

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

September 17, 2019



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WASHINGTON STATE
ENERGY FACILITY SITE EVALUATION COUNCIL
Olympia, Washington
September 17, 2019

MONTHLY COUNCIL MEETING
Verbatim Transcript of Proceedings

REPORTED BY: TAYLER GARLINGHOUSE, CCR 3358

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A P P E A R A N C E S

Councilmembers:

- KATHLEEN DREW, Chair
- CULLEN STEPHENSON, Department of Ecology
- MIKE LIVINGSTON, Fish & Wildlife
- STACEY BREWSTER, Utilities & Transportation Commission
- DAN SIEMANN, Department of Natural Resources (phone)

Assistant Attorney General:

JON THOMPSON

Council Staff

- AMI KIDDER
- KYLE OVERTON
- TAMMY MASTRO
- JOAN AITKEN
- STEW HENDERSON
- AMY MOON

In Attendance:

- ERIC MELBARDIS, Kittitas Valley (phone)
- JENNIFER DIAZ, Wild Horse (phone)
- CHRIS SHERIN, Grays Harbor Energy
- JEREMY SMITH, Chehalis Generation
- MARY RAMOS, Energy Northwest (phone)
- TIM MCMAHAN, Stoel Rives (phone)
- KARA WARNER, Golder Associates (phone)
- HALEY OLSON, Wild Horse (phone)

1 LACEY, WASHINGTON; SEPTEMBER 17, 2019

2 1:30 P.M.

3 --o0o--

4
5 P R O C E E D I N G S

6
7 CHAIR DREW: Good afternoon. This is
8 Kathleen Drew, Chair of the Energy Facility Site
9 Evaluation Council. I'm calling this meeting to order.

10 Ms. Mastro, will you call the roll?

11 MS. MASTRO: Department of Commerce?

12 CHAIR DREW: Vacant.

13 MS. MASTRO: Department of Ecology?

14 MR. STEPHENSON: Cullen Stephenson, here.

15 MS. MASTRO: Department of Fish & Wildlife?

16 MR. LIVINGSTON: Mike Livingston, here.

17 MS. MASTRO: Department of Natural
18 Resources?

19 Utilities and Transportation Commission?

20 MS. BREWSTER: Stacy Brewster, here.

21 MS. MASTRO: Chair, there is a quorum.

22 CHAIR DREW: Thank you.

23 Are there people who have joined us by phone
24 who would like to introduce themselves?

25 Joan, do we know that we have an open

1 connection there?

2 MS. AITKEN: I'm sorry?

3 CHAIR DREW: I'm not hearing anyone on the
4 phone, I am wondering if the line is up.

5 MS. AITKEN: It is up. I can hear it
6 through my phone. You guys can't hear it here?

7 CHAIR DREW: No.

8 MS. AITKEN: Okay.

9 MR. HENDERSON: I heard something super
10 faintly.

11 CHAIR DREW: Yeah. We still don't have
12 audio, so we will wait a couple minutes to see if we can
13 get this fixed technically, since we do have a number of
14 our reports via web link.

15 Are there people who have joined us via
16 phone who would like to introduce themselves at this
17 point?

18 MS. AITKEN: Working on it.

19 CHAIR DREW: We're going to take a
20 five-minute break while we get this adjusted. Thank
21 you.

22 (A break was taken from
23 1:33 p.m. to 1:39 p.m.)

24 CHAIR DREW: Calling us back to order now
25 and asking -- let's hear from those who are on the phone

1 who would like to introduce themselves.

2 MR. MCMAHAN: No sound coming to us from the
3 Council.

4 CHAIR DREW: Oh, probably because I forgot
5 to turn my microphone on. Sorry about that. Okay. So
6 please introduce yourselves.

7 MR. MCMAHAN: Tim McMahan with Stoel Rives.

8 CHAIR DREW: Thank you, Tim.

9 MS. DIAZ: Jennifer Diaz with Puget Sound
10 Energy.

11 MS. OLSON: Haley Olson with Puget Sound
12 Energy.

13 MS. RAMOS: Mary Ramos --

14 MS. WARNER: Kara Warner --

15 (Simultaneous talking.)

16 MS. WARNER: -- Golder Associates.

17 Sorry, Mary.

18 MS. RAMOS: That's okay.

19 MR. SIEMANN: This is Dan Siemann with
20 Washington DNR as the Councilmember.

21 CHAIR DREW: Thank you, Dan.

22 So we had two --

23 MR. MELBARDIS: Eric Melbardis --

24 CHAIR DREW: Go ahead.

25 MR. MELBARDIS: Eric Melbardis, Kittitas

1 Valley.

2 CHAIR DREW: And I think I also heard Mary

3 Ramos?

4 MS. RAMOS: That's correct. Mary Ramos,

5 Energy Northwest.

6 CHAIR DREW: Thank you.

7 With that, we have before us the proposed
8 agenda. The one thing I'd like to share with the
9 Council is that Sonia Bumpus is on leave today, so Ami
10 Kidder will be actually speaking in the parts that are
11 slated for Sonia Bumpus today.

12 With that change, is there a motion to
13 approve the agenda?

14 MR. STEPHENSON: I will move to approve the
15 agenda.

16 CHAIR DREW: Thank you.

17 MR. LIVINGSTON: I'll second that.

18 CHAIR DREW: All those in favor, please say
19 "aye."

20 COUNCILMEMBERS: Aye.

21 CHAIR DREW: Opposed? Agenda is adopted.

22 The meeting minutes before us are
23 August 20th, 2019. We had a subsequent version that was
24 sent out, I believe, yesterday with one small
25 correction. Are there any other corrections for the

1 August 20th, 2019 minutes? If not, all those in favor
2 of approving the minutes, please say "aye." Oh, wait,
3 maybe I need a motion first.

4 MR. LIVINGSTON: I'll move to accept the
5 minutes as presented.

6 MS. BREWSTER: I'll second that.

7 CHAIR DREW: Thank you.

8 All in favor, say "aye."

9 COUNCILMEMBERS: Aye.

10 CHAIR DREW: Thank you.

11 Opposed? Minutes are adopted.

12 Moving on to the project updates. Kittitas
13 Valley Wind Project update, Mr. Melbardis.

14 MR. MELBARDIS: Good afternoon, Chair Drew,
15 EFSEC Council, and Staff. This is Eric Melbardis with
16 EDP Renewables for the Kittitas Valley Wind Power
17 Project. There was nothing nonroutine to report for the
18 period operationally. We did conduct a site-wide rescue
19 and heights training last week. We do that every couple
20 of years with a refresher in between off years. Always
21 good to get to work with our gear and get to climb up
22 and repel out the side of the tower. Thought I would
23 share that with the Council.

24 CHAIR DREW: Thank you.

25 Any questions?

1 Okay. Wild Horse Wind Power Project,
2 Ms. Diaz.

3 MS. DIAZ: Yes, thank you, Chair Drew, and
4 Councilmembers. For the record, this is Jennifer Diaz
5 with Puget Sound Energy at the Wild Horse Wind Facility.
6 I do have a few nonroutine items to report for the month
7 of August.

8 In accordance with Article 6 of the Site
9 Certification Agreement, the operation Spill Prevention,
10 Control, and Countermeasures Plan, or SPCCP, was updated
11 and submitted to EFSEC Staff on August 9th. And
12 required annual training was completed by site staff on
13 the SPCCP and the Stormwater Pollution Prevention Plan
14 and the Wildlife Incident Reporting and Handling System.

15 In accordance with the Operations Stormwater
16 Pollution Prevention Plan, a site inspection was
17 completed following a significant storm event on August
18 10th that actually produced a funnel cloud. Most of the
19 wind farm was not impacted by the storm, but a small
20 area along the northern portion of the wind farm had
21 some minor road erosion and some sedimentation in
22 ditches and some check dams. Maintenance to the ditches
23 and check dams was completed, and the roads will be
24 regraded in the fall once we have adequate moisture for
25 growing and compaction.

1 And I do have an update on the Eagle
2 Incidental Take Permit. The U.S. Fish and Wildlife
3 Service published the Environmental Assessment and Eagle
4 Conservation Plan on August 19th. It is available for
5 public review and comment through the end of today. And
6 it's available on the U.S. Fish and Wildlife Service
7 migratory bird website. PSE provided that web link to
8 the Technical Advisory Committee and informed them of
9 the public review and comment period. And following the
10 public review and comment period, the Service will make
11 a determination on whether to issue an Eagle Incidental
12 Take Permit for Wild Horse. And that's all I have.

13 CHAIR DREW: Thank you very much.

14 Are there any questions?

15 Yes, Mr. Stephenson.

16 MR. STEPHENSON: Thank you, Chair Drew.

17 For Staff, a plan was submitted, was it
18 okay?

19 MR. OVERTON: Let's see here, this is

20 Kyle --

21 MS. DIAZ: Is that a question for me or for
22 Staff?

23 CHAIR DREW: For Staff.

24 MS. DIAZ: Okay. Thank you. And that's for
25 the -- the Spill Prevention Plan, correct?

1 MR. STEPHENSON: Yes. Thanks, Jennifer.

2 MS. DIAZ: Okay. Yep.

3 MR. OVERTON: Yeah, when we completed the
4 initial review of the Spill Prevention Plan, it was
5 largely similar to the previous plan with some updates
6 for the solar storage capacity they added for the Solar
7 Project. Contracted -- state -- state agency
8 contractors also reviewed it, and there was no major
9 issues.

10 MR. STEPHENSON: Thank you, Kyle.

11 CHAIR DREW: Anything else? Thank you.

12 Moving on to Chehalis Generation Facility.

13 MR. SMITH: Good afternoon, Chair Drew and
14 Council and Staff. I'm Jeremy Smith. I'm the
15 environmental analyst for Chehalis Generation. I have
16 no abnormal reports for the month of August.

17 CHAIR DREW: Okay. Thank you.

18 Grays Harbor Energy Center, Mr. Sherin.

19 MR. SHERIN: Good afternoon, Chair Drew and
20 Councilmembers. I'm Chris Sherin, the plant manager at
21 Grays Harbor Energy Center. The only nonroutine items
22 I'll report on for the month of August are the beginning
23 of August, Grays Harbor Energy Center scheduled an
24 outage to clean our fuel gas strainers, which were
25 showing signs of plugging off. We started observing

1 high differential pressures in June and they continued
2 to increase through August when we reached the point we
3 were -- we were beginning to see low fuel gas pressures
4 nearing the minimum fuel gas pressures required to
5 operate our gas turbines.

6 The source of the fuel -- fuel quality issue
7 is still uncertain. One abnormality that occurred this
8 summer, which may have contributed to the situation, is
9 our fuel gas trunk line. So our supply source is in
10 null state, which means -- just means that just as much
11 gas is flowing from southern direction as the northern
12 direction and normally our gas flow is from the north.

13 Also during this period, there was also an
14 identified dithiazine issue in the supply system from
15 the gas sourced out of AECO or Nova Gas Trans -- let me
16 make sure I say that right -- Nova Gas Transmission
17 Limited's hub, which is in Alberta. And then I'm not
18 going to read the remainder of the extract from the
19 original email that I provided.

20 CHAIR DREW: Thank you.

21 MR. SHERIN: I'll just add also, I'll put
22 this in September's operational updates, that we did
23 send -- submit a sample to a lab. However, since then,
24 through the process with TC Energy and Nova Gas
25 Transmission, there was a meeting in September and they

1 put out some information and a point of contact to TC
2 Energy. And we've reached out to them, and they
3 recommended that we send in further samples to a lab
4 they recommend that actually tests for dithiazine to see
5 if that's ac- -- what we actually have -- what -- that
6 the dithiazine is our actual problem, because at this
7 point, it's just still speculation.

8 CHAIR DREW: Okay. Thank you.

9 Are there questions about that? I know that
10 Mr. Sherin also added an additional -- the noncritical
11 notice from Nova Gas Transmission Limited in our packets
12 that explains in more detail what those issues are. So
13 is there anyone on the Council who has additional
14 questions?

15 I take it that this is something that, as
16 you get more information, you'll provide back to us?

17 MR. SHERIN: Yes.

18 CHAIR DREW: Okay. We would really
19 appreciate that. Thank you very much.

20 Columbia Generating Station, Ms. Ramos?

21 MS. RAMOS: Good afternoon, Chair Drew and
22 Councilmembers. This is Mary Ramos reporting for Energy
23 Northwest. I have two updates to report for Columbia
24 Generating Station for the month of August.

25 First is regarding our fire reinspection.

1 So during the fire reinspection on June 24th, the
2 Washington State Patrol Fire Marshal requested an
3 inspection report from the contractors that performed
4 coating of two water storage tanks at Columbia. On
5 August 21st, Energy Northwest submitted the requested
6 information. Based on discussions with the fire marshal
7 and EFSEC Staff, Item 16 pertaining to water tank
8 inspections on the fire inspection report will be
9 closed.

10 And then my second update is regarding our
11 Radioactive Air Emissions License. On August 20th,
12 Energy Northwest responded to EFSEC's request for
13 additional information regarding our SEPA related to the
14 Columbia Generating Station Radioactive Air Emissions
15 License. And I have no updates to report for WNP-1/4.

16 CHAIR DREW: Thank you.

17 Ms. Moon, I understand you also have some
18 information for us?

19 MS. MOON: Yes. Thanks, Chair Drew.

20 For the record, this is Amy Moon, one of the
21 EFSEC Staff members, and wanted to give the Council an
22 update on the National Pollutant Discharge Elimination
23 System -- the acronym is NPDES -- Permit renewal at the
24 Columbia Generating Station. EFSEC issued a letter on
25 September 13th to administratively extend the current

1 NPDES Permit, as the renewal permit will not be issued
2 by the expiration date on October 31st, 2019. Per RCW
3 34.05.422(3) and WAC 463-76-061(4), the terms and
4 conditions of the current permit remain in effect and
5 enforceable until the effective date of a new permit.
6 And EFSEC is in the process of working with the
7 Department of Ecology to renew the permit for a new
8 five-year period.

9 CHAIR DREW: Thank you. Do you have any
10 estimated time frames on that?

11 MS. MOON: Well, we're -- we requested some
12 additional information about groundwater, and that's
13 due, or anticipated, in November. And after that point,
14 we can really work in earnest on the permit and the
15 limits in the permit. But without that, we -- it would
16 be premature to move forward.

17 CHAIR DREW: Okay.

18 MS. MOON: So I'm going to say after
19 January.

20 CHAIR DREW: Okay. Thank you very much.

21 MS. MOON: You're welcome.

22 CHAIR DREW: Any other questions?

23 Okay. Desert Claim, you are up again,

24 Ms. Moon.

25 MS. MOON: Okay. So once again, this is Amy

1 Moon, and I'm providing an update for the Desert Claim
2 Project. EFSEC Staff continue to coordinate with Desert
3 Claim; however, there are no updates on the project or
4 project schedule at this time.

5 CHAIR DREW: Okay. Thank you.

6 Moving on to Columbia Solar Project. As you
7 all saw and you know, we did have a motion from last
8 meeting for the Chair to work with the Staff to submit
9 an order regarding the suspension of the Columbia Solar
10 Project. And you all received that as it was completed
11 for updates. I'm going to ask Ms. Kidder to report.

12 MS. KIDDER: Thank you, Chair Drew. For the
13 record, my name is Ami Kidder. After the August 20th
14 Council meeting, Staff and the AG's office worked to
15 prepare Order 877, the order suspending site
16 certification agreements for the Columbia Solar Project.
17 Chair Drew has signed the order, and it became effective
18 on September 5th. A copy of the order as well as the
19 letter sent to the certificate holder is available in
20 your packets. Are there any -- are there any questions
21 about the letter or the order?

22 CHAIR DREW: Okay.

23 MS. KIDDER: Thank you.

24 CHAIR DREW: Thank you. Now, we are on
25 No. 5, "Other" on our agenda. And we have a revised

1 first quarter cost allocation.

2 Ms. Kidder.

3 MS. KIDDER: Thank you. Due to the
4 suspension of the Columbia Solar Project, Staff has
5 removed the project from the cost allocation for the
6 remainder of first quarter of fiscal year 2020. The
7 initial cost allocation presented remains effective for
8 work completed from July 1st through September 4th. The
9 updated cost allocations for September 5th through
10 September 30th are as follows:

11 Kittitas Valley Wind Power Project, 11
12 percent; Wild Horse Wind Power Project, 11 percent;
13 Columbia Generating Station, 26 percent; WNP-1, 4
14 percent; Whistling Ridge Energy Project, 4 percent;
15 Grays Harbor 1 & 2, 16 percent; Chehalis Generation
16 Project, 14 percent; Desert Claim Wind Power Project, 10
17 percent; Grays Harbor Energy 3 & 4, 4 percent. Are
18 there any questions?

19 CHAIR DREW: Thank you.

20 And final item on our agenda is the Air Rule
21 update, Ms. Kidder.

22 MS. KIDDER: Thank you.

23 If you all recall the revisions to EFSEC's
24 Air Rule, Washington Administrative Code or WAC 463-78,
25 which adopts Ecology air regulations by reference, went

1 out for public comment from June 5th through July 20th.
2 No public comments were received. As no comments were
3 received, Chair Drew signed the form CR-103, which was
4 filed with the Code Reviser's Office July 26th. This
5 commenced a 30-day waiting period before the rule would
6 become effective. That period has ended and as of
7 August 26th, the updated WAC 463-78 is in effect,
8 bringing EFSEC into alignment with current Ecology Air
9 Rule. Are there any questions?

10 CHAIR DREW: Any questions?

11 Thank you.

12 As we have no other business before us,
13 meeting is adjourned.

14 (Adjourned at 1:57 p.m.)

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C E R T I F I C A T E

STATE OF WASHINGTON
COUNTY OF THURSTON

I, Tayler Garlinghouse, a Certified Shorthand
Reporter in and for the State of Washington, do hereby
certify that the foregoing transcript is true and
accurate to the best of my knowledge, skill and ability.

Tayler Garlinghouse, CCR 3358

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WASHINGTON STATE
ENERGY FACILITY SITE EVALUATION COUNCIL
Olympia, Washington
Tuesday, August 20, 2019
1:30 p.m.

MONTHLY COUNCIL MEETING
Verbatim Transcript of Proceedings

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1 APPEARANCES
2 Councilmembers:
3 KATHLEEN DREW, Chair
4 CULLEN STEPHENSON, Department of Ecology
5 MIKE LIVINGSTON, Fish & Wildlife
6 DAN SIEMANN, Natural Resources (via phone)
7 STACEY BREWSTER, Utilities & Transportation Commission
8 Assistant Attorney General:
9 JON THOMPSON (via phone)
10 Council Staff:
11 SONIA BUMPUS
12 AMI KIDDER
13 KYLE OVERTON
14 TAMMY MASTRO
15 JOAN AITKEN
16 STEW HENDERSON
17 In Attendance:
18 ERIC MELBARDIS, EDP Renewables (via phone)
19 JENNIFER DIAZ, Wild Horse Wind Power, PSE (via phone)
20 CHRIS SHERIN, Grays Harbor Energy
21 MARK MILLER, Chehalis Generating Station
22 MARY RAMOS, Columbia Generating Station (via phone)
23 BILL SHERMAN, Counsel for the Environment (via phone)
24 TIM McMAHAN, Stole Rives (via phone)
25 KARA WARNER, Golder Associates (via phone)
SCOTT LICHTENBERG, Wild Horse/PSE (via phone)
JEREMY SMITH, Chehalis Generation Facility

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1 LACEY, WASHINGTON: August 20, 2019
2 1:30 P.M.
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4
5 P R O C E E D I N G S
6
7 CHAIR DREW: Good afternoon. This is
8 Kathleen Drew, Chair of the Energy Facility Site
9 Evaluation Council. I am calling this meeting to
10 order.
11 Ms. Mastro, will you call the roll?
12 MS. MASTRO: Department of Commerce?
13 CHAIR DREW: Vacant.
14 MS. MASTRO: Department of Ecology?
15 MR. STEPHENSON: Cullen Stephenson,
16 here.
17 MS. MASTRO: Fish and Wildlife?
18 MR. LIVINGSTON: Mike Livingston, here.
19 MS. MASTRO: Department of Natural
20 Resources?
21 (Pause in the proceedings.)
22 MS. MASTRO: Utilities and
23 Transportation Commission?
24 MS. BREWSTER: Stacey Brewster, here.
25 MS. MASTRO: Chair, there is a quorum.

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1 CHAIR DREW: Thank you.
2 Are there those who are listening via Skype or
3 on the phone who would like to introduce themselves?
4 MR. THOMPSON: Chair Drew and
5 Councilmembers, and this is Jon Thompson, Assistant
6 Attorney General. I'm sorry, I can't be there in
7 person, but I'll be on the phone.
8 CHAIR DREW: Thank you.
9 MR. SHERMAN: This is Bill Sherman, also
10 Assistant Attorney General, present as Counsel for the
11 Environment on the Columbia ~~Generating Station~~ ^{Solar case}.
12 CHAIR DREW: Thank you.
13 MR. McMAHAN: Tim McMahan with Stoel --
14 MS. WARNER: Hi, everyone, this --
15 CHAIR DREW: Tim, go ahead.
16 MR. McMAHAN: Tim McMahan, Stoel Rives
17 law firm.
18 MS. WARNER: This is Kara Warner with
19 Golder Associates.
20 MR. MELBARDIS: Eric Melbardis, EDP
21 Renewables, Kittitas Valley Wind.
22 CHAIR DREW: Thank you.
23 MS. DIAZ: Jennifer Diaz, Puget Sound
24 Energy, Wild Horse Wind Facility.
25 MR. LICHTENBERG: Scott Lichtenberg,

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1 Wild Horse Wind Facility.
 2 MS. RAMOS: Mary Ramos, Energy
 3 Northwest.
 4 MR. SIEMANN: Dan Siemann, Washington
 5 Department of Natural Resources and Councilmember.
 6 CHAIR DREW: Thank you.
 7 So moving on to the proposed agenda. You have
 8 that in front of you, Councilmembers. Is there a
 9 motion to adopt the agenda?
 10 MR. STEPHENSON: I will move to adopt
 11 the agenda.
 12 MR. LIVINGSTON: I will second that.
 13 CHAIR DREW: All those in favor, say
 14 "aye."
 15 COUNCILMEMBERS: Aye.
 16 CHAIR DREW: Opposed?
 17 The agenda is adopted.
 18 And now to the meeting minutes from July 16th.
 19 Is there a motion to adopt those meeting minutes?
 20 MR. LIVINGSTON: I'll make a motion to
 21 adopt the meeting minutes from last month.
 22 MR. STEPHENSON: I will second.
 23 CHAIR DREW: Is there any discussion or
 24 connections?
 25 Hearing none, all those in favor of adopting

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1 the meeting minutes, please say "aye."
 2 COUNCILMEMBERS: Aye.
 3 CHAIR DREW: The minutes are adopted.
 4 I want to make sure. For those of you -- Dan,
 5 you can be the one to respond to this, Mr. Siemann.
 6 Is the sound good from our end, that you are hearing
 7 from the meeting?
 8 MR. SIEMANN: It's very clear.
 9 Thank you.
 10 CHAIR DREW: Okay. Thank you.
 11 Thank you to Ms. Aitken, who has been working
 12 on that to make sure we don't have echoes, as we did
 13 last month, so glad to have that.
 14 Moving on to the projects. Kittitas Valley
 15 Wind Project. Mr. Melbardis?
 16 MR. MELBARDIS: Good afternoon, Chair
 17 Drew, EFSEC Council and Staff. For the record, my
 18 name is Eric Melbardis, I'm with EDP Renewables,
 19 representing the Kittitas Valley Wind Power Project.
 20 The only nonroutine item to report from
 21 Kittitas Valley was a safety incident. We had an OSHA
 22 recordable that occurred over the reporting period.
 23 An employee was driving some fence posts to repair
 24 some fencing along the county road in some of the DNR
 25 property and struck his head with the fence post

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1 driver tool, requiring stitches. He was back to work
 2 the same day, so no lost time, but I would report
 3 that.
 4 CHAIR DREW: Okay. Any questions?
 5 Thank you.
 6 MR. MELBARDIS: And I also did have --
 7 at EFSEC Staff's request, as you probably all are
 8 aware, there was a fire in Southern Washington, I
 9 believe it was Klickitat County, and it was a fire
 10 that was started from a turbine malfunction, a wind
 11 turbine malfunction.
 12 CHAIR DREW: Yes.
 13 MR. MELBARDIS: So Staff had asked some
 14 of us to take a look at our fire prevention control
 15 measures, and I did have just a brief memo that I
 16 wanted to read into the record about how we handle
 17 things at KV, if that's all right?
 18 CHAIR DREW: Please do.
 19 MR. MELBARDIS: Okay.
 20 The Kittitas Valley Wind Power Project
 21 successfully survived the Taylor Bridge fire of August
 22 2012. The fire burned through around 90 percent of
 23 our 6,000-acre project with no damage to the
 24 equipment. There have also been two other wildfires
 25 on the project, which were roughly 200 acres each in

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1 size, and they also did not cause damage to our
 2 property or equipment. None of these fires were
 3 started by turbine equipment failures, nor were they
 4 started by any wind farm-related activity.
 5 Over the past nine years, the project has
 6 experienced a few isolated turbine equipment failures
 7 that resulted in thermal events or heat excursions,
 8 but they were small electrical shorts that were
 9 contained within the tower. When we get an alarm via
 10 email and text message that we recognize has the
 11 potential to be a thermal event, our protocol is to
 12 rapidly mobilize to the turbine, day or night, for
 13 evaluation, contact 911 and local fire response, if
 14 necessary. We have done this in the past as a
 15 precaution, but they were not needed and quickly
 16 demobilized.
 17 We cover and tape off the vents on the doors
 18 at the base of the tower to minimize any chimney
 19 effect. Site management is contacted with situation
 20 reports and we escalate as necessary. We open the
 21 switch on our pad-mounted transformer at the base of
 22 the towers to cut all electrical power to the turbine.
 23 We then ready fire extinguishers and start a fire
 24 watch around the perimeter of the turbine pad.
 25 Additional steps that would be taken in the

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1 event a fire had spread outside the turbine would be
 2 to ready our 500 gallon mobile water wagon, open the
 3 gates to the operations and maintenance facility,
 4 verify that access to the fire hydrant taps were
 5 clear, and that our 23,000 gallon water tank was
 6 accessible by unlocking doors to the pump house, of
 7 which the fire department also has access to.
 8 Airborne firefighters from the DNR, the
 9 County, also have access to numerous water ponds, the
 10 Kittitas Reclamation District Irrigation canal and the
 11 Yakima River, if additional water was needed.
 12 The project has and maintains an SCA required
 13 fire prevention – excuse me. The project has and
 14 maintains an SCA required fire prevention plan. The
 15 project also adheres to our corporate internal fire
 16 prevention and control standard operating procedures.
 17 The project maintains and pays for a protective
 18 services agreement with Kittitas County Fire
 19 District 1, as required by our SCA.
 20 We have taken steps to widen the gravel pads
 21 around each turbine and actively control vegetation
 22 around the turbines and transformers to avoid dry
 23 tinder in proximity. Since the recent fire in
 24 Southern Washington, we have also placed 12-by-12
 25 signs at each turbine access road, at the gates, which

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1 list the name of each road, so A, B, C, et cetera,
 2 which would help 911 better dispatch fire response
 3 teams.
 4 We have also installed temperature monitoring
 5 strips on areas of the turbine components which could
 6 be prone to overheating, and our technicians regularly
 7 monitor these temperatures at every turbine visit.
 8 We also have a hot work permit program which
 9 requires extra precautions when we are working with
 10 heat, open flame, or anything that could cause sparks.
 11 I think it's also important to note for the
 12 record that wind turbine fires are an uncommon event,
 13 although they grab a lot of media and social media
 14 attention, turbine fires are statistically
 15 insignificant.
 16 A FEMA report I recently read stated that from
 17 2014 to 2016, an average of 171,000 highway vehicle
 18 fires occurred in the US, resulting in an annual
 19 average of 345 deaths, 13,000 injuries, and
 20 1.1 billion in property loss. These vehicle fires
 21 accounted for 13 percent of all fires responded to by
 22 all fire departments across the nation.
 23 I then found an engineering article from 2015
 24 that stated wind turbine fires are far less common
 25 than fires occurring in other energy industries, such

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1 as the oil and gas sector, in which there are
 2 thousands of fires per year. According to GCube, an
 3 insurance underwriter serving the wind industry, only
 4 three or four turbine losses per year can be
 5 attributed to turbine fire, out of a portfolio of more
 6 than 30 gigawatts. That translates into just one
 7 turbine in 7,000 catching fire per year.
 8 In summary, I don't think that we need to
 9 develop or implement further fire protection plans at
 10 KV at this time. We are already doing everything we
 11 can to prevent fires from starting and from spreading
 12 to the landscapes where they occur.
 13 CHAIR DREW: Thank you. That's very
 14 detailed, and I appreciate hearing the history and
 15 what you have done, as well as what you added to
 16 ensure safety.
 17 Are there any Councilmembers who have
 18 questions?
 19 MR. SIEMANN: Chair Drew, this is Dan
 20 Siemann, and I do have a question.
 21 CHAIR DREW: Okay.
 22 THE COURT REPORTER: I can't hear.
 23 CHAIR DREW: If you could speak up,
 24 please.
 25 MR. SIEMANN: Sure.

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1 So thank you for that. And one question I do
 2 have is, for those fires that have been started by
 3 wind turbines, has there been an assessment of what
 4 caused them, what the cause was, and what the variety
 5 of causes was, so we can have a better sense of how to
 6 prevent them?
 7 MR. MELBARDIS: Yes, good question.
 8 There's a number of ways that a wind turbine could
 9 catch fire. Obviously, we are dealing with high
 10 amperage electricity, so there's a lot of points
 11 within the turbine that phases of electricity could
 12 arc or could find resistance from a loose bolt or
 13 loose connection and cause heat, which once the heat
 14 builds up, it can catch fire to electrical wire or
 15 cable insulation.
 16 And as I mentioned in my -- in my brief
 17 presentation, that there is a chimney effect that goes
 18 on because there's vents at the base of the turbine,
 19 and so as it gets hot, that starts to pull more air in
 20 and it's almost like a forge. It can -- it can
 21 create -- it can kind of self-feed the fire.
 22 Other areas that I have heard of fire starting
 23 would be the gearboxes inside the nacelle of the
 24 turbine. If they are running and they are low on oil,
 25 and for whatever reason did not kick out an alarm that

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1 they were low on oil, they can start to overheat, and
 2 then that metal-on-metal can overheat to a point where
 3 it becomes so hot that the seals burst, and then the
 4 hot oil can catch fire.
 5 Everything above the tower on a wind turbine
 6 is typically fiberglass or composite material so it is
 7 flammable. The blades are also fiberglass and wood,
 8 other composite materials, and flammable glue, so once
 9 a fire starts, that can catch fire. Wind is the enemy
 10 of wildfire fighting and these turbines are often --
 11 are always placed in areas of good wind resources.
 12 So, yeah, I would say it's probably
 13 electrical, either from overheating or the generator
 14 or a gearbox.
 15 MR. SIEMANN: If I might just follow up,
 16 and I appreciate that. My thinking is -- and I think
 17 your statistic was -- from the 2015 report was 1 in
 18 7,000 wind turbines catch fire. As we put more in and
 19 as climate change leads to dryer, hotter conditions,
 20 and more fire supportive conditions, we are going to,
 21 I think, come to a point where these are more
 22 common -- perhaps not common, but certainly more
 23 likely. The risk will certainly enhance. And so
 24 while I'm not suggesting that we need to take action
 25 now, I just wanted to flag that as something to keep

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1 in mind as we go forward with these.
 2 MR. MELBARDIS: That's a good point. I
 3 think at the same time, if we were, you know, in a
 4 situation where we had dryer, more arid climates, then
 5 everything that can possibly cause fire has the chance
 6 to cause or create a fire.
 7 CHAIR DREW: Yes. Thank you. And I
 8 certainly hear from your report that you have had
 9 incidents of wildfire on your property on the -- at
 10 the project and were able to put out those fires
 11 before they affected other properties.
 12 MR. MELBARDIS: Yes, that's correct.
 13 You know, the other fires were caused by external
 14 circumstances. You know, a fire rolling across our
 15 area, even if it comes into contact with our immediate
 16 vicinity of a wind turbine, generally -- I mean,
 17 that's steel. It's not doing any damage to that.
 18 I think, you know, the greater concern -- and
 19 I think many of us have probably seen some of the
 20 videos of the recent fire. You know, there was a fire
 21 somewhere inside it and the fiberglass of the nacelle
 22 started to catch fire and drift down, and so you had,
 23 you know, flaming melted balls of fiberglass coming
 24 down, and it was hot, it was dry, it was windy, so...
 25 CHAIR DREW: Everything we can do to

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1 prevent that, so that's great. I appreciate your
 2 report. Thank you for sharing that.
 3 Next we have Ms. Diaz from Wild Horse Wind
 4 Project.
 5 MS. DIAZ: Yes. Thank you, Chair Drew
 6 and Councilmembers.
 7 I hear some feedback over the phone. I'm not
 8 sure if that's from me or from someone else, but can
 9 you hear me okay?
 10 CHAIR DREW: We can. Thank you.
 11 MS. DIAZ: Okay.
 12 So the only nonroutine item I have to report
 13 for the month of July is we did have a technical
 14 advisory committee meeting on July 24th. The agenda
 15 included administrative updates to the TAC Rules of
 16 Procedures, a Year in Review PowerPoint which was
 17 provided by PSE, a Grazing Plan update provided by WSU
 18 Extension, and an update on the 2018 Sage-Grouse
 19 Habitat monitoring results, and an update on the Eagle
 20 Conservation Plan and Permit.
 21 This was basically an informational meeting.
 22 There were no actions -- no items that required formal
 23 actions or recommendations from the TAC for the
 24 Council's consideration. And that's all I have to
 25 report for the month of July.

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1 CHAIR DREW: Thank you.
 2 Any questions?
 3 Go ahead, Mr. Stephenson.
 4 MR. STEPHENSON: Thank you, Chair Drew.
 5 Jennifer, this is not directed straight at
 6 you, but it's also directed at Mr. Melbardis and other
 7 folks. I just am interested, when I think about wind
 8 farms, when I look at them, they are typically wind
 9 turbines that are above very well-mowed, or something,
 10 terrain. Are you two worried about wildfires?
 11 MS. DIAZ: Erik, do you want me to go
 12 first on that one?
 13 MR. MELBARDIS: Yeah. Go ahead,
 14 Jennifer.
 15 MS. DIAZ: Okay.
 16 So Wild Horse is actually located in
 17 shrub-steppe habitat, which has a history of burning
 18 historically for hundreds of years. It's a pretty
 19 regular occurrence in shrub-steppe habitat. Within
 20 the wind farm specifically, we are not that concerned
 21 with wildfires. We do have a fire services agreement
 22 with Kittitas County Fire District No. 2, who responds
 23 to any wildfires in any way. We have not had a
 24 wildfire at Wild Horse since inception. However, we
 25 have had wildfires surrounding the property, most of

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1 which were either man-made or from lightning strikes.
 2 But one of the encouraging things that I did
 3 hear from the fire chief here in Kittitas County is
 4 that he really appreciated the wind farm and the roads
 5 that we have, the gravel roads that we have at the
 6 wind farm, because they do create firebreaks, which
 7 really aid them in fighting wildland fires in the
 8 area. And part of our fire service agreement with the
 9 district actually included purchasing a wildland fire
 10 truck for -- specifically for fighting wildland fires
 11 in shrub-steppe habitat.
 12 MR. MELBARDIS: This is Eric Melbardis.
 13 We are not -- we are not concerned about wildfires. I
 14 am in a -- I'm on the other side of the Valley as
 15 Ms. Diaz, but we're in the same -- the same type of
 16 ecosystem. It's shrub-steppe, it's very dry right
 17 now, and it does regularly burn. It burns -- it burns
 18 quick, it's always fast-moving. And, in fact, as the
 19 fires have come through here, we generally see the
 20 next season wildflowers that we have never seen
 21 before. So I think that some of it is an
 22 eco-catalyst -- a fire catalyst ecosystem.
 23 We have our fire services agreement with Fire
 24 District 1. We also, during development of the
 25 project, purchased -- I'm not sure exactly what type

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1 of truck we purchased for them, if it was a brush fire
 2 truck or a regular truck, but I think we spent
 3 \$250,000 on a vehicle for them. We have heard
 4 similar, that our roads and the way we maintain the
 5 roads and keep them clear is very helpful to this area
 6 for reasons of firebreaks. And also, the past couple
 7 fires that have broken out, fire response teams were
 8 able to get deeper in via our access roads than they
 9 normally would have.
 10 All of our equipment is relatively fireproof
 11 so we're not really concerned.
 12 What we do monitor is air quality. We have an
 13 air quality meter that I bring out during fire season
 14 and put on the outside of the building, and we take a
 15 look at it every day. That's more just protective for
 16 what -- what we are going to ask our workers to do in
 17 a smoky -- smoky or poor air quality.
 18 MR. STEPHENSON: Thanks to you both. It
 19 sounds like the roads and your other measures are
 20 making you confident that this is not an issue. It
 21 does make some sense, just physically looking at these
 22 very tall towers, that would be a ways away from fire
 23 impacts, so I just appreciate that you are not nervous
 24 about this. And, of course, we all love the
 25 wildflowers the next season, so thank you.

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1 CHAIR DREW: Mr. Livingston?
 2 MR. LIVINGSTON: Yeah, I have a --
 3 CHAIR DREW: Mr. Livingston?
 4 MR. LIVINGSTON: Thank you, Chair. I
 5 have a question for Jennifer Diaz.
 6 Just, is there anything of note on the 2018
 7 sage-grouse habitat monitoring results? Do you want
 8 to -- are we seeing pretty much a status quo of our
 9 quality of habitat out there? Are we seeing any
 10 changes, Jennifer? What do you -- anything worthy of
 11 noting there?
 12 MS. DIAZ: So specifically for the
 13 sage-grouse habitat restoration area, which is that
 14 10-acre piece located in the pines, so that area was
 15 fenced off and we have been completing weed control
 16 activities, as well as restoration in the riparian
 17 area, to hold water in that drainage longer. We have
 18 seen a significant improvement in the height of
 19 grasses and -- as well as an increase in forbs
 20 availability and the different forbs. We do have one
 21 more year of monitoring to complete before the final
 22 results are compiled, but it is trending toward much
 23 improvement in that area.
 24 Overall, on the wind facility, we have seen an
 25 improvement in the habitat, and I think primarily

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1 because of the way we are currently managing grazing
 2 on the facility. It's more sustainable grazing, less
 3 grazing, light -- light grazing, and rotation --
 4 rotational grazing that's implemented through the Wild
 5 Horse Coordinated Resource Management Group.
 6 MR. LIVINGSTON: That's great to hear.
 7 MS. DIAZ: And we saw a sage-grouse, so
 8 that's fine.
 9 MR. LIVINGSTON: Well, that was going to
 10 be my -- that was going to be my follow-up question,
 11 is if there's any -- been recent detections of
 12 sage-grouse out there.
 13 MS. DIAZ: Yeah. So we did see one
 14 female sage-grouse two winters ago, located right next
 15 to a wind turbine, next to the road, next to a wind
 16 turbine. And so we did observe her, got video of her,
 17 and sent that to Mike Schroeder, with the Department
 18 of Fish and Wildlife, who confirmed it was a female
 19 sage-grouse. We went back a week later and she was in
 20 the exact same location, coming out below a big sage
 21 brush.
 22 And then in 2007, is when we found the
 23 sage-grouse nest with eggs in it, and that was located
 24 within 100 meters of an operating wind turbine.
 25 MR. LIVINGSTON: Thank you.

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1 CHAIR DREW: Okay. Thank you.
 2 Moving on to Chehalis Generation Facility.
 3 Mr. Miller -- oh, Jeremy.
 4 Thank you for the excellent briefing and tour
 5 this morning, we really appreciated that.
 6 MR. SMITH: Thank you, Chair Drew.
 7 Good afternoon, Chair Drew, Council, and
 8 Staff. I am Jeremy Smith, the environmental analyst
 9 at Chehalis Generation.
 10 Is it on? Here we go.
 11 For the record, I am Jeremy Smith, an
 12 environmental analyst from Chehalis Generation. I
 13 want to thank Chair Drew, Council, and Staff for
 14 touring our facility today. I hope it was informative
 15 and interactive for you. I have -- as far as the
 16 plant goes, I have nothing abnormal to report for the
 17 month of July.
 18 Is there any questions?
 19 CHAIR DREW: Are there any questions?
 20 MR. LIVINGSTON: I just wanted to thank
 21 them for the tour today. It was -- it was wonderful,
 22 and I learned a lot, and I regret missing the other
 23 previous tours this -- earlier this year to the other
 24 facilities, but this was really informative for me.
 25 Thank you.

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1 MR. SMITH: It was our pleasure to have
 2 you. Thanks.
 3 CHAIR DREW: And I would add that I know
 4 that any of the facility operators, if the
 5 Councilmembers have missed tours, you want to help
 6 us -- if you want us to help you set up tours, or to
 7 set them up on your own, feel free to connect with the
 8 facility operators. I'm sure they would be happy to
 9 give you a tour.
 10 MR. SMITH: Absolutely. Thank you.
 11 CHAIR DREW: Okay. Moving on now to the
 12 Grays Harbor Energy Center. Mr. Sherin?
 13 MR. SHERIN: Good afternoon, Chair
 14 Drew -- is red on or is green on?
 15 MULTIPLE SPEAKERS: Green is on.
 16 MR. SHERIN: Good afternoon, Chair Drew,
 17 Councilmembers. I am Chris Sherin, plant manager of
 18 Grays Harbor Energy Center. For the month of July, we
 19 have no nonroutine items to report.
 20 I will mention, just for -- it will be covered
 21 in the August operational update, we did complete our
 22 annual RATA this past week, the Relative Accuracy
 23 Testing Assessment, so the results will follow soon.
 24 Thank you.
 25 CHAIR DREW: Thank you.

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1 Are there any questions?
 2 Thank you.
 3 Moving on to Columbia Generating Station.
 4 Ms. Ramos?
 5 MS. RAMOS: Good afternoon, Chair Drew
 6 and Councilmembers. This is Mary Ramos reporting for
 7 Energy Northwest. For Columbia Generating Station I
 8 have one update for you. The Columbia Generating
 9 station NPDES permit requires an investigation of
 10 circulating cooling water system losses, including an
 11 analysis of potential groundwater mounding. On
 12 July 18th, Energy Northwest and its contractor,
 13 Landau, presented the groundwater mounding study
 14 results to EFSEC, Washington State Department of
 15 Health, and Washington State Department of Ecology.
 16 Energy Northwest is in the process of gathering the
 17 information requested during the meeting.
 18 There is no additional updates for Columbia.
 19 And then, no updates to report for WNP 1 and 4.
 20 CHAIR DREW: Thank you.
 21 Columbia Solar Project. Ms. Kidder?
 22 MS. KIDDER: Thank you, Chair Drew.
 23 Good afternoon, Chair Drew and Councilmembers.
 24 For the record, my name is Ami Kidder. There are no
 25 updates to work done on the project at this time, and

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1 unless there are any questions from the Council, I
 2 will pass the floor to Ms. Bumpus.
 3 CHAIR DREW: Thank you.
 4 MS. BUMPUS: Good afternoon, Chair Drew
 5 and Councilmembers. There are a couple of items in
 6 your packet that I just wanted to point you to.
 7 There's two letters from me to TUUSSO Energy regarding
 8 the Columbia Solar Project, and then there are two
 9 emails from Jason Evans to me providing a status
 10 update on the project, in response to my letter in May
 11 and my letter in July.
 12 So there's quite a bit of -- as you look at
 13 those -- I am going to be referring to those as I
 14 talk, but there's quite a bit of context and history
 15 here, so I'm going to give you those details. And
 16 then I also wanted to note that when we get to
 17 discussion, Mr. Evans is here to answer questions
 18 should the Council have any for him.
 19 So as I mentioned in my phone calls to
 20 Councilmembers last week, in past months, EFSEC has
 21 been in communication with TUUSSO Energy to resolve
 22 billing issues which first began after Columbia Solar
 23 Project invoice statements were distributed for the
 24 first quarter.
 25 First quarter was for work that occurred July

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1 through September of 2018. The Columbia Solar Project
 2 first quarter invoice was due on January 18, 2019, but
 3 it was not paid. The invoice for second quarter that
 4 followed was due March 1st, 2019, but was also not
 5 paid. As a result of that, on April 14th, I held a
 6 call with Mr. Evans from TUUSSO Energy to discuss the
 7 financial status of the project and TUUSSO's ability
 8 to make payments. The details related to that
 9 conversation are noted in that May 6th letter in your
 10 packets.
 11 So following that correspondence in April,
 12 TUUSSO made a partial payment of \$100,000, which was
 13 applied towards their most outstanding balance, which
 14 was from the first quarter, and then they also
 15 provided an update in the May 31st email that you have
 16 there from Mr. Evans. In that project update, they
 17 indicated that they needed to get additional funding,
 18 but that that was not expected until the end of July
 19 time frame.
 20 So after some internal discussion, EFSEC
 21 provided a response letter to TUUSSO Energy, and
 22 that's the letter dated July 10th in your packets, in
 23 which EFSEC summarized the unpaid project balance at
 24 that time. That would have included third quarter
 25 billing by then, which was due on June 20th. And it

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1 also requested that TUUSSO pay the project balance in
 2 full by August 15th, before this council meeting, and
 3 noted that the Council may consider suspension of the
 4 SCA for nonpayment -- SCA being Site Certification
 5 Agreement -- for nonpayment if no payment was made by
 6 that date.
 7 So on July 15th, EFSEC received an email from
 8 Mr. Evans saying that they would aim to make that
 9 payment in August, but then when I spoke to Mr. Evans
 10 again prior to this council meeting, he indicated that
 11 they were not going to be able to do that. So this
 12 was on August 14th that we had that phone
 13 conversation.
 14 So in light of the history of the billing that
 15 I have outlined here, the unpaid project balance
 16 that's still owing, which to date includes expenses
 17 from first, second, third, and now fourth quarter for
 18 fiscal year 2019, this totals approximately
 19 \$264,067.78.
 20 So with that said, pursuant to RCW 80.50.0713,
 21 if a certificate holder fails to make required
 22 payments within 30 days of receipt of a statement, the
 23 Council may suspend the certification. And that's why
 24 I have brought this to the Council and outlined these
 25 details. It is within the Council's power to suspend

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1 a Site Certification Agreement when payments are, per
 2 the statute, 30 days late, and in this case it's
 3 been -- it's been several months.
 4 The other thing I wanted to note is that if
 5 the Council is going to take up this issue, and as you
 6 talk about this issue, I have thought about some of
 7 the terms of the SCA suspension, and what I mean by
 8 that is terms of reinstatement, so what would be the
 9 things that would be required of TUUSSO Energy to lift
 10 the suspension, and these would be documented in an
 11 order that Staff would prepare.
 12 So if the Council doesn't have any questions
 13 right now, I can go ahead and outline some of those
 14 terms. I don't want to go too far, but I could share
 15 those.
 16 CHAIR DREW: Why don't we have Mr. Evans
 17 come up.
 18 MS. BUMPUS: Sure.
 19 CHAIR DREW: And then I think there are
 20 probably a couple of questions, and then we will
 21 proceed after that.
 22 MS. BUMPUS: Okay.
 23 Mr. Stephenson?
 24 MR. STEPHENSON: Thank you, Chair Drew.
 25 I think the first question that I want to

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1 ask -- and I have a few that I want to wait for
 2 further information that you are going to present, but
 3 the first question I want to ask is: Do we believe we
 4 are going to get full restitution for the Staff costs
 5 spent on this project, regardless of whether it goes
 6 forward or not in the future?
 7 MS. BUMPUS: Councilmember Stephenson,
 8 that's to me?
 9 MR. STEPHENSON: It's to both of you.
 10 MS. BUMPUS: Well, Jason, would you like
 11 to answer first? I can --
 12 THE WITNESS: Well, if you want to...
 13 MS. BUMPUS: Well, so I did just want to
 14 mention that in my conversations with Mr. Evans
 15 earlier this month, he did indicate that they were
 16 continuing to seek funding for the project, and so
 17 that's what I've been told.
 18 If the balance is not paid, there would be a
 19 time where the balance could be sent to collections,
 20 and so that -- and that was something that was
 21 mentioned in the July 10th letter that I sent to
 22 TUUSSO, was that, you know, considering the Site
 23 Certification Agreement suspensions, whether or not
 24 that's passed, the effort for collections is also
 25 another thing that we could pursue, so...

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1 MR. STEPHENSON: So I maintain my
 2 support for the concept of this project. I hope it
 3 never gets to collections. That's what I'm trying to
 4 get at today.

5 CHAIR DREW: Mr. Evans, if you would
 6 also like to answer what – perhaps, I think it would
 7 be good for the Council if you would just give your
 8 own perspective of the background and what you see in
 9 the future.

10 MR. EVANS: Yes. Jason Evans on behalf
 11 of TUUSSO Energy. Good afternoon, Chair Drew. Good
 12 afternoon, Councilmembers. I'm sorry to be here under
 13 these auspices and hope to be here again under better
 14 ones.

15 I think that Sonia laid out some of the issues
 16 we have encountered, and I think the emails that you
 17 have read, that I drafted, summarizing some of the
 18 issues we have encountered are complete, but I will
 19 attempt to add to them.

20 We entered into an agreement in early 2018 to
 21 sell the Columbia solar projects. As a company, we
 22 essentially put all of our eggs in one basket,
 23 committing all of our funding, as a company, to the
 24 Columbia solar projects prior to entering into that
 25 agreement to sell them, and as a result, we are in a

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1 very low cash position.

2 The company we worked with then began to make
 3 all of the payments for development of the projects.
 4 They also paid us a development services fee for our
 5 continued work on the projects, and we hoped to see a
 6 successful development of the projects, and then we
 7 would get paid as a company from -- from the
 8 successful realization of the projects.

9 Unfortunately, for a variety of reasons,
 10 including the County's appeal of the SCA, and then
 11 some issues that we have encountered with Puget Sound
 12 Energy, which has denied the interconnection for two
 13 of the projects, at least at this point, leaving only
 14 three projects, the counterparty stopped funding --
 15 did not terminate the agreement, but stopped funding
 16 the projects roughly in the December time frame. And
 17 we were unaware of the fact that they had made that
 18 decision to stop funding the projects. We assumed
 19 that they would continue to operate under the
 20 agreement we had with them, but they have not, and to
 21 this point they have not.

22 Unfortunately, they left us in this very
 23 uncomfortable position where they continued to
 24 encourage the development of the projects, and we
 25 spent five months -- four to five months developing

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1 the projects under that agreement, without them making
 2 any payments under their agreement, and making
 3 payments on our behalf, for example, to EFSEC and
 4 other vendors.

5 They finally terminated the agreement on
 6 May 31st, and we have been searching ever since for a
 7 partner to take these projects forward. As you might
 8 be able to imagine, lining up funding has been more
 9 challenging than we expected, given the outstanding
 10 payables that are due right now, and given the nature
 11 of the breakup with this other party that had been
 12 working with us on these projects.

13 We are in discussions with a couple of
 14 different types of counterparties right now, a couple
 15 that would take over the projects, similar to the
 16 arrangement we had with the prior company, in addition
 17 to potential for funding the projects directly through
 18 TUUSSO Energy to construct them, and then ultimately
 19 exit them closer to commercial operation of the
 20 projects. I hope that helps.

21 We have interconnection agreements that it's
 22 important that we start moving on for the three
 23 projects that remain absolutely viable. And they
 24 would require that we really give notice to Puget
 25 Sound Energy by the November time frame that we are

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1 going to be moving forward with the projects, and so
 2 we see it as absolutely critical for the projects that
 3 we have a party that will be working with us at that
 4 point.

5 I don't have, unfortunately, any other
 6 timelines to funding that I can share at this time.

7 MR. STEPHENSON: Chair Drew, can I
 8 continue? Thank you.

9 So I hear that investors have dropped out, and
 10 again, I'm supportive of the concept of this project.
 11 Do you still have commitments from Puget Sound Energy
 12 to move forward if this project continues?

13 MR. EVANS: Yes. Our power purchase
 14 agreements are in place, in good standing with Puget
 15 Sound Energy, our interconnection agreements that have
 16 been tendered to us are still viable. I had a
 17 conversation with Puget Sound Energy three weeks to a
 18 month ago, and we talked a little bit about this same
 19 sort of timeline and they were supportive, interested
 20 to see the projects move forward.

21 MR. STEPHENSON: That's all for now.

22 CHAIR DREW: Just to follow up on that a
 23 little bit. You said three of the five sites have
 24 interconnection agreements. Do you foresee an ability
 25 to get the other two in the future?

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1 MR. EVANS: We hope so. We would
 2 like -- in order to do so, we would likely need to
 3 enter into, likely, an informal dispute resolution
 4 process with Puget Sound to secure the transmission
 5 capacities and bring the generation from those
 6 projects over to the west side, where most of the load
 7 is. That would be the next step in order to make
 8 those viable.

9 CHAIR DREW: Thank you.

10 Mr. Livingston?

11 MR. LIVINGSTON: Just one more follow-up
 12 to that. So if you don't get those two secured,
 13 what's the viability of the project overall?

14 MR. EVANS: Based on the three projects,
 15 which is actually what we have been discussing with
 16 each of the investors I have mentioned, it appears to
 17 continue to be viable. We can get just those three
 18 completed.

19 CHAIR DREW: Thank you.

20 Mr. Siemann, I know you are not here in
 21 person. I just want to make sure, if you have any
 22 questions, to ask.

23 MR. SIEMANN: Thank you, Chair Drew.

24 The questions I had have already been asked,
 25 so thank you.

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1 CHAIR DREW: Okay. Thank you.
 2 Thank you.

3 And if you want to continue at this point,
 4 Ms. Bumpus.

5 MS. BUMPUS: Thank you, Chair Drew.

6 So I was mentioning that there would be an
 7 order. This is how we would document the suspension
 8 of the five Site Certification Agreements. I do think
 9 we would just do this in one order. It would outline
 10 the facts that I have outlined here about the
 11 situation with the billing and the balance and so
 12 forth.

13 And then for terms, I am recommending that we
 14 require that TUUSSO Energy settle the project balance
 15 in full before the suspension would be lifted. Also,
 16 that the certificate holders deposit \$50,000, which
 17 they were required to provide to EFSEC and UTC when
 18 they began their application review process. We would
 19 apply that \$50,000 towards that balance that I
 20 mentioned earlier.

21 And then for reinstatement, they would need to
 22 provide another deposit of \$50,000. And this would be
 23 consistent with RCW 80.50.0712(a), where once an
 24 applicant has a Site Certification Agreement, we
 25 basically either credit the \$50,000 for the

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1 application review process back or we apply it towards
 2 something, and then there is a discussion with the
 3 certificate holder about either a \$50,000 deposit or
 4 greater if that's agreed to.

5 So I do mention that because our statute says
 6 50,000, but there have been cases in the past where
 7 the Council has determined a different amount, so I
 8 thought that would be good to note.

9 The other thing would be that this does not
 10 affect any of the other respective terms of the SCA.
 11 What I mean by that is the timeline for construction,
 12 those requirements would all stay the same. In other
 13 words, the deadlines for starting construction and
 14 operation, those can -- that clock continues to tick
 15 while they are in suspension status.

16 So those are a couple of the things that I
 17 wanted to recommend for the Council's consideration.

18 I'm happy to answer any questions.

19 CHAIR DREW: Mr. Stephenson?

20 MR. STEPHENSON: Thank you, Chair Drew.

21 Ms. Bumpus, I think that is a right course
 22 from a Council standpoint, of suspending the SCA
 23 temporarily until we can get better clarity and better
 24 permanence on this agreement and this project. I
 25 appreciate your thought of using the -- I'm using the

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1 wrong term here, but deposit the \$50,000 and then
 2 re-establishing that again. I think that's good.

3 I maintain -- I'm hoping this project can move
 4 forward, but I don't want EFSEC Staff to spend more
 5 time on a project that won't move forward. So I think
 6 we are smart in looking to see, first of all, will the
 7 project move forward, and then if it will, then we
 8 move forward with it, not the other way, not waiting
 9 and saying we're going farther into a negative
 10 situation on cash, to help someone that may never come
 11 forward. I believe it will come forward; I hope they
 12 will.

13 So that's what I'm thinking. I like this, in
 14 terms of your overall strategy.

15 And then the other thing I would ask is, I
 16 would appreciate if the Council, even if -- sorry,
 17 Chair Drew, this is your job -- but if the Council
 18 could have a "yes, we're going again" on the Site
 19 Certification Agreement. That could be an emergency
 20 meeting, I could do it over the phone. I would be
 21 happy to let Chair Drew be my proxy for this, but I
 22 think the Council should say, yes, we want this to go
 23 forward again, when we are sure that it will go
 24 forward.

25 CHAIR DREW: Ms. Bumpus has a response.

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1 MS. BUMPUS: Thank you, Councilmember
 2 Stephenson. I appreciate those remarks.
 3 And to that last point, there was another idea
 4 that I was just thinking of as you were talking,
 5 that -- that the order could also include a
 6 requirement that the certificate holder make a request
 7 of the Council, you know, basically requesting the
 8 lifting of the suspension. There could be, you know,
 9 maybe a project update at that -- at that time.
 10 Obviously, Staff would be in communication with them
 11 and we would know, but there -- there could be
 12 something a bit more formal, where they -- they
 13 request of the Council the action and come in and
 14 maybe give an update.
 15 Is that sort of along the lines of...
 16 MR. STEPHENSON: Yes, thank you. That
 17 would be fine. What I would like is for Council
 18 and/or the Chair to do that. I don't want this to be
 19 a Company-to-Staff agreement, unless that's explicit
 20 in what we do as a Council.
 21 MS. BUMPUS: Understood.
 22 CHAIR DREW: Anything else?
 23 MR. LIVINGSTON: No. I would -- so I
 24 would agree to, in a future council meeting, have them
 25 come back and request reinstatement. I think

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1 that's -- that makes the most sense to me.
 2 CHAIR DREW: And we also have our legal
 3 counsel on the phone. Mr. Thompson, do you want to
 4 add anything to this conversation?
 5 MR. THOMPSON: I don't think I have
 6 anything to add, but certainly you could stipulate in
 7 the -- in the order that it would be required for the
 8 Company to come back and make a request to be
 9 reinstated or to lift -- lift the suspension, however
 10 you want to say that. So --
 11 THE COURT REPORTER: I'm not hearing
 12 this.
 13 CHAIR DREW: Unfortunately, you are --
 14 we are not hearing you very well. If you can say that
 15 again. Appreciate it.
 16 MR. THOMPSON: I was just saying we
 17 certainly could have a provision in the suspension
 18 order --
 19 MS. BUMPUS: Jon, we are still having
 20 trouble hearing you.
 21 MR. THOMPSON: I'm sorry, I -- maybe you
 22 can't hear me.
 23 MS. BUMPUS: Say it again.
 24 MR. THOMPSON: Hello? Hello? Can you
 25 hear me?

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1 MS. BUMPUS: That's a little better.
 2 CHAIR DREW: Much better. Yes.
 3 MR. THOMPSON: A little better?
 4 I was just saying, you certainly could have a
 5 provision in the suspension order that said that the
 6 company needed to come back and request reinstatement
 7 or lifting of the suspension.
 8 That's all I had to add.
 9 CHAIR DREW: So what I hear you saying
 10 is that we could have in the stipulation order a
 11 requirement that the company come back to the Council
 12 to request reinstatement.
 13 MR. THOMPSON: Yes, correct.
 14 CHAIR DREW: Thank you.
 15 And I -- you know, one thing I want to be
 16 cautious about, because I do agree with that, is that
 17 it doesn't have to be timed to one of our meetings,
 18 because I think we don't want to spend any more time
 19 doing it than is necessary to get things back on track
 20 again.
 21 So that's -- I think that that request could
 22 come via email, we could set up an emergency meeting
 23 in order to do that, it could be done via
 24 teleconference or some other method. Because the one
 25 thing I don't want to do is to cause any more delay

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1 once we get to that point because I too am optimistic.
 2 It's a good project, it's ready to go, and I think
 3 that it is certainly in keeping with the type of
 4 energy plan that we need for the state of Washington,
 5 so -- certainly, according to the Governor's direction
 6 and the Legislature's direction, so I do think that
 7 that's critical as well.
 8 MR. STEPHENSON: Chair Drew, I
 9 completely agree and will make myself available on
 10 short notice.
 11 CHAIR DREW: Okay. We'll hold you to
 12 that.
 13 So I think what we would -- perhaps I would be
 14 looking for at this point would be a motion from the
 15 Council to direct the EFSEC chair and manager to --
 16 and work with our legal counsel to draft and sign for
 17 the -- let me try this again. To direct the manager
 18 to draft an order to be signed by the chair that meets
 19 these requirements that we have discussed.
 20 Is that clear enough? And Jon Thompson --
 21 Mr. Thompson, I am asking you if we need more than
 22 that?
 23 MR. THOMPSON: I think that gives
 24 adequate direction to basically delegate to Staff and
 25 the Chair to work out the finer details under the

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1 terms discussed by the Council.

2 CHAIR DREW: Okay. This is adequate

3 direction he says, because our court reporter is still

4 having trouble hearing you.

5 MR. SIEMANN: Chair Drew?

6 CHAIR DREW: Yes.

7 MR. SIEMANN: This is Dan Siemann.

8 CHAIR DREW: Yes.

9 MR. SIEMANN: I just wanted to ask a

10 question, if I could.

11 CHAIR DREW: Please do.

12 MR. SIEMANN: There's a part of this

13 which involves costs and ensuring that the applicant

14 in this case is covering their full costs. And while

15 I also voted in favor of this project and still

16 support it, what I'm wondering about is, are they

17 actually, through this mechanism that we are

18 discussing, covering their full costs, including

19 the -- what might be considered additional costs

20 because of this situation, and wanted to be sure that

21 that was occurring, so that the costs that are being

22 incurred by EFSEC and Staff are not being distributed

23 to other parties that would be paying for this.

24 And there's another question in my mind.

25 Should there be some sort of penalty, some added costs

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1 so that we don't create a situation in which this

2 becomes a desirable pathway for others who may not

3 want to be paying their dues when it is not

4 advantageous to them?

5 Those are two separate questions.

6 CHAIR DREW: Well, I think those are

7 valid questions. On -- in terms of paying the cost,

8 we, on the Staff side have -- with very minimal hours

9 put in by our manager, have not spent time on the

10 project, but I think both the development of this

11 order will be kept as and charged as a direct bill, as

12 part of the ongoing costs that would have to be

13 recovered. So in terms of any additional charges, we

14 would continue to, although very minimal, keep track

15 of that in order to make sure that -- that that was

16 covered.

17 And I hear what you are saying, so I would

18 like to hear the Council's thoughts on that. This is

19 a difficult situation, which, frankly, we haven't

20 faced before, so I guess I'm interested in --

21 MR. THOMPSON: And I'll just add one --

22 one other comment, which is that my concern here is

23 that this is [inaudible] before we have a policy for

24 it and so we are in some ways setting precedent and

25 it -- under these conditions it might look one way,

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1 but under other conditions or other -- for another

2 applicant under other situations it might look a

3 different way, and I think that we just need to be

4 careful about being consistent across all applicants

5 under these -- whatever sort of conditions we are

6 operating in here, so I just wanted to be thoughtful

7 about that.

8 CHAIR DREW: I think that's an excellent

9 suggestion, and what I would propose is that, because

10 we are actually having difficulty hearing our legal

11 counsel at this point, that we will consult with him.

12 And I think perhaps we will lay out the reasons for

13 the suspension, which are financial and have been

14 established, and if we need more information, we will

15 work with Mr. Evans and TUUSSO on that, but to

16 specifically make it clear that it's not for any

17 reason, but -- but specifically for this particular

18 circumstance. Is that helpful?

19 MR. THOMPSON: Yes, if you're asking me.

20 CHAIR DREW: Yes. Yes, that's good to

21 hear, if that's -- if that's along the lines that you

22 think, because I do agree with you, I understand that,

23 so -- and I think it's a very important point. So we

24 will work with providing that, as part of the reason

25 that we are moving forward with the suspension, is

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1 specifically the -- the financial issues. And I don't

2 know quite the right words to use, but we'll work on

3 them.

4 Ms. Bumpus?

5 MS. BUMPUS: And, Chair Drew, certainly

6 in the order we would refer and cite to the

7 RCW 80.50.071, where it -- it explicitly states that

8 once bills are 30 days late, the Council can -- can

9 suspend.

10 CHAIR DREW: The additional issue is

11 that we wouldn't want somebody to not pay in order to

12 get suspended, but -- so there is a cause for this

13 beyond just not payment is -- the underlining cause is

14 what I'm getting to, the partner withdrawing, ending

15 their agreement.

16 MS. BUMPUS: Right. Well, and -- and

17 just to be clear, and I think -- I mean, I think that

18 the Council knows this, but that in suspending the

19 Site Certification Agreement, the impact of that is

20 that there is no work done on the project. So even

21 where they may have areas where they are ready to move

22 forward, or there is something that EFSEC Staff would

23 review, right now, if that comes in the door, we pick

24 that up and we work on it. With a suspension in

25 place, it ceases all work on the project, regardless

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1 of how their status may change and being able to move
 2 forward.
 3 CHAIR DREW: Okay. We're seeing nods,
 4 so I would say that there is agreement.
 5 MR. STEPHENSON: Chair, would you still
 6 like a motion?
 7 CHAIR DREW: Yes.
 8 MR. STEPHENSON: Let me try this. And,
 9 Jon Thompson, please listen.
 10 I will move that the Chair direct Staff to
 11 stop work and suspend the SCA for this project until
 12 the applicant comes to the Council with a proposal to
 13 resume.
 14 I further move that we will do all we can to
 15 recover the costs that we have done so far, and that
 16 the -- that when the applicant comes back to us, that
 17 the Council will move rapidly, as rapidly as we can,
 18 to make a quick decision to resume the project.
 19 CHAIR DREW: Sounds good.
 20 MS. BREWSTER: I will second that
 21 motion.
 22 CHAIR DREW: Discussion?
 23 All those in favor say "aye."
 24 COUNCILMEMBERS: Aye.
 25 CHAIR DREW: Mr. Siemann, I didn't hear

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1 you.
 2 All those opposed?
 3 Motion carries.
 4 MR. SIEMANN: And for the record, this
 5 is Dan Siemann, I did say "aye."
 6 CHAIR DREW: Aye. Mr. Siemann votes
 7 aye. Thank you.
 8 Okay. We very much want success, and we
 9 certainly understand the situation and look forward to
 10 having that success come back and lift the suspension.
 11 Moving on to the Desert Claim Project update.
 12 Ms. Kidder?
 13 MS. KIDDER: Thank you, Chair Drew.
 14 EFSEC Staff continue to coordinate with Desert
 15 Claim. However, there are no updates on the project
 16 or the project schedule at this time.
 17 Are there any questions?
 18 CHAIR DREW: Okay. That -- is there
 19 anything else for the Council, Ms. Bumpus?
 20 MS. BUMPUS: No, that's all I have.
 21 CHAIR DREW: That completes our agenda,
 22 then. This meeting is adjourned.
 23 (Adjourned at 2:35 p.m.)
 24
 25

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1 CERTIFICATE
 2
 3 STATE OF WASHINGTON
 4 COUNTY OF KING
 5
 6 I, Sherrilyn Smith, a Certified
 7 Shorthand Reporter in and for the State of Washington,
 8 do hereby certify that the foregoing transcript is
 9 true and accurate to the best of my knowledge, skill
 10 and ability.
 11
 12
 13
 14
 15
 16
 17 _____
 18 SHERRILYN SMITH, CCR# 2097
 19
 20
 21
 22
 23
 24
 25

EFSEC Monthly Operational Report Grays Harbor Energy Center

August 2019

Safety and Training

- There were no accidents or injuries during the month and the plant staff has achieved 3894 days without a lost time incident.

Environmental & Compliance

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

Operations & Maintenance

- Grays Harbor Energy Center (GHEC) operated 31 days during the month, with 1 starts on U1, and 1 start on U2.
- GHEC generated 416,403 MWh during the month and 1,999,593 MWh YTD.
- The plant capacity factor was 90.3% for the month and 55.3% YTD.
- GHEC scheduled a shutdown, at the beginning of August, to clean our Fuel (Natural) Gas strainers which were showing signs of plugging off. We started observing high differential pressures in June and they continued to increase through August where we reached the point, we were beginning to see low fuel gas pressures nearing the minimum gas pressure required to operate the Gas Turbines. The source of poor fuel quality is still uncertain. One abnormality that occurred this summer, which may have contributed, is that our trunk line supply source has been null. Meaning as much natural gas was being supplied from the south as from the north. Normally our gas supply is the northern flow from British Columbia. There is also an identified "Dithiazine" issue from gas sourced from AECO (NGTL) Hub. The AECO Hub is a storage facility in Alberta, Canada. The following is extracted from an e-mail provide by our third party off taker originally sent out by Williams Northwest Pipeline:

Pursuant to the Dithiazine Notice published by Gas Transmission Northwest (GTN) on June 10, 2019 and as a follow-up to Northwest Pipeline's (Northwest) April 11, 2019 Shipper Advisory Board Meeting, Northwest provides the following update regarding the presence of dithiazine on its system.

Northwest previously communicated dithiazine was identified on the Spokane Lateral and within the Columbia River Gorge at its Roosevelt compressor station. Subsequently, Northwest has preliminarily identified dithiazine deposits on the Portland Lateral. Based on changing flow dynamics, Northwest now anticipates potential discoveries south of the Stanfield interconnect in the mid-section of its system. As communicated during the April 11th meeting, Northwest believes the dithiazine it has observed in these areas is coming from producers upstream of the TransCanada system and is being transported downstream through the GTN system.

Dithiazine is a reaction product resulting from the introduction of triazine based

liquid chemical scavengers used to remove hydrogen sulfide from gas streams. As stated by GTN in multiple shipper notices, dithiazine may drop out of the gas stream, under certain conditions, in the form of a white powder, and further chemically change to an adhesive, putty-like substance at some points of pressure reduction (for example, at a regulator) due to a temperature drop that accompanies the pressure reduction. If a sufficient quantity of the material is accumulated in certain appurtenances, it could cause them not to function properly."

- On August 14 & 15th GHEC completed our annual Relative Accuracy Test Audit, including 5year particulate matter testing.

Noise and/or Odor

- None.

Site Visits

- August 20th engineers and engineering interns from the GH PUD visited the plant for a tour.

Other

- None.



Wild Horse Wind Facility

EFSEC – Monthly Compliance Report

August 2019

Safety

No lost-time accidents or safety injuries/illnesses

Compliance/Environmental

In accordance with Article VI.A.2 the Operations Spill Prevention, Control and Countermeasures Plan (SPCCP) was updated and submitted to EFSEC staff on 8/9.

Annual training was completed by site staff on the following plans/procedures:

- Spill Prevention, Control and Countermeasures Plan (SPCCP)
- Stormwater Pollution Prevention Plan (SWPPP)
- Wildlife Incident Reporting and Handling System (WIRHS)

In accordance with the Operations Stormwater Pollution Prevention Plan (SWPPP) a site inspection was completed following a significant storm event on 8/10 that produced a funnel cloud. Most of the wind farm was not impacted by the storm but a small narrow section along the norther portion of the wind farm has some minor road erosion and sedimentation in ditches/check dams. Maintenance to the ditches/check dams has been completed and the roads will be regraded in the fall.

Operations/Maintenance

Nothing to report

Wind Production

August generation totaled 45,695 MWh for an average capacity factor of 22.53%

Eagle Update

The USFWS published the Environmental Assessment (EA) and Eagle Conservation Plan (ECP) for the eagle permit on 8/19. It is available for public review and comment through 9/17 at <https://www.fws.gov/pacific/migratorybirds/library/wpanalyses.html>. PSE emailed this link to the TAC and informed them of the public review/comment period. After the conclusion of the public review and comment period, the USFWS will make a determination on whether to issue an eagle Incidental Take Permit for Wild Horse.



ENERGY FACILITY SITE EVALUATION COUNCIL

Roll Call Checklist

Meeting Date: September 17, 2019 EFSEC Monthly Meeting

State Agency Members

Chair

Kathleen Drew Present Call

Commerce

Vacant Present Call

Ecology

Cullen Stephenson Present Call

Fish and Wildlife

Mike Livingston Present Call

Natural Resources

Dan Siemann Present Call

Utilities & Transportation Commission

Stacey Brewster Present Call

Court Reporter: _____

Operational Updates

	Present	Call
Kittitas Valley Wind, EDP Renewables Eric Melbardis	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Wild Horse Wind Power Project, Puget Sound Energy Jennifer Diaz	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Grays Harbor Energy Center, Grays Harbor Energy Chris Sherin Jeremy Smith	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Chehalis Generation Facility, PacifiCorp Mark Miller Jeremy Smith	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Columbia Generating Station & WNP-1/4, Energy Northwest Mary Ramos	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Assistant Attorney General

Jon Thompson Present Call

Stephanie Duvall Present Call

Administrative Law Judge

Laura Chartoff Present Call

Council Staff

Sonia Bumpus Joan Aitken

Ami Kidder Patty Betts

Amy Moon Stew Henderson

Kyle Overton

Tammy Mastro

In attendance

	Present	Call
1. <u>Tim McMahan</u> Org: <u>Stoel Rives</u>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
2. <u>Kaylee ??</u> Org: <u>Wild Horse</u>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
3. <u>Kara Warner</u> Org: <u>Golder Associates</u>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
4. _____ Org: _____	<input type="checkbox"/>	<input type="checkbox"/>
5. _____ Org: _____	<input type="checkbox"/>	<input type="checkbox"/>
6. _____ Org: _____	<input type="checkbox"/>	<input type="checkbox"/>
7. _____ Org: _____	<input type="checkbox"/>	<input type="checkbox"/>
8. _____ Org: _____	<input type="checkbox"/>	<input type="checkbox"/>
9. _____ Org: _____	<input type="checkbox"/>	<input type="checkbox"/>
10. _____ Org: _____	<input type="checkbox"/>	<input type="checkbox"/>

**Energy Northwest
September 17, 2019 EFSEC Council Meeting
Operations Reporting Period for August 2019**

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

No updates to report.

Columbia Generating Station (CGS)

Fire inspection update

During the fire re-inspection on June 24, 2019, the Washington State Patrol (WSP) Fire Marshal requested an inspection report from the contractor that performed the coating of two water storage tanks at Columbia Generating Station. On August 21, 2019, Energy Northwest submitted the requested information. Based on discussions with WSP Fire Marshal and EFSEC staff, item 16 pertaining to water tank inspections on the fire inspection report will be closed.

Radioactive air emissions license SEPA data request update

On August 20, 2019, Energy Northwest responded to EFSEC's request for additional SEPA information related to the Columbia Generating Station Radioactive Air Emissions License (RAEL) application.

Energy Facility Site Evaluation Council

Non Direct Cost Allocation
for
REVISED 1st Quarter FY 2020
Effective September 5, 2019 through September 30, 2019
July 1, 2019 – September 30, 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 1st quarter of FY 2020:

Kittitas Valley Wind Power Project	11%
Wild Horse Wind Power Project	11%
Columbia Generating Station	26%
WNP-1	4%
Whistling Ridge Energy Project	4%
Grays Harbor 1&2	16%
Chehalis Generation Project	14%
Desert Claim Wind Power Project	10%
Grays Harbor Energy 3&4	4%


Sonia E. Bumpus, EFSEC Manager

Date: September 5, 2019



STATE OF WASHINGTON

ENERGY FACILITY SITE EVALUATION COUNCIL

PO Box 43172 • Olympia, Washington 98504-3172

September 5, 2019

Mr. Jason Evans
Vice President
TUUSSO Energy, LLC
500 Yale Avenue North
Seattle, WA 98109

Subject: Columbia Solar Project, Docket No. EF-170823; Order No. 877: Suspension of Site Certification

Dear Mr. Evans,

On August 20, 2019 the Energy Facility Site Evaluation Council (EFSEC or Council) approved suspension of TUUSSO Energy's (TUUSSO) site certification for the Columbia Solar Project (Columbia Solar). At the August 20th council meeting the Council directed the EFSEC Manager and the Council Chair to develop and issue an order suspending TUUSSO's site certification for the five Columbia Solar sites. A copy of Order No. 877, signed by the Council Chair and effective as of September 5, 2019 is enclosed for your records.

EFSEC expects to provide you with a final invoice for the Columbia Solar financial account after the closing of the first quarter of the state fiscal year 2020. As indicated in Order No. 877, TUUSSO's \$50,000 deposit for the application review of Columbia Solar will be applied towards the total unpaid balance.

As EFSEC staff have previously discussed, we expect correspondence will continue with TUUSSO for resolution of the unpaid and still owing Columbia Solar account balance, and for additional updates concerning the fate of Columbia Solar.

I and my staff have enjoyed working with the TUUSSO team throughout the siting process and we wish you success in your efforts to secure funding in support of moving Columbia Solar forward to completion.

Please feel free to contact me if you have any questions about this Council action or about EFSEC's process for closing out the Columbia Solar project financial account. I can be reached at (360) 664-1363, or at sonia.bumpus@utc.wa.gov.

Sincerely,

A handwritten signature in blue ink, appearing to read "Sonia E. Bumpus". The signature is fluid and cursive, with the first name being more prominent.

Sonia E. Bumpus
EFSEC Manager

Enclosure: Order 877

cc: Kathleen Drew, EFSEC Chair
Timothy L. McMahan, Stoel Rives LLP
Jonathan Thompson, EFSEC AAG
Ami Kidder, EFSEC Siting and Compliance Manager
Mark Johnson, UTC Director
Amy Andrews, UTC CFO

**BEFORE THE STATE OF WASHINGTON
ENERGY FACILITY SITE EVALUATION COUNCIL**

In the Matter of Docket No. EF-170823:

**TUUSSO Energy LLC,
COLUMBIA SOLAR ENERGY
PROJECT**

COUNCIL ORDER No. 877

**ORDER SUSPENDING SITE
CERTIFICATION AGREEMENTS FOR
THE COLUMBIA SOLAR PROJECT**

Regulatory Authority:

RCW 80.50.071 provides, in relevant part, as follows:

(1) The council shall receive all applications for energy facility site certification. Each applicant shall pay actual costs incurred by the council and the utilities and transportation commission in processing an application.

(a) Each applicant shall, at the time of application submission, deposit with the utilities and transportation commission an amount up to fifty thousand dollars, or such greater amount as specified by the council after consultation with the applicant. The council and the utilities and transportation commission shall charge costs against the deposit if the applicant withdraws its application and has not reimbursed the commission, on behalf of the council, for all actual expenditures incurred in considering the application.

* * *

(c) In addition to the deposit required under (a) of this subsection, applicants must reimburse the utilities and transportation commission, on behalf of the council, for actual expenditures that arise in considering the application * * *. The utilities and transportation commission, on behalf of the council, shall submit to each applicant an invoice of actual expenditures made during the preceding calendar quarter in sufficient detail to explain the expenditures. The applicant shall pay the utilities and transportation commission the amount of the invoice by the due date.

(2) Each certificate holder shall pay to the utilities and transportation commission the actual costs incurred by the council for inspection and determination of compliance by the certificate holder with the terms of the certification relative to monitoring the effects of construction, operation, and site restoration of the facility.

(a) Each certificate holder shall, within thirty days of execution of the site certification agreement, deposit with the utilities and transportation commission an amount up to fifty thousand dollars, or such greater amount as specified by the council after consultation with the certificate holder. The council and the utilities and

transportation commission shall charge costs against the deposit if the certificate holder ceases operations and has not reimbursed the commission, on behalf of the council, for all actual expenditures incurred in conducting inspections and determining compliance with the terms of the certification.

(b) In addition to the deposit required under (a) of this subsection, certificate holders must reimburse the utilities and transportation commission, on behalf of the council, for actual expenditures that arise in administering this chapter and determining compliance. The council, after consultation with the utilities and transportation commission, shall submit to each certificate holder an invoice of the expenditures actually made during the preceding calendar quarter in sufficient detail to explain the expenditures. The certificate holder shall pay the utilities and transportation commission the amount of the invoice by the due date.

(3) If an applicant or certificate holder fails to provide the initial deposit, or if subsequently required payments are not received within thirty days following receipt of the invoice from the council, the council may (a) in the case of the applicant, suspend processing of the application until payment is received; or (b) in the case of a certificate holder, suspend the certification.

Findings:

1. On October 16, 2017, TUUSSO Energy, LLC (TUUSSO) filed an application with the Energy Facilities Site Evaluation Council (EFSEC or Council) to obtain a site certification, pursuant to RCW 80.50.060, to construct and operate the Columbia Solar Project consisting of five solar photovoltaic generating facilities and two generation tie lines. TUUSSO provided the Utilities and Transportation Commission (UTC) a deposit of \$50,000 as required by RCW 80.50.071(1)(a).
2. Following review of the application, on August 22, 2018, EFSEC issued its Report to the Governor, recommending approval of the application.
3. The Governor approved the application and executed five site certification agreements, one for each of the five solar photovoltaic generating facilities proposed in TUUSSO's application on October 17, 2018.
4. Kittitas County filed a petition for judicial review in Thurston County Superior Court on November 14, 2018. After EFSEC assembled the agency record for review to the Court, and the Office of the Attorney General submitted legal briefing to the Court in defense of the Governor's approval of the application, Kittitas County agreed to dismissal of its petition for judicial review. The County's petition was dismissed on April 9, 2019.
5. EFSEC and the UTC have invoiced TUUSSO for expenses incurred in considering the application, determining compliance by the certificate holder with the terms of the certification, and otherwise administering RCW 80.50 in regard to the Columbia Solar

Project, including legal defense of the decision to approve the application against Kittitas County's appeal. TUUSSO paid the amounts invoiced for agency expenditures through the 4th Quarter of Fiscal Year 2018 (April-June 2018).

7. TUUSSO received Columbia Solar Project billing for 1st Quarter Fiscal Year (FY19) expenditures (July - September 2018), in Invoice No. 5045-1, dated 12/20/2018, with a payment due date of 01/18/2019. TUUSSO did not pay Invoice No. 5045-1.
8. TUUSSO received Project billing for 2nd Quarter FY19 expenditures (October - December 2018) in Invoice No. 5124-1, dated 01/29/2019, with a payment due date of 03/01/2019. TUUSSO did not pay Invoice No. 5124-1.
9. EFSEC sent a letter to TUUSSO dated May 6, 2019 requesting that TUUSSO make a payment towards the unpaid balance for 1st and 2nd Quarter FY19 unpaid invoices. EFSEC also requested that TUUSSO provide a Project update by May 31, 2019.
10. TUUSSO remitted a partial payment in the amount of \$100,000.00 in May 2019. The Utilities and Transportation Commission (UTC) applied that payment towards the 1st Quarter FY19 unpaid invoice.
11. The UTC has not refunded TUUSSO's original deposit of \$50,000, submitted with TUUSSO's application for purposes of RCW 80.50.071(1)(a).
12. On May 31, 2019, email correspondence received by EFSEC from TUUSSO indicated that a "funding partner" had terminated Project-related agreements and that consequently, TUUSSO was seeking "alternative sources of funding" to fund the Project. The timeframe TUUSSO provided indicated they would have, "a source of funding in place by the end of July."
13. TUUSSO received billing for 3rd Quarter Fiscal Year (FY19) expenditures (January – March 2019 in Invoice No. 5279-1, dated 05/17/2019, with a payment due date of 06/20/2019. TUUSSO did not pay Invoice No. 5129-1.
14. EFSEC sent a letter dated July 10, 2019, to TUUSSO requesting that its outstanding Project balance be paid by August 15, 2019, and noted that EFSEC may consider suspension of the Site Certification Agreement for non-payment of the Project billings, pursuant to RCW 80.50.071(3).
15. EFSEC received a response by email dated July 15, 2019, from Jason Evans, TUUSSO's Vice President. The correspondence provided by Mr. Evans indicated TUUSSO's intent to secure project funding and settle the unpaid balance by the August 15th date, per EFSEC's request in its July 10th letter. However, on August 14th, during a phone call between Sonia E. Bumpus, EFSEC Manager, and Mr. Evans, Mr. Evans indicated that TUUSSO was

unable to make any payment for the Project billings by August 15th and that no additional funding source had been secured.

16. As of the completion of 4th Quarter FY19, TUUSSO's outstanding unpaid balance of invoiced amounts for UTC and EFSEC's Columbia Solar Project expenses totals approximately \$264,067.78.
17. At the Council's August 20, 2019, open meeting, Mr. Evans addressed the Council regarding the Project's financial difficulties and TUUSSO's inability to pay the 1st, 2nd, 3rd, and 4th Quarter FY19 billings for the Project.
18. According to Mr. Evans, TUUSSO committed all of its funding as a company to development of the Columbia Solar project and was, and remains, in a "very low cash position." TUUSSO entered into an agreement with a counterparty in early 2018 to sell the Columbia Solar Project, and the counterparty began to make payments to TUUSSO's vendors for development of the Project, including to EFSEC, and to pay a development services fee to TUUSSO for its continued work on the Project. Under that agreement, TUUSSO was to be paid for the Project following its successful realization. However, for a variety of reasons including Kittitas County's appeal and Puget Sound Energy's (PSE) denial of interconnection for two of the five sites, the counterparty stopped making payments and providing funding to TUUSSO. This occurred in December 2018, without the counterparty informing TUUSSO of its intention to stop funding. However, the counterparty waited another five months, until May 31, 2019, to officially terminate its agreement with TUUSSO. TUUSSO has, since that time, been searching for a partner to take the Project forward. Mr. Evans stated that TUUSSO is in discussions with potential purchasers and potential providers of financing. That effort is challenging because of outstanding payables that are now due and the nature of the split with the prior counterparty. Mr. Evans explained that TUUSSO has three viable interconnection agreements with PSE, and must give notice to PSE in November 2019 that the facilities at those three sites will go forward. Therefore, it is critical that TUUSSO secure a partner by November.
19. Following Mr. Evans explanation and recommendations by Ms. Bumpus, the Council voted to proceed with suspension of TUUSSO's certification for the Columbia Solar Project. The Council directed the EFSEC Manager and the Council Chair to develop and issue an order suspending TUUSSO's certification for the Columbia Solar Project on the terms generally described in staff's recommendation with additional terms provided by the Council.

ORDER

THEREFORE, IT IS HEREBY ORDERED that:

- (1) TUUSSO's certification for the Columbia Solar Project, which became effective on October 17, 2018, is suspended on the terms specified in this order.
- (2) Unless and until TUUSSO's certification is reinstated by the Council, TUUSSO may not initiate construction or take any action at the Project sites for which the law requires either site certification or a state or local permit or similar authorization.
- (3) EFSEC staff and contractors shall cease work on inspection and determination of compliance by the certificate holder with the terms of the certification.
- (4) Effective September 5, 2019 UTC shall cease allocating overhead to the Columbia Solar Project, but shall issue an invoice to TUUSSO for the first quarter of fiscal year 2020 (July 1, 2019 through September 30, 2019) reflecting direct and overhead costs incurred prior to September 5, 2019.
- (5) To obtain reinstatement of certification, TUUSSO must first make full payment of all invoiced amounts. Due to its history of non-payment, TUUSSO must provide a new deposit of at least \$50,000, or such greater amount as may be specified by the Council at that time, to meet the requirement of RCW 80.50.071(2)(a). TUUSSO must make a request for reinstatement to the Council in writing, and must include in that request a full description of its financial situation and an attestation to its ability to make timely payment of invoices going forward. The Council will endeavor to act promptly to decide such a request. The Council reserves the authority to impose any additional conditions on reinstatement of certification it deems appropriate at that time. TUUSSO shall be required to pay the cost incurred by the Council in reviewing any such request.
- (6) The terms of WAC 463-68-080, including the provision that site certification shall expire if the certificate holder does not start construction within ten years of execution of the SCAs, shall continue to apply notwithstanding suspension.
- (7) The terms of WAC 463-68-060, including the requirement that the certificate holder must report to the Council its intention to proceed or not proceed with the project if construction has not started within five years of execution of the SCAs, shall continue to apply notwithstanding suspension. TUUSSO shall be required to pay the cost incurred by the Council in reviewing of any such report.
- (8) UTC shall apply the \$50,000 deposit that TUUSSO provided at the time it submitted its application for site certification, and which the UTC retained as the deposit required of the certificate holder by RCW 80.50.071(2)(a) following execution of the site certification agreement, toward payment of TUUSSO's outstanding unpaid invoices.
- (9) TUUSSO remains responsible for payment of all outstanding costs invoiced by EFSEC, and this order in no way excuses or delays TUUSSO's continuing obligation to pay, nor

does it affect the UTC and EFSEC's right to pursue collection in any manner and on any timeline those agencies deem appropriate.

- (10) EFSEC retains all available enforcement authority, including penalty authority under RCW 80.50.150 and 155, and the authority to revoke the Columbia Solar certificates if it deems such action appropriate under RCW 80.50.130.

DATED at Lacey, Washington and effective on this 5th day of September, 2019.

WASHINGTON STATE
ENERGY FACILITY SITE EVALUATION COUNCIL



Kathleen Drew, EFSEC Chair



Washington State Energy Facility Site Evaluation Council

AGENDA

MONTHLY MEETING
Tuesday September 17, 2019
1:30 PM

621 Woodland Square Loop SE,
Lacey, WA 98503,
Conference Room 110
Conference number: (360) 407-3810 ID: 214817

- 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
 - August 20, 2019
- 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. Chehalis Generation Facility
 - Operational Updates.....Mark Miller, Chehalis Generation
 - d. Grays Harbor Energy Center
 - Project Updates.....Chris Sherin, Grays Harbor Energy
 - e. Columbia Generating Station
 - Operational Updates.....Mary Ramos, Energy Northwest
 - f. WNP – 1/4
 - Non-Operational Updates.....Mary Ramos, Energy Northwest
 - g. Desert Claim
 - Project Updates.....Amy Moon, EFSEC Staff
 - h. Columbia Solar Project
 - SCA Order.....Sonia Bumpus, EFSEC Staff
- 5. Other
 - a. EFSEC Council
 - Revised 1st Quarter Cost Allocation.....Sonia Bumpus, EFSEC Staff
 - Air Rule Update.....Ami Kidder, EFSEC Staff
- 6. 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

Kittitas Valley Wind Power Project

Monthly Operations Report

August 2019

Project Status Update

Production Summary:

Power generated: 32,388 MWh
Wind speed: 8.3m/s
Capacity Factor: 43.5%

Safety:

No incidents

Compliance:

Project is in compliance

Sound:

No complaints

Shadow Flicker:

No complaints

Environmental:

No incidents

Chehalis Generation Facility----Monthly Plant Report – August 2019

Washington Energy Facility Site Evaluation Council

09.06.2019

Safety:

- There were no recordable incidents this reporting period and the plant staff has achieved 1493 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 complied with the permit limits for the month.

Operations and Maintenance Activities:

- The Plant generated 337,920 MW-hours in August for 2019 Year-To-Date generation equaling 1,371,814 MW-hours. The capacity factor for the month of August was 92.7% and the YTD is 47.0%.

Regulatory/Compliance:

- Nothing to report this period.

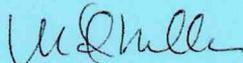
Sound monitoring:

- Nothing to report this period.

Carbon Offset Mitigation:

- Nothing to report this period.

Respectfully,



Mark A. Miller
Manager, Gas Plant
Chehalis Generation Facility



NOVA Gas Transmission Ltd.
Non-Critical Notice

Notice Type: Other
Effective Start Date/Time: Sep 10 2019 09:00
Subject: Dithiazine Update

NOVA Gas Transmission Ltd. (NGTL), indirectly and partially owned by TransCanada Pipelines Limited, an affiliate of TC Energy Corporation (TC Energy), is hereby providing an update to stakeholders about a chemical substance, Dithiazine, that continues to appear at some facilities on its pipeline systems and facilities of downstream customers. This is a follow-up to previous bulletin board postings on June 29 in 2018, January 16 and 24, March 24, and June 10 in 2019.

TC Energy met with potentially impacted shippers and interconnecting and downstream parties on August 21, 2019 in Portland, Oregon. Prior to and immediately following the August 21 meeting, several interconnecting parties and downstream customers communicated with TC Energy to offer ideas, provide feedback, and suggest next steps. TC Energy is continuing discussions with these stakeholders and encourages others to continue to reach out with constructive dialogue as well. TC Energy emphasizes that communication among the affected stakeholders is necessary for timely and effective management of Dithiazine in the gas stream and to facilitate gathering and assessing data to determine its source(s) and carry-over mechanism.

At this meeting and through other communication, the attendees discussed:

1. **Background information**, including the potential that Dithiazine has affected gas turbine driven compressor stations, regulator facilities, maintenance activities, delivery meter stations, and customer locations, as well as statistics regarding potential Dithiazine appearances.

TC Energy is continuously working with stakeholders to investigate the sources and downstream impacts of Dithiazine. This includes pursuing several activities with the objectives of investigating the source(s), and effectively mitigating impacts to pipeline systems and facilities. We believe that the pre-cursor H₂S scavenger is MEA-Triazine and have been in contact with suppliers and users to better understand its chemistry, application, reclamation and treatment rates. Given the historical use of triazine in industry, it is imperative that all stakeholders in the natural gas value chain, from producers to industrial end users, work together to identify the instances of Dithiazine deposits and the conditions that lead to depositional environments.

TC Energy strongly encourages any parties using MEA-Triazine to work with their suppliers to ensure proper application of MEA-Triazine, which may include steps to design, construct and operate facilities to appropriately reclaim spent scavenger; validation of treatment rates of MEA-Triazine that include monitoring; and process management to prevent operational and downstream issues. Through its evaluations, TC Energy has identified several process conditions as potential contributors to Dithiazine carryover, including:

- 1) Continuous injection of MEA-triazine into sales gas without appropriate process equipment to reclaim the spent scavenging byproducts; and
- 2) Contact tower foam-over or other abnormal operation conditions/processing issues related to MEA-triazine

Other process conditions may contribute to Dithiazine carryover, and TC Energy is evaluating technical and administrative options to ensure that producers or other processing facilities are not using direct injection or creating tower foam-over conditions which could contribute Dithiazine to our pipeline system. Any stakeholders that have changed their scavenger, process and/or are aware of alterations in MEA-Triazine usage or application are asked to inform TC Energy's Dithiazine response lead.

2. **Research and development activities**, including facts and findings related to chemistry and chemical behavior of Dithiazine in pipeline systems; the potential for Dithiazine in a pipeline system to (a) de-sublimate into a white

powder downstream of a pressure cut; or (b) maintain in the vapor phase when enough heat is applied. TC Energy continues to evaluate results of deployment of sample panels and make use of other investigative tools applied on its pipeline systems.

In December of 2018, TC Energy began deployment of several in-stream detection panels at strategic locations on the GTN and NGTL pipeline systems. These in-stream detection panels were developed with TC Energy's engineering services team and a third-party research organization and supplier, but quality control and assurance verification parameters have not been validated at this time. The sample panels are not a method of real time monitoring, as they utilize a composite sample which is later processed and analyzed off-site. TC Energy developed these detection panels as part of an on-going program to help identify and monitor concentration levels of Dithiazine in the pipeline system. TC Energy recommends that other stakeholders that have or are developing detecting capabilities collaborate with TC Energy and its third-party vendors in this effort.

Since the deployment of the in-stream detection panels, numerous samples have been collected from twenty locations on GTN and NGTL over the past 9 months and preliminary trending of Dithiazine concentration levels has been conducted. Detection samples will continue to be taken at various locations moving forward to monitor concentration levels and to mitigate potential sources of Dithiazine entering the pipeline system. Additionally, TC Energy is continuing its development of sample panels, and potential of real time monitoring solutions.

3. **Potential best practices**, including TC Energy's experience on short- and long-term mitigation with respect to turbine fuel gas (including flushing or cleaning fuel valves with hot water, removing fuel injectors for ultrasonic cleaning, sourcing fuel gas from discharge of compressor, and using fuel gas preheaters and pilot gas charcoal filters) and meter/regulator stations (including monitoring, increasing inspection/maintenance frequencies, cleaning with hot water, and using pilot gas charcoal filters and gas preheaters).

TC Energy continues to observe Dithiazine at its facilities through increased inspection and maintenance, and is taking steps, including frequent cleaning, to ensure that its facilities are operating properly. **It is incumbent upon all potentially impacted parties to continue to conduct their own maintenance, testing and analysis to ensure the safety and reliability of their facilities.** Stakeholders are asked to continue to provide relevant information when they encounter suspected Dithiazine in their facilities, including mitigation methods that they have employed, to TC Energy's Dithiazine response lead.

4. **Potential remediation methods**, related to downstream effects.

TC Energy has initiated an evaluation of potential long-term remediation methods of downstream effects to its facilities, including, but not limited to mechanical and chemical cleaning options. TC Energy is aware that other pipeline companies, in addition to TC Energy, are evaluating the use of filters, a pigging program and use of chemical cleaning.

Thus far, TC Energy has utilized opportunities within its existing integrity programs to sample and analyze pipeline debris collected from inline inspection projects. Dithiazine presence has been identified in several of the debris samples collected from recent pig runs on pipeline segments on the West Path. TC Energy is evaluating opportunities to collect more data as we conduct additional pigging operations on the West Path and GTN.

These efforts require testing and assessment of collateral impacts as the conditions warrant to ensure that the safe, reliable delivery of natural gas is not compromised. Stakeholders are urged to work with their interconnecting parties to evaluate potential remediation methods.

At this time, NGTL will not implement a curtailment of gas treated with MEA-Triazine entering its system. However, TC Energy continues to monitor and evaluate operational conditions as circumstances dictate. TC Energy looks forward to working with stakeholders and is committed to providing updates of its efforts, as appropriate. In the meantime, TC Energy representatives are available to meet with affected parties or to address any questions. Please contact Tyler Marks (tyler_marks@tcenergy.com), our Dithiazine response lead, at your convenience.

Effective End Date/Time: Dec 10 2019 09:00
Required Response: No response required
Response Date/Time:
Posting Date/Time: Sep 10 2019 12:36
Notice #: 337318401
Revision #: 0