



# Washington State Energy Facility Site Evaluation Council

## AGENDA

**MONTHLY MEETING**  
**Tuesday, January 15, 2019**  
**1:30 PM**

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

1. Call to Order ..... Kathleen Drew, EFSEC Chair
2. Roll Call ..... Tammy Mastro, EFSEC Staff
3. Proposed Agenda ..... Kathleen Drew, EFSEC Chair
4. Minutes      **Meeting Minutes**..... Kathleen Drew, EFSEC Chair
  - November 13, 2018
5. Projects
  - a. Kittitas Valley Wind Project
    - Operational Updates..... Eric Melbardis, EDP Renewables
  - b. Wild Horse Wind Power Project
    - Operational Updates..... Jennifer Diaz, Puget Sound Energy
  - c. Grays Harbor Energy Center
    - Operational Updates..... Chris Sherin, Grays Harbor Energy
  - d. Chehalis Generation Facility
    - Operational Updates..... Mark Miller, Chehalis Generation
  - e. Columbia Solar Project
    - Project Updates..... Ami Kidder, EFSEC Staff
  - f. Desert Claim
    - Project Updates..... Amy Moon, EFSEC Staff
  - g. WNP – 1/4
    - Non-Operational Updates..... Mary Ramos, Energy Northwest
  - h. Columbia Generating Station
    - Operational Updates..... Mary Ramos, Energy Northwest
    - NPDES Permit Modification Draft..... Amy Moon, EFSEC Staff

*The Council may consider and take **FINAL ACTION** on issuing the Draft Industrial Permit for public comment*
6. Other
  - a. EFSEC Council
    - 3<sup>rd</sup> Quarter Cost Allocation..... Stephen Posner, EFSEC Manager
7. Adjourn..... Kathleen Drew, 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 42.30.020

Verbatim Transcript of Monthly Council Meeting  
Washington State Energy Facility Site Evaluation  
Council

November 13, 2018



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| <p>1</p> <p>2</p> <p>3</p> <p>4</p> <p>5 WASHINGTON STATE</p> <p>6 ENERGY FACILITY SITE EVALUATION COUNCIL</p> <p>7 Olympia, Washington</p> <p>8 Tuesday, November 13, 2018</p> <p>9 1:30 p.m.</p> <p>10</p> <p>11</p> <p>12</p> <p>13</p> <p>14 MONTHLY COUNCIL MEETING</p> <p>15 Verbatim Transcript of Proceedings</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20 REPORTED BY: SHERRILYN SMITH, CCR# 2097</p> <p>21 Buell Realtime Reporting, LLC</p> <p>22 1325 Fourth Avenue</p> <p>23 Suite 1840</p> <p>24 Seattle, Washington 98101</p> <p>25 206.287.9066   Seattle</p> <p>360.534.9066   Olympia</p> <p>800.846.6989   National</p> <p>www.buellrealtime.com</p>  | <p>1 CHAIR DREW: Good afternoon. This is</p> <p>2 Kathleen Drew, Chair of the Energy Facility Site</p> <p>3 Evaluation Council, and I am calling this meeting for</p> <p>4 November, I am calling this meeting to order.</p> <p>5 Can we have the roll call, please.</p> <p>6 MS. MASTRO: Department of Commerce?</p> <p>7 MS. GREEN-TAYLOR: Liz Green-Taylor,</p> <p>8 here.</p> <p>9 MS. MASTRO: Department of Ecology?</p> <p>10 MR. STEPHENSON: Cullen Stephenson,</p> <p>11 here.</p> <p>12 MS. MASTRO: Fish and Wildlife?</p> <p>13 MR. LIVINGSTON: Mike Livingston, here.</p> <p>14 MS. MASTRO: Department of Natural</p> <p>15 Resources?</p> <p>16 Chair, there is a quorum for the EFSEC</p> <p>17 Council.</p> <p>18 CHAIR DREW: Okay. Thank you.</p> <p>19 I will ask anyone who is on the phone to</p> <p>20 introduce themselves if they so wish.</p> <p>21 MR. SHERMAN: Bill Sherman, Counsel for</p> <p>22 the Environment.</p> <p>23 CHAIR DREW: Okay.</p> <p>24 Before we have our proposed agenda before us,</p> <p>25 is there a motion to adopt the agenda?</p>               |
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| <p>1 APPEARANCES</p> <p>2 Councilmembers:</p> <p>3 KATHLEEN DREW, Chair</p> <p>4 LIZ GREEN-TAYLOR, Department of Commerce</p> <p>5 CULLEN STEPHENSON, Department of Ecology</p> <p>6 MIKE LIVINGSTON, Fish &amp; Wildlife</p> <p>7 DAN SIEMANN, Natural Resources (via phone)</p> <p>8 Assistant Attorney General:</p> <p>9 ANN C. ESSKO</p> <p>10 JON THOMPSON</p> <p>11 Council Staff:</p> <p>12 SONIA BUMPUS</p> <p>13 TAMMY MASTRO</p> <p>14 AMI KIDDER</p> <p>15 AMY MOON</p> <p>16 PATTY BETTS</p> <p>17 CHRISTINA POTIS</p> <p>18 JOAN AITKEN</p> <p>19 STEWART HENDERSON</p> <p>20 In Attendance:</p> <p>21 BILL SHERMAN, Counsel for the Environment (via phone)</p> <p>22 CHRIS SHERIN, Grays Harbor Energy</p> <p>23 MARK MILLER, Chehalis Generating Station</p> <p>24 JASON SPADARO, Whistling Ridge Energy Project</p> <p>25 TIM McMAHAN, Whistling Ridge Energy Project</p> <p>-o0o-</p> | <p>1 MR. STEPHENSON: I'll so move.</p> <p>2 MR. LIVINGSTON: I'll second that.</p> <p>3 CHAIR DREW: All those in favor?</p> <p>4 COUNCILMEMBERS: Aye.</p> <p>5 CHAIR DREW: All those opposed?</p> <p>6 The agenda is adopted.</p> <p>7 Now, looking to the -- there's a feedback. If</p> <p>8 those who are on the line could mute your phones</p> <p>9 because I am getting feedback, that would be great.</p> <p>10 Okay. Moving on to the meeting minutes from</p> <p>11 October 16th. Is there a motion to adopt those?</p> <p>12 MR. STEPHENSON: I have just a couple of</p> <p>13 quick --</p> <p>14 CHAIR DREW: Okay. So --</p> <p>15 MR. STEPHENSON: -- amendments, Chair.</p> <p>16 CHAIR DREW: So if we put it before us</p> <p>17 then, move the adoption of the minutes, and then we</p> <p>18 will correct them.</p> <p>19 MR. STEPHENSON: Thank you.</p> <p>20 I move that we adopt the minutes.</p> <p>21 CHAIR DREW: Second?</p> <p>22 MR. LIVINGSTON: I will second that.</p> <p>23 CHAIR DREW: Thank you.</p> <p>24 Go ahead.</p> <p>25 MR. STEPHENSON: On Pages 13 and 14 of</p> |



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| <p>1 the minutes there are four references to Yakima.<br/> 2 These are all tribal references and so they should be<br/> 3 spelled with an extra A instead of the I. I will get<br/> 4 these to Joan to make those changes.<br/> 5 CHAIR DREW: Okay. Then as -- actually,<br/> 6 I did this wrong, so we will take a step and say --<br/> 7 MR. STEPHENSON: I will move to adopt<br/> 8 the minutes --<br/> 9 CHAIR DREW: Minutes as amended.<br/> 10 MR. STEPHENSON: -- as amended.<br/> 11 CHAIR DREW: Thank you.<br/> 12 MR. LIVINGSTON: I'll second that move.<br/> 13 CHAIR DREW: All those in favor.<br/> 14 COUNCILMEMBERS: Aye.<br/> 15 CHAIR DREW: Opposed?<br/> 16 MR. SIEMANN: Aye.<br/> 17 CHAIR DREW: Is that Mr. Siemann on the<br/> 18 phone now from DNR?<br/> 19 MR. SIEMANN: Yes, that is.<br/> 20 CHAIR DREW: Okay.<br/> 21 MR. SIEMANN: This is Dan Siemann from<br/> 22 DNR.<br/> 23 CHAIR DREW: Thank you.<br/> 24 All those opposed? Motion carries.<br/> 25 Moving on to our project updates. Kittitas</p>  | <p>1 Chris Sherin, the plant manager, Grays Harbor Energy<br/> 2 Center.<br/> 3 I have no nonroutine items to report. I would<br/> 4 mention the gas line explosion in British Columbia<br/> 5 last month, but it was covered in last month's<br/> 6 meeting, so --<br/> 7 CHAIR DREW: Okay.<br/> 8 MR. SHERIN: -- I'll skip that.<br/> 9 CHAIR DREW: Okay.<br/> 10 MR. SHERIN: Any questions?<br/> 11 CHAIR DREW: Any questions?<br/> 12 Thank you.<br/> 13 MR. SHERIN: Thank you.<br/> 14 CHAIR DREW: Moving on to Columbia<br/> 15 Generating Station. Mary Ramos?<br/> 16 MS. MOON: Since Mary is not on the<br/> 17 line, there must be a technical difficulty today. But<br/> 18 there was nothing -- this is Amy Moon reporting.<br/> 19 There was nothing nonroutine to report for the period.<br/> 20 CHAIR DREW: Okay.<br/> 21 And the same is true for WNP 1/4?<br/> 22 MS. MOON: Oh, yes. Thank you,<br/> 23 Kathleen. Yes, the same is true for WNP 1/4.<br/> 24 CHAIR DREW: Okay. Thank you.<br/> 25 Moving on to Chehalis Generation Facility.</p>  |
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| <p>1 Valley Wind Project. Eric?<br/> 2 Okay. While looking at the report for October<br/> 3 in your packets, we see that there are no out of the<br/> 4 ordinary issues at this time.<br/> 5 Wild Horse Wind Power Project. Ms. Diaz?<br/> 6 MS. GREEN-TAYLOR: They are all muted.<br/> 7 CHAIR DREW: Well, I think they would<br/> 8 speak up if they were there.<br/> 9 So as you can see in the report there, there<br/> 10 is nothing out of the ordinary to report. They do<br/> 11 have a hunting plan and started that on October 27th,<br/> 12 with the elk season, and had a stormwater inspection.<br/> 13 So moving on to Grays Harbor Energy Center.<br/> 14 MR. SHERIN: So where would you like me<br/> 15 to speak from?<br/> 16 CHAIR DREW: We need a microphone.<br/> 17 MS. GREEN-TAYLOR: The microphones will<br/> 18 pick --<br/> 19 CHAIR DREW: The microphones will pick<br/> 20 it up. Okay.<br/> 21 Go ahead, you could sit right there.<br/> 22 MR. SHERIN: I'll stand.<br/> 23 CHAIR DREW: That's fine, too.<br/> 24 MR. SHERIN: Perfect.<br/> 25 Good afternoon, Chair Drew, Councilmembers,</p> | <p>1 MR. MILLER: I'll sit down.<br/> 2 CHAIR DREW: Okay. You may.<br/> 3 MR. MILLER: This is very intimate<br/> 4 today.<br/> 5 CHAIR DREW: Not our usual room.<br/> 6 MR. MILLER: Yeah.<br/> 7 Good afternoon, Chair Drew, Councilmembers,<br/> 8 and Staff. I'm Mark Miller, the plant manager of the<br/> 9 Chehalis Generation Facility.<br/> 10 This month -- well, I reported verbally last<br/> 11 month. In this month's report, a brief summary of gas<br/> 12 supply issues that Mr. Sherin referred to, that we<br/> 13 experienced during the month of October.<br/> 14 While the curtailment of the natural gas to<br/> 15 the Chehalis plant has been relieved by reopening of<br/> 16 the Sumas hub, transport to the Pacific Northwest, the<br/> 17 line is only operating to 80 percent of its normal<br/> 18 pressure. The gas prices have been extraordinarily<br/> 19 high.<br/> 20 Just for information, maybe some of you follow<br/> 21 this or not, but typically the gas prices are around<br/> 22 \$3.75, \$4 million BTU, and today's pricing it was<br/> 23 around \$10 -- million BTU, so it's extraordinarily<br/> 24 high. So this put electric pricing in the day-ahead<br/> 25 market in the mid-Columbia trading hub of around 50 to</p> |



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| <p style="text-align: right;">Page 9</p> <p>1 \$70 per megawatt hour. Our cost -- of these prices is</p> <p>2 substantially higher than that, about \$88 an hour, so,</p> <p>3 therefore, we have been curtailed due to economics.</p> <p>4 It sounds like that may continue for a while.</p> <p>5 I don't have any additional information on the</p> <p>6 pipeline issues that they are having in</p> <p>7 British Columbia. Most of that is available on the</p> <p>8 Internet.</p> <p>9 That's all I have to report, so if there are</p> <p>10 any questions.</p> <p>11 CHAIR DREW: Any questions?</p> <p>12 MS. GREEN-TAYLOR: Just confirming, is</p> <p>13 the price increase directly related to the explosion</p> <p>14 or is it larger --</p> <p>15 MR. MILLER: I can only --</p> <p>16 MS. GREEN-TAYLOR: -- economic issues?</p> <p>17 MR. MILLER: No, it's all related to</p> <p>18 fuel.</p> <p>19 MS. GREEN-TAYLOR: Okay.</p> <p>20 MR. MILLER: So it's availability of the</p> <p>21 fuel supply to the plant. And -- and that's -- and</p> <p>22 those prices -- again, with the gas trading market,</p> <p>23 which I'm not a gas trading expert, but one would</p> <p>24 surmise that their capacity hasn't been fully restored</p> <p>25 and difficulties in meeting transportation needs</p>  | <p style="text-align: right;">Page 11</p> <p>1 way. Those prices -- if -- if generation is made</p> <p>2 unavailable, then those have to be -- those megawatts</p> <p>3 have to be replaced by other alternate sources. So if</p> <p>4 we had a failure somewhere in our system where we were</p> <p>5 unable to generate or transport energy in, they would</p> <p>6 start us likely at a loss.</p> <p>7 I don't know if that answers the -- your</p> <p>8 question, Mr. Stephenson.</p> <p>9 MR. STEPHENSON: Uh-huh.</p> <p>10 MR. SHERIN: I would add that, pretty</p> <p>11 much what Mark said, it's just economics. The price</p> <p>12 of the gas is high because there's demand for what gas</p> <p>13 is there. It's just put us out of the -- put us out</p> <p>14 of the marketable range. We're not profitable.</p> <p>15 MR. MILLER: And when Enbridge first had</p> <p>16 the issue, Williams declared a force majeure event so</p> <p>17 they could maintain reliable supplies to heating</p> <p>18 customers primarily. It's a balancing act.</p> <p>19 CHAIR DREW: Thank you.</p> <p>20 Any other questions?</p> <p>21 MR. MILLER: All right. Thank you.</p> <p>22 CHAIR DREW: Thank you.</p> <p>23 We are now at the Columbia Solar Project</p> <p>24 update. Ms. Kidder.</p> <p>25 MS. KIDDER: Good afternoon, Chair Drew</p>                             |
| <p style="text-align: right;">Page 10</p> <p>1 results in high prices.</p> <p>2 CHAIR DREW: I also see in your report</p> <p>3 that you are making sure that you are able safely to</p> <p>4 operate at the reduced pressure.</p> <p>5 MR. MILLER: The pressure provided to us</p> <p>6 is still at the same necessary pressure to operate the</p> <p>7 plant safely. The rules of physics don't allow the</p> <p>8 reduced pressure and the volume transport -- Cullen is</p> <p>9 a chemical engineer, he knows this -- that they aren't</p> <p>10 able to move as much gas at these pressures.</p> <p>11 While we are still regulated, I think it's</p> <p>12 about 895 pounds, something like that, to safe</p> <p>13 combustion. The transport issues in -- in the 36-inch</p> <p>14 line are not.</p> <p>15 CHAIR DREW: Okay. Thank you for your</p> <p>16 further clarification on that.</p> <p>17 MR. STEPHENSON: Just one follow-up.</p> <p>18 I'm -- you can tell from my portfolio that I'm not a</p> <p>19 great economist, but it seems like with the natural</p> <p>20 gas being down, demand for your energy would be up,</p> <p>21 but you can't make it, is that right, because you</p> <p>22 don't have the natural gas to do what you want to do?</p> <p>23 MR. MILLER: Exactly. We do not have</p> <p>24 the gas supply to be able to generate, so other</p> <p>25 resources need to come into play in a much greater</p> | <p style="text-align: right;">Page 12</p> <p>1 and Councilmembers. For the record, my name is Ami</p> <p>2 Kidder, I have an update for you on the Columbia Solar</p> <p>3 Project.</p> <p>4 Columbia Solar has begun submissions of draft</p> <p>5 plans that Staff are currently reviewing. Staff are</p> <p>6 also coordinating with our contractors at various</p> <p>7 agencies to review plans, as indicated MDNS and SCA.</p> <p>8 Columbia Solar has also submitted their Joint Aquatic</p> <p>9 Resource Permit Application, or JARPA, to the U.S.</p> <p>10 Army Corps of Engineers. Staff are waiting for the</p> <p>11 Corps' review and decision to determine which, if any,</p> <p>12 permits are required for the type of site.</p> <p>13 Are there any questions?</p> <p>14 CHAIR DREW: Any questions?</p> <p>15 Okay. Thank you.</p> <p>16 Moving on to the Whistling Ridge Energy</p> <p>17 Project. We have had Jason Spadaro with us, and --</p> <p>18 MR. SPADARO: And Tim McMahan.</p> <p>19 CHAIR DREW: -- Tim McMahan.</p> <p>20 MR. SPADARO: Good afternoon, Chair Drew</p> <p>21 and members of the Council. My name is Jason Spadaro,</p> <p>22 I am president of Whistling Ridge Energy Project and</p> <p>23 SDS Lumber Company.</p> <p>24 We delivered a letter in -- this is a</p> <p>25 five-year anniversary of the signing of the site</p> |

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| <p>1 certification agreement, so by statute we are here to<br/>2 provide an update after five years. We delivered a<br/>3 letter that I believe is in your packet. I will read<br/>4 parts of it.</p> <p>5 Chair Drew and Councilmembers, I am President<br/>6 of SDS Lumber and Whistling Ridge Energy, the owner of<br/>7 the Whistling Ridge Energy Project, or "Project." I<br/>8 am submitting a status report for the Whistling Ridge<br/>9 Project, in accordance with RCW 463-68-060. Attached<br/>10 to this report is a Project History timeline that<br/>11 helps in understanding the status of this Project.</p> <p>12 And then in response -- if you all have the<br/>13 letter. If you don't, it's also in the packet that I<br/>14 just passed around. Moving forward to the responses<br/>15 that are in statute, the nature and degree of any<br/>16 changes, project design, statements and information,<br/>17 et cetera.</p> <p>18 Our responses are at Section 1. At this time,<br/>19 the Project is not proposing any changes as described<br/>20 in Section 1 of the statute. There is no new<br/>21 information or changed conditions known at this time<br/>22 that might indicate the existence of any probable<br/>23 significant adverse impacts not previously addressed<br/>24 in the EFSEC FEIS.</p> <p>25 And then, finally, at this time, Whistling</p>                                   | <p>1 Underwood Mountain, farther to the north into DNR<br/>2 ownership.</p> <p>3 The portion that we permitted, sought permit<br/>4 for was on our privately owned land. It's commercial<br/>5 forest land. There's actually two owners, ourselves,<br/>6 and then a sister company named Broughton Lumber<br/>7 Company, so we have full site control of the property.<br/>8 The Bonneville Power regional transmission lines<br/>9 traverse right through the center of the property.<br/>10 There's four sets of lines there: A 500, and two 230,<br/>11 and one 115 kV line.</p> <p>12 So it is on my first bullet point. It is west<br/>13 of White Salmon on our private commercial forest land<br/>14 owned by SDS and Broughton, adjacent to the Bonneville<br/>15 regional transmission lines. Our application was<br/>16 first filed here in 2009. The procedural history and<br/>17 the background was all attached to the letter. Our<br/>18 request was for up to 50 wind turbines. What was<br/>19 approved by the site -- the EFSEC Council recommended<br/>20 to the governor and then signed by the governor was<br/>21 for up to 35 wind turbines. The project was reduced<br/>22 in its size.</p> <p>23 And then legal challenges have continued over<br/>24 the years. Most recently, we just resolved the<br/>25 Interconnection Agreement. It was appealed to the</p> |
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| <p>1 Ridge is not proposing any changes, modifications, or<br/>2 amendments to the Site Certificate Agreement of any --<br/>3 or any regulatory permits. It is possible that such<br/>4 changes will be proposed in the future.</p> <p>5 So Mr. Posner -- by the way, it is nice to see<br/>6 some of you again. It's been a long time since I've<br/>7 been here before the Council. A lot of new faces.<br/>8 Nice to see you again. I know Steve Posner is still<br/>9 here, and Tammy I recognize.</p> <p>10 We are still alive, the project is still<br/>11 alive. It has been mired down in litigation for a<br/>12 number of years as the project history outline that<br/>13 was attached to the letter described.</p> <p>14 In this packet, I've just got some short<br/>15 bullet updates, and I'll go through some attached<br/>16 exhibits there and then open it up for questions.</p> <p>17 So just in an overview, since there are so<br/>18 many new faces, SDS Lumber is an integrated timberland<br/>19 and lumber manufacturing company in Bingen,<br/>20 Washington. We're down in the Columbia River Gorge<br/>21 near White Salmon. Some of our forest land that we<br/>22 own west of White Salmon is on a mountain called<br/>23 Underwood Mountain, and to the west -- on the west<br/>24 flanks of that is a ridgeline known as Whistling<br/>25 Ridge. It extends from just a little north of</p> | <p>1 Ninth Circuit Court of Appeals. A ruling was issued<br/>2 earlier this year, and then a review requested, and<br/>3 the review, en banc review was denied.</p> <p>4 So that brings us up to -- that occurred,<br/>5 what, June of this year, Tim?</p> <p>6 MR. McMAHAN: July.</p> <p>7 MR. SPADARO: July of this year.</p> <p>8 By the way, I will introduce Tim McMahan,<br/>9 project counsel and friend of the project.</p> <p>10 So if you flip back in the package, just to<br/>11 acquaint you, those new faces, there is a vicinity<br/>12 map. In the upper left corner you can see we are down<br/>13 on the border of the Washington/Oregon line on the<br/>14 Columbia -- just north of the Columbia River. The<br/>15 gray crosshatched area is the project boundaries. And<br/>16 this is as amended by the final approval of EFSEC.<br/>17 Part of the project had to be reduced.</p> <p>18 The second page I put in just to give you a<br/>19 reference for what was requested and then what was<br/>20 approved. So the second page is from the EIS. It's<br/>21 Figure 2.3-1. This was the original requested project<br/>22 boundary and the turbine corridors where we requested<br/>23 permission to erect turbines. Third page shows what<br/>24 was approved. You can flip between the two and I have<br/>25 shown and crosshatched the areas excluded from</p>  |



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| <p>1 construction by the final approval.</p> <p>2 So there are -- a number of turbines on the</p> <p>3 south edge bordering up against a National Scenic</p> <p>4 boundary and with some visibility from within the</p> <p>5 National Scenic Area boundary were removed from the</p> <p>6 final approval. Turbines on the northeast corner also</p> <p>7 visible from portions of the National Scenic Area,</p> <p>8 those were removed. So that's the -- that is the --</p> <p>9 up to 35 turbines within those corridors is what final</p> <p>10 approval granted us.</p> <p>11 You know, I don't know, I can answer questions</p> <p>12 to the best of my ability. I didn't come prepared to</p> <p>13 dig into the full review of the adjudicatory hearings</p> <p>14 and the whole process of the EIS, but this is an</p> <p>15 exhibit from the EIS showing some visual simulation</p> <p>16 locations. One of -- one of these 54 viewpoints that</p> <p>17 was analyzed I have attached. This is Point 13 on the</p> <p>18 next page. This gives an example of what was</p> <p>19 proposed, what the site looks like before, what it</p> <p>20 was, as proposed initially, and then what was approved</p> <p>21 as permitted. It's a visual simulation.</p> <p>22 So that's some background on the project and a</p> <p>23 status report. Having been tied up in litigation for</p> <p>24 nearly ten years, there's not a lot that could have</p> <p>25 been done with the project. Now that we are done with</p> | <p>1 originally proposed project?</p> <p>2 MR. SPADARO: That was the Council's</p> <p>3 decision in evaluating --</p> <p>4 MR. LIVINGSTON: Okay.</p> <p>5 MR. SPADARO: -- the need for renewable</p> <p>6 energy and all of the other aspects of the project,</p> <p>7 and then the environmental impacts of it. We didn't</p> <p>8 voluntarily offer to remove turbines from the project.</p> <p>9 The order was that those shall be -- from EFSEC, was</p> <p>10 that shall be removed from the project.</p> <p>11 The ones that you see in the visual</p> <p>12 simulation, the ones that are visible in that -- in</p> <p>13 that sim, were part of the southernmost string of the</p> <p>14 project, and that was a simulation point along</p> <p>15 Interstate 84. There are still some turbines that</p> <p>16 will be visible from portions of the National Scenic</p> <p>17 Area.</p> <p>18 And that -- and this was -- and Tim, you know,</p> <p>19 kick me if I am going astray here, but -- without, you</p> <p>20 know, reopening the whole adjudicatory hearing</p> <p>21 process.</p> <p>22 The National Scenic Area Act does have some</p> <p>23 savings provisions within it, that it has a boundary,</p> <p>24 and things that are within the Scenic Area boundary</p> <p>25 and outside of the Scenic Area boundary that can be</p> |
| Page 18  | Page 20  |
| <p>1 litigation, hopefully, we can proceed to move forward</p> <p>2 with the project, marketing and development, on a time</p> <p>3 line now as market conditions allow.</p> <p>4 That's my update. Are there any specific</p> <p>5 questions?</p> <p>6 CHAIR DREW: Thank you.</p> <p>7 Councilmembers, do you have any questions?</p> <p>8 MS. GREEN-TAYLOR: I do, ma'am.</p> <p>9 CHAIR DREW: Ms. Green-Taylor.</p> <p>10 MS. GREEN-TAYLOR: I apologize if you</p> <p>11 said this and I just didn't hear it. Is there a</p> <p>12 proposed date for construction to begin?</p> <p>13 MR. SPADARO: No, not at this time.</p> <p>14 MS. GREEN-TAYLOR: Okay.</p> <p>15 MR. LIVINGSTON: Chair Drew?</p> <p>16 CHAIR DREW: Mr. Livingston.</p> <p>17 MR. LIVINGSTON: So based on your --</p> <p>18 this Viewpoint 13, it looks like you removed the</p> <p>19 towers that were going to be visible from the --</p> <p>20 within the scenic -- I'm just curious, with the</p> <p>21 National Scenic Area, other locations, particularly</p> <p>22 like along the -- either the interstate or Highway 14,</p> <p>23 if other turbines are viewable. I mean, how did --</p> <p>24 how did you guys work through that whole process of</p> <p>25 deciding which turbines got removed from the</p>  | <p>1 seen or heard from the Scenic -- within the boundary,</p> <p>2 that there are savings provisions that protect those</p> <p>3 uses, that the Scenic Area boundary has a line to it,</p> <p>4 and it's not to -- by itself to create a -- impose</p> <p>5 additional restrictions on land uses.</p> <p>6 Now, under SEPA there are other obligations</p> <p>7 and that's -- that was part of the evaluation that</p> <p>8 this Council did in reviewing this project.</p> <p>9 MR. LIVINGSTON: Okay. Thank you.</p> <p>10 MR. SPADARO: Does that make sense?</p> <p>11 MR. LIVINGSTON: Yes.</p> <p>12 CHAIR DREW: Thank you.</p> <p>13 Any other questions.</p> <p>14 MR. McMAHAN: Just one thing. In my</p> <p>15 poor legal drafting, it says RCW. That's a WAC. Jon</p> <p>16 caught that already. Just to be clear about the</p> <p>17 citations in the letter.</p> <p>18 CHAIR DREW: Oh, okay. I see. In fact,</p> <p>19 says RCW, and then it says WAC.</p> <p>20 MR. McMAHAN: Yes, it does. It says</p> <p>21 both, just in case.</p> <p>22 CHAIR DREW: Okay. So noted.</p> <p>23 Thank you.</p> <p>24 MR. SPADARO: So I'll just close by</p> <p>25 saying I look forward to coming back to you another</p>  |



| Page 21   | Page 23  |
|---|--|
| <p>1 day, when we have a time line for actually moving<br/>2 forward and moving on with the project.<br/>3 CHAIR DREW: Okay.<br/>4 MR. SPADARO: Thank you.<br/>5 CHAIR DREW: Thank you very much. It's<br/>6 good to see you.<br/>7 We are now are moving on to Desert Claim<br/>8 project update. We will start with Amy Moon.<br/>9 Ms. Moon.<br/>10 MS. MOON: Good afternoon, Chair Drew<br/>11 and Councilmembers. As Chair Drew has stated, I am<br/>12 Amy Moon and I am providing an update for the Desert<br/>13 Claim project.<br/>14 At the October council meeting, EFSEC Staff<br/>15 discussed the public comments that were received in<br/>16 response to the addendum to the final supplemental EIS<br/>17 for the Desert Claim Wind Power request for amendment<br/>18 to the Site Certification Agreement. As a result of<br/>19 the public comments, EFSEC Staff revised the historic<br/>20 and cultural preservation mitigation measures and<br/>21 prepared the final addendum to the FSEIS, referred to<br/>22 as the final SEPA addendum. None of the analysis done<br/>23 for the final SEPA addendum resulted in findings of<br/>24 significant unavoidable adverse impacts.<br/>25 EFSEC Staff then prepared a draft amendment to</p>  | <p>1 So for the record, this is Sonia Bumpus. I am<br/>2 going to be talking about the draft Resolution 343<br/>3 that is in your Council packets. The SEPA staff<br/>4 memorandum from Staff to Mr. Posner is also updated<br/>5 and in the Council packets, as well as the Site<br/>6 Certification Agreement, Amendment 1.<br/>7 This version has all of the mitigation<br/>8 measures from the SEPA addendum that Ms. Moon just<br/>9 talked about incorporated. So it's not in track<br/>10 changes like the one you saw last week, everything has<br/>11 been incorporated. And there were a few minor typos<br/>12 and things like that that we caught, that we went in<br/>13 and changed. So these documents in your packet are<br/>14 the most current versions.<br/>15 So, as Ms. Moon already talked about, Staff<br/>16 has been working to prepare the draft SCA amendment<br/>17 over the last few weeks. As directed at the<br/>18 October 16th council meeting, Staff has also prepared<br/>19 this draft resolution in your packet, and we have sent<br/>20 it to you for review.<br/>21 I just want to talk about what the resolution<br/>22 covers. It covers quite a bit. It starts off with a<br/>23 high-level summary of the revised project, that's the<br/>24 amended project, and it also provides a background<br/>25 about the original project as it was proposed, and the</p> |
| Page 22   | Page 24  |
| <p>1 the Site Certification Agreement known as the SCA<br/>2 Amendment No. 1. The draft SCA amendment includes<br/>3 mitigation measures, presents it in the final SEPA<br/>4 addendum. The cultural and archeological resource<br/>5 section of the draft SCA amendment was updated to<br/>6 clarify what will be considered during the development<br/>7 of the cultural resources monitoring and mitigation<br/>8 plan that will be prepared in coordination with the<br/>9 Yakama Nation and the Department of Archaeology and<br/>10 Historic Preservation, known as DAHP, or D-A-H-P.<br/>11 EFSEC Staff also coordinated with the Yakama<br/>12 Nation regarding historic and cultural preservation.<br/>13 We discussed the draft SCA amendment and the historic<br/>14 and cultural preservation concerns of the Yakama<br/>15 Nation. EFSEC Staff evaluated these concerns and<br/>16 determined they are identified in the commitments made<br/>17 in the FSEIS and through mitigation measures in the<br/>18 final SEPA addendum and the draft SCA amendment.<br/>19 Does the Council have any questions on that?<br/>20 CHAIR DREW: Questions?<br/>21 Okay.<br/>22 MS. MOON: So then I am going to turn it<br/>23 over to Sonia Bumpus to discuss the amendment and<br/>24 resolution.<br/>25 MS. BUMPUS: Thank you.</p> | <p>1 process that EFSEC went through at that time, back in<br/>2 2009 to 2010.<br/>3 It also outlines EFSEC's procedures for Desert<br/>4 Claim's SCA amendment request. It includes the<br/>5 April 11th, 2018 public hearing that EFSEC held in<br/>6 Ellensburg, Washington, where we received comments<br/>7 from the public, and Desert Claim provided a<br/>8 presentation on their proposed amendments. It<br/>9 describes EFSEC's SEPA environmental review. It goes<br/>10 into quite a bit of detail about the public comments<br/>11 that EFSEC received on these draft SEPA addendum in<br/>12 September. It also discusses how we responded to<br/>13 those comments and associated mitigation measures<br/>14 after reviewing those comments. All of the mitigation<br/>15 measures, just to note, they all stayed the same, with<br/>16 the exception of the cultural resource mitigation<br/>17 measure.<br/>18 Finally, it discusses, the SCA amendment<br/>19 requests consistency with the provisions outline in<br/>20 WAC 463-66-040. This is consistency with the intent<br/>21 of the original SCA. This is talked about on Page 13<br/>22 of the resolution, applicable laws and rules. So this<br/>23 actually is a pretty lengthy section. It covers the<br/>24 consistency with the rules under SEPA, approval by<br/>25 Council action, which is in 463-66-070. That's on</p>    |

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| <p style="text-align: right;">Page 25</p> <p>1 Page 16 through 17. It also talks about consistency<br/> 2 with construction and operations standards in EFSEC's<br/> 3 WAC 643-62. That's a pretty lengthy section there.<br/> 4 It also talks about consistency with provisions of<br/> 5 Chapter 463-72, which deals with EFSEC's site<br/> 6 restoration requirements.<br/> 7 All of those that I just listed, they all are<br/> 8 discussed in detail, and the resolution documents that<br/> 9 the amendment request -- and when I say "amendment<br/> 10 request" I mean Amendment 1 that you've got there in<br/> 11 your packets, is consistent with all of these.<br/> 12 I wanted to at this time check and see if<br/> 13 there are any questions from the Council about the<br/> 14 resolution or any of the SEPA documents.<br/> 15 CHAIR DREW: Are there any questions<br/> 16 from Councilmembers?<br/> 17 MR. LIVINGSTON: No.<br/> 18 MS. GREEN-TAYLOR: No.<br/> 19 CHAIR DREW: Okay.<br/> 20 MS. BUMPUS: So if there aren't any<br/> 21 questions, pursuant to WAC 463-66, Staff requests that<br/> 22 the Council take action on the SCA Amendment No. 1 for<br/> 23 the Desert Claim Wind Power Project, SCA Amendment<br/> 24 Request, and this would be to approve by Council<br/> 25 Resolution No. 343.</p>   | <p style="text-align: right;">Page 27</p> <p>1 additional monitoring.<br/> 2 So pursuant to the stipulation from 2009, and<br/> 3 in light of Desert Claim's commitment in the letter<br/> 4 that I forwarded to the Council today, the Counsel for<br/> 5 the Environment fully supports the issuance of the<br/> 6 amended Site Certification Agreement in this case.<br/> 7 CHAIR DREW: Thank you.<br/> 8 MR. SHERMAN: That's all I have to say.<br/> 9 CHAIR DREW: Are there questions from<br/> 10 Councilmembers?<br/> 11 MR. STEPHENSON: Just a comment.<br/> 12 CHAIR DREW: Okay. Comment,<br/> 13 Mr. Stephenson.<br/> 14 MR. STEPHENSON: Thanks, Chair Drew.<br/> 15 I just want to say, as I have looked through<br/> 16 this, it's clear that Staff and the SEPA manager have<br/> 17 looked at this hard. I am impressed by the work that<br/> 18 you have done and your responsiveness to the changes<br/> 19 and to the public comments, in my world, especially<br/> 20 around streams and wetlands and the cultural<br/> 21 resources, but it's -- it appears to me that this has<br/> 22 been well done in terms of responding to the changes.<br/> 23 MR. LIVINGSTON: I just have one comment<br/> 24 as well, Chair Drew.<br/> 25 CHAIR DREW: Mr. Livingston.</p>  |
| <p style="text-align: right;">Page 26</p> <p>1 CHAIR DREW: Thank you.<br/> 2 At this point, I know we did have -- do have a<br/> 3 request that the Counsel for the Environment, Mr. Bill<br/> 4 Sherman, would like to address the Council, so I will<br/> 5 ask for that before we have a motion before us.<br/> 6 MR. SHERMAN: Thank you, Chair Drew.<br/> 7 Much appreciated.<br/> 8 This is Bill Sherman from the Washington State<br/> 9 Attorney General's Office, I'm appointed Counsel for<br/> 10 the Environment. For purposes of this project,<br/> 11 there's a little bit of history that relates to my<br/> 12 comment today. When this project was first before the<br/> 13 Council, the Counsel for the Environment, together<br/> 14 with Desert Claim, signed a stipulation on June 23rd,<br/> 15 2009, by which the Counsel for the Environment agreed<br/> 16 to fully support the issuance of the Site<br/> 17 Certification Agreement, subject to a number of<br/> 18 conditions set forth in the stipulation.<br/> 19 In my view, a deal is a deal on both sides.<br/> 20 The question for me was, are there aspects of the<br/> 21 project that have changed sufficiently to -- to bring<br/> 22 that stipulation into question or are there facts on<br/> 23 the ground that have changed sufficiently to put it<br/> 24 into question? The answer is no, given Desert Claim's<br/> 25 commitment in some small or marginal areas to conduct</p> | <p style="text-align: right;">Page 28</p> <p>1 MR. LIVINGSTON: Because I wasn't on the<br/> 2 Council when this was passed, I had to review the<br/> 3 original SCA and get myself familiar with it, and<br/> 4 putting my Fish &amp; Wildlife hat on, looking at<br/> 5 requirements such as additional bat monitoring when<br/> 6 the turbines go up, the Wind Power Guidelines at WDFW<br/> 7 would be used to develop the postconstruction avian<br/> 8 monitoring plan, as well as the -- the Best Management<br/> 9 Practices applied to removing afterbirth and carcasses<br/> 10 from livestock operations to avoid bald eagles being<br/> 11 attracted to the area, I think are all really still<br/> 12 pertinent measures for this project amendment, and so<br/> 13 I was happy to see that those are still in there, as<br/> 14 well as the additional steps for mitigation related to<br/> 15 streams and wetlands. I am very supportive of what<br/> 16 Staff has provided here for us to consider.<br/> 17 CHAIR DREW: Thank you.<br/> 18 I have a question for Counsel. So in order to<br/> 19 make sure that the stipulation for the Counsel for the<br/> 20 Environment, do we need to add that to -- if we are<br/> 21 going to propose a motion that would approve the<br/> 22 resolution and thereby the Site Certification<br/> 23 Agreement, would we add, then -- and the -- the<br/> 24 stipulation between the Counsel for the Environment,<br/> 25 or is that just assumed to be included?</p> |



| Page 29   | Page 31   |
|---|---|
| <p>1 MR. SHERMAN: Um --</p> <p>2 CHAIR DREW: Mr. Sherman, go ahead.</p> <p>3 MR. SHERMAN: I'm sorry, my -- as far as</p> <p>4 I understand it, the original Site Certification</p> <p>5 Agreement incorporated the original stipulation. To</p> <p>6 the extent that that would be considered, you know,</p> <p>7 part of the kind of foundation that you -- you would</p> <p>8 be considering amending today, I guess it would be my</p> <p>9 position that those -- those commitments in that</p> <p>10 stipulation would remain in effect, but -- but --</p> <p>11 CHAIR DREW: Okay.</p> <p>12 MR. SHERMAN: -- I would be interested</p> <p>13 in hearing if the Council believes something</p> <p>14 different.</p> <p>15 MS. BUMPUS: I was just going to note</p> <p>16 for Council that the stipulation agreement between</p> <p>17 Desert Claim and the CFE is Attachment 3. And so we</p> <p>18 would -- that would stay there, that would remain as</p> <p>19 Attachment 3. I think we have gone through and looked</p> <p>20 to ensure that in -- in Amendment 1 of the SCA, that</p> <p>21 all of the stipulations are covered in the SCA and</p> <p>22 that are -- that there aren't any inconsistencies.</p> <p>23 MS. MOON: Yeah, that --</p> <p>24 MS. BUMPUS: Amy, do you want to --</p> <p>25 MS. MOON: That's correct, Sonia. I</p>   | <p>1 transcript could get separated, people aren't going to</p> <p>2 know what's in there. It may be just cleaner just to</p> <p>3 attach his letter, if he indeed wrote one, to the SCA.</p> <p>4 MS. BUMPUS: Chair Drew, we received a</p> <p>5 letter just before the council meeting from</p> <p>6 Mr. Sherman.</p> <p>7 CHAIR DREW: So just to make sure we</p> <p>8 have this process correct, we will have a motion to</p> <p>9 adopt the resolution which approves the Amendment 1,</p> <p>10 and adding the letter from the Counsel for the</p> <p>11 Environment as an attachment to Amendment 1.</p> <p>12 MS. ESSKO: Yes.</p> <p>13 CHAIR DREW: Have I got it?</p> <p>14 MS. ESSKO: Yes.</p> <p>15 CHAIR DREW: Okay.</p> <p>16 MR. STEPHENSON: So hard to make that</p> <p>17 motion when I haven't seen the letter. Is it in here?</p> <p>18 MS. BUMPUS: Yes.</p> <p>19 CHAIR DREW: It's not in our packets,</p> <p>20 but it's right here. I can pass it to others.</p> <p>21 MS. ESSKO: Cullen, could you just read</p> <p>22 it into the record?</p> <p>23 MR. STEPHENSON: Just this much?</p> <p>24 MS. ESSKO: Yes. Just say who it is to</p> <p>25 and from and date, and then read what he said.</p>   |
| Page 30   | Page 32   |
| <p>1 went through and made sure that all the stipulations</p> <p>2 in this agreement remain in the SCA and they are all</p> <p>3 very well covered.</p> <p>4 MS. BUMPUS: Since they are part of the</p> <p>5 original Site Certification Agreement and nothing has</p> <p>6 changed, then what we would move to adopt today would</p> <p>7 be the resolution in front of us, which would put into</p> <p>8 effect the amended Site -- Amendment 1 to the Site</p> <p>9 Certification Agreement.</p> <p>10 MS. ESSKO: Yes. And if you wanted a</p> <p>11 lot of clarity around the current status of the</p> <p>12 stipulation, which Sonia says is attached as an</p> <p>13 exhibit to the existing SCA, you could -- you have a</p> <p>14 couple of choices. One, if the CFE -- if Bill Sherman</p> <p>15 sent you a letter summarizing his agreement with the</p> <p>16 project as modified and that it comports with the</p> <p>17 original stipulation, then you could add that as</p> <p>18 another attachment to the SCA. If you didn't want to</p> <p>19 do that, then his agreement would be memorialized in</p> <p>20 the transcript of today's meeting, and so long as you</p> <p>21 kept that in your file with the SCA, that would</p> <p>22 provide some history for you in the future.</p> <p>23 I tend to favor the former approach, if you</p> <p>24 have time and want to do that, because it's clearer.</p> <p>25 Having his agreement in the transcript, you know, the</p> | <p>1 MR. STEPHENSON: So this is addressed to</p> <p>2 Kathleen Drew, Chair, to the Council, regarding Desert</p> <p>3 Claim Wind Power, LLC, application for amended SCA.</p> <p>4 I write in my capacity as Counsel for the</p> <p>5 Environment on the Desert Claim Wind Power, LLC</p> <p>6 project. On June 23, 2009, Counsel for the</p> <p>7 Environment and Desert Claim signed a stipulation by</p> <p>8 which my office agreed to, quote, fully support the</p> <p>9 issuance of the [Site Certification Agreement] for the</p> <p>10 project subject to the conditions set forth in the</p> <p>11 stipulation, end quote.</p> <p>12 Although the proposed project has changed in</p> <p>13 certain ways from the original certified proposal, my</p> <p>14 office stands by its agreement to fully support</p> <p>15 issuance of an amended SCA, in light of that</p> <p>16 stipulation and the commitments that Desert Claim Wind</p> <p>17 Power, LLC made in the attached letter of</p> <p>18 November 12th, 2018. For your convenience, I attach</p> <p>19 the 2009 stipulation and 2018 letter as appendices.</p> <p>20 Sincerely, William Sherman, Counsel for the</p> <p>21 Environment.</p> <p>22 CHAIR DREW: Thank you.</p> <p>23 MR. STEPHENSON: Do you want a motion?</p> <p>24 CHAIR DREW: Yes, please.</p> <p>25 MR. STEPHENSON: Chair Drew, with that</p> |



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| <p style="text-align: right;">Page 33</p> <p>1 clarification, I would move to endorse and adopt this</p> <p>2 resolution, which is set forth as Amendment No. 1 to</p> <p>3 Resolution No. 343, and thereby have the Council</p> <p>4 approve the Desert Claim Site Certification Agreement</p> <p>5 amendment request.</p> <p>6 CHAIR DREW: So if I may, perhaps, have</p> <p>7 a friendly amendment. We are going to adopt</p> <p>8 resolution No. 343.</p> <p>9 MR. STEPHENSON: Yes, that's correct.</p> <p>10 CHAIR DREW: Okay.</p> <p>11 And thereby approve -- the motion is to adopt</p> <p>12 the resolution and thereby approve the Site</p> <p>13 Certification Agreement.</p> <p>14 MR. STEPHENSON: Yes.</p> <p>15 CHAIR DREW: With the addition of the</p> <p>16 letter from Mr. Sherman added to the -- as an</p> <p>17 attachment.</p> <p>18 Do we understand this?</p> <p>19 MR. LIVINGSTON: Yes.</p> <p>20 MS. GREEN-TAYLOR: Yes, ma'am.</p> <p>21 CHAIR DREW: So we now have another</p> <p>22 opportunity for comment since the motion is before us.</p> <p>23 I would like to say that -- thank our Staff</p> <p>24 for their thorough review and work on this proposed</p> <p>25 amendment, as well as our certificate holder. I would</p> | <p style="text-align: right;">Page 35</p> <p>1 Resources.</p> <p>2 MR. SIEMANN: Aye.</p> <p>3 MS. MASTRO: Chair, do you have a vote?</p> <p>4 CHAIR DREW: Aye.</p> <p>5 The resolution is adopted.</p> <p>6 Okay. Is there any other business to come</p> <p>7 before the Council today?</p> <p>8 Seeing none, this meeting is adjourned.</p> <p>9 (Adjourned at 2:15 p.m.)</p>  |
| <p style="text-align: right;">Page 34</p> <p>1 like to say that, as we see in the resolution, there</p> <p>2 are no significant adverse impacts proposed by this</p> <p>3 amendment, and, in fact, in many cases the impacts</p> <p>4 will be less than the original agreement, and that</p> <p>5 thereby it does not substantially change the Site</p> <p>6 Certification Agreement and is appropriate for the</p> <p>7 Council to pass this resolution.</p> <p>8 Are there others who would wish to make any</p> <p>9 additional comments?</p> <p>10 Hearing none, I would ask Ms. Mastro to call</p> <p>11 the roll.</p> <p>12 MS. MASTRO: Do we have a second?</p> <p>13 CHAIR DREW: Thank you.</p> <p>14 MS. GREEN-TAYLOR: I will be happy to</p> <p>15 second that motion.</p> <p>16 CHAIR DREW: We have a second.</p> <p>17 MS. MASTRO: Department of Commerce?</p> <p>18 You are voting for the motion.</p> <p>19 MS. GREEN-TAYLOR: I approve the motion.</p> <p>20 MS. MASTRO: Department of Ecology?</p> <p>21 MR. STEPHENSON: Aye.</p> <p>22 MS. MASTRO: Department of Fish and</p> <p>23 Wildlife.</p> <p>24 MR. LIVINGSTON: Aye.</p> <p>25 MS. MASTRO: Department of Natural</p>  | <p style="text-align: right;">Page 36</p> <p>1 CERTIFICATE</p> <p>2</p> <p>3 STATE OF WASHINGTON</p> <p>4 COUNTY OF KING</p> <p>5</p> <p>6 I, Sherrilyn Smith, a Certified</p> <p>7 Shorthand Reporter in and for the State of Washington,</p> <p>8 do hereby certify that the foregoing transcript is</p> <p>9 true and accurate to the best of my knowledge, skill</p> <p>10 and ability.</p> <p>11</p> <p>12</p> <p>13</p> <p>14</p> <p>15</p> <p>16</p> <p>17 _____</p> <p>18 SHERRILYN SMITH, CCR# 2097</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p> |

# Kittitas Valley Wind Power Project

## Monthly Operations Report

November 2018

### Project Status Update

#### **Production Summary:**

|                  |            |
|------------------|------------|
| Power generated: | 12,571 MWh |
| Wind speed:      | 4.8 m/s    |
| Capacity Factor: | 17.3%      |

#### **Safety:**

No incidents

#### **Compliance:**

Project is in compliance

#### **Sound:**

No complaints

#### **Shadow Flicker:**

No complaints

#### **Environmental:**

EFSEC Staff and WA Dept of Ecology annual compliance visit on 11/14/2018. Project is in compliance with a suggestion to link my SPCC and my SWPPP within each plan.

# Kittitas Valley Wind Power Project

## Monthly Operations Report

December 2018

### Project Status Update

#### **Production Summary:**

|                  |           |
|------------------|-----------|
| Power generated: | 8.645 MWh |
| Wind speed:      | 4.2 m/s   |
| Capacity Factor: | 11.5%     |

#### **Safety:**

No incidents

#### **Compliance:**

Project is in compliance

#### **Sound:**

No complaints

#### **Shadow Flicker:**

No complaints

#### **Environmental:**

No incidents



## **Wild Horse Wind Facility**

November 2018

### **Safety**

No lost-time accidents or safety injuries/illnesses.

### **Compliance/Environmental**

The Department of Ecology conducted a site inspection on November 14, 2018. The inspection included a field visit and review of the Stormwater Pollution Prevention Plan (SWPPP). The inspector had two minor recommended improvements to the SWPPP.

### **Operations/Maintenance**

Nothing to report.

### **Wind Production**

November generation totaled 51,602 MWh for an average capacity factor of 26.29%.

### **Eagle Update**

Nothing to report.



## **Wild Horse Wind Facility**

December 2018

### **Safety**

No lost-time accidents or safety injuries/illnesses.

### **Compliance/Environmental**

The Kittitas County Fire Marshal completed a Fire Life and Safety Inspection on 12/14/18. The inspection passed with no violations. See reports attached.

### **Operations/Maintenance**

Nothing to report.

### **Wind Production**

December generation totaled 48,705 MWh for an average capacity factor of 24.01%.

### **Eagle Update**

Nothing to report.



### EFSEC Monthly Operational Report Grays Harbor Energy Center

November 2018

1. Safety and Training

1.1. There were no accidents or injuries during the month and the plant staff has achieved 3620 days without a lost time incident.

2. Environmental & Compliance

2.1. There were no air emissions, outfall or storm water deviations, or spills during the month.  
2.2. All routine reporting was completed.

3. Operations & Maintenance

3.1. Grays Harbor Energy Center (GHEC) operated 0 days during the month, with 0 starts on U1, and 0 starts on U2.  
3.2. GHEC generated 0 MWh during the month and 2,357,728 MWh YTD.  
3.3. The plant capacity factor was 0% for the month and 47% YTD.

4. Noise and/or Odor

4.1. None.

5. Site Visits

5.1. None.

6. Other

6.1. Grays Harbor Energy Center is staffed with 20 personnel.



## EFSEC Monthly Operational Report Grays Harbor Energy Center

December 2018

### 1. Safety and Training

- 1.1. There were no accidents or injuries during the month and the plant staff has achieved 3651 days without a lost time incident.
- 1.2. Annual Electrical Safety and Arc Flash Training was completed.
- 1.3. Annual Hazard Communication & Hazardous Waste Handling Training was completed.

### 2. Environmental & Compliance

- 2.1. There were no air emissions, outfall or storm water deviations, or spills during the month.
- 2.2. All routine reporting was completed.
- 2.3. Annual State Fire Marshall's inspection was completed.
- 2.4. Annual Fire Pump Confidence Testing was completed.
- 2.5. Bi-Annual Fire Alarm Testing was completed.

### 3. Operations & Maintenance

- 3.1. Grays Harbor Energy Center (GHEC) operated 12 days during the month, with 5 starts on U1, and 7 starts on U2.
- 3.2. GHEC generated 117,713 MWh during the month and 2,475,441 MWh YTD.
- 3.3. The plant capacity factor was 26% for the month and 47% YTD.

### 4. Noise and/or Odor

- 4.1. None.

### 5. Site Visits

- 5.1. None.

### 6. Other

- 6.1. Grays Harbor Energy Center is staffed with 20 personnel.



## **Chehalis Generation Facility----Monthly Plant Report – November 2018**

### **Washington Energy Facility Site Evaluation Council**

12.01.2018

#### **Safety:**

- There were no recordable incidents this reporting period and the plant staff has achieved 1211 days without a Lost Time Accident.

#### **Environment:**

- There were no air emissions or stormwater deviations or spills during the month.
- Wastewater and Storm-water monitoring results were in compliance with the permit limits.

#### **Operations and Maintenance Activities:**

- The Plant generated zero (0) MW-hours in November for a 2018 YTD generation total of 1,679,454 MW-hours and a capacity factor of 38.69% for 2018.

#### **Regulatory/Compliance:**

- Nothing to report this period

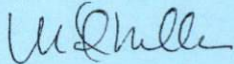
#### **Sound monitoring:**

- Nothing to report this period.

#### **Carbon Offset Mitigation:**

- Nothing to report this period.

Respectfully,



Mark A. Miller  
Manager, Gas Plant  
Chehalis Generation Facility



## **Chehalis Generation Facility----Monthly Plant Report – December 2018**

### **Washington Energy Facility Site Evaluation Council**

01.01.2019

#### **Safety:**

- There were no recordable incidents this reporting period and the plant staff has achieved 1242 days without a Lost Time Accident.

#### **Environment:**

- There were no air emissions or stormwater deviations or spills during the month.
- Wastewater and Storm-water monitoring results were in compliance with the permit limits.

#### **Operations and Maintenance Activities:**

- The Plant generated 70,369 MW-hours in December for a 2018 YTD generation total of 1,749,823 MW-hours and a capacity factor of 40.32% for 2018.

#### **Regulatory/Compliance:**

- EFSEC staff and an inspector from the Office of the State Fire Marshal conducted an inspection of the facility on December 12, 2018. The inspection noted 11 items for review and correction. A follow-up inspection will be conducted in January 2019.

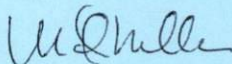
#### **Sound monitoring:**

- Nothing to report this period.

#### **Carbon Offset Mitigation:**

- Nothing to report this period.

Respectfully,



Mark A. Miller  
Manager, Gas Plant  
Chehalis Generation Facility



**Energy Northwest**  
**Operations Reporting Period for November 1-30, 2018**  
**Site Contact: Mary Ramos**

**Columbia Generating Station Operational Status**

Columbia Generating Station is online at 100 percent power.

On November 28, 2018, Energy Northwest notified EFSEC and Washington State Department of Ecology (Ecology) via telephone of a spill of transformer oil at Columbia Generating Station. A follow-up email was sent to EFSEC and Ecology on December 4, 2018.

Summary of transformer oil spill at Columbia Generating Station

In April 2018, Energy Northwest discovered a slow drip of oil from the side of transformer number E-TR-6/61 located near the Columbia Generating Station's cooling towers. The leak progressed off the transformer's concrete pad and onto the surrounding gravel. In August 2018, the Energy Northwest Environmental and Regulatory Programs group learned that periodic integrity sampling of the oil (performed by Energy Northwest Engineering department) revealed that the oil contained trace Polychlorinated Biphenyls (PCB) (13 parts per million (ppm)) as a result of residual PCBs from the PCB-oil that was used in the past. Energy Northwest has estimated 2.5 gallons of transformer oil containing 13 ppm residual PCB has leaked since initial discovery.

There has been no discharge to groundwater or to a water body as a result of the transformer oil spill. The oil spill is confined to the area immediately adjacent to the transformer and inside a concrete berm. Entry to the transformer and oil spill area is restricted by a fence, and specific qualifications are required to enter the area. The spill area is being closely monitored. Absorbent pads have been placed along the bottom of the transformer. The area is being inspected frequently, the absorbent pads are regularly replaced, and used absorbent pads are being managed in accordance with Washington State Dangerous Waste Regulations.

Energy Northwest is actively working to find a resolution for repairing the leak and to clean-up the spill. Energy Northwest is in the process of hiring an outside contractor to clean-up the contaminated gravel and soil. Prior to clean-up, and for industrial safety concerns, ground-penetrating radar is required to verify the location of underground cables. Energy Northwest believes the dripping oil is originating from a degraded winding temperature gauge gasket. The oil drip is coming from an enclosed internal compartment of the transformer. The station is currently unable to pinpoint the source of the drip and complete necessary repairs while the station is online due to industrial safety risks and plant operating conditions. Our Engineering department is actively working to find a repair window offline, or a strategy that would allow for an online repair.

Energy Northwest will provide an update at the January EFSEC Council meeting.

**WNP 1/4 Building Transfer/Water**

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



**Energy Northwest  
Operations Reporting Period for December 1-31, 2018  
Site Contact: Mary Ramos**

**Washington Nuclear Project 1 and 4 (WNP-1/4)**

Fire Protection and Life Safety Inspection of WNP-1/4

On December 4-6, 2018, the Office of the State Fire Marshal conducted a Fire Protection and Life Safety inspection of WNP-1/4. The inspection report was received on December 10, 2018. Energy Northwest will respond to the inspection report by January 10, 2019.

**Columbia Generating Station Operational Status**

Columbia Generating Station is online at 100 percent power.

Transformer oil spill at Columbia Generating Station- Update

On December 12, 2018, two Washington State Department of Ecology (Ecology) inspectors visited Columbia Generating Station to discuss and observe the transformer E-TR-6/61 oil spill area. The visit started with a discussion of: timeline of events from initial discovery of the transformer oil leak to notification to state agencies; actions taken to mitigate the spill; plans for spill clean-up and repair of transformer; applicable regulations; frequency and scope of monitoring the spill area; and oil analysis results. Following the discussion, the inspectors observed the transformer and oil spill area. The height of the concrete wall/berm surrounding the transformer was measured. Distances from the transformer to the two underground injection wells in the vicinity of the transformer were measured. Photos of the transformer fence sign regarding PCB oil content, absorbent and spill pads in place, and UIC wells were taken by the inspectors.

On December 17, 2018, Energy Northwest received a letter from EFSEC and Ecology requesting additional information regarding the transformer oil spill. Energy Northwest will respond to the information request by January 7, 2019.

Fire Protection and Life Safety Inspection of Columbia Generating Station

On December 4-6, 2018, the Office of the State Fire Marshal conducted a Fire Protection and Life Safety inspection of Columbia Generating Station non-plant buildings. The inspection report was received on December 10, 2018. Energy Northwest will respond to the inspection report by January 10, 2019.

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WA002515-1 WA002515-1

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Issuance Date: September 30, 2014  
Amendment #1 Date: February 8, 2016  
Amendment #2 Date: {INSERT}  
Effective Date: November 1, 2014  
Expiration Date: October 31, 2019

**National Pollutant Discharge Elimination System  
Waste Discharge Permit No. WA002515-1**

State of Washington  
ENERGY FACILITY SITE EVALUATION COUNCIL (EFSEC)  
P.O. Box 43172  
Olympia, Washington 98504-3172

In compliance with the provisions of:  
The State of Washington Water Pollution Control Law  
Chapter 90.48 Revised Code of Washington  
and  
State of Washington Energy Siting Law  
Chapter 80.50 Revised Code of Washington  
and  
The Federal Water Pollution Control Act  
(The Clean Water Act)  
Title 33 United States Code, Section 1342 et seq.

Energy Northwest's Columbia Generating Station  
P.O. Box 968  
Richland, Washington 99352-0968

is authorized to discharge in accordance with the Special and General Conditions that follow.

Facility Location:

Latitude: 46.47170

Longitude: 119.33280

Receiving Water:

Outfall 001: Columbia River (river mile 351.75)

Outfall 002: Ground Water

Latitude: 46.47389

Longitude: 119.32861

Treatment Type: Cooling, disinfection,  
neutralization (blowdown) Filtration, ion  
exchange (processed radwaste water)

SIC Code: 4911

NAICS Code: 221113

Industry Type:

Steam-Electric Power Generation

Categorical Industry:

40 CFR Part 423 Steam Electric Power  
Generating Point Source Category

Kathleen Drew, Chair



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Energy Facility Site Evaluation Council

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## Summary of Permit Report Submittals

Refer to the Special and General Conditions of this permit for additional submittal requirements.

| Permit Section | Submittal   | Frequency                                      | First Submittal Date |
|----------------|---|--|----------------------|
| S3.A           | Discharge Monitoring Report   | Monthly  | December 15, 2014    |
| S3.E           | Reporting Permit Violations   | As necessary                                   |                      |
| S3.F           | Other Reporting   | As necessary                                   |                      |
| S4.A           | Operations and Maintenance Manual   | 1/permit cycle                                 | May 1, 2019          |
| S4.A           | Operations and Maintenance Manual Update                                  | As necessary                                   |                      |
| S4.B           | Reporting Bypasses  | As necessary                                   |                      |
| S5.C           | Solid Waste Control Plan  | 1/permit cycle                                 | May 1, 2019          |
| S5.C           | Modification to Solid Waste Plan  | As necessary                                   |                      |
| S6             | Application for Permit Renewal  | 1/permit cycle                                 | May 1, 2019          |
| SSS7           | Compliance Schedule   | As necessary                                   | December 1, 2014     |
| SSS7.1         | Operations and Maintenance Manual (impoundment)                           | Once   | December 1, 2014     |
| SSS7.2         | Notice of completion (impoundment)  | Once   | May 1, 2015          |
| SSS7.3         | Scope of work   | Once   | November 1, 2016     |
| SSS7.4         | Engineering report  | Once   | May 1, 2019          |
| SSS7.5         | Ground Water Quality Assurance Project Plan (QAPP) Update                 | Twice  | May 1, 2015          |
| SSS8           | Non-Routine and Unanticipated Discharges                                  | As necessary                                   |                      |
| SSS9           | Spill Plan  | 1/permit cycle, updates submitted as necessary | May 1, 2019          |
| SSS10          | Stormwater Pollution Prevention Plan                                      | 1/permit cycle                                 | November 1, 2015     |
| SSS11          | Outfall Evaluation  | 1/permit cycle                                 | May 1, 2019          |
| SSS12.A        | Operations and Maintenance Manual (cooling water intake structure (CWIS)) | 1/permit cycle                                 | November 1, 2015     |
| SSS12.A        | Operations and Maintenance Manual (CWIS) Update                           | As necessary                                   |                      |
| SSS12.B        | Entrainment Characterization Study Design                                 | Once   | November 1, 2015     |
| SSS12.B        | Entrainment Characterization Study  | Once   | May 1, 2019          |
| SSS12.B        | Engineering Analysis  | As necessary                                   |                      |
| SSS13.A        | Acute Toxicity Effluent Test Results                                      | Quarterly                                      | April 30, 2015       |
| SSS14.A        | Chronic Toxicity Effluent Test Results with Permit Renewal Application    | Once   | May 1, 2019          |
| G1             | Notice of Change in Authorization   | As necessary                                   |                      |
| G4             | Permit Application for Substantive Changes to the Discharge               | As necessary                                   |                      |
| G5             | Engineering Report for Construction or Modification Activities            | As necessary                                   |                      |
| G7             | Notice of Permit Transfer   | As necessary                                   |                      |
| G10            | Duty to Provide Information   | As necessary                                   |                      |

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| Permit Section | Submittal            | Frequency    | First Submittal Date |
|----------------|----------------------|--------------|----------------------|
| G21            | Compliance Schedules | As necessary |                      |



## Special Conditions

### S1. Discharge limits

#### S1.A. Process wastewater discharges

All discharges and activities authorized by this permit must be consistent with the terms and conditions of this permit.

The discharge of any of the following pollutants more frequently than, or at a level in excess of that identified and authorized by this permit violates the terms and conditions of this permit.

There shall be no discharge of wastewater of radioactive materials in excess of the limitations on radioactive effluents established by the Nuclear Regulatory Commission in the facility operation license and in 10 CFR Parts 20 and 50.

Beginning on the effective date of this permit, the Permittee is authorized to discharge circulating cooling water blowdown, service water system blowdown, and radioactive wastewater treatment system effluent, to the Columbia River at the permitted location subject to complying with the following limits:

| Effluent Limits for Circulating Water Blowdown: Outfall 001<br>Latitude 46.47139 Longitude 119.26250   |                               |                             |
|--|-------------------------------|-----------------------------|
| Parameter  | Average Monthly <sup>a</sup>  | Maximum Daily <sup>b</sup>  |
| Flow   | 5.6 million gallons/day (mgd) | 9.4 (mgd)                   |
| Total Residual Halogen (TRH) <sup>c</sup>  | Not Applicable                | 0.1 milligrams/liter (mg/L) |
| Chromium (Total)   | 8.2 µg/L                      | 16.4 µg/L                   |
| Zinc (Total)   | 53 µg/L                       | 107 µg/L                    |
| Polychlorinated biphenyl compounds (PCBs)  | No discharge                  | No discharge                |
| The 126 priority pollutants (40 CFR 423 Appendix A) contained in chemicals added for cooling tower maintenance, except chromium and zinc                       | No detectable amount          | No detectable amount        |
|  | Minimum                       | Maximum                     |
| pH <sup>d</sup>  | 6.5 standard units (SU)       | 9.0 SU                      |
| The effluent limit for acute toxicity is:<br>No acute toxicity detected in a test concentration representing the acute critical effluent concentration (ACEC). |                               |                             |

| Effluent Limits for Circulating Water Blowdown: Outfall 001<br>Latitude 46.47139 Longitude 119.26250   |  |
|--|--|
| The ACEC means the maximum concentration of effluent during critical conditions at the boundary of the acute mixing zone, defined in Section 1.B of this permit. The ACEC equals 11% effluent. See S13 for more information. |  |
| a  | Average monthly effluent limit means the highest allowable average of daily discharges over a calendar month. To calculate the discharge value to compare to the limit, you add the value of each daily discharge measured during a calendar month and divide this sum by the total number of daily discharges measured.   |
| b  | Maximum daily effluent limit is the highest allowable daily discharge. The daily discharge is the average discharge of a pollutant measured during a calendar day. This does not apply to pH or temperature.   |
| c  | In the event of an equipment failure, CGS will operate using a batch halogenation process of the cooling water system. When the batch halogenation process is utilized, the circulating water blowdown isolation valves must be closed during biofouling treatments and remain closed until the concentration of total residual halogen is less than 0.1 mg/L for at least 15 minutes. |
| d  | When pH is continuously monitored, excursions between 5.0 and 6.5, or 9.0 and 10.0 will not be considered violations if no single excursion exceeds 60 minutes in length and total excursions do not exceed 7 hours and 30 minutes per month. Any excursions below 5.0 and above 10.0 at any time are violations.  |

**S1.B. Mixing zone authorization****Mixing zone for Outfall 001**

The paragraphs below define the maximum boundaries of the mixing zones.

**Chronic mixing zone**

The width of the chronic mixing zone is limited to a distance of 175 feet (53 meters). The length of the chronic mixing zone extends 100 feet (30 meters) upstream and 308 feet (94 meters) downstream of the outfall. The mixing zone extends from the discharge port to the top of the water surface. The concentration of pollutants at the edge of the chronic zone must meet chronic aquatic life criteria and human health criteria.

**Acute mixing zone**

The width of the acute mixing zone is limited to a distance of 18 feet (5 meters) in any horizontal direction from the outfall. The length of the acute mixing zone extends 10 feet (3 meters) upstream and 31 feet (9 meters) downstream of the outfall. The mixing zone extends from the discharge port to the top of the water surface. The concentration of pollutants at the edge of the acute zone must meet acute aquatic life criteria.

| Available Dilution (dilution factor) |    |
|--------------------------------------|----|
| Acute Aquatic Life Criteria          | 9  |
| Chronic Aquatic Life Criteria        | 93 |



| Available Dilution (dilution factor)   |    |
|--|----|
| Human Health Criteria - Carcinogen     | 93 |
| Human Health Criteria - Non-carcinogen | 93 |

**S1.C. Process wastewater and stormwater discharges to Outfall 002**

Beginning on the effective date of this permit, the Permittee is authorized to discharge stormwater runoff, wastewater from potable and demineralized water production, intake air wash unit blowdown, and water from non-radioactive equipment dewatering, leakage, testing, cleaning, and flushing to ground at the permitted location identified on the cover sheet. The discharge shall not cause a violation of the ground water standards (Chapter 173-200 WAC). Existing and beneficial uses of ground water shall be protected. This authorization expires when the flows identified in this section are redirected to the double-lined impoundment required in S7.2 of this permit.

**S1.D Stormwater discharges to ground**

Beginning on the effective date of this permit, the Permittee is authorized to discharge stormwater runoff to underground injection control wells identified in the permit application and any amendments to the application approved by EFSEC. The discharge shall not cause a violation of the ground water standards (Chapter 173-200 WAC). Existing and beneficial uses of ground water shall be protected.

**S2. Monitoring requirements****S2.A. Monitoring schedule**

The Permittee must monitor in accordance with the following schedule and the requirements specified in **Appendix A**.

| Parameter  | Units & Speciation        | Minimum Sampling Frequency           | Sample Type                           |
|--|---------------------------|--------------------------------------|---------------------------------------|
| <b>(1) Circulating Water Blowdown: Outfall 001</b> |                           |                                      |                                       |
| Flow   | million gallons/day (mgd) | Continuous <sup>1</sup>              | Metered/recorded                      |
| pH <sup>2, and 3, 17</sup>                         | standard units            | Continuous                           | Metered/recorded                      |
| Temperature <sup>4 and 5</sup>                     | degrees centigrade (°C)   | Continuous                           | Metered/recorded                      |
| Turbidity  | NTU                       | Monthly <sup>6</sup>                 | Grab <sup>7</sup>                     |
| Total Residual Halogen (TRH) <sup>16</sup>         | milligrams/liter (mg/L)   | Continuous <sup>1</sup>              | Metered/recorded                      |
| Total Residual Halogen                             | milligrams/liter (mg/L)   | 2/treatment, as needed <sup>15</sup> | Grab                                  |
| Copper (Total)                                     | micrograms/liter (µg/L)   | Monthly                              | 24-Hour composite <sup>8</sup>        |
| Chromium (Total)                                   | µg/L                      | Monthly                              | 24-Hour composite <sup>8</sup>        |
| Zinc (Total)                                       | µg/L                      | Monthly                              | 24-Hour composite <sup>8</sup>        |
| Priority Pollutants (PP) – Total Metals            | µg/L; ng/L for mercury    | Annually <sup>9</sup>                | 24-Hour composite<br>Grab for mercury |

| Parameter   | Units & Speciation                    | Minimum Sampling Frequency                               | Sample Type              |
|---|---------------------------------------|--|--------------------------|
| PP – Volatile Organic Compounds   | µg/L                                  | Annually <sup>9</sup>                                    | Grab                     |
| PP – Acid-extractable Compounds   | µg/L                                  | Annually <sup>9</sup>                                    | 24-Hour composite        |
| PP – Base-neutral Compounds   | µg/L                                  | Annually <sup>9</sup>                                    | 24-Hour composite        |
| PP – Dioxin   | pg/L                                  | Annually <sup>9</sup>                                    | 24-Hour composite        |
| Asbestos  | million fibers/liter (MFL)            | 1/Permit Cycle <sup>10</sup>                             | Grab                     |
| <b>(2) Standby Service Water Discharges to Blowdown Line Outfall 001: Pond to be discharged</b>   |                                       |  |                          |
| Volume  | mgd                                   | Continuous <sup>1</sup> or volume estimate <sup>11</sup> | Metered/estimated        |
| pH  | SU                                    | Daily <sup>12</sup>                                      | Grab                     |
| <b>(3) Outfall 002 – The Permittee must monitor until flows are redirected to the evaporative pond.</b>   |                                       |  |                          |
| Chromium (Total)  | µg/L                                  | 2/year <sup>13</sup>                                     | 24-hour composite        |
| Lead (Total)  | µg/L                                  | 2/year   | 24-hour composite        |
| Fluoride  | mg/L                                  | 2/year   | 24-hour composite        |
| Nitrate-Nitrite (as N)  | mg/L                                  | 2/year   | 24-hour composite        |
| Copper (Total)  | µg/L                                  | 2/year   | 24-hour composite        |
| Nickel (Total)  | µg/L                                  | 2/year   | 24-hour composite        |
| Iron (Total)  | µg/L                                  | 2/year   | 24-hour composite        |
| Manganese (Total)   | µg/L                                  | 2/year   | 24-hour composite        |
| Zinc (Total)  | µg/L                                  | 2/year   | 24-hour composite        |
| Chloride  | mg/L                                  | 2/year   | 24-hour composite        |
| Sulfate   | mg/L                                  | 2/year   | 24-hour composite        |
| Total Dissolved Solids  | mg/L                                  | 2/year   | 24-hour composite        |
| pH  | SU                                    | 2/year   | Grab                     |
| Conductivity  | µS/cm                                 | 2/year   | Grab                     |
| <b>(4) Evaporative Pond</b>   |                                       |  |                          |
| Volume  | gallons                               | 1/day – recorded but not reported <sup>14</sup>          | Calculated <sup>14</sup> |
| <b>(5) Evaporative Pond Leak Detection System – The Permittee must monitor in accordance with the approved Leak Detection Plan required in S7.1 and report in accordance with S3.</b> |                                       |  |                          |
| <b>(6) Permit Renewal Application Requirements – Outfall 001</b>  |                                       |  |                          |
| Cyanide   | µg/L                                  | Once in the last year                                    | Grab                     |
| Total Phenolic Compounds  | µg/L                                  | Once in the last year                                    | Grab                     |
| <b>(7) Whole Effluent Toxicity Testing – Circulating Water Blowdown: Outfall 001</b>  |                                       |  |                          |
| Acute Toxicity Testing  | As specified in Special Condition S13 |  |                          |
| Chronic Toxicity Testing  | As specified in Special Condition S14 |  |                          |
| <b>(8) Cooling water withdrawal</b>   |                                       |  |                          |
| Flow  | million gallons/day (mgd)             | Continuous <sup>1</sup>                                  | Metered/recorded         |



| Parameter | Units & Speciation  | Minimum Sampling Frequency | Sample Type |
|-----------|---|----------------------------|-------------|
| 1         | Continuous means uninterrupted except for brief lengths of time for calibration, power failure, or unanticipated equipment repair or maintenance. The Permittee must sample daily when continuous monitoring is not possible.   |                            |             |
| 2         | The Permittee must report the instantaneous maximum and minimum pH monthly. Do not average pH values.   |                            |             |
| 3         | <p>The Permittee must record and report the:</p> <ul style="list-style-type: none"> <li>Number of minutes the pH value measured between 5.0 and 6.5 and between 9.0 and 10.0 for each day.</li> <li>Total minutes for the month.</li> <li>Monthly instantaneous maximum and minimum pH.</li> </ul> <p>If multiple excursions occur during the day, note the duration for each excursion. If submitting electronic DMRs, include this additional information in the parameter notes.</p> |                            |             |
| 4         | Temperature grab sampling must occur when the effluent is at or near its daily maximum temperature, which usually occurs in the late afternoon. If measuring temperature continuously, the Permittee must determine and report a daily maximum from half-hour measurements in a 24-hour period. Continuous monitoring instruments must achieve an accuracy of 0.2 degrees C and the Permittee must verify accuracy annually.  |                            |             |
| 5         | The sampling point for temperature is at the Circulating Water Pumphouse (CWP) until monitoring equipment is operational in the River Pumphouse (RP). The Permittee may maintain temperature monitoring equipment at the CWP for use during maintenance and outages of equipment at the RP. The Permittee must inform EFSEC on the monthly report when the RP is operational, and thereafter when reported results contain data from the CWP.   |                            |             |
| 6         | Monthly means once every calendar month.  |                            |             |
| 7         | Grab means an individual sample collected over a fifteen (15) minute, or less, period.  |                            |             |
| 8         | A Grab sample may be substituted for 24-Hour composite sampling until equipment installed as required in Section S7.8 is operational. The Permittee must inform EFSEC on the monthly report of the sample type.   |                            |             |
| 9         | If the Permittee submits engineering calculations which demonstrate that the regulated pollutants are not detectable in the final discharge by the analytical methods in 40 CFR part 136, annual monitoring is not required. The Permittee must, at a minimum, sample once in the last year to meet permit renewal application requirements. See Appendix A to identify the specific pollutants in the priority pollutant groups listed.  |                            |             |
| 10        | Asbestos grab sampling must occur once during the permit cycle when the circulating water cooling system is operating at an average number of cycles of concentration and only blowdown is being discharged. Test results must be submitted with the application for permit renewal.  |                            |             |
| 11        | Volumes of batch releases of water for pond draining may be estimated based on level measurements. Feed-and-bleed discharges made directly to the blowdown line must be measured by flow meter.   |                            |             |
| 12        | Prior to commencement of discharges, the Permittee must verify that pH is within specified limits. Measurements must be taken daily while discharge is in progress.   |                            |             |
| 13        | Samples must represent a typical facility discharge to Outfall 002. The Permittee must collect one sample annually between March 15 – May 15 and one sample annually between September 15 – November 15.  |                            |             |
| 14        | Monitor all pond influent flows, add, and report total volume for the month on the discharge monitoring report.   |                            |             |
| 15        | <u>Conduct batch sampling procedure prior to commencing discharge in the event the continuous monitor becomes inoperable for any reason.</u>  |                            |             |
| 16        | <u>Report maximum daily concentration of TRH.</u>   |                            |             |
| 17        | <u>The compliance point for pH is downstream of the dehalogenation tie-in to Outfall 001.</u>   |                            |             |

**S2.B. Sampling and analytical procedures**

Samples and measurements taken to meet the requirements of this permit must represent the volume and nature of the monitored parameters, including representative sampling of any unusual discharge or discharge condition, including bypasses, upsets, and maintenance-related conditions affecting effluent quality.

Sampling and analytical methods used to meet the monitoring requirements specified in this permit must conform to the latest revision of the *Guidelines Establishing Test Procedures for the Analysis of Pollutants* contained in 40 CFR Part 136 (or as applicable in 40 CFR subchapters N [Parts 400–471] or O [Parts 501–503]) unless otherwise specified in this permit. EFSEC may only specify alternative methods for parameters without limits and for those parameters without an EPA approved test method in 40 CFR Part 136.

**S2.C. Flow measurement, field measurement, and continuous monitoring devices**

The Permittee must:

1. Select and use appropriate flow measurement, field measurement, and continuous monitoring devices and methods consistent with accepted scientific practices.
2. Install, calibrate, and maintain these devices to ensure the accuracy of the measurements is consistent with the accepted industry standard and the manufacturer's recommendation for that type of device.
3. Calibrate continuous monitoring instruments for the following parameters weekly unless it can demonstrate a longer period is sufficient based on monitoring records. The Permittee:
  - a. May calibrate apparatus for continuous monitoring of dissolved oxygen by air calibration.
  - b. Must calibrate continuous pH measurement instruments using a grab sample analyzed in the lab with a pH meter calibrated with standard buffers and analyzed within 15 minutes of sampling.
  - c. Must calibrate continuous chlorine measurement instruments using a grab sample analyzed in the laboratory within 15 minutes of sampling.
4. Use field measurement devices as directed by the manufacturer and do not use reagents beyond their expiration dates.
5. Calibrate flow-monitoring devices at a minimum frequency of at least one calibration per year.
6. Maintain calibration records for at least three years.



#### **S2.D. Laboratory accreditation**

The Permittee must ensure that all monitoring data required by EFSEC for permit specified parameters is prepared by a laboratory registered or accredited under the provisions of chapter 173-50 WAC, *Accreditation of Environmental Laboratories*. Flow, temperature, settleable solids, conductivity, pH, and internal process control parameters are exempt from this requirement.

#### **S2.E. Request for reduction in monitoring**

The Permittee may request a reduction of the sampling frequency after twelve (12) months of monitoring. EFSEC will review each request and at its discretion grant the request when it reissues the permit or by a permit modification.

The Permittee must:

1. Provide a written request.
2. Clearly state the parameters for which it is requesting reduced monitoring.
3. Clearly state the justification for the reduction.

### **S3. Reporting and recording requirements**

The Permittee must monitor and report in accordance with the following conditions. Falsification of information submitted to Council is a violation of the terms and conditions of this permit.

#### **S3.A. Reporting**

The first monitoring period begins on the effective date of the permit. The Permittee must:

1. Summarize, report, and submit monitoring data obtained during each monitoring period on the electronic Discharge Monitoring Report (DMR) form provided by Ecology within WQWebDMR. Include data for each of the parameters tabulated in Special Condition S2 and as required by the form. Report a value for each day sampling occurred (unless specifically exempted in the permit) and for the summary values (when applicable) included on the electronic form.

To find out more information and to sign up for WQWebDMR go to:  
<http://www.ecy.wa.gov/programs/wq/permits/paris/webdmr.html>

2. Enter the "no discharge" reporting code for an entire DMR, for a specific monitoring point, or for a specific parameter as appropriate, if the Permittee did not discharge wastewater or a specific pollutant during a given monitoring period.
3. Report single analytical values below detection as "less than the detection level (DL)" by entering < followed by the numeric value of the detection level (e.g. < 2.0) on the DMR. If the method used did not meet the minimum DL

and quantitation level (QL) identified in the permit, report the actual QL and DL in the comments or in the location provided.

4. Report the test method used for analysis in the comments if the laboratory used an alternative method not specified in the permit and as allowed in Appendix A.
5. Calculate average values (unless otherwise specified in the permit) using:
  - a. The reported numeric value for all parameters measured between the agency-required detection value and the agency-required quantitation value.
  - b. One-half the detection value (for values reported below detection) if the lab detected the parameter in another sample for the reporting period.
  - c. Zero (for values reported below detection) if the lab did not detect the parameter in another sample for the reporting period.
6. Report single-sample grouped parameters (for example priority pollutants, PAHs, pulp and paper chlorophenolics, TTOs) on the WQWebDMR form and include: sample date, concentration detected, detection limit (DL) (as necessary), and laboratory quantitation level (QL) (as necessary). The Permittee must also submit an electronic PDF copy of the laboratory report using WQWebDMR.

If the Permittee has obtained a waiver from electronic reporting or if submitting prior to the compliance date, the Permittee must submit a paper copy of the laboratory report providing the following information: date sampled, sample location, date of analysis, parameter name, CAS number, analytical method/number, detection limit (DL), laboratory quantitation level (QL), reporting units, and concentration detected.

The contract laboratory reports must also include information on the chain of custody, QA/QC results, and documentation of accreditation for the parameter.

7. Ensure that DMRs are electronically submitted no later than the dates specified below, unless otherwise specified in this permit.

If the Permittee has obtained a waiver, it must ensure that paper forms are postmarked or received by EFSEC no later than the dates specified below, unless otherwise specified in this permit.

8. Submit DMRs for parameters with the monitoring frequencies specified in S2 (monthly, quarterly, annual, etc.) at the reporting schedule identified below. The Permittee must:
  - a. Submit **monthly** DMRs by the 15<sup>th</sup> day of the following month.



- b. Submit **annual DMRs**, unless otherwise specified in the permit, by January 15 for the previous calendar year. The annual sampling period is the calendar year.
  - c. Submit **semiannual DMRs**, unless otherwise specified in the permit, by July 15 and January 15 of each year. Semiannual sampling periods are January through June, and July through December.
  - d. Submit permit renewal application monitoring data in WQWebDMR as required in Special Condition S2 by 5/1/2019. If the Permittee has obtained a waiver from EFSEC, it must submit the permit renewal application monitoring data in a report by 5/1/2019.
9. Submit reports to EFSEC online using Ecology's electronic WQWebDMR submittal forms (electronic DMRs) as required above. Send paper reports to:

EFSEC  
P.O. Box 43172  
Olympia, WA 98504-3172

Department of Ecology  
Richland Office  
Attn: Columbia Generating Station Monitoring  
3100 Port of Benton Blvd.  
Richland, WA 99354

### **S3.B. Records retention**

The Permittee must retain records of all monitoring information for a minimum of three (3) years. Such information must include all calibration and maintenance records and all original recordings for continuous monitoring instrumentation, copies of all reports required by this permit, and records of all data used to complete the application for this permit. The Permittee must extend this period of retention during the course of any unresolved litigation regarding the discharge of pollutants by the Permittee or when requested by EFSEC.

### **S3.C. Recording of results**

For each measurement or sample taken, the Permittee must record the following information:

1. The date, exact place, method, and time of sampling or measurement.
2. The individual who performed the sampling or measurement.
3. The dates the analyses were performed.
4. The individual who performed the analyses.
5. The analytical techniques or methods used.
6. The results of all analyses.

**S3.D. Additional monitoring by the Permittee**

If the Permittee monitors any pollutant more frequently than required by Special Condition S2 of this permit, then the Permittee must include the results of such monitoring in the calculation and reporting of the data submitted in the Permittee's DMR unless otherwise specified by Special Condition S2.

**S3.E. Reporting permit violations**

The Permittee must take the following actions when it violates or is unable to comply with any permit condition:

1. Immediately take action to stop, contain, and cleanup unauthorized discharges or otherwise stop the noncompliance and correct the problem.
2. If applicable, immediately repeat sampling and analysis. Submit the results of any repeat sampling to EFSEC within thirty (30) days of sampling.

**a. Immediate reporting**

The Permittee must immediately report to the Department of Ecology, EFSEC, and the Department of Health, Drinking Water Program (at the numbers listed below), all:

- Failures of the disinfection system.
- Plant bypasses discharging to a waterbody used as a source of drinking water.

|                                  |                                     |
|----------------------------------|-------------------------------------|
| Ecology, Central Regional Office | 509-575-2490                        |
| EFSEC                            | 360-956-2121                        |
| Department of Health,            | 800-521-0323 (business hours)       |
| Drinking Water Program           | 877-481-4901 (after business hours) |

**b. Twenty-four-hour reporting**

The Permittee must report the following occurrences of noncompliance by telephone, to EFSEC at the telephone number listed above, within 24 hours from the time the Permittee becomes aware of any of the following circumstances:

1. Any noncompliance that may endanger health or the environment, unless previously reported under immediate reporting requirements.
2. Any unanticipated bypass that causes an exceedance of any effluent limit in the permit (See Part S4.B., "Bypass Procedures").
3. Any upset that causes an exceedance of an effluent limit in the permit (See G.15, "Upset").



4. Any violation of a maximum daily or instantaneous maximum discharge limit for any of the pollutants in Section S1.A of this permit.
5. Any overflow prior to the treatment works, whether or not such overflow endangers health or the environment or exceeds any effluent limit in the permit.

**c. Report within five days**

The Permittee must also submit a written report within five days of the time that the Permittee becomes aware of any reportable event under subparts a or b, above. The report must contain:

1. A description of the noncompliance and its cause.
2. The period of noncompliance, including exact dates and times.
3. The estimated time the Permittee expects the noncompliance to continue if not yet corrected.
4. Steps taken or planned to reduce, eliminate, and prevent recurrence of the noncompliance.
5. If the noncompliance involves an overflow prior to the treatment works, an estimate of the quantity (in gallons) of untreated overflow.

**d. Waiver of written reports**

EFSEC may waive the written report required in subpart c, above, on a case-by-case basis upon request if the Permittee has submitted a timely oral report.

**e. All other permit violation reporting**

The Permittee must report all permit violations, which do not require immediate or within 24 hours reporting, when it submits monitoring reports for S3.A ("Reporting"). The reports must contain the information listed in subpart c, above. Compliance with these requirements does not relieve the Permittee from responsibility to maintain continuous compliance with the terms and conditions of this permit or the resulting liability for failure to comply.

**f. Report Submittal**

The Permittee must submit reports to the address listed in S3.

**S3.F. Other reporting**

**a. Spills of Oil or Hazardous Materials**

The Permittee must report a spill of oil or hazardous materials in accordance with the requirements of RCW 90.56.280 and chapter 173-303-145 WAC.

You can obtain further instructions at the following website:  
<http://www.ecy.wa.gov/programs/spills/other/reportaspill.htm>.

**b. Failure to submit relevant or correct facts**

Where the Permittee becomes aware that it failed to submit any relevant facts in a permit application, or submitted incorrect information in a permit application, or in any report to EFSEC, it must submit such facts or information promptly.

**S3.G. Maintaining a copy of this permit**

The Permittee must keep a copy of this permit at the facility and make it available upon request to EFSEC or Ecology inspectors.

**S4. Operation and maintenance**

The Permittee must, at all times, properly operate and maintain all facilities or systems of treatment and control (and related appurtenances), which are installed to achieve compliance with the terms and conditions of this permit. Proper operation and maintenance also includes keeping a daily operation logbook (paper or electronic), adequate laboratory controls, and appropriate quality assurance procedures. This provision of the permit requires the Permittee to operate backup or auxiliary facilities or similar systems only when the operation is necessary to achieve compliance with the conditions of this permit.

**S4.A. Operations and maintenance (O&M) manual**

**a. O&M manual submittal and requirements**

The Permittee must:

1. Prepare an O&M Manual for the evaporative pond system and associated piping that meets the requirements of 173-240-150 WAC and submit it to EFSEC for approval by December 1, 2014. The Permittee must submit a paper copy and an electronic copy (preferably in a portable document format (PDF)).
2. Submit to EFSEC for review substantial changes or updates to the O&M Manual whenever it incorporates them into the manual. The Permittee must submit a paper copy and an electronic copy (preferably as a PDF).
3. Submit to EFSEC the latest version of the evaporative pond and circulating water system O&M Manual with the next application for permit renewal (May 1, 2019).
4. Keep the approved O&M Manual at the permitted facility.
5. Follow the instructions and procedures of this manual.



#### **S4.B. Bypass procedures**

This permit prohibits a bypass, which is the intentional diversion of waste streams from any portion of a treatment facility.

EFSEC may take enforcement action against a Permittee for a bypass unless one of the following circumstances (1, 2, or 3) applies.

1. Bypass for essential maintenance without the potential to cause violation of permit limits or conditions.

This permit authorizes a bypass if it allows for essential maintenance and does not have the potential to cause violations of limits or other conditions of this permit, or adversely impact public health as determined by EFSEC prior to the bypass. The Permittee must submit prior notice, if possible, at least ten (10) days before the date of the bypass.

2. Bypass is unavoidable, unanticipated, and results in noncompliance of this permit.

This permit authorizes such a bypass only if:

- a. Bypass is unavoidable to prevent loss of life, personal injury, or severe property damage. "Severe property damage" means substantial physical damage to property, damage to the treatment facilities which would cause them to become inoperable, or substantial and permanent loss of natural resources which can reasonably be expected to occur in the absence of a bypass.
  - b. No feasible alternatives to the bypass exist, such as:
    - The use of auxiliary treatment facilities.
    - Retention of untreated wastes.
    - Stopping production.
    - Maintenance during normal periods of equipment downtime, but not if the Permittee should have installed adequate backup equipment in the exercise of reasonable engineering judgment to prevent a bypass.
    - Transport of untreated wastes to another treatment facility or preventative maintenance), or transport of untreated wastes to another treatment facility.
  - c. The Permittee has properly notified EFSEC of the bypass as required in Special Condition S3.E of this permit.
3. If bypass is anticipated and has the potential to result in noncompliance of this permit.
    - a. The Permittee must notify EFSEC at least thirty (30) days before the planned date of bypass. The notice must contain:
      - A description of the bypass and its cause.

- An analysis of all known alternatives which would eliminate, reduce, or mitigate the need for bypassing.
  - A cost-effectiveness analysis of alternatives including comparative resource damage assessment.
  - The minimum and maximum duration of bypass under each alternative.
  - A recommendation as to the preferred alternative for conducting the bypass.
  - The projected date of bypass initiation.
  - A statement of compliance with SEPA.
  - A request for modification of water quality standards as provided for in WAC 173-201A-410, if an exceedance of any water quality standard is anticipated.
  - Details of the steps taken or planned to reduce, eliminate, and prevent reoccurrence of the bypass.
- b. For probable construction bypasses, the Permittee must notify EFSEC of the need to bypass as early in the planning process as possible. The Permittee must consider the analysis required above during preparation of the engineering report or facilities plan and plans and specifications and must include these to the extent practical. In cases where the Permittee determines the probable need to bypass early, the Permittee must continue to analyze conditions up to and including the construction period in an effort to minimize or eliminate the bypass.
- c. EFSEC will consider the following prior to issuing an administrative order for this type of bypass:
- If the bypass is necessary to perform construction or maintenance-related activities essential to meet the requirements of this permit.
  - If feasible alternatives to bypass exist, such as the use of auxiliary treatment facilities, retention of untreated wastes, stopping production, maintenance during normal periods of equipment down time, or transport of untreated wastes to another treatment facility.
  - If the Permittee planned and scheduled the bypass to minimize adverse effects on the public and the environment.

After consideration of the above and the adverse effects of the proposed bypass and any other relevant factors, EFSEC will approve or deny the request. EFSEC will give the public an opportunity to comment on bypass incidents of significant duration, to the extent feasible. EFSEC will approve a request to bypass by issuing an administrative order under RCW 90.48.120.



## **S5. Solid wastes**

### **S5.A. Solid waste handling**

The Permittee must handle and dispose of all solid waste material in such a manner as to prevent its entry into state ground or surface water.

The Permittee must follow the procedures in EFSEC Resolution No. 299 or the most current resolution pertaining to the disposal of sediments from the cooling water system and double-lined impoundment.

### **S5.B. Leachate**

The Permittee must not allow leachate from its solid waste material to enter state waters without providing all known, available, and reasonable methods of treatment, nor allow such leachate to cause violations of the State Surface Water Quality Standards, Chapter 173-201A WAC, or the State Ground Water Quality Standards, Chapter 173-200 WAC. The Permittee must apply for a permit or permit modification as may be required for such discharges to state ground or surface waters.

### **S5.C. Solid waste control plan**

The Permittee must submit all proposed revisions or modifications to the solid waste control plan to EFSEC for review and approval at least 30 days prior to implementation. The Permittee must comply with the approved solid waste control plan and any modifications once approved. The Permittee must submit an update of the solid waste control plan by May 1, 2019. The Permittee must submit a paper copy and an electronic copy (preferably as a PDF).

## **S6. Application for permit renewal or modification for facility changes**

The Permittee must submit an application for renewal of this permit by May 1, 2019. The Permittee must submit a paper copy and an electronic copy (preferably as a PDF).

The Permittee must also submit a new application or supplement at least one hundred eighty (180) days prior to commencement of discharges, resulting from the activities listed below, which may result in permit violations. These activities include any facility expansions, production increases, or other planned changes, such as process modifications, in the permitted facility.

## **S7. Compliance schedule**

By the dates tabulated below, the Permittee must complete the following tasks and submit a report describing, at a minimum:

- Whether it completed the task and, if not, the date on which it expects to complete the task.
- The reasons for delay and the steps it is taking to return the project to the established schedule.

|   | Tasks  | Date Due         |
|---|--|------------------|
| Outfall 002                             |  |                  |
| 1.                                      | Submit an Operation and Maintenance (O&M) Manual for the planned double-lined impoundment to EFSEC for review and approval.<br><br>In addition to the requirements of Chapter 173-240-150 WAC, the O&M Manual must include a leak detection plan to monitor or test for the structural integrity of the impoundment liner.   | December 1, 2014 |
| 2.                                      | Complete installation of the double-lined impoundment and submit a Notice of Completion to EFSEC.  | May 1, 2015      |
| Circulating cooling water system losses |  |                  |
| 3.                                      | Submit a scope of work for analysis of circulating cooling water system losses to EFSEC for review and approval.<br><br>The scope of work must include plans for how the analysis will be conducted. The analysis must include a methodology to estimate the quantity of water losses. The methodology must include a proposal for mounding analysis, as well as recommendations for water quality sampling and water level measurements based on previous findings. | November 1, 2016 |
| 4.                                      | Submit an approvable engineering report in accordance with Chapter 173-240 WAC for circulating cooling water system losses to EFSEC for review and approval.   | May 1, 2019      |
| Groundwater monitoring                  |  |                  |
| 5.                                      | Submit an update to the <i>Ground Water Quality Study Quality Assurance Project Plan (QAPP)</i> prepared as a requirement under the previous permit to EFSEC for review and approval.<br><br>The update must address changes to the QAPP required due to both on-the-ground changes and findings of studies completed to-date.   | May 1, 2015      |
| 6.                                      | Submit an update to the <i>Ground Water Quality Study Quality Assurance Project Plan (QAPP)</i> to EFSEC for review and approval.<br><br>The update must address the findings of Tasks 1-5 above.  | May 1, 2019      |
| Outfall 001 temperature monitoring      |  |                  |



|                                | Tasks   | Date Due         |
|--------------------------------|---|------------------|
| 7.                             | Relocate temperature monitoring and reporting location to the River Pump house. Update the O&M Manual to address this change.   | November 1, 2015 |
| Outfall 001 composite sampling |   |                  |
| 8.                             | Install sampling equipment capable of collecting 24-Hour composite and grab samples for parameters specified in Section S2 and begin sampling using this method as soon as possible following installation. Update the O&M Manual to address this change. | November 1, 2015 |

**S8. Non-routine and unanticipated discharges**

1. Beginning on the effective date of this permit, the Permittee is authorized to discharge non-routine wastewater on a case-by-case basis if approved by EFSEC. Prior to any such discharge, the Permittee must contact EFSEC and at a minimum provide the following information:
  - a. The proposed discharge location
  - b. The nature of the activity that will generate the discharge
  - c. Any alternatives to the discharge, such as reuse, storage, or recycling of the water
  - d. The total volume of water it expects to discharge
  - e. The results of the chemical analysis of the water
  - f. The date of proposed discharge
  - g. The expected rate of discharge discharged, in gallons per minute
2. The Permittee must analyze the water for all constituents limited for the discharge and report them as required by subpart 1.e above. The analysis must also include any parameter deemed necessary by EFSEC. All discharges must comply with the effluent limits as established in Special Condition S1 of this permit, water quality standards, and any other limits imposed by EFSEC.
3. The Permittee must limit the discharge rate, as referenced in subpart 1.g above, so it will not cause erosion of ditches or structural damage to culverts and their entrances or exits.
4. The discharge cannot proceed until EFSEC has reviewed the information provided and has authorized the discharge by letter to the Permittee or by an Administrative Order. Once approved and if the proposed discharge is to a municipal storm drain, the Permittee must obtain prior approval from the municipality and notify it when it plans to discharge.

## **S9. Spill control plan**

### **S9.A. Spill control plan submittals and requirements**

The Permittee must:

1. Submit to EFSEC an update to the existing *Oil and Hazardous Substances Spill Prevention, Control and Counter-Measure Plan* by May 1, 2019. The Permittee must submit a paper copy and an electronic copy (preferably as a PDF).
2. Update the spill plan as needed.
3. Send changes to the plan to EFSEC.
4. Follow the plan and any supplements throughout the term of the permit.

### **S9.B. Spill control plan components**

The spill control plan must include the following:

1. A list of all bulk oil and petroleum products and other materials used and/or stored on-site, which when spilled, or otherwise released into the environment, designate as Dangerous Waste (DW) or Extremely Hazardous Waste (EHW) by the procedures set forth in WAC 173-303-070. Include other materials used and/or stored on-site which may become pollutants or cause pollution upon reaching state's waters.
2. A description of preventive measures and facilities (including an overall facility plot showing drainage patterns) which prevent, contain, or treat spills of these materials.
3. A description of the reporting system the Permittee will use to alert responsible managers and legal authorities in the event of a spill.
4. A description of operator training to implement the plan.

The Permittee may submit plans and manuals required by 40 CFR Part 112, contingency plans required by Chapter 173-303 WAC, or other plans required by other agencies, which meet the intent of this section.

## **S10. Stormwater pollution prevention plan**

The Permittee must prepare and implement a Stormwater Pollution Prevention Plan (SWPPP) in accordance with the requirements of this permit. The SWPPP must be submitted to EFSEC by November 1, 2015. The SWPPP and all of its modifications must be signed in accordance with General Condition G1. Retain the SWPPP on-site.

### **S10.A. Stormwater pollution prevention plan (SWPPP) general requirements**

The Permittee must:

1. Provide all known, available, and reasonable methods of prevention, control, and treatment (AKART) of stormwater pollution.



2. Prevent violations of surface water quality, ground water quality, or sediment management standards.
3. Comply with applicable federal technology-based treatment requirements under 40 CFR 125.3.
4. Modify the SWPPP whenever there is a change in design, construction, operation, or maintenance at the facility that significantly changes the nature of pollutants discharged in stormwater from the facility, or significantly increases the quantity of pollutants discharged.
5. Send modifications to the plan to EFSEC.
6. Follow the plan and any supplements throughout the term of the permit.

#### **S10.B. SWPPP components**

The Permittee must prepare the SWPPP in accordance with the guidance provided in the *Stormwater Pollution Prevention Planning for Industrial Facilities* (Ecy Pub. No. 04-10-030, <http://www.ecy.wa.gov/biblio/0410030.html>). The SWPPP may include applicable portions of plans prepared for other purposes at the facility. Plans or portions of plans incorporated into the SWPPP become enforceable requirements of this permit.

The SWPPP must include the following elements:

1. A site map.
2. Assessment and description of existing and potential pollutant sources.
3. A description of the operational best management practices (BMPs).
4. A description of the selected source-control BMPs.
5. When necessary, a description of the erosion and sediment control BMPs.
6. When necessary, a description of the treatment BMPs.
7. An implementation schedule.

#### **S10.C. SWPPP implementation**

The Permittee must conduct two inspections per year – one during the wet season (October 1 – April 30) and the other during the dry season (May 1 – September 30).

1. The wet season inspection must be conducted during a rainfall event by personnel named in the SWPPP to verify that the description of potential pollutant sources required under this permit are accurate; the site map as required in the SWPPP has been updated or otherwise modified to reflect current conditions; and the controls to reduce pollutants in stormwater discharges associated with industrial activities identified in the SWPPP are being implemented and are adequate. The wet weather inspection must include observations of the presence of floating materials, suspended

solids, oil and grease, discolorations, turbidity, odor, etc. in the stormwater discharge(s).

2. Personnel named in the SWPPP must conduct the dry season inspection. The inspection must determine the presence of unpermitted non-stormwater discharges such as domestic wastewater, noncontact cooling water, or process water to the stormwater system. If an unpermitted, non-stormwater discharge is discovered, the Permittee must immediately notify EFSEC.

#### **S10.D. SWPPP evaluation**

The Permittee must evaluate whether measures to reduce pollutant loadings identified in the SWPPP are adequate and properly implemented in accordance with the terms of the permit or whether additional controls are needed. A record must be maintained summarizing the results of inspections and include a certification, in accordance with General Condition G1, that the facility is in compliance with the plan and in compliance with the permit. The record must identify any incidents of noncompliance.

#### **S11. Outfall evaluation**

The Permittee must inspect, every five years, the submerged portion of the outfall line and diffuser to document its integrity and continued function. If conditions allow for a photographic verification, the Permittee must include such verification in the report. By May 1, 2019, the Permittee must submit the inspection report to EFSEC.

#### **S12. Cooling water intake structure**

The Permittee must ensure that the cooling water intake structure (CWIS) is designed, operated, and maintained to minimize adverse environmental impact as follows.

##### **S12.A. Operations and maintenance (O&M) manual**

The Permittee must, at all times, properly operate and maintain the CWIS including any technology used to minimize impingement and entrainment.

##### **1. O&M manual submittal and requirements**

The Permittee must:

- a. Prepare an O&M Manual for the CWIS and submit it to EFSEC for approval by November 1, 2015. The Permittee must submit a paper copy and an electronic copy (preferably in a portable document format (PDF)).
- b. Submit to EFSEC for review substantial changes or updates to the O&M Manual whenever it incorporates them into the manual. The Permittee must submit a paper copy and an electronic copy (preferably as a PDF).
- c. Keep the approved O&M Manual at the permitted facility.
- d. Follow the instructions and procedures of this manual.



## **2. O&M manual components**

The O&M manual must include:

- a. Procedures for evaluating impingement as required in S12.A.3.
- b. Procedures for evaluating entrainment as required in S12.A.4.
- c. Procedures for reporting any significant impingement or entrainment to EFSEC by telephone at 360-956-2121 within 24 hours.

## **3. Impingement evaluation**

The O&M manual must include procedures for evaluating impingement of any life stages of fish and shellfish on the outer surface of the intake structure, including where feasible:

- a. Visual or remote monitoring during times when the cooling water intake structure is operational, at least weekly.
  1. If conditions allow for a photographic verification, the Permittee must include such verification in the inspection.
- b. Document inspection dates, findings, and any maintenance performed.

## **4. Entrainment evaluation**

Following completion of the entrainment characterization study required in S12.B, the O&M manual must be revised to include procedures for on-going evaluation of entrainment of any life stages of fish and shellfish downstream of the outer surface of the intake structure, including where feasible:

- a. Visual or remote monitoring during times when the cooling water intake structure is operational, at least weekly.
  1. If conditions allow for a photographic verification, the Permittee must include such verification in the inspection.
- b. Document inspection dates, findings, and any maintenance performed.

### **S12.B. Entrainment Characterization Study**

The Permittee must prepare and conduct an entrainment characterization study consistent with the content requirements in 40 CFR 122.21(r) (9).

#### **1. Study design**

The Permittee must:

- a. Prepare documentation of the proposed entrainment characterization study design and submit it to EFSEC for approval by November 1, 2015. The Permittee must submit a paper copy and an electronic copy (preferably in a portable document format (PDF)).

## **2. Study implementation**

The Permittee must:

- a. Following EFSEC approval of the study design referenced in S12.B.1, conduct the entrainment characterization study according to the approved design.
- b. Submit the final entrainment characterization study to EFSEC by May 1, 2019. The Permittee must submit a paper copy and an electronic copy (preferably in a portable document format (PDF)).

## **3. Engineering analysis**

If the final entrainment characterization study report, or any other monitoring, indicates significant entrainment or impingement of federally-listed threatened and endangered species, the Permittee must:

- a. Prepare an engineering analysis, including costs and benefits associated with replacement of the intake structure consistent with approvable design criteria.
- b. Submit the final engineering analysis report to EFSEC by May 1, 2019. The Permittee must submit a paper copy and an electronic copy (preferably in a portable document format (PDF)).

## **4. Suspension of Entrainment Characterization Study**

If, at any time during the permit term, the Permittee elects to proceed with the above engineering analysis and replace the intake structure with approvable design criteria, the entrainment characterization study can be suspended.

### **S12.C. Closed-cycle recirculating system**

The Permittee must continue to operate a closed-cycle recirculating system as defined at 40 CFR 125.92(c):

1. Monitor closed-cycle operation in accordance with S2.A (8).

### **S12.D. Endangered Species Act**

Nothing in this permit authorizes take for the purposes of a facility's compliance with the Endangered Species Act.

## **S13. Acute toxicity**

### **S13.A. Effluent limit for acute toxicity**

The effluent limit for acute toxicity is:

No acute toxicity detected in a test concentration representing the acute critical effluent concentration (ACEC).



The ACEC means the maximum concentration of effluent during critical conditions at the boundary of the acute mixing zone, defined in Section S1.B of this permit. The ACEC equals 11% effluent.

#### **SSS13.B. Compliance with the effluent limit for acute toxicity**

Compliance with the effluent limit for acute toxicity means the results of the testing specified in Section C show no statistically significant difference in survival between the control and the ACEC.

If the test results show a statistically significant difference in survival between the control and the ACEC, and EFSEC has not determined the test result to be anomalous under Section D, and the test is otherwise valid, the result is a violation of the effluent limit for acute toxicity. The Permittee must immediately conduct the additional testing described in Section D.

The Permittee must determine the statistical significance by conducting a hypothesis test at the 0.05 level of significance (Appendix H, EPA/600/4-89/001). If the difference in survival between the control and the ACEC is less than 10%, the Permittee must conduct the hypothesis test at the 0.01 level of significance.

#### **SSS13.C. Compliance testing for acute toxicity**

The Permittee must:

1. Perform the acute toxicity tests with 100% effluent, the ACEC, and a control, or with a full dilution series.
2. Conduct quarterly acute toxicity testing on the final effluent. Testing must begin by January 1, 2015. Quarters means January through March, April through June, July through September, and October through December.
3. Submit a quarterly written report to EFSEC within 45 days of sampling and starting no later than April 30, 2015. Each subsequent report is due on April 30<sup>th</sup>, July 30<sup>th</sup>, October 30<sup>th</sup>, and January 30<sup>th</sup> of each year. Further instructions on testing conditions and test report content are in Section E below.
4. The Permittee must perform compliance tests using each of the species and protocols listed below on a rotating basis:

| Acute Toxicity Tests                       | Species  | Method           |
|--|--|------------------|
| Fathead minnow 96-hour static-renewal test | <i>Pimephales promelas</i>   | EPA-821-R-02-012 |
| Daphnid 48-hour static test                | <i>Ceriodaphnia dubia</i> ,<br><i>Daphnia pulex</i> , or<br><i>Daphnia magna</i> | EPA-821-R-02-012 |

#### **SSS13.D. Response to noncompliance with the effluent limit for acute toxicity**

If a toxicity test conducted under Section C determines a statistically significant difference in response between the ACEC and the control, using the statistical test

described in Section B, the Permittee must begin additional testing within one week from the time of receiving the test results. The Permittee must:

1. Conduct one additional test each week for four consecutive weeks, using the same test and species as the failed compliance test.
2. Test at least five effluent concentrations and a control to determine appropriate point estimates. One of these effluent concentrations must equal the ACEC. The results of the test at the ACEC will determine compliance with the effluent limit for acute toxicity as described in Section B.
3. Return to the original monitoring frequency in Section C after completion of the additional compliance monitoring.

**Anomalous test results:** If a toxicity test conducted under Section C indicates noncompliance with the acute toxicity limit and the Permittee believes that the test result is anomalous, the Permittee may notify EFSEC that the compliance test result may be anomalous. The Permittee may take one additional sample for toxicity testing and wait for notification from EFSEC before completing the additional testing. The Permittee must submit the notification with the report of the compliance test result and identify the reason for considering the compliance test result to be anomalous.

If EFSEC determines that the test result was not anomalous, the Permittee must complete all of the additional monitoring required in this section. Or,

If the one additional sample fails to comply with the effluent limit for acute toxicity, then the Permittee must complete all of the additional monitoring required in this section. Or,

If EFSEC determines that the test result was anomalous, the one additional test result will replace the anomalous test result.

If all of the additional testing in S13.D.1 and 2 complies with the permit limit, the Permittee must submit a report to EFSEC on possible causes and preventive measures for the transient toxicity event, which triggered the additional compliance monitoring. This report must include a search of all pertinent and recent facility records, including:

- a. Operating records
- b. Monitoring results
- c. Inspection records
- d. Spill reports
- e. Weather records
- f. Production records
- g. Raw material purchases
- h. Pretreatment records, etc.

If the additional testing in this section shows another violation of the acute toxicity limit, the Permittee must submit a Toxicity Identification/Reduction



Evaluation (TI/RE) plan to EFSEC within sixty (60) days after the sample date (WAC 173-205-100(2)).

**SSS13.E. Sampling and reporting requirements**

1. The Permittee must submit all reports for toxicity testing in accordance with the most recent version of Ecology Publication No. WQ-R-95-80, *Laboratory Guidance and Whole Effluent Toxicity Test Review Criteria*. Reports must contain bench sheets and reference toxicant results for test methods. If the lab provides the toxicity test data in electronic format for entry into Ecology's database, then the Permittee must send the data to Ecology along with the test report, bench sheets, and reference toxicant results.
2. The Permittee must collect grab samples for toxicity testing. The Permittee must cool the samples to 0 - 6 degrees Celsius during collection and send them to the lab immediately upon completion. The lab must begin the toxicity testing as soon as possible but no later than 36 hours after sampling was completed.
3. The laboratory must conduct water quality measurements on all samples and test solutions for toxicity testing, as specified in the most recent version of Ecology Publication No. WQ-R-95-80, *Laboratory Guidance and Whole Effluent Toxicity Test Review Criteria*.
4. All toxicity tests must meet quality assurance criteria and test conditions specified in the most recent versions of the EPA methods listed in Subsection C and the Ecology Publication No. WQ-R-95-80, *Laboratory Guidance and Whole Effluent Toxicity Test Review Criteria*. If EFSEC determines any test results to be invalid or anomalous, the Permittee must repeat the testing with freshly collected effluent.
5. The laboratory must use control water and dilution water meeting the requirements of the EPA methods listed in Section A or pristine natural water of sufficient quality for good control performance.
6. The Permittee must chemically dechlorinate final effluent samples for whole effluent toxicity testing with sodium thiosulfate just prior to test initiation. Do not add more sodium thiosulfate than is necessary to neutralize the chlorine. Provide in the test report the calculations to determine the amount of sodium thiosulfate necessary to just neutralize the chlorine in the sample.

**S14. Chronic toxicity**

**S14.A. Testing**

The Permittee must:

1. Conduct chronic toxicity testing on final effluent once per quarter in the year prior to submission of the application for permit renewal.

2. Submit the results to EFSEC May 1, 2019 (with the permit renewal application).
3. Conduct chronic toxicity testing on a series of at least five concentrations of effluent and a control. This series of dilutions must include the acute critical effluent concentration (ACEC). The ACEC equals 11% effluent. The series of dilutions should also contain the CCEC of 1% effluent.
4. Compare the ACEC to the control using hypothesis testing at the 0.05 level of significance as described in Appendix H, EPA/600/4-89/001.
5. Perform chronic toxicity tests with all of the following species and the most recent version of the following protocols:

| Freshwater Chronic Test              | Species                    | Method           |
|--------------------------------------|----------------------------|------------------|
| Fathead minnow survival and growth   | <i>Pimephales promelas</i> | EPA-821-R-02-013 |
| Water flea survival and reproduction | <i>Ceriodaphnia dubia</i>  | EPA-821-R-02-013 |

#### S14.B. Sampling and reporting requirements

1. The Permittee must submit all reports for toxicity testing in accordance with the most recent version of Ecology Publication No. WQ-R-95-80, *Laboratory Guidance and Whole Effluent Toxicity Test Review Criteria*. Reports must contain bench sheets and reference toxicant results for test methods. If the lab provides the toxicity test data in electronic format for entry into Ecology's database, then the Permittee must send the data to Ecology along with the test report, bench sheets, and reference toxicant results.
2. The Permittee must collect grab samples for toxicity testing. The Permittee must cool the samples to 0 - 6 degrees Celsius during collection and send them to the lab immediately upon completion. The lab must begin the toxicity testing as soon as possible but no later than 36 hours after sampling was completed.
3. The laboratory must conduct water quality measurements on all samples and test solutions for toxicity testing, as specified in the most recent version of Ecology Publication No. WQ-R-95-80, *Laboratory Guidance and Whole Effluent Toxicity Test Review Criteria*.
4. All toxicity tests must meet quality assurance criteria and test conditions specified in the most recent versions of the EPA methods listed in Section C. and the Ecology Publication no. WQ-R-95-80, *Laboratory Guidance and Whole Effluent Toxicity Test Review Criteria*. If Ecology determines any test results to be invalid or anomalous, the Permittee must repeat the testing with freshly collected effluent.
5. The laboratory must use control water and dilution water meeting the requirements of the EPA methods listed in Subsection C. or pristine natural water of sufficient quality for good control performance.



6. The Permittee must chemically dechlorinate final effluent samples for whole effluent toxicity testing with sodium thiosulfate just prior to test initiation. Do not add more sodium thiosulfate than is necessary to neutralize the chlorine. Provide in the test report the calculations to determine the amount of sodium thiosulfate necessary to just neutralize the chlorine in the sample.

## General Conditions

### G1. Signatory requirements

1. All applications, reports, or information submitted to EFSEC must be signed and certified.
  - a. In the case of corporations, by a responsible corporate officer. For the purpose of this section, a responsible corporate officer means:
    - A president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision making functions for the corporation, or
    - The manager of one or more manufacturing, production, or operating facilities, provided, the manager is authorized to make management decisions which govern the operation of the regulated facility including having the explicit or implicit duty of making major capital investment recommendations, and initiating and directing other comprehensive measures to assure long-term environmental compliance with environmental laws and regulations; the manager can ensure that the necessary systems are established or actions taken to gather complete and accurate information for permit application requirements; and where authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.
    - In the case of a partnership, by a general partner.
    - In the case of sole proprietorship, by the proprietor.
    - In the case of a municipal, state, or other public facility, by either a principal executive officer or ranking elected official.

Applications for permits for domestic wastewater facilities that are either owned or operated by, or under contract to, a public entity shall be submitted by the public entity.
2. All reports required by this permit and other information requested by EFSEC must be signed by a person described above or by a duly authorized representative of that person. A person is a duly authorized representative only if:
  - a. The authorization is made in writing by a person described above and submitted to EFSEC.
  - b. The authorization specifies either an individual or a position having responsibility for the overall operation of the regulated facility, such as the position of plant manager, superintendent, position of equivalent responsibility, or an individual or position having overall responsibility for environmental matters. (A duly authorized representative may thus be either a named individual or any individual occupying a named position.)
3. Changes to authorization. If an authorization under paragraph G1.2, above, is no longer accurate because a different individual or position has responsibility for the



overall operation of the facility, a new authorization satisfying the requirements of paragraph G1.2, above, must be submitted to EFSEC prior to or together with any reports, information, or applications to be signed by an authorized representative.

4. Certification. Any person signing a document under this section must make the following certification:

"I certify under penalty of law, that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system or those persons directly responsible for gathering information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

## **G2. Right of inspection and entry**

The Permittee must allow an authorized representative of EFSEC, upon the presentation of credentials and such other documents as may be required by law:

1. To enter upon the premises where a discharge is located or where any records must be kept under the terms and conditions of this permit.
2. To have access to and copy, at reasonable times and at reasonable cost, any records required to be kept under the terms and conditions of this permit.
3. To inspect, at reasonable times, any facilities, equipment (including monitoring and control equipment), practices, methods, or operations regulated or required under this permit.
4. To sample or monitor, at reasonable times, any substances or parameters at any location for purposes of assuring permit compliance or as otherwise authorized by the Clean Water Act.

## **G3. Permit actions**

This permit may be modified, revoked and reissued, or terminated either at the request of any interested person (including the permittee) or upon EFSEC's initiative. However, the permit may only be modified, revoked and reissued, or terminated for the reasons specified in 40 CFR 122.62, 122.64 or WAC 173-220-150 according to the procedures of 40 CFR 124.5.

1. The following are causes for terminating this permit during its term, or for denying a permit renewal application:
  - a. Violation of any permit term or condition.
  - b. Obtaining a permit by misrepresentation or failure to disclose all relevant facts.
  - c. A material change in quantity or type of waste disposal.

- d. A determination that the permitted activity endangers human health or the environment, or contributes to water quality standards violations and can only be regulated to acceptable levels by permit modification or termination.
  - e. A change in any condition that requires either a temporary or permanent reduction, or elimination of any discharge or sludge use or disposal practice controlled by the permit.
  - f. Nonpayment of fees assessed pursuant to RCW 90.48.465.
  - g. Failure or refusal of the Permittee to allow entry as required in RCW 90.48.090.
2. The following are causes for modification but not revocation and reissuance except when the Permittee requests or agrees:
- a. A material change in the condition of the waters of the state.
  - b. New information not available at the time of permit issuance that would have justified the application of different permit conditions.
  - c. Material and substantial alterations or additions to the permitted facility or activities which occurred after this permit issuance.
  - d. Promulgation of new or amended standards or regulations having a direct bearing upon permit conditions, or requiring permit revision.
  - e. The Permittee has requested a modification based on other rationale meeting the criteria of 40 CFR Part 122.62.
  - f. EFSEC has determined that good cause exists for modification of a compliance schedule, and the modification will not violate statutory deadlines.
  - g. Incorporation of an approved local pretreatment program into a municipality's permit.
3. The following are causes for modification or alternatively revocation and reissuance:
- a. When cause exists for termination for reasons listed in 1.a through 1.g of this section, and EFSEC determines that modification or revocation and reissuance is appropriate.
  - b. When EFSEC has received notification of a proposed transfer of the permit. A permit may also be modified to reflect a transfer after the effective date of an automatic transfer (General Condition G7) but will not be revoked and reissued after the effective date of the transfer except upon the request of the new Permittee.

#### **G4. Reporting planned changes**

The Permittee must, as soon as possible, but no later than one hundred eighty (180) days prior to the proposed changes, give notice to EFSEC of planned physical alterations or



additions to the permitted facility, production increases, or process modification which will result in:

1. The permitted facility being determined to be a new source pursuant to 40 CFR 122.29(b)
2. A significant change in the nature or an increase in quantity of pollutants discharged.
3. A significant change in the Permittee's sludge use or disposal practices. Following such notice, and the submittal of a new application or supplement to the existing application, along with required engineering plans and reports, this permit may be modified, or revoked and reissued pursuant to 40 CFR 122.62(a) to specify and limit any pollutants not previously limited. Until such modification is effective, any new or increased discharge in excess of permit limits or not specifically authorized by this permit constitutes a violation.

#### **G5. Plan review required**

Prior to constructing or modifying any wastewater control facilities, an engineering report and detailed plans and specifications must be submitted to EFSEC for approval in accordance with chapter 173-240 WAC. Engineering reports, plans, and specifications must be submitted at least one hundred eighty (180) days prior to the planned start of construction unless a shorter time is approved by EFSEC. Facilities must be constructed and operated in accordance with the approved plans.

#### **G6. Compliance with other laws and statutes**

Nothing in this permit excuses the Permittee from compliance with any applicable federal, state, or local statutes, ordinances, or regulations.

#### **G7. Transfer of this permit**

In the event of any change in control or ownership of facilities from which the authorized discharge emanate, the Permittee must notify the succeeding owner or controller of the existence of this permit by letter, a copy of which must be forwarded to EFSEC.

1. Transfers by Modification  
Except as provided in paragraph (2) below, this permit may be transferred by the Permittee to a new owner or operator only if this permit has been modified or revoked and reissued under 40 CFR 122.62(b)(2), or a minor modification made under 40 CFR 122.63(d), to identify the new Permittee and incorporate such other requirements as may be necessary under the Clean Water Act.
2. Automatic Transfers  
This permit may be automatically transferred to a new Permittee if:
  - a. The Permittee notifies EFSEC at least thirty (30) days in advance of the proposed transfer date.

- b. The notice includes a written agreement between the existing and new Permittees containing a specific date transfer of permit responsibility, coverage, and liability between them.
- c. EFSEC does not notify the existing Permittee and the proposed new Permittee of its intent to modify or revoke and reissue this permit. A modification under this subparagraph may also be minor modification under 40 CFR 122.63. If this notice is not received, the transfer is effective on the date specified in the written agreement.

#### **G8. Reduced production for compliance**

The Permittee, in order to maintain compliance with its permit, must control production and/or all discharges upon reduction, loss, failure, or bypass of the treatment facility until the facility is restored or an alternative method of treatment is provided. This requirement applies in the situation where, among other things, the primary source of power of the treatment facility is reduced, lost, or fails.

#### **G9. Removed substances**

Collected screenings, grit, solids, sludges, filter backwash, or other pollutants removed in the course of treatment or control of wastewaters must not be resuspended or reintroduced to the final effluent stream for discharge to state waters.

#### **G10. Duty to provide information**

The Permittee must submit to EFSEC, within a reasonable time, all information which EFSEC may request to determine whether cause exists for modifying, revoking and reissuing, or terminating this permit or to determine compliance with this permit. The Permittee must also submit to EFSEC upon request, copies of records required to be kept by this permit.

#### **G11. Other requirements of 40 CFR**

All other requirements of 40 CFR 122.41 and 122.42 are incorporated in this permit by reference.

#### **G12. Additional monitoring**

EFSEC may establish specific monitoring requirements in addition to those contained in this permit by administrative order or permit modification.

#### **G13. Payment of fees**

The Permittee must submit payment of fees associated with this permit as assessed by EFSEC.



#### **G14. Penalties for violating permit conditions**

Any person who is found guilty of willfully violating the terms and conditions of this permit is deemed guilty of a crime, and upon conviction thereof shall be punished by a fine of up to ten thousand dollars (\$10,000) and costs of prosecution, or by imprisonment in the discretion of the court. Each day upon which a willful violation occurs may be deemed a separate and additional violation.

Any person who violates the terms and conditions of a waste discharge permit may incur, in addition to any other penalty as provided by law, a civil penalty in the amount of up to ten thousand dollars (\$10,000) for every such violation. Each and every such violation is a separate and distinct offense, and in case of a continuing violation, every day's continuance is deemed to be a separate and distinct violation.

#### **G15. Upset**

Definition – "Upset" means an exceptional incident in which there is unintentional and temporary noncompliance with technology-based permit effluent limits because of factors beyond the reasonable control of the Permittee. An upset does not include noncompliance to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventive maintenance, or careless or improper operation.

An upset constitutes an affirmative defense to an action brought for noncompliance with such technology-based permit effluent limits if the requirements of the following paragraph are met.

A Permittee who wishes to establish the affirmative defense of upset must demonstrate, through properly signed, contemporaneous operating logs, or other relevant evidence that:

1. An upset occurred and that the Permittee can identify the cause(s) of the upset.
2. The permitted facility was being properly operated at the time of the upset.
3. The Permittee submitted notice of the upset as required in Special Condition S3.E.
4. The Permittee complied with any remedial measures required under S3.E of this permit.

In any enforcement action the Permittee seeking to establish the occurrence of an upset has the burden of proof.

#### **G16. Property rights**

This permit does not convey any property rights of any sort, or any exclusive privilege.

#### **G17. Duty to comply**

The Permittee must comply with all conditions of this permit. Any permit noncompliance constitutes a violation of the Clean Water Act and is grounds for

enforcement action; for permit termination, revocation and reissuance, or modification; or denial of a permit renewal application.

### **G18. Toxic pollutants**

The Permittee must comply with effluent standards or prohibitions established under Section 307(a) of the Clean Water Act for toxic pollutants within the time provided in the regulations that establish those standards or prohibitions, even if this permit has not yet been modified to incorporate the requirement.

### **G19. Penalties for tampering**

The Clean Water Act provides that any person who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required to be maintained under this permit shall, upon conviction, be punished by a fine of not more than \$10,000 per violation, or by imprisonment for not more than two (2) years per violation, or by both. If a conviction of a person is for a violation committed after a first conviction of such person under this condition, punishment shall be a fine of not more than \$20,000 per day of violation, or by imprisonment of not more than four (4) years, or by both.

### **G20. Reporting requirements applicable to existing manufacturing, commercial, mining, and silvicultural dischargers**

The Permittee belonging to the categories of existing manufacturing, commercial, mining, or silviculture must notify EFSEC as soon as they know or have reason to believe:

1. That any activity has occurred or will occur which would result in the discharge, on a routine or frequent basis, of any toxic pollutant which is not limited in this permit, if that discharge will exceed the highest of the following "notification levels:"
  - a. One hundred micrograms per liter (100 µg/L).
  - b. Two hundred micrograms per liter (200 µg/L) for acrolein and acrylonitrile; five hundred micrograms per liter (500 µg/L) for 2,4-dinitrophenol and for 2-methyl-4,6-dinitrophenol; and one milligram per liter (1 mg/L) for antimony.
  - c. Five (5) times the maximum concentration value reported for that pollutant in the permit application in accordance with 40 CFR 122.21(g)(7).
  - d. The level established by the Director in accordance with 40 CFR 122.44(f).
2. That any activity has occurred or will occur which would result in any discharge, on a non-routine or infrequent basis, of a toxic pollutant which is not limited in this permit, if that discharge will exceed the highest of the following "notification levels:"
  - a. Five hundred micrograms per liter (500µg/L).
  - b. One milligram per liter (1 mg/L) for antimony.
  - c. Ten (10) times the maximum concentration value reported for that pollutant in the permit application in accordance with 40 CFR 122.21(g)(7).



- d. The level established by the Director in accordance with 40 CFR 122.44(f).

## **G21. Compliance schedules**

Reports of compliance or noncompliance with, or any progress reports on, interim and final requirements contained in any compliance schedule of this permit must be submitted no later than fourteen (14) days following each schedule date.

## Appendix A

### LIST OF POLLUTANTS WITH ANALYTICAL METHODS, DETECTION LIMITS AND QUANTITATION LEVELS

The Permittee must use the specified analytical methods, detection limits (DLs) and quantitation levels (QLs) in the following table for permit and application required monitoring unless:

- Another permit condition specifies other methods, detection levels, or quantitation levels.
- The method used produces measurable results in the sample and EPA has listed it as an EPA-approved method in 40 CFR Part 136.

If the Permittee uses an alternative method, not specified in the permit and as allowed above, it must report the test method, DL, and QL on the discharge monitoring report or in the required report.

If the Permittee is unable to obtain the required DL and QL in its effluent due to matrix effects, the Permittee must submit a matrix-specific detection limit (MDL) and a quantitation limit (QL) to EFSEC with appropriate laboratory documentation.

When the permit requires the Permittee to measure the base neutral compounds in the list of priority pollutants, it must measure all of the base neutral pollutants listed in the table below. The list includes EPA required base neutral priority pollutants and several additional polynuclear aromatic hydrocarbons (PAHs). The Water Quality Program added several PAHs to the list of base neutrals below from Ecology's Persistent Bioaccumulative Toxics (PBT) List. It only added those PBT parameters of interest to Appendix A that did not increase the overall cost of analysis unreasonably.

EFSEC added this appendix to the permit in order to reduce the number of analytical "non-detects" in permit-required monitoring and to measure effluent concentrations near or below criteria values where possible at a reasonable cost.

#### CONVENTIONAL PARAMETERS

| Pollutant & CAS No. (if available) | Recommended Analytical Protocol                                     | Detection (DL) <sup>1</sup> µg/L<br>unless specified | Quantitation Level (QL) <sup>2</sup> µg/L<br>unless specified |
|------------------------------------|---|--|---|
| Biochemical Oxygen Demand          | SM5210-B  |  | 2 mg/L  |
| Soluble Biochemical Oxygen Demand  | SM5210-B <sup>3</sup>   |  | 2 mg/L  |
| Chemical Oxygen Demand             | SM5220-D  |  | 10 mg/L   |
| Total Organic Carbon               | SM5310-B/C/D  |  | 1 mg/L  |
| Total Suspended Solids             | SM2540-D  |  | 5 mg/L  |
| Total Ammonia (as N)               | SM4500-NH3-B and C/D/E/G/H  |  | 20  |
| Flow                               | Calibrated device   |  |   |
| Dissolved oxygen                   | SM4500-OC/OG  |  | 0.2 mg/L  |
| Temperature (max. 7-day avg.)      | Analog recorder or Use micro-recording devices known as thermistors |  | 0.2° C  |



| Pollutant & CAS No. (if available) | Recommended Analytical Protocol | Detection (DL) <sup>1</sup> µg/L unless specified | Quantitation Level (QL) <sup>2</sup> µg/L unless specified |
|------------------------------------|---------------------------------|---|--|
| pH                                 | SM4500-H <sup>+</sup> B         | N/A   | N/A  |

**NONCONVENTIONAL PARAMETERS**

| Pollutant & CAS No. (if available)                     | Recommended Analytical Protocol                                     | Detection (DL) <sup>1</sup> µg/L unless specified | Quantitation Level (QL) <sup>2</sup> µg/L unless specified |
|--|---|---|--|
| Total Alkalinity                                       | SM2320-B  |   | 5 mg/L as CaCO <sub>3</sub>                                |
| Bromide (24959-67-9)                                   | EPA 300.0   |   | 500  |
| Chlorine, Total Residual                               | SM4500 Cl G   |   | 50.0   |
| Color  | SM2120 B/C/E  |   | 10 color units   |
| Fecal Coliform   | SM 9221E, 9222  | N/A   | Specified in method - sample aliquot dependent             |
| Fluoride (16984-48-8)                                  | SM4500-F E  | 25  | 100  |
| Nitrate + Nitrite Nitrogen (as N)                      | SM4500-NO <sub>3</sub> - E/F/H                                      |   | 100  |
| Nitrogen, Total Kjeldahl (as N)                        | SM4500-N <sub>org</sub> B/C and SM4500NH <sub>3</sub> -B/C/D/EF/G/H |   | 300  |
| Soluble Reactive Phosphorus (as P)                     | SM4500- PE/PF   | 3   | 10   |
| Phosphorus, Total (as P)                               | SM 4500 PB followed by SM4500-PE/PF                                 | 3   | 10   |
| Oil and Grease (HEM)                                   | 1664 A or B   | 1,400   | 5,000  |
| Radioactivity  |   |   |  |
| Alpha, Total   | SM 7110 B   |   |  |
| Beta, Total  | SM 7110 B   |   |  |
| Radium, Total  | SW 7500-Ra C  |   |  |
| Salinity   | SM2520-B  |   | 3 practical salinity units or scale (PSU or PSS)           |
| Settleable Solids                                      | SM2540 -F   |   | 500 (or 0.1 mL/L)  |
| Sulfate (as mg/L SO <sub>4</sub> )                     | SM4110-B  |   | 200  |
| Sulfide (as mg/L S)                                    | SM4500-S <sup>2</sup> F/D/E/G                                       |   | 200  |
| Sulfite (as mg/L SO <sub>3</sub> )                     | SM4500-SO <sub>3</sub> B  |   | 2000   |
| Total Coliform   | SM 9221B, 9222B, 9223B  | N/A   | Specified in method - sample aliquot dependent             |
| Total dissolved solids                                 | SM2540 C  |   | 20 mg/L  |
| Total Hardness   | SM2340B   |   | 200 as CaCO <sub>3</sub>                                   |
| Aluminum, Total (7429-90-5)                            | 200.8   | 2.0   | 10   |
| Barium Total (7440-39-3)                               | 200.8   | 0.5   | 2.0  |
| BTEX (benzene +toluene + ethylbenzene + m,o,p xylenes) | EPA SW 846 8021/8260  | 1   | 2  |
| Boron Total (7440-42-8)                                | 200.8   | 2.0   | 10.0   |
| Cobalt, Total (7440-48-4)                              | 200.8   | 0.05  | 0.25   |

| Pollutant & CAS No. (if available) | Recommended Analytical Protocol | Detection (DL) <sup>1</sup> µg/L unless specified | Quantitation Level (QL) <sup>2</sup> µg/L unless specified |
|------------------------------------|---------------------------------|---|--|
| Iron, Total (7439-89-6)            | 200.7                           | 12.5  | 50   |
| Magnesium, Total (7439-95-4)       | 200.7                           | 10  | 50   |
| Molybdenum, Total (7439-98-7)      | 200.8                           | 0.1   | 0.5  |
| Manganese, Total (7439-96-5)       | 200.8                           | 0.1   | 0.5  |
| NWTPH Dx <sup>4</sup>              | Ecology NWTPH Dx                | 250   | 250  |
| NWTPH Gx <sup>5</sup>              | Ecology NWTPH Gx                | 250   | 250  |
| Tin, Total (7440-31-5)             | 200.8                           | 0.3   | 1.5  |
| Titanium, Total (7440-32-6)        | 200.8                           | 0.5   | 2.5  |

**PRIORITY POLLUTANTS**

| Pollutant & CAS No. (if available)                         | Recommended Analytical Protocol | Detection (DL) <sup>1</sup> µg/L unless specified | Quantitation Level (QL) <sup>2</sup> µg/L unless specified |
|--|---------------------------------|---|--|
| <b>METALS, CYANIDE &amp; TOTAL PHENOLS</b>                 |                                 |   |  |
| Antimony, Total (7440-36-0)                                | 200.8                           | 0.3   | 1.0  |
| Arsenic, Total (7440-38-2)                                 | 200.8                           | 0.1   | 0.5  |
| Beryllium, Total (7440-41-7)                               | 200.8                           | 0.1   | 0.5  |
| Cadmium, Total (7440-43-9)                                 | 200.8                           | 0.05  | 0.25   |
| Chromium (hex) dissolved (18540-29-9)                      | SM3500-Cr EC                    | 0.3   | 1.2  |
| Chromium, Total (7440-47-3)                                | 200.8                           | 0.2   | 1.0  |
| Copper, Total (7440-50-8)                                  | 200.8                           | 0.4   | 2.0  |
| Lead, Total (7439-92-1)                                    | 200.8                           | 0.1   | 0.5  |
| Mercury, Total (7439-97-6)                                 | 1631E                           | 0.0002  | 0.0005   |
| Nickel, Total (7440-02-0)                                  | 200.8                           | 0.1   | 0.5  |
| Selenium, Total (7782-49-2)                                | 200.8                           | 1.0   | 1.0  |
| Silver, Total (7440-22-4)                                  | 200.8                           | 0.04  | 0.2  |
| Thallium, Total (7440-28-0)                                | 200.8                           | 0.09  | 0.36   |
| Zinc, Total (7440-66-6)                                    | 200.8                           | 0.5   | 2.5  |
| Cyanide, Total (57-12-5)                                   | 335.4                           | 5   | 10   |
| Cyanide, Weak Acid Dissociable                             | SM4500-CN I                     | 5   | 10   |
| Cyanide, Free Amenable to Chlorination (Available Cyanide) | SM4500-CN G                     | 5   | 10   |
| Phenols, Total   | EPA 420.1                       |   | 50   |

| Pollutant & CAS No. (if available) | Recommended Analytical Protocol | Detection (DL) <sup>1</sup> µg/L unless specified | Quantitation Level (QL) <sup>2</sup> µg/L unless specified |
|------------------------------------|---------------------------------|---|--|
| <b>ACID COMPOUNDS</b>              |                                 |   |  |
| 2-Chlorophenol (95-57-8)           | 625                             | 1.0   | 2.0  |
| 2,4-Dichlorophenol (120-83-2)      | 625                             | 0.5   | 1.0  |
| 2,4-Dimethylphenol (105-67-9)      | 625                             | 0.5   | 1.0  |



| Pollutant & CAS No. (if available)                              | Recommended Analytical Protocol | Detection (DL) <sup>1</sup> $\mu\text{g/L}$ unless specified | Quantitation Level (QL) <sup>2</sup> $\mu\text{g/L}$ unless specified |
|---|---------------------------------|--|---|
| 4,6-dinitro-o-cresol (534-52-1)<br>(2-methyl-4,6-dinitrophenol) | 625/1625B                       | 1.0  | 2.0   |
| 2,4 dinitrophenol (51-28-5)                                     | 625                             | 1.0  | 2.0   |
| 2-Nitrophenol (88-75-5)   | 625                             | 0.5  | 1.0   |
| 4-nitrophenol (100-02-7)  | 625                             | 0.5  | 1.0   |
| Parachlorometa cresol (59-50-7)<br>(4-chloro-3-methylphenol)    | 625                             | 1.0  | 2.0   |
| Pentachlorophenol (87-86-5)                                     | 625                             | 0.5  | 1.0   |
| Phenol (108-95-2)   | 625                             | 2.0  | 4.0   |
| 2,4,6-Trichlorophenol (88-06-2)                                 | 625                             | 2.0  | 4.0   |

**PRIORITY POLLUTANTS (continued)**

| Pollutant & CAS No. (if available)  | Recommended Analytical Protocol | Detection (DL) <sup>1</sup> $\mu\text{g/L}$ unless specified | Quantitation Level (QL) <sup>2</sup> $\mu\text{g/L}$ unless specified |
|---|---------------------------------|--|---|
| <b>VOLATILE COMPOUNDS</b>   |                                 |  |   |
| Acrolein (107-02-8)   | 624                             | 5  | 10  |
| Acrylonitrile (107-13-1)  | 624                             | 1.0  | 2.0   |
| Benzene (71-43-2)   | 624                             | 1.0  | 2.0   |
| Bromoform (75-25-2)   | 624                             | 1.0  | 2.0   |
| Carbon tetrachloride (56-23-5)  | 624/601 or SM6230B              | 1.0  | 2.0   |
| Chlorobenzene (108-90-7)  | 624                             | 1.0  | 2.0   |
| Chloroethane (75-00-3)  | 624/601                         | 1.0  | 2.0   |
| 2-Chloroethylvinyl Ether (110-75-8)   | 624                             | 1.0  | 2.0   |
| Chloroform (67-66-3)  | 624 or SM6210B                  | 1.0  | 2.0   |
| Dibromochloromethane (124-48-1)   | 624                             | 1.0  | 2.0   |
| 1,2-Dichlorobenzene (95-50-1)   | 624                             | 1.9  | 7.6   |
| 1,3-Dichlorobenzene (541-73-1)  | 624                             | 1.9  | 7.6   |
| 1,4-Dichlorobenzene (106-46-7)  | 624                             | 4.4  | 17.6  |
| Dichlorobromomethane (75-27-4)  | 624                             | 1.0  | 2.0   |
| 1,1-Dichloroethane (75-34-3)  | 624                             | 1.0  | 2.0   |
| 1,2-Dichloroethane (107-06-2)   | 624                             | 1.0  | 2.0   |
| 1,1-Dichloroethylene (75-35-4)  | 624                             | 1.0  | 2.0   |
| 1,2-Dichloropropane (78-87-5)   | 624                             | 1.0  | 2.0   |
| 1,3-dichloropropene (mixed isomers) (1,2-dichloropropylene) (542-75-6) <sup>6</sup> | 624                             | 1.0  | 2.0   |
| Ethylbenzene (100-41-4)   | 624                             | 1.0  | 2.0   |

| Pollutant & CAS No. (if available)                          | Recommended Analytical Protocol | Detection (DL) <sup>1</sup><br>µg/L unless specified | Quantitation Level (QL) <sup>2</sup><br>µg/L unless specified |
|---|---------------------------------|--|---|
| <b>VOLATILE COMPOUNDS</b>                                   |                                 |  |   |
| Methyl bromide (74-83-9)<br>(Bromomethane)                  | 624/601                         | 5.0  | 10.0  |
| Methyl chloride (74-87-3)<br>(Chloromethane)                | 624                             | 1.0  | 2.0   |
| Methylene chloride (75-09-2)                                | 624                             | 5.0  | 10.0  |
| 1,1,2,2-Tetrachloroethane (79-34-5)                         | 624                             | 1.9  | 2.0   |
| Tetrachloroethylene (127-18-4)                              | 624                             | 1.0  | 2.0   |
| Toluene (108-88-3)  | 624                             | 1.0  | 2.0   |
| 1,2-Trans-Dichloroethylene (156-60-5) (Ethylene dichloride) | 624                             | 1.0  | 2.0   |
| 1,1,1-Trichloroethane (71-55-6)                             | 624                             | 1.0  | 2.0   |
| 1,1,2-Trichloroethane (79-00-5)                             | 624                             | 1.0  | 2.0   |
| Trichloroethylene (79-01-6)                                 | 624                             | 1.0  | 2.0   |
| Vinyl chloride (75-01-4)                                    | 624/SM6200B                     | 1.0  | 2.0   |

**PRIORITY POLLUTANTS (continued)**

| Pollutant & CAS No. (if available)                                     | Recommended Analytical Protocol | Detection (DL) <sup>1</sup><br>µg/L unless specified | Quantitation Level (QL) <sup>2</sup><br>µg/L unless specified |
|--|---------------------------------|--|---|
| <b>BASE/NEUTRAL COMPOUNDS (compounds in bold are Ecology PBTs)</b>     |                                 |  |   |
| Acenaphthene (83-32-9)   | 625                             | 0.2  | 0.4   |
| Acenaphthylene (208-96-8)  | 625                             | 0.3  | 0.6   |
| Anthracene (120-12-7)  | 625                             | 0.3  | 0.6   |
| Benzidine (92-87-5)  | 625                             | 12   | 24  |
| Benzyl butyl phthalate (85-68-7)                                       | 625                             | 0.3  | 0.6   |
| Benzo(a)anthracene (56-55-3)   | 625                             | 0.3  | 0.6   |
| Benzo(b)fluoranthene (3,4-benzofluoranthene) (205-99-2) <sup>7</sup>   | 610/625                         | 0.8  | 1.6   |
| <b>Benzo(j)fluoranthene (205-82-3) <sup>7</sup></b>                    | 625                             | 0.5  | 1.0   |
| Benzo(k)fluoranthene (11,12-benzofluoranthene) (207-08-9) <sup>7</sup> | 610/625                         | 0.8  | 1.6   |
| <b>Benzo(r,s,t)pentaphene (189-55-9)</b>                               | 625                             | 0.5  | 1.0   |
| Benzo(a)pyrene (50-32-8)   | 610/625                         | 0.5  | 1.0   |
| Benzo(ghi)Perylene (191-24-2)  | 610/625                         | 0.5  | 1.0   |
| Bis(2-chloroethoxy)methane (111-91-1)                                  | 625                             | 5.3  | 21.2  |
| Bis(2-chloroethyl)ether (111-44-4)                                     | 611/625                         | 0.3  | 1.0   |



| Pollutant & CAS No. (if available)                                 | Recommended Analytical Protocol | Detection (DL) <sup>1</sup><br>µg/L unless specified | Quantitation Level (QL) <sup>2</sup><br>µg/L unless specified |
|--|---------------------------------|--|---|
| <b>BASE/NEUTRAL COMPOUNDS</b> (compounds in bold are Ecology PBTs) |                                 |  |   |
| Bis(2-chloroisopropyl)ether (39638-32-9)                           | 625                             | 0.3  | 0.6   |
| Bis(2-ethylhexyl)phthalate (117-81-7)                              | 625                             | 0.1  | 0.5   |
| 4-Bromophenyl phenyl ether (101-55-3)                              | 625                             | 0.2  | 0.4   |
| 2-Chloronaphthalene (91-58-7)                                      | 625                             | 0.3  | 0.6   |
| 4-Chlorophenyl phenyl ether (7005-72-3)                            | 625                             | 0.3  | 0.5   |
| Chrysene (218-01-9)  | 610/625                         | 0.3  | 0.6   |
| <b>Dibenzo (a,h)acridine (226-36-8)</b>                            | 610M/625M                       | 2.5  | 10.0  |
| <b>Dibenzo (a,j)acridine (224-42-0)</b>                            | 610M/625M                       | 2.5  | 10.0  |
| Dibenzo(a-h)anthracene (53-70-3)(1,2,5,6-dibenzanthracene)         | 625                             | 0.8  | 1.6   |
| Dibenzo(a,e)pyrene (192-65-4)                                      | 610M/625M                       | 2.5  | 10.0  |
| Dibenzo(a,h)pyrene (189-64-0)                                      | 625M                            | 2.5  | 10.0  |
| 3,3-Dichlorobenzidine (91-94-1)                                    | 605/625                         | 0.5  | 1.0   |
| Diethyl phthalate (84-66-2)  | 625                             | 1.9  | 7.6   |
| Dimethyl phthalate (131-11-3)                                      | 625                             | 1.6  | 6.4   |
| Di-n-butyl phthalate (84-74-2)                                     | 625                             | 0.5  | 1.0   |
| 2,4-dinitrotoluene (121-14-2)                                      | 609/625                         | 0.2  | 0.4   |
| 2,6-dinitrotoluene (606-20-2)                                      | 609/625                         | 0.2  | 0.4   |

**PRIORITY POLLUTANTS (continued)**

| Pollutant & CAS No. (if available)                                 | Recommended Analytical Protocol | Detection (DL) <sup>1</sup><br>µg/L unless specified | Quantitation Level (QL) <sup>2</sup><br>µg/L unless specified |
|--|---------------------------------|--|---|
| <b>BASE/NEUTRAL COMPOUNDS</b> (compounds in bold are Ecology PBTs) |                                 |  |   |
| Di-n-octyl phthalate (117-84-0)                                    | 625                             | 0.3  | 0.6   |
| 1,2-Diphenylhydrazine (as Azobenzene) (122-66-7)                   | 1625B                           | 5.0  | 20  |
| Fluoranthene (206-44-0)  | 625                             | 0.3  | 0.6   |
| Fluorene (86-73-7)   | 625                             | 0.3  | 0.6   |
| Hexachlorobenzene (118-74-1)                                       | 612/625                         | 0.3  | 0.6   |
| Hexachlorobutadiene (87-68-3)                                      | 625                             | 0.5  | 1.0   |
| Hexachlorocyclopentadiene (77-47-4)                                | 1625B/625                       | 0.5  | 1.0   |
| Hexachloroethane (67-72-1)   | 625                             | 0.5  | 1.0   |
| Indeno(1,2,3-cd)Pyrene (193-39-5)                                  | 610/625                         | 0.5  | 1.0   |
| Isophorone (78-59-1)   | 625                             | 0.5  | 1.0   |

| Pollutant & CAS No. (if available)                                 | Recommended Analytical Protocol | Detection (DL) <sup>1</sup><br>µg/L unless specified | Quantitation Level (QL) <sup>2</sup><br>µg/L unless specified |
|--|---------------------------------|--|---|
| <b>BASE/NEUTRAL COMPOUNDS</b> (compounds in bold are Ecology PBTs) |                                 |  |   |
| <b>3-Methyl cholanthrene (56-49-5)</b>                             | 625                             | 2.0  | 8.0   |
| Naphthalene (91-20-3)  | 625                             | 0.3  | 0.6   |
| Nitrobenzene (98-95-3)   | 625                             | 0.5  | 1.0   |
| N-Nitrosodimethylamine (62-75-9)                                   | 607/625                         | 2.0  | 4.0   |
| N-Nitrosodi-n-propylamine (621-64-7)                               | 607/625                         | 0.5  | 1.0   |
| N-Nitrosodiphenylamine (86-30-6)                                   | 625                             | 0.5  | 1.0   |
| <b>Perylene (198-55-0)</b>   | 625                             | 1.9  | 7.6   |
| Phenanthrene (85-01-8)   | 625                             | 0.3  | 0.6   |
| Pyrene (129-00-0)  | 625                             | 0.3  | 0.6   |
| 1,2,4-Trichlorobenzene (120-82-1)                                  | 625                             | 0.3  | 0.6   |

| Pollutant & CAS No. (if available)                              | Recommended Analytical Protocol | Detection (DL) <sup>1</sup><br>µg/L unless specified | Quantitation Level (QL) <sup>2</sup><br>µg/L unless specified |
|---|---------------------------------|--|---|
| <b>DIOXIN</b>   |                                 |  |   |
| 2,3,7,8-Tetra-Chlorodibenzo-P-Dioxin (176-40-16) (2,3,7,8 TCDD) | 1613B                           | 1.3 pg/L   | 5 pg/L  |

**PRIORITY POLLUTANTS (continued)**

| Pollutant & CAS No. (if available) | Recommended Analytical Protocol | Detection (DL) <sup>1</sup><br>µg/L unless specified | Quantitation Level (QL) <sup>2</sup><br>µg/L unless specified |
|------------------------------------|---------------------------------|--|---|
| <b>PESTICIDES/PCBs</b>             |                                 |  |   |
| Aldrin (309-00-2)                  | 608                             | 0.025  | 0.05  |
| alpha-BHC (319-84-6)               | 608                             | 0.025  | 0.05  |
| beta-BHC (319-85-7)                | 608                             | 0.025  | 0.05  |
| gamma-BHC (58-89-9)                | 608                             | 0.025  | 0.05  |
| delta-BHC (319-86-8)               | 608                             | 0.025  | 0.05  |
| Chlordane (57-74-9) <sup>8</sup>   | 608                             | 0.025  | 0.05  |
| 4,4'-DDT (50-29-3)                 | 608                             | 0.025  | 0.05  |
| 4,4'-DDE (72-55-9)                 | 608                             | 0.025  | 0.05 <sup>10</sup>  |
| 4,4' DDD (72-54-8)                 | 608                             | 0.025  | 0.05  |
| Dieldrin (60-57-1)                 | 608                             | 0.025  | 0.05  |



| Pollutant & CAS No. (if available) | Recommended Analytical Protocol | Detection (DL) <sup>1</sup><br>µg/L unless specified | Quantitation Level (QL) <sup>2</sup><br>µg/L unless specified |
|------------------------------------|---------------------------------|--|---|
| <b>PESTICIDES/PCBs</b>             |                                 |  |   |
| alpha-Endosulfan (959-98-8)        | 608                             | 0.025  | 0.05  |
| beta-Endosulfan (33213-65-9)       | 608                             | 0.025  | 0.05  |
| Endosulfan Sulfate (1031-07-8)     | 608                             | 0.025  | 0.05  |
| Endrin (72-20-8)                   | 608                             | 0.025  | 0.05  |
| Endrin Aldehyde (7421-93-4)        | 608                             | 0.025  | 0.05  |
| Heptachlor (76-44-8)               | 608                             | 0.025  | 0.05  |
| Heptachlor Epoxide (1024-57-3)     | 608                             | 0.025  | 0.05  |
| PCB-1242 (53469-21-9) <sup>§</sup> | 608                             | 0.25   | 0.5   |
| PCB-1254 (11097-69-1)              | 608                             | 0.25   | 0.5   |
| PCB-1221 (11104-28-2)              | 608                             | 0.25   | 0.5   |
| PCB-1232 (11141-16-5)              | 608                             | 0.25   | 0.5   |
| PCB-1248 (12672-29-6)              | 608                             | 0.25   | 0.5   |
| PCB-1260 (11096-82-5)              | 608                             | 0.13   | 0.5   |
| PCB-1016 (12674-11-2) <sup>§</sup> | 608                             | 0.13   | 0.5   |
| Toxaphene (8001-35-2)              | 608                             | 0.24   | 0.5   |

1. Detection level (DL) or detection limit means the minimum concentration of an analyte (substance) that can be measured and reported with a 99% confidence that the analyte concentration is greater than zero as determined by the procedure given in 40 CFR part 136, Appendix B.
2. Quantitation Level (QL) also known as Minimum Level of Quantitation (ML) – The lowest level at which the entire analytical system must give a recognizable signal and acceptable calibration point for the analyte. It is equivalent to the concentration of the lowest calibration standard, assuming that the lab has used all method-specified sample weights, volumes, and cleanup procedures. The QL is calculated by multiplying the MDL by 3.18 and rounding the result to the number nearest to (1, 2, or 5) x 10<sup>n</sup>, where n is an integer. (64 FR 30417).  
ALSO GIVEN AS:  
The smallest detectable concentration of analyte greater than the Detection Limit (DL) where the accuracy (precision & bias) achieves the objectives of the intended purpose. (Report of the Federal Advisory Committee on Detection and Quantitation Approaches and Uses in Clean Water Act Programs Submitted to the US Environmental Protection Agency December 2007).
3. Soluble Biochemical Oxygen Demand method note: First, filter the sample through a Millipore Nylon filter (or equivalent) - pore size of 0.45-0.50 µm (prep all filters by filtering 250 ml of laboratory grade deionized water through the filter and discard). Then, analyze sample as per method 5210-B.
4. NWTPH Dx: Northwest Total Petroleum Hydrocarbons Diesel Extended Range – see <http://www.ecy.wa.gov/biblio/97602.html>

5. NWTPH Gx - Northwest Total Petroleum Hydrocarbons Gasoline Extended Range – see <http://www.ecy.wa.gov/biblio/97602.html>
6. 1, 3-dichloropropylene (mixed isomers) You may report this parameter as two separate parameters: cis-1, 3-dichloropropene (10061-01-5) and trans-1, 3-dichloropropene (10061-02-6).
7. Total Benzofluoranthenes - Because Benzo(b)fluoranthene, Benzo(j)fluoranthene and Benzo(k)fluoranthene co-elute you may report these three isomers as total benzofluoranthenes.
8. Chlordane – You may report alpha-chlordane (5103-71-9) and gamma-chlordane (5103-74-2) in place of chlordane (57-74-9). If you report alpha and gamma-chlordane, the DL/PQLs that apply are 0.025/0.050.
9. PCB 1016 & PCB 1242 – You may report these two PCB compounds as one parameter called PCB 1016/1242.



**Fact Sheet Amendment No. 2 for  
National Pollutant Discharge Elimination System Permit No.  
WA0025151  
Columbia Generating Station**

**PURPOSE OF THIS FACT SHEET AMENDMENT**

This fact sheet amendment explains and documents the modifications to the permit issued to Columbia Generating Station on November 1, 2014 and modified on February 8, 2016 (see Supplemental Fact Sheet for NPDES Permit WA002515-1 dated December 21, 2015). The fact sheet that accompanied the 2014 permit and 2016 permit modification has detailed information about the wastewater treatment plant and EFSEC's permit decisions.

This fact sheet amendment complies with Section 173-220-060 of the Washington Administrative Code (WAC), which requires the Energy Facility Site Evaluation Council (EFSEC) to prepare a draft permit and accompanying fact sheet for public evaluation before issuing an NPDES permit.

EFSEC makes the draft permit and fact sheet amendment available for public review and comment at least thirty (30) days before issuing the final permit. Copies of the draft documents for Columbia Generating Station, Permit No. WA0025151, are available for public review and comment from **insert month, day, & year until month, day, & year**. For more details on preparing and filing comments about these documents, please see **Appendix A - Public Involvement Information**.

Energy Northwest reviewed the draft permit and fact sheet for factual accuracy. EFSEC corrected any errors or omissions regarding the facility's location, history, discharges, or receiving water prior to publishing this draft fact sheet for public notice.

After the public comment period closes, EFSEC will summarize substantive comments and provide responses to them. EFSEC will include the summary and responses to comments in this fact sheet amendment as **Appendix C - Response to Comments**, and publish it when issuing the final NPDES permit. EFSEC will not revise the rest of the fact sheet, but the full document will become part of the legal history contained in the facility's permit file.

The Energy Facility Site Evaluation Council (EFSEC) is proposing to issue this permit modification. This fact sheet amendment explains the regulatory and technical basis for the amended conditions contained in the permit.

**INTRODUCTION**

The Federal Clean Water Act (FCWA, 1972, and later amendments in 1977, 1981, and 1987) established water quality goals for the navigable (surface) waters of the United States. One mechanism for achieving the goals of the Clean Water Act is the National Pollutant Discharge Elimination System (NPDES), administered by the federal Environmental Protection Agency (EPA). The EPA authorized the state of Washington to manage the NPDES permit program in our state. Our state legislature accepted the delegation and assigned the power and duty for conducting NPDES permitting and enforcement to EFSEC. The Legislature defined EFSEC's

authority and obligations for the wastewater discharge permit program in 90.48 RCW (Revised Code of Washington).

The following regulations apply to industrial NPDES permits:

- EFSEC regulations for NPDES permits (chapter 463-76 WAC)
- Procedures EFSEC follows for issuing NPDES permits (chapter 173-220 WAC)
- Water quality criteria for surface waters (chapter 173-201A WAC)
- Water quality criteria for ground waters (chapter 173-200 WAC)
- Whole effluent toxicity testing and limits (chapter 173-205 WAC)
- Sediment management standards (chapter 173-204 WAC)
- Submission of plans and reports for construction of wastewater facilities (chapter 173-240 WAC)

These rules require any industrial facility owner/operator to obtain an NPDES permit before discharging wastewater to state waters. They also help define the basis for limits on each discharge and for performance requirements imposed by the permit.

Under the NPDES permit program and in response to a complete and accepted permit application, EFSEC must prepare a draft permit and accompanying fact sheet, and make them available for public review before final issuance. EFSEC must also publish an announcement (public notice) telling people where they can read the draft permit, and where to send their comments, during a period of thirty days (WAC 173-220-050). (See **Appendix A - Public Involvement Information** for more detail about the public notice and comment procedures). After the public comment period ends, EFSEC may make changes to the draft NPDES permit in response to comment(s). EFSEC will summarize the responses to comments and any changes to the permit in **Appendix C**.

## I. GENERAL INFORMATION

|                           |  |
|---------------------------|--|
| Applicant                 | Energy Northwest   |
| Facility Name and Address | Columbia Generating Station<br>P.O. Box 968 (Mail Drop PE03)<br>Richland, WA 99352                         |
| Industry Type             | Electric Services  |
| Type of Facility          | 40 CFR Part 423 Steam Electric Power<br>Generating Point Source Category                                   |
| Type of Treatment         | Cooling, disinfection, neutralization (blowdown)<br>Filtration, ion exchange (processed rad<br>wastewater) |
| Responsible Official      | Shannon E. Khounnala   |



|  |   |
|--|---|
|  | Energy Northwest Environmental and Regulatory<br>Programs Manager<br>P.O. Box 968 (Mail Drop PE03)<br>Richland, WA 99352-0968 |
|--|---|

## II. BACKGROUND

Energy Northwest operates the Columbia Generating Station (CGS) a 1,170- megawatt boiling water reactor that uses nuclear fission to produce heat. It is owned and operated by Energy Northwest and is located on the U.S. Department of Energy Hanford site in Benton County about 12 miles north of Richland, Washington.

The Columbia Generating Station's (CGS) Standard Industrial Classification (SIC) Code is 4911, Electric Services. The North American Industry Classification System (NAICS) Code is 221113, Nuclear Electric Power Generation. The facility is subject to EPA Categorical Pretreatment Standards 40 Code of Federal Regulations (CFR) Part 423 Steam Electric Power Generating Point Source Category.

Discharge to Outfall 001 include circulating non-contact cooling water blowdown and service water system blowdown. Batch discharge of effluent from the radioactive wastewater treatment system may also be released through this outfall; however, this is an infrequent discharge, last occurring on September 19, 1998.

## III. PERMIT MODIFICATION

This permit modification revises S2.A. Monitoring schedule to reflect a non-contact cooling water disinfection process modification at the facility. Additional monitoring is necessary to capture the discharge quality in the new continuous halogenation/dehalogenation process.

No other condition or requirement of the 2014 Permit or the 2016 Permit Modification is hereby affected by this amendment.

## IV. DISCUSSION

Energy Northwest proposed a process modification to improve inhibition of biological fouling of the circulating water and plant service water systems at the Columbia Generating Station. These systems provide non-contact cooling water (CW) to condense the steam generated by the CGS nuclear reactor and provide indirect cooling to other plant equipment. The process modification will replace the batch cooling water halogenation process with a continuous halogenation/dehalogenation feed prior to discharge to the Columbia River. EFSEC, after a joint report review by Ecology, approved the engineering report describing the process change on October 19, 2018.

The current batch halogenation using both sodium hypochlorite and sodium bromide requires the blowdown to cease while allowing the halogen residuals to decay. This

currently occurs approximately two to three times per week. Moving to the continuous halogenation injection process will improve biofouling control effectiveness. Biofouling experienced in the cooling water and plant service water systems includes the presence of an invasive Asiatic clam, various species of algae, and the bacterium *Legionella pneumophila*.

Both sodium hypochlorite and sodium bromide will continue to be used for disinfection of the open cooling water system. Two additional chemical agents, a biodispersant and an antifoaming agent will also be added when sampling indicates that they are necessary. In addition, the facility also proposes to use sodium bisulfite as a continuous dehalogenation agent to neutralize the chlorine and bromine derivatives prior to discharge.

An additional continuous pH analyzer and a new total residual halogen (TRH) analyzer will be installed to monitor the effluent discharge line. This modification changes the pH compliance point. The new pH compliance point will be downstream of the dehalogenation tie-in on the CW blowdown line to Outfall 001. The change in process will not result in revised effluent limits for pH or TRH. These effluent limits will remain 6.5 - 9.0 and <0.1 mg/L, respectively. Rather, the frequency of the TRH monitoring will change to continuous with a requirement to report the maximum daily TRH concentration. In the event of an equipment failure, CGS will resume the batch halogenation process currently described in the discharge permit. Existing acute whole effluent toxicity (WET) limits and chronic WET testing requirements remain in effect.

## **V. CONCLUSION**

Based on the information and documentation presented, EFSEC proposes to modify Columbia Generating Station permit as discussed above.

### **APPENDIX A – PUBLIC INVOLVEMENT**

### **APPENDIX B - YOUR RIGHT TO APPEAL**

### **APPENDIX C - RESPONSE TO COMMENTS**



## APPENDIX A - PUBLIC INVOLVEMENT INFORMATION

Energy Facility Site Evaluation Council (EFSEC) proposes to modify the Columbia Generating Station NPDES Permit WA0025151. The permit modifications are described in this fact sheet amendment.

EFSEC will place a Public Notice of Draft on January 18, 2019 in the Tri-City Herald to inform the public and to invite comments on the proposed draft permit and fact sheet amendment. Interested persons are invited to submit written comments regarding the modifications.

The modified permit and related documents can be viewed at the Department of Ecology Water Quality Permitting and Reporting Information System (PARIS) website at <https://fortress.wa.gov/ecy/paris/PermitLookup.aspx> and on the EFSEC's website: <http://www.efsec.wa.gov/CGS/Permits.html>. The documents are also available at the EFSEC Office for inspection and copying between the hours of 8:00 a.m. and 5:00 p.m., weekdays. To obtain a copy or to arrange to view copies, please contact EFSEC at (360) 664-1345.

Paper documents may be viewed at the EFSEC office:

1300 S. Evergreen Park Dr. SW  
PO Box 47250  
Olympia, WA 98504-7250

The public may comment on the proposed permits from **month, day, & year through month, day, & year**, at <http://www.efsec.wa.gov/CGS/Permits.html> or in writing to EFSEC (see address above).

Any interested party may comment on the draft permit within the thirty (30) day comment period to the address above. EFSEC will hold a public hearing (per WAC 173-216-100) on the draft permit on **month, day, & year** at **time** at the **Place**:

**Address**

Comments should reference specific text followed by proposed modification or concern when possible. Comments may address technical issues, accuracy and completeness of information, the scope of the facility's proposed coverage, adequacy of environmental protection, permit conditions, or any other concern that would result from issuance of this permit.

EFSEC will consider all comments received within thirty (30) days from the date of public notice of draft indicated above, in formulating a final determination to issue, revise, or deny the permit. EFSEC's response to all significant comments is available upon request and will be mailed directly to people expressing an interest in this permit.

Further information may be obtained from EFSEC by telephone at (360) 664-1362 or by writing to the address listed above.

## **Appendix B - Your Right to Appeal**

You have a right to appeal the modified portions of this permit only. Pursuant to WAC 463-76-063(1), a decision to issue this permit is subject to judicial review pursuant to the Administrative Procedure Act, Chapter 34.05 RCW. The Administrative Procedure Act can be found on-line at <http://apps.leg.wa.gov/RCW/default.aspx?cite=34.05>



### **Appendix C - Response to Comments**

[EFSEC will complete this section after the public notice of draft period.]

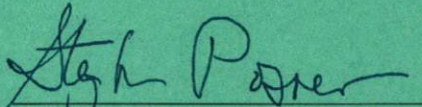
# Energy Facility Site Evaluation Council

## Non Direct Cost Allocation for 3rd Quarter FY 2019 January 1, 2019 – March 31, 2019

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 along with anticipated work for the quarter is used as the basis for determining the non-direct cost percentage charge, for each EFSEC project.

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 3rd quarter of FY 2019:

|                                    |     |
|------------------------------------|-----|
| Kittitas Valley Wind Power Project | 9%  |
| Wild Horse Wind Power Project      | 9%  |
| Columbia Generating Station        | 25% |
| Columbia Solar                     | 13% |
| WNP-1                              | 4%  |
| Whistling Ridge Energy Project     | 3%  |
| Grays Harbor 1&2                   | 13% |
| Chehalis Generation Project        | 11% |
| Desert Claim Wind Power Project    | 10% |
| Grays Harbor Energy 3&4            | 3%  |

  
Stephen Posner, EFSEC Manager

Date: 1/8/2019