmental Protection Agency.

(17) "General permit" means a permit which covers multiple dischargers within a designated geographical area, in lieu of individual permits being issued to each discharger.

(18) "Governor" means the governor of the state of Washington.

(19) "Municipality" means a city, town, county, district, association, or other public body created by or pursuant to state law and having jurisdiction over disposal of sewage, industrial wastes, or other wastes, or an Indian tribe or an authorized Indian tribal organization, or a designated and approved management agency under section 208 of the Federal Water Pollution Control Act (FWPCA).

(20) "National Pollutant Discharge Elimination System (NPDES)" means the national system for the issuance of permits under section 402 of the act and includes the Washington state program (set forth in chapter 151, Laws of 1973) for participation in said system which has been approved by the administrator in whole pursuant to section 402 of the act.

(21) "New source" means any building, structure, facility or installation from which there is or may be the discharge of pollutants, the construction of which is commenced:

(a) After promulgation of standards of performance under section 306 of the act which are applicable to such sources; or

(b) After proposal of standards of performance in accordance with section 306 of the act which are applicable to such source, but only if the standards are promulgated in accordance with section 306 within one hundred twenty days of their proposal.

(22) "NPDES application" means the uniform national forms for application for a NPDES permit (including subsequent additions, revi-

sions or modifications duly promulgated by the administrator pursuant to the act) as prescribed by the council for use in the Washington state NPDES program.

(23) "NPDES form" means any issued NPDES permit, the NPDES application and the NPDES reporting form, and any uniform national form developed for use in the NPDES program as prescribed in regulations promulgated by the administrator.

(24) "NPDES permit" means the permit incorporated in the certification agreement issued by the council which regulates the discharge of pollutants pursuant to section 402 of the act.

(25) "NPDES program" means that program of the state of Washington pursuant to section 402 of the act.

(26) "NPDES reporting form" or "discharge monitoring report" means the uniform national forms (including subsequent additions, revisions or modifications duly promulgated by the administrator pursuant to the act) for reporting data and information pursuant to monitoring and other conditions of NPDES permits.

(27) "Permit" means an authorization, license, or equivalent control document issued by the council to implement this chapter. "Permit" includes issuance of coverage under a storm water general permit promulgated by the department of ecology. "Permit" does not include any permit which has not yet been the subject of final council action, such as a "draft permit" or a "proposed permit."

(28) "Person" means an individual, corporation, partnership, association, state, municipality, commission, or political subdivision of a state, local, state, or federal government agency, industry, firm, individual or any other entity whatsoever.

(29) "Point source" means any discernible, confined and discrete conveyance, including, but not limited to, any pipe, ditch, channel, tunnel, conduit, well, discrete fissure, container, rolling stock, concentrated animal feeding operation, landfill leachate collection system, or vessel or other floating craft, from which pollutants are or may be discharged. This term does not include return flows from irrigated agriculture or agricultural storm water runoff.

(30) "Pollutant" means dredged spoil, solid waste, incinerator residue, sewage, garbage, sewage sludge, munitions, chemical wastes, biological materials, radioactive materials, heat, wrecked or discarded equipment, rock, sand, cellar dirt and industrial, municipal, and agricultural waste discharged into water. This term does not mean:

(a) Sewage from vessels within the meaning of section 312 of the act; or

(b) Water, gas, or other material which is injected into a well to facilitate production of oil or gas, or water derived in association with oil or gas production and disposed of in a well, if the well used either to facilitate production or for disposal purposes is approved by authority of the state in which the well is located, and if such state determines that such injection or disposal will not result in the degradation of ground or surface water resources.

(31) "Regional administrator" means the EPA's region X administrator.

(32) "State" means any of the fifty states, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, American Samoa, the Commonwealth of the Northern Mariana Islands, and the Trust Territory of the Pacific Islands.

(33) "Storm water discharge associated with industrial activity" means the discharge from any conveyance that is used for collecting and conveying storm water and that is directly related to manufactur-

ing, processing or raw materials storage areas at an industrial facility. For energy facilities, the term includes, but is not limited to, storm water discharges from industrial facility yards; immediate access roads and rail lines used or traveled by carriers of raw materials, manufactured products, waste material, or by-products used or created by the facility; material handling sites; refuse sites; sites used for the application or disposal of process waste waters (as defined in 40 C.F.R. 401); sites used for the storage and maintenance of material handling equipment; sites used for residual treatment, storage, or disposal; shipping and receiving areas; manufacturing buildings; storage areas (including tank farms) for raw materials, and intermediate and final products; and areas where industrial activity has taken place in the past and significant materials remain and are exposed to storm water. For the purposes of this subsection, material handling activities include storage, loading and unloading, transportation, or conveyance of any raw material, intermediate product, final product, by-product or waste product. The term excludes areas located on facility lands separate from the facility's industrial activities, such as office buildings and accompanying parking lots as long as the drainage from the excluded areas is not mixed with storm water drained from the above described areas. The following additional categories of facilities are considered to be engaging in "industrial activity":

(a) Facilities subject to storm water effluent limitations guidelines, new source performance standards, or toxic pollutant effluent standards under 40 C.F.R. subchapter N;

(b) Facilities where construction activity includes clearing, grading and excavation, except operations that result in the disturbance of less than five acres of total land area. Construction activity also includes the disturbance of less than five acres of total land area that is a part of a larger common plan of development or sale if the larger common plan will ultimately disturb five acres or more.

(34) "Surface waters of the state" means all waters defined as "waters of the United States" in 40 C.F.R. 122.2 that are within the boundaries of the state of Washington. This includes lakes, rivers, ponds, streams, inland waters, wetlands, ocean, bays, estuaries, sounds, and inlets.

(35) In the absence of other definitions as set forth herein, the definitions as set forth in 40 C.F.R. 122.2 and 122.26(b) shall be used.

AMENDATORY SECTION (Amending WSR 04-23-003, filed 11/4/04, effective 11/11/04)

WAC 463-76-025 Authorization required. No waste materials or pollutants may be discharged from any energy facility as defined in WAC 463-76-010 into surface waters of the state, except as authorized pursuant to this chapter or as authorized by the council pursuant to its authority under chapter 80.50 RCW for coverage under a general permit promulgated by the department of ecology. In administering this chapter, the council will seek maximum coordination and avoid duplication between the council and the department of ecology pursuant to RCW 90.48.262(2).

Energy Facility Site Evaluation Council

Non Direct Cost Allocation for 2nd Quarter FY 2016 October 1, 2015 – December 31, 2015

The EFSEC Cost Allocation Plan (Plan) was approved by the Energy Facility Site Evaluation Council in September 2004. The Plan directed review of the past quarter's percentage of EFSEC technical staff's average FTE's, charged to EFSEC projects. This information is used as the basis for determining the non-direct cost percentage charge, for each EFSEC project. In addition, the Plan allows for adjustment due to anticipated work load and the addition of new projects.

Based on the levels of work during the 1st quarter of FY 2016, using the procedures for developing cost allocation, and allowance for new projects, the following percentages shall be used to allocate EFSEC's non direct costs for the 1st quarter of FY 2016:

Kittitas Valley Wind Power Project	7%
Wild Horse Wind Power Project	7%
Columbia Generating Station	17%
WNP-1	3%
Whistling Ridge Energy Project	3%
Grays Harbor 1&2	9%
Chehalis Generation Project	8%
Desert Claim Wind Power Project	2%
Grays Harbor Energy 3&4	3%
Tesoro Savage	41%

Stephen Posner, EFSEC Manager

Date: _____

Summary of FY 2016 Non Direct Allocation Rates

	1st Qtr	2nd Qtr	3rd Qtr	4th Qtr	Yr Avg
Kittitas Valley	8%	7%			7.5%
Desert Claim	2%	2%			2.0%
Whistling Ridge	3%	3%			3.0%
Columbia GS	16%	17%			16.5 %
WNP1	3%	3%			3.0%
G.H. 1&2	9%	9%			9.0%
Chehalis	9%	8%			8.5%
Wild Horse	8%	7%			7.5 %
G.H. 3&4	3%	3%			3.0%
Tesoro Savage	39%	41%			40.0%

Summary of FY 2015 Non Direct Allocation Rates

	1st Qtr	2nd Qtr	3rd Qtr	4th Qtr	Yr Avg
Kittitas Valley	5%	6%	6%	6%	5.6%
Desert Claim	2%	2%	2%	2%	2.0%
Whistling Ridge	3%	3%	3%	3%	3.0%
Columbia GS	20%	17%	18%	17%	18.3 %
WNP1	3%	3%	3%	3%	3.0%
G.H. 1&2	9%	10%	8%	9%	9.0%
Chehalis	9%	9%	9%	9%	9.0%
Wild Horse	7%	7%	7%	7%	7.0%
BP	2%	2%	2%	2%	2.0%
G.H. 3&4	3%	3%	3%	3%	3.0%
Tesoro Savage	37%	38%	39%	39%	38.4%

Summary of FY 2014 Non Direct Allocation Rates

	1st Qtr	2nd Qtr	3rd Qtr	4th Qtr	Yr Avg
Kittitas Valley	10%	7%	6%	5%	7.0%
Desert Claim	3%	2%	2%	2%	2.3%
Whistling Ridge	9%	4%	3%	3%	4.8%
Columbia GS	33%	22%	23%	21%	24.8%
WNP1	4%	3%	3%	3%	3.3%
Satsop	12%	9%	10%	11%	10.5%
Chehalis	10%	9%	9%	10%	9.5%
Wild Horse	10%	7%	6%	5%	7.0%
BP	3%	2%	2%	2%	2.3%
G.H. Energy	6%	4%	3%	3%	4.0%
Tesoro Savage		31%	33%	35%	33.0%