EXHIBIT AA

ELECTRIC TRANSMISSION LINE

OAR 345-021-0010(1)(aa)
OAR 345-024-0090(1),(2)

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TABLE

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AA.1 INTRODUCTION

Klamath Falls Bioenergy, LLC (Applicant) proposes to construct the Klamath Falls Bioenergy Facility (Facility) near the City of Klamath Falls, Oregon (City). The proposed Facility will produce a total of 42 megawatts (MW), of which 37 MW will be exported to the electric grid. The site is zoned for heavy industrial land use and currently is used as pastureland.

OAR 345-021-0010(1)(aa) *If the proposed facility includes an electric transmission line:*

Response: The proposed Facility includes an approximately 0.65-mile long, 69-kilovolt (kV), overhead, wood pole transmission line from the Facility's substation north, generally parallel to the Facility access road, to a new switchyard near Highway 66.

AA.2 ELECTRIC AND MAGNETIC FIELDS

OAR 345-021-0010(1)(aa)(A) *Information about the expected electric and magnetic fields (EMFs), including:*

AA.2.1 Distance from Transmission Line Centerline to Edge of Right-of-Way

(i) The distance in feet from the proposed center line of each proposed transmission line to the edge of the right-of-way;

Response: The transmission line route is entirely within the Facility site. As a result, there will not be an explicit right-of-way for this line.

AA.2.2 Types of Occupied Structures within 200 Feet of Centerline of Proposed Transmission Lines

(ii) The type of each occupied structure, including but not limited to residences, commercial establishments, industrial facilities, schools, daycare centers and hospitals, within 200 feet on each side of the proposed center line of each proposed transmission line;

(iii) The approximate distance in feet from the proposed center line to each structure identified in (A);

Response: There are no known occupied buildings, residences, or other sensitive receptors currently within 200 feet on either side of the centerline of the proposed transmission line route. The power island and scale house may be constructed within 200 feet (but greater than 50 feet) of the centerline of the proposed transmission line route. It should also be noted that the area around the transmission line route is not accessible to the public; it is on private property with restricted access.

AA.2.3 Graphs of Electric and Magnetic Field Levels

(iv) At representative locations along each proposed transmission line, a graph of the predicted electric and magnetic fields levels from the proposed center line to 200 feet on each side of the proposed center line;

Response:

AA.2.3.1 Overview of EMFs Produced by Transmission Lines

All electric utility wires and devices generate alternating electric and magnetic fields (EMFs). The earth itself generates steady state EMFs. The EMF produced by the alternating current (AC) electrical power system in the United States has a frequency of 60 hertz (Hz), meaning that the fields change from positive to negative and back to positive, 60 times per second.

In AC power systems, voltage swings positive to negative and back to positive, a 360-degree cycle, 60 times every second. Current follows the voltage, flowing forward, reversing direction, and returning to the forward direction, again a 360-degree cycle, 60 times every second. Each AC three-phase circuit carries power over three conductors. One phase of the circuit is carried by each of the three conductors. The AC voltage and current in each phase conductor is out of sync with the other two phases by 120 degrees, or one-third of the 360-degree cycle. The fields from these conductors tend to cancel out because of the phase difference. However, when a person stands under a transmission line or over a buried circuit of underground lines, one conductor is always significantly closer and will most likely contribute a net uncanceled field at the person's location, assuming the three-phase currents are equal.

Electric Fields

Electric fields around transmission lines are produced by electrical charges, measured as voltage, on the energized conductor. Electric field strength is directly proportional to the line's voltage; that is, increased voltage produces a stronger electric field. The electric field is inversely proportional to the distance a sensor is from the conductors, so that the electric field strength decreases as the distance from the conductor increases. For this transmission line, the voltage and electric field alternate at a frequency of 60 Hz. The strength of the electric field is measured in units of kilovolts per meter (kV/m). The voltage, and therefore the electric field, around a transmission line remains practically steady and is not affected by the common daily and seasonal fluctuations in usage of electricity by customers.

Magnetic Fields

Magnetic fields around transmission lines are produced by the electrical load, or the amount of current flow through the conductors measured in terms of amperage. Like the electric field, the magnetic field alternates at a frequency of 60 Hz. The magnetic field strength is directly proportional to the amperage; that is, increased power flow results in increased amperage which produces a stronger magnetic field. The magnetic field is inversely proportional to the sensor's distance from the conductors. Also, like the electric field, the magnetic field strength decreases as the distance from the conductor increases. Magnetic fields are expressed in units of milli Gauss (mG). However, unlike voltage, the amperage and therefore the magnetic field around a transmission line fluctuate hourly and daily as the amount of current flow varies. The strength of the magnetic field depends on the current in the conductor, the geometry of the construction, the degree of cancellation from other conductors, and the distance from the conductors or cables.

AA.2.3.2 EMF Calculations for 69-kV Overhead Transmission Lines

Figure AA-1 illustrates the typical wood H-frame overhead structural configuration for the proposed 69-kV single-circuit transmission line.

Line Loads for EMF Calculation

It is important that any discussion of EMFs includes the assumptions used to calculate these fields. It is also important to remember that the EMF in the vicinity of the transmission lines varies with regard to line design, line loading, distance from the line, and other factors. The electric field depends on line voltage, which remains nearly constant for a transmission line in normal operation. The magnetic field is proportional to line loading (amperage), which varies as power generation is changed by the intensity of the Facility. Maximum magnetic fields are produced at the maximum (peak) conductor currents.

The entire 69-kV transmission line in this study is rated for a nominal voltage of 69 kV measured phase to phase. The peak line loading value assumed for each overhead circuit is 350 amperes per phase conductor. The conductor assumed for each conductor and both grounds is a single conductor per phase of 397.5 thousand circular-mil aluminum-conductor-steel-reinforced "Ibis" with a diameter of 0.783 inch.

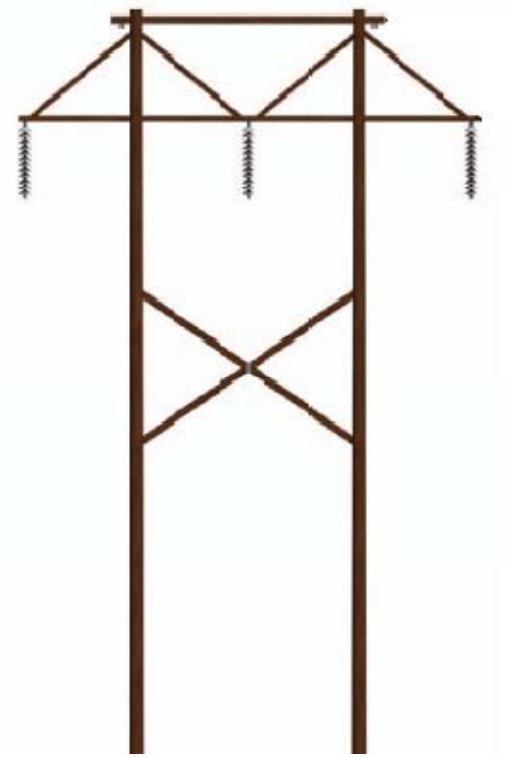
Calculation Methods

The calculation methods used for the analysis are provided in Chapter 8 of the *Transmission Line Reference Book, 345-kV and Above* (EPRI, 1985).

The software tool program used for the H-frame overhead 69-kV analysis, called "EMF Workstation: ENVIRO (Version 3.52)," is a new Windows-based model developed by EPRI that uses the same Bonneville Power Administration calculation algorithms as the Corona and Field Effect Program, with a friendlier interface. The results of the ENVIRO Program are provided in Attachment AA-1.

To estimate the maximum fields, calculations are performed at mid-span where the conductor has sagged to its lowest point between structures (the estimated maximum sag point). This section addresses the estimates of the maximum possible 60-Hz AC EMF strengths that will be produced by the proposed 69-kV overhead facilities. These estimates are computed for a height of 1 meter (3.3 feet) above the ground on the proposed line route.

Figure AA-1 Typical Overhead 69-kV Single-Circuit, H-Frame Support Structure



Results of 69-kV Overhead EMF Calculations

Table AA-1 presents the calculated values of the EMF at 200 feet either side of the centerline of the transmission line and the maximum calculated value. The values are computed with conductors at maximum sag (minimum conductor ground clearance). The actual magnetic field values vary as load varies hourly, daily, seasonally, and as conductor sag changes with ambient temperature. Also, field values vary depending on the receptor's location between the transmission line structures (the magnetic fields will be less at the structures because the conductors will be higher off the ground). The levels shown represent the highest magnetic fields expected for the proposed project. Average fields along the ground between poles and over a year's time would be considerably less than the peak or even the typical values shown.

Table AA-1. Calculated Magnetic and Electric Field Values for 69-kV Overhead Transmission Line

Reference Figure AA-2 Magnetic Field (mG)			Reference Figure AA-3 Electric Field (kV/m)		
Left Side of the Centerline (200')	**Maximum**	**Right Side of the Centerline (200')**	**Left Side of the Centerline (200')**	**Maximum**	**Right Side of the Centerline (200')**
0.69	33.61	0.56	0.004	0.39	0.004

The maximum calculated magnetic field shown in Table AA-1 occurs at the centerline of the proposed 69-kV overhead transmission line. The maximum calculated electric field shown in Table AA-1 occurs approximately 14 feet to the left and to the right of the

centerline because of the structural configuration of the proposed 69-kV overhead transmission line.

The results are plotted on the graphs shown in Figures AA-2 and AA-3.

Figure AA-2 Magnetic Field Profile for 69-kV Single-Circuit, H-Frame Support Structure

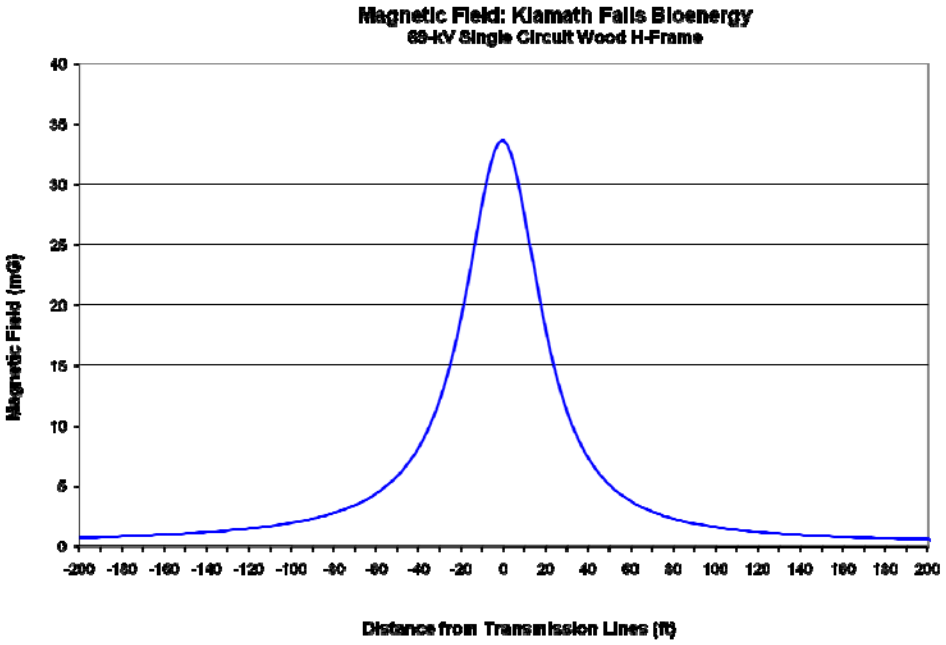
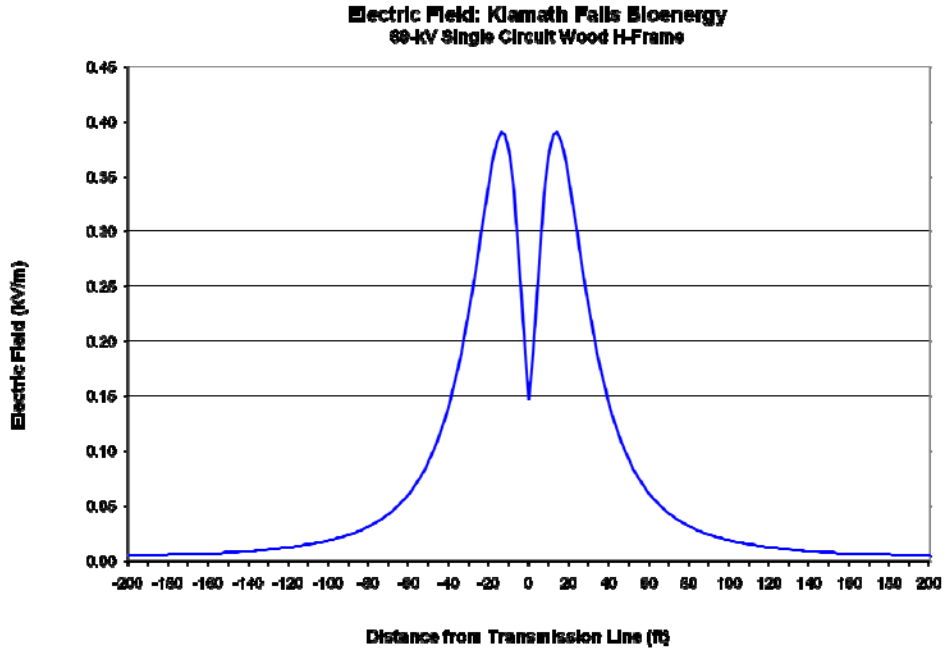


Figure AA-3 Electric Field Profile for 69-kV Single-Circuit, H-Frame Support Structure



AA.2.3.3 Overview of Corona Audible Noise Produced by Transmission Lines

Corona is the electrical ionization of the air that occurs near the surface of the energized conductor and suspension hardware because of very high electric field strength. Corona may result in audible noise being produced by the transmission lines.

The amount of corona produced by an overhead transmission line is a function of the voltage of the line, the diameter of the conductors, the locations of the conductors in relation to each other, the elevation of the line above sea level, the condition of the conductors and hardware, and the local weather conditions. Power flow does not affect the amount of corona produced by a transmission line. Corona typically becomes a design concern for transmission lines at 345 kV and above but is less noticeable from lines like this 69-kV transmission line, which will operate at lower voltages.

Corona also increases at higher elevations, where the atmosphere is less dense than at sea level. Audible noise will vary with elevation with the relationship of A/300, where A is the elevation of the line above sea level measured in meters (EPRI, 1985). Audible noise at 600 meters elevation will be twice the audible noise at 300 meters, all other things being equal. The 69-kV transmission line was modeled with an elevation of 4,000 feet.

Raindrops, snow, fog, hoarfrost, and condensation accumulated on the conductor surface are also sources of surface irregularities that can increase corona. During fair weather, the number of these condensed water droplets or ice crystals is usually small and the corona effect is also small. However, during wet weather, the number of these sources increases (such as when rain drops stand on the conductor) and corona effects are therefore greater. During wet or foul weather conditions, the conductor will produce the greatest amount of corona noise. However, during heavy rain, the noise generated by the falling rain drops hitting the ground will typically be greater than the noise generated by corona and thus will mask the audible noise from the transmission line.

The audible noise from the proposed transmission line was predicted using EMF Workstation: ENVIRO (Version 3.52), the same program used for the EMF analyses. The results of the ENVIRO Program are provided in Attachment AA-1. The calculated noise values in fair weather and foul weather are so low that the model did not register them; therefore, the calculated noise from the 69-kV transmission line is considered negligible and is not discussed further in this section.

AA.2.3.4 Measures Proposed to Reduce EMF Levels

(v) Any measures the applicant proposes to reduce electric or magnetic field levels;

Response: The proposed 69-kV single circuit transmission line will be located as far as possible from occupied buildings, within a minimum distance of 50 feet. As shown in Figure AA-2, at a distance of 50 feet from the line, the magnetic field is approximately 5 mG, which is an acceptable level of magnetic field that can be found inside a typical residence. As shown in Figure AA-3, the electric field at 50 feet will be 0.05 kV meter, which also is an acceptable level that can be found in a typical residence.

AA.2.3.5 Assumptions and Methods Used in EMF Analyses

(vi) The assumptions and methods used in the electric and magnetic field analysis, including the current in amperes on each proposed transmission line;

Response: See Section AA.1.3.2. Attachment AA-1 shows data inputs and assumptions used in the EMF and audible noise analysis conducted using the EPRI EMF Workstation: ENVIRO (Version 3.52) program.

AA.2.3.6 Monitoring Program

(vii) The applicant's proposed monitoring program, if any, for actual electric and magnetic field levels;

Response: The Applicant is not proposing to conduct a post-construction monitoring program for EMFs.

AA.3 ALTERNATING CURRENT ELECTRIC FIELDS

OAR 345-024-0090 *To issue a site certificate for a facility that includes any transmission line under Council jurisdiction, the Council must find that the applicant:*

(1) Can design, construct and operate the proposed transmission line so that alternating current electric fields do not exceed 9 kV per meter at one meter above the ground surface in areas accessible to the public;

Response: The electric fields calculated for the proposed 69-kV single circuit transmission line do not exceed 9 kV per meter (see Figure AA-3). This figure demonstrates that the maximum electric field modeled is less than 0.4 kV per meter, which is less than the 9-kV–per-meter standard set forth in OAR 345-024-0090(1). Note that the transmission line route is not accessible to the public. It is on private property with restricted access.

AA.4 INDUCED VOLTAGE AND CURRENT

OAR 345-024-0090 *To issue a site certificate for a facility that includes any transmission line under Council jurisdiction, the Council must find that the applicant:*

***

(2) Can design, construct and operate the proposed transmission line so that induced currents resulting from the transmission line and related or supporting facilities will be as low as reasonably achievable.

Response: The Applicant has designed the transmission line so that induced currents will be as low as reasonably achievable. Below is an analysis of the risk of induced currents from the proposed overhead line.

Note that the transmission line route is not accessible to the public. It is on private property with restricted access.

AA.4.1 Analysis of Induced Voltage and Current

AA.4.1.1 Induced Voltage

Voltage is the electrical pressure that pushes current through a conducting wire or object. An object such as a bird, person, vehicle, or barbed-wire fence that is insulated from ground and in an electric field will possess an induced voltage. A bird flying through the field is safe because the induced voltage cannot make current flow through the bird, unless there is a conducting path for the current. Induced voltages can only be a hazard

when the object is shorted to ground, allowing a path for current to flow. The conductivity of the air around the overhead conductor will determine the upper limit of the current that can flow when the object is shorted to ground.

A common induced voltage hazard occurs on wire fences that parallel overhead transmission lines. If the fence is ungrounded, it possesses the voltage of the net electric field of the overhead conductors at the location of the fence. A person touching such a fence becomes a conducting path for the current and will feel a momentary shock. The AC static voltage on the fence bleeds off quickly but can be annoying. This hazard is easily removed by bonding the fence wires along the length of the fence to grounding rods that are driven into the soil.

AA.4.1.2 Induced Current

A current carrying conductor will induce a current to flow in another conductor that is parallel to it. Induced currents result from the net AC magnetic field. In the common case cited above, grounded fences create electrical loops in which induced currents can flow. The value of the induced current will depend on the magnetic field strength, the size and shape of the conducting object, and the object-to-ground resistance.

Induced currents are not a hazard to people because almost no voltage is involved. However, induced currents are a concern for railroad communications and for pipeline cathodic protection systems that parallel transmission lines.

Sufficient distance between such facilities and the proposed transmission line exists, so induced current will not be an issue.

AA.5 RADIO AND TV INTERFERENCE

OAR 345-021-0010(1)(aa)(B) *An evaluation of alternate methods and costs of reducing radio interference likely to be caused by the transmission line in the primary reception area near interstate, U.S. and state highways;*

Response: Not applicable. Overhead transmission lines can generate random corona radiation during wet weather as a result of raindrops on the wire or to a lesser amount in dry weather as a result of dust, insects, or sharp points on the conductors or suspension hardware that would result in radio and TV interference. However, at a voltage of 69 kV, the proposed transmission line is not expected to generate any radio or TV interference. In addition, no known occupied buildings, residences, or other sensitive receptors are within 200 feet on either side of the centerline of the proposed transmission line route.

AA.6 CONCLUSION

Based on the above information, the Applicant has satisfied the requirement of OAR 345-021-0010(1)(aa), and the Council may find that the standards contained in OAR 345-024-0090 have been satisfied.

AA.7 REFERENCE

Electric Power Research Institute. 1985. *Transmission Line Reference Book, 345-kV and Above*. Third Edition.

ATTACHMENT AA-1

Results of the EPRI EMF Workstation: ENVIRO Program for 69-kV Overhead Transmission Line

RESULTS OF ENVIRO PROGRAM

STUDY FILE NAME: X:\ENVIRO\KFALLBIO.I01

DATE: 6/16/2010 TIME: 9:24

Klamath Falls Bioenergy

BUNDLE INFORMATION

BNDL #	CIRC #	VOLTAGE (kV)	VOLTAGE ANGLE (DEG)	LOAD (AMPS)	CURRENT ANGLE (DEG)	# OF COND	COORDINATES X (FT)	COORDINATES Y (FT)	PHASE
1	1	69.0	.0	350.0	.0	1	-4.0	24.0	A
2	1	69.0	240.0	350.0	120.0	1	.0	24.0	B
3	1	69.0	120.0	350.0	240.0	1	4.0	24.0	C
4	2	.0	.0	.0	.0	1	-2.0	26.0	GND
5	3	.0	.0	.0	.0	1	2.0	26.0	GND

MINIMUM GROUND CLEARANCE = 24.000 FT.

SUBCONDUCTOR INFORMATION - REGULAR BUNDLES

BNDL #	DIAMETER (IN)	SPACING (IN)	DC RESIST. (OHMS/MI)	AC RESIST. (OHMS/MI)	AC REACT. (OHMS/MI)
1	.783	.000	.23060	.23100	.441000
2	.783	.000	.23060	.23100	.441000
3	.783	.000	.23060	.23100	.441000
4	.783	.000	.23060	.23100	.441000
5	.783	.000	.23060	.23100	.441000

MAXIMUM SURFACE GRADIENT (kV/cm)

BNDL #	Type	ACrms	PEAK(+)	PEAK(-)
1	AC	7.84	11.09	-11.09
2	AC	8.77	12.40	-12.40
3	AC	7.84	11.09	-11.09
4	Ground Wire	1.13	1.59	-1.59
5	Ground Wire	1.13	1.59	-1.59

AC ELECTRIC FIELD PROFILE
at 3.28 feet above ground

LATERAL DISTANCE (feet)	LATERAL DISTANCE (meters)	MAXIMUM FIELD (kV/m)	MINOR/MAJOR ELLIPSE AXES (ratio)	VERTICAL (kV/m)	HORIZONTAL (kV/m)	SPACE POTENTIAL (kV)

KFALLBIO

-200.0	-60.96	.004	.007	.004	.000	.004
-198.0	-60.35	.004	.007	.004	.000	.004
-196.0	-59.74	.004	.007	.004	.000	.004
-194.0	-59.13	.004	.007	.004	.000	.004
-192.0	-58.52	.004	.007	.004	.000	.004
-190.0	-57.91	.004	.007	.004	.000	.004
-188.0	-57.30	.004	.007	.004	.000	.004
-186.0	-56.69	.004	.007	.004	.000	.004
-184.0	-56.08	.004	.008	.004	.000	.004
-182.0	-55.47	.004	.008	.004	.000	.004
-180.0	-54.86	.005	.008	.005	.000	.005
-178.0	-54.25	.005	.008	.005	.000	.005
-176.0	-53.64	.005	.008	.005	.000	.005
-174.0	-53.04	.005	.008	.005	.000	.005
-172.0	-52.43	.005	.008	.005	.000	.005
-170.0	-51.82	.005	.008	.005	.000	.005
-168.0	-51.21	.005	.009	.005	.000	.005
-166.0	-50.60	.005	.009	.005	.000	.005
-164.0	-49.99	.006	.009	.006	.000	.006
-162.0	-49.38	.006	.009	.006	.000	.006
-160.0	-48.77	.006	.009	.006	.000	.006
-158.0	-48.16	.006	.009	.006	.000	.006
-156.0	-47.55	.006	.009	.006	.000	.006
-154.0	-46.94	.006	.009	.006	.000	.006
-152.0	-46.33	.007	.010	.007	.000	.007
-150.0	-45.72	.007	.010	.007	.000	.007
-148.0	-45.11	.007	.010	.007	.000	.007
-146.0	-44.50	.007	.010	.007	.000	.007
-144.0	-43.89	.008	.010	.008	.000	.008
-142.0	-43.28	.008	.010	.008	.000	.008
-140.0	-42.67	.008	.010	.008	.000	.008
-138.0	-42.06	.008	.011	.008	.000	.008
-136.0	-41.45	.009	.011	.009	.000	.009
-134.0	-40.84	.009	.011	.009	.001	.009
-132.0	-40.23	.009	.011	.009	.001	.009
-130.0	-39.62	.010	.011	.010	.001	.010
-128.0	-39.01	.010	.011	.010	.001	.010
-126.0	-38.40	.010	.011	.010	.001	.010
-124.0	-37.80	.011	.012	.011	.001	.011
-122.0	-37.19	.011	.012	.011	.001	.011
-120.0	-36.58	.012	.012	.012	.001	.012
-118.0	-35.97	.012	.012	.012	.001	.012
-116.0	-35.36	.013	.012	.013	.001	.013
-114.0	-34.75	.013	.012	.013	.001	.013
-112.0	-34.14	.014	.013	.014	.001	.014
-110.0	-33.53	.014	.013	.014	.001	.014
-108.0	-32.92	.015	.013	.015	.001	.015
-106.0	-32.31	.016	.013	.016	.001	.016
-104.0	-31.70	.016	.013	.016	.001	.016
-102.0	-31.09	.017	.013	.017	.001	.017
-100.0	-30.48	.018	.014	.018	.001	.018
-98.0	-29.87	.019	.014	.019	.002	.019
-96.0	-29.26	.020	.014	.020	.002	.020
-94.0	-28.65	.021	.014	.021	.002	.021
-92.0	-28.04	.022	.014	.022	.002	.022
-90.0	-27.43	.023	.014	.023	.002	.023
-88.0	-26.82	.024	.015	.024	.002	.024
-86.0	-26.21	.026	.015	.026	.002	.026
-84.0	-25.60	.027	.015	.027	.003	.027
-82.0	-24.99	.029	.015	.029	.003	.029
-80.0	-24.38	.031	.015	.031	.003	.031
-78.0	-23.77	.033	.015	.033	.003	.033
-76.0	-23.16	.035	.015	.035	.004	.035
-74.0	-22.56	.037	.015	.037	.004	.037
-72.0	-21.95	.040	.016	.039	.004	.040

-70.0	-21.34	.042	.016	.042	.005	.042
-68.0	-20.73	.045	.016	.045	.005	.045
-66.0	-20.12	.049	.016	.048	.006	.048
-64.0	-19.51	.052	.016	.052	.006	.052
-62.0	-18.90	.056	.016	.056	.007	.056
-60.0	-18.29	.060	.016	.060	.008	.060
-58.0	-17.68	.065	.016	.065	.008	.065
-56.0	-17.07	.071	.016	.070	.009	.071
-54.0	-16.46	.077	.016	.076	.010	.076
-52.0	-15.85	.083	.016	.082	.011	.083
-50.0	-15.24	.091	.015	.090	.013	.090
-48.0	-14.63	.099	.015	.098	.014	.098
-46.0	-14.02	.108	.015	.107	.016	.108
-44.0	-13.41	.118	.015	.117	.018	.118
-42.0	-12.80	.129	.015	.128	.020	.129
-40.0	-12.19	.142	.014	.140	.022	.141
-38.0	-11.58	.156	.014	.154	.024	.155
-36.0	-10.97	.171	.014	.169	.027	.171
-34.0	-10.36	.188	.013	.186	.029	.188
-32.0	-9.75	.207	.013	.205	.032	.206
-30.0	-9.14	.228	.012	.225	.035	.227
-28.0	-8.53	.250	.012	.247	.037	.248
-26.0	-7.92	.274	.011	.271	.039	.271
-24.0	-7.32	.298	.010	.295	.039	.295
-22.0	-6.71	.322	.009	.320	.038	.319
-20.0	-6.10	.346	.007	.344	.035	.341
-18.0	-5.49	.366	.005	.365	.028	.360
-16.0	-4.88	.382	.001	.381	.017	.374
-14.0	-4.27	.390	.005	.390	.002	.380
-12.0	-3.66	.388	.014	.387	.020	.375
-10.0	-3.05	.373	.031	.370	.045	.356
-8.0	-2.44	.343	.061	.336	.073	.322
-6.0	-1.83	.300	.117	.284	.101	.272
-4.0	-1.22	.245	.227	.219	.125	.210
-2.0	-.61	.188	.456	.151	.141	.149
.0	.00	.147	.789	.116	.147	.119
2.0	.61	.188	.456	.151	.141	.149
4.0	1.22	.245	.227	.219	.125	.210
6.0	1.83	.300	.117	.284	.101	.272
8.0	2.44	.343	.061	.336	.073	.322
10.0	3.05	.373	.031	.370	.045	.356
12.0	3.66	.388	.014	.387	.020	.375
14.0	4.27	.390	.005	.390	.002	.380
16.0	4.88	.382	.001	.381	.017	.374
18.0	5.49	.366	.005	.365	.028	.360
20.0	6.10	.346	.007	.344	.035	.341
22.0	6.71	.322	.009	.320	.038	.319
24.0	7.32	.298	.010	.295	.039	.295
26.0	7.92	.274	.011	.271	.039	.271
28.0	8.53	.250	.012	.247	.037	.248
30.0	9.14	.228	.012	.225	.035	.226
32.0	9.75	.207	.013	.205	.032	.206
34.0	10.36	.188	.013	.186	.029	.188
36.0	10.97	.171	.014	.169	.027	.171
38.0	11.58	.156	.014	.154	.024	.155
40.0	12.19	.142	.014	.140	.022	.141
42.0	12.80	.129	.015	.128	.020	.129
44.0	13.41	.118	.015	.117	.018	.118
46.0	14.02	.108	.015	.107	.016	.108
48.0	14.63	.099	.015	.098	.014	.098
50.0	15.24	.091	.015	.090	.013	.090
52.0	15.85	.083	.016	.082	.011	.083
54.0	16.46	.077	.016	.076	.010	.076
56.0	17.07	.071	.016	.070	.009	.071
58.0	17.68	.065	.016	.065	.008	.065
60.0	18.29	.060	.016	.060	.008	.060

62.0	18.90	.056	.016	.056	.007	.056
64.0	19.51	.052	.016	.052	.006	.052
66.0	20.12	.049	.016	.048	.006	.048
68.0	20.73	.045	.016	.045	.005	.045
70.0	21.34	.042	.016	.042	.005	.042
72.0	21.95	.040	.016	.039	.004	.040
74.0	22.56	.037	.015	.037	.004	.037
76.0	23.16	.035	.015	.035	.004	.035
78.0	23.77	.033	.015	.033	.003	.033
80.0	24.38	.031	.015	.031	.003	.031
82.0	24.99	.029	.015	.029	.003	.029
84.0	25.60	.027	.015	.027	.003	.027
86.0	26.21	.026	.015	.026	.002	.026
88.0	26.82	.024	.015	.024	.002	.024
90.0	27.43	.023	.014	.023	.002	.023
92.0	28.04	.022	.014	.022	.002	.022
94.0	28.65	.021	.014	.021	.002	.021
96.0	29.26	.020	.014	.020	.002	.020
98.0	29.87	.019	.014	.019	.002	.019
100.0	30.48	.018	.014	.018	.001	.018
102.0	31.09	.017	.013	.017	.001	.017
104.0	31.70	.016	.013	.016	.001	.016
106.0	32.31	.016	.013	.016	.001	.016
108.0	32.92	.015	.013	.015	.001	.015
110.0	33.53	.014	.013	.014	.001	.014
112.0	34.14	.014	.013	.014	.001	.014
114.0	34.75	.013	.012	.013	.001	.013
116.0	35.36	.013	.012	.013	.001	.013
118.0	35.97	.012	.012	.012	.001	.012
120.0	36.58	.012	.012	.012	.001	.012
122.0	37.19	.011	.012	.011	.001	.011
124.0	37.80	.011	.012	.011	.001	.011
126.0	38.40	.010	.011	.010	.001	.010
128.0	39.01	.010	.011	.010	.001	.010
130.0	39.62	.010	.011	.010	.001	.010
132.0	40.23	.009	.011	.009	.001	.009
134.0	40.84	.009	.011	.009	.001	.009
136.0	41.45	.009	.011	.009	.000	.009
138.0	42.06	.008	.011	.008	.000	.008
140.0	42.67	.008	.010	.008	.000	.008
142.0	43.28	.008	.010	.008	.000	.008
144.0	43.89	.008	.010	.008	.000	.008
146.0	44.50	.007	.010	.007	.000	.007
148.0	45.11	.007	.010	.007	.000	.007
150.0	45.72	.007	.010	.007	.000	.007
152.0	46.33	.007	.010	.007	.000	.007
154.0	46.94	.006	.009	.006	.000	.006
156.0	47.55	.006	.009	.006	.000	.006
158.0	48.16	.006	.009	.006	.000	.006
160.0	48.77	.006	.009	.006	.000	.006
162.0	49.38	.006	.009	.006	.000	.006
164.0	49.99	.006	.009	.006	.000	.006
166.0	50.60	.005	.009	.005	.000	.005
168.0	51.21	.005	.009	.005	.000	.005
170.0	51.82	.005	.008	.005	.000	.005
172.0	52.43	.005	.008	.005	.000	.005
174.0	53.04	.005	.008	.005	.000	.005
176.0	53.64	.005	.008	.005	.000	.005
178.0	54.25	.005	.008	.005	.000	.005
180.0	54.86	.005	.008	.005	.000	.005
182.0	55.47	.004	.008	.004	.000	.004
184.0	56.08	.004	.008	.004	.000	.004
186.0	56.69	.004	.007	.004	.000	.004
188.0	57.30	.004	.007	.004	.000	.004
190.0	57.91	.004	.007	.004	.000	.004
192.0	58.52	.004	.007	.004	.000	.004

194.0	59.13	.004	.007	.004	.000	.004
196.0	59.74	.004	.007	.004	.000	.004
198.0	60.35	.004	.007	.004	.000	.004
200.0	60.96	.004	.007	.004	.000	.004

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AC CURRENTS IN EACH BUNDLE:

BNDL #	----- AC CURRENTS (Amperes) ----- REAL	IMAGINARY	TOTAL	BUNDLE POSITION X-COORD	Y-COORD
1	350.00	.00	350.00	-4.00	24.00
2	-175.00	303.11	350.00	.00	24.00
3	-175.00	-303.11	350.00	4.00	24.00
4	-23.75	-40.96	47.35	-2.00	26.00
5	33.71	29.40	44.73	2.00	26.00

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* *
* MAGNETIC FIELD PROFILE *
* at 3.28 feet above ground *
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LATERAL DISTANCE (feet)	(meters)	<---------- AC MAGNETIC FIELD ----------> MAJOR AXIS (mG)	MINOR/ MAJOR (RATIO)	VERTICAL COMP (mG)	HORIZONTAL COMP (mG)	RMS RESULTANT (mG)
-200.0	-60.96	.69	.051	.67	.15	.69
-198.0	-60.35	.69	.051	.68	.15	.70
-196.0	-59.74	.70	.051	.69	.15	.71
-194.0	-59.13	.71	.051	.70	.16	.72
-192.0	-58.52	.72	.051	.71	.16	.73
-190.0	-57.91	.74	.051	.72	.16	.74
-188.0	-57.30	.75	.051	.73	.17	.75
-186.0	-56.69	.76	.051	.74	.17	.76
-184.0	-56.08	.77	.051	.75	.17	.77
-182.0	-55.47	.78	.051	.76	.18	.78
-180.0	-54.86	.79	.051	.77	.18	.79
-178.0	-54.25	.81	.051	.79	.18	.81
-176.0	-53.64	.82	.051	.80	.19	.82
-174.0	-53.04	.83	.051	.81	.19	.83
-172.0	-52.43	.85	.051	.82	.20	.85
-170.0	-51.82	.86	.051	.84	.20	.86
-168.0	-51.21	.87	.051	.85	.21	.88
-166.0	-50.60	.89	.052	.86	.21	.89
-164.0	-49.99	.91	.052	.88	.22	.91
-162.0	-49.38	.92	.052	.89	.22	.92
-160.0	-48.77	.94	.052	.91	.23	.94
-158.0	-48.16	.96	.052	.93	.24	.96
-156.0	-47.55	.97	.052	.94	.24	.97
-154.0	-46.94	.99	.053	.96	.25	.99
-152.0	-46.33	1.01	.053	.98	.26	1.01
-150.0	-45.72	1.03	.053	1.00	.26	1.03
-148.0	-45.11	1.05	.053	1.02	.27	1.05
-146.0	-44.50	1.07	.054	1.04	.28	1.07
-144.0	-43.89	1.09	.054	1.06	.29	1.10
-142.0	-43.28	1.12	.054	1.08	.30	1.12
-140.0	-42.67	1.14	.054	1.10	.31	1.14
-138.0	-42.06	1.17	.055	1.12	.32	1.17

-136.0	-41.45	1.19	.055	1.15	.33	1.19
-134.0	-40.84	1.22	.055	1.17	.34	1.22
-132.0	-40.23	1.25	.056	1.20	.35	1.25
-130.0	-39.62	1.27	.056	1.22	.37	1.28
-128.0	-39.01	1.31	.057	1.25	.38	1.31
-126.0	-38.40	1.34	.057	1.28	.39	1.34
-124.0	-37.80	1.37	.057	1.31	.41	1.37
-122.0	-37.19	1.40	.058	1.34	.43	1.41
-120.0	-36.58	1.44	.058	1.37	.44	1.44
-118.0	-35.97	1.48	.059	1.41	.46	1.48
-116.0	-35.36	1.52	.059	1.44	.48	1.52
-114.0	-34.75	1.56	.060	1.48	.50	1.56
-112.0	-34.14	1.60	.060	1.52	.52	1.61
-110.0	-33.53	1.65	.061	1.56	.55	1.65
-108.0	-32.92	1.70	.061	1.60	.57	1.70
-106.0	-32.31	1.75	.062	1.64	.60	1.75
-104.0	-31.70	1.80	.062	1.69	.63	1.80
-102.0	-31.09	1.85	.063	1.74	.66	1.86
-100.0	-30.48	1.91	.064	1.79	.70	1.92
-98.0	-29.87	1.98	.064	1.84	.73	1.98
-96.0	-29.26	2.04	.065	1.90	.77	2.05
-94.0	-28.65	2.11	.065	1.95	.81	2.12
-92.0	-28.04	2.18	.066	2.01	.86	2.19
-90.0	-27.43	2.26	.067	2.08	.91	2.27
-88.0	-26.82	2.35	.067	2.15	.96	2.35
-86.0	-26.21	2.43	.068	2.22	1.02	2.44
-84.0	-25.60	2.53	.068	2.29	1.08	2.53
-82.0	-24.99	2.63	.069	2.37	1.15	2.63
-80.0	-24.38	2.73	.070	2.45	1.23	2.74
-78.0	-23.77	2.85	.070	2.54	1.31	2.86
-76.0	-23.16	2.97	.071	2.63	1.40	2.98
-74.0	-22.56	3.10	.072	2.73	1.49	3.11
-72.0	-21.95	3.24	.072	2.83	1.60	3.25
-70.0	-21.34	3.39	.073	2.93	1.72	3.40
-68.0	-20.73	3.56	.073	3.05	1.85	3.56
-66.0	-20.12	3.73	.074	3.16	1.99	3.74
-64.0	-19.51	3.92	.074	3.29	2.15	3.93
-62.0	-18.90	4.13	.075	3.42	2.33	4.14
-60.0	-18.29	4.35	.075	3.55	2.53	4.36
-58.0	-17.68	4.59	.076	3.69	2.75	4.61
-56.0	-17.07	4.86	.076	3.84	2.99	4.87
-54.0	-16.46	5.15	.076	3.99	3.27	5.16
-52.0	-15.85	5.46	.076	4.15	3.58	5.48
-50.0	-15.24	5.81	.076	4.30	3.92	5.82
-48.0	-14.63	6.19	.076	4.46	4.32	6.21
-46.0	-14.02	6.61	.076	4.61	4.76	6.63
-44.0	-13.41	7.07	.076	4.76	5.26	7.09
-42.0	-12.80	7.58	.075	4.89	5.82	7.61
-40.0	-12.19	8.15	.075	5.01	6.46	8.18
-38.0	-11.58	8.78	.074	5.09	7.19	8.81
-36.0	-10.97	9.49	.073	5.12	8.01	9.51
-34.0	-10.36	10.27	.072	5.09	8.95	10.30
-32.0	-9.75	11.14	.070	4.98	10.00	11.17
-30.0	-9.14	12.12	.068	4.74	11.18	12.14
-28.0	-8.53	13.20	.066	4.34	12.50	13.23
-26.0	-7.92	14.41	.063	3.74	13.95	14.44
-24.0	-7.32	15.75	.060	2.87	15.52	15.78
-22.0	-6.71	17.23	.057	1.74	17.17	17.26
-20.0	-6.10	18.85	.053	1.03	18.85	18.88
-18.0	-5.49	20.61	.048	2.71	20.45	20.63
-16.0	-4.88	22.48	.043	5.46	21.83	22.50
-14.0	-4.27	24.43	.037	8.90	22.77	24.45
-12.0	-3.66	26.41	.031	12.95	23.03	26.42
-10.0	-3.05	28.33	.026	17.45	22.33	28.34
-8.0	-2.44	30.10	.020	22.12	20.43	30.11
-6.0	-1.83	31.62	.015	26.54	17.18	31.62

-4.0	-1.22	32.76	.011	30.23	12.64	32.76
-2.0	-.61	33.45	.009	32.70	7.05	33.45
.0	.00	33.61	.009	33.60	.92	33.61
2.0	.61	33.23	.011	32.80	5.34	33.23
4.0	1.22	32.34	.015	30.44	10.94	32.35
6.0	1.83	31.01	.021	26.86	15.52	31.02
8.0	2.44	29.34	.028	22.54	18.80	29.35
10.0	3.05	27.44	.035	17.98	20.76	27.46
12.0	3.66	25.42	.043	13.57	21.53	25.45
14.0	4.27	23.38	.050	9.60	21.35	23.41
16.0	4.88	21.39	.057	6.23	20.49	21.42
18.0	5.49	19.49	.064	3.54	19.21	19.53
20.0	6.10	17.73	.070	1.66	17.69	17.77
22.0	6.71	16.11	.075	1.35	16.10	16.16
24.0	7.32	14.64	.080	2.20	14.53	14.69
26.0	7.92	13.32	.084	2.99	13.03	13.37
28.0	8.53	12.14	.088	3.57	11.65	12.19
30.0	9.14	11.08	.091	3.96	10.40	11.13
32.0	9.75	10.14	.094	4.20	9.27	10.18
34.0	10.36	9.29	.097	4.33	8.27	9.34
36.0	10.97	8.54	.099	4.37	7.39	8.58
38.0	11.58	7.87	.100	4.35	6.61	7.91
40.0	12.19	7.27	.102	4.28	5.92	7.31
42.0	12.80	6.73	.103	4.19	5.31	6.76
44.0	13.41	6.25	.104	4.07	4.78	6.28
46.0	14.02	5.81	.104	3.94	4.31	5.84
48.0	14.63	5.42	.105	3.81	3.89	5.45
50.0	15.24	5.06	.105	3.67	3.53	5.09
52.0	15.85	4.74	.105	3.53	3.20	4.76
54.0	16.46	4.45	.105	3.39	2.91	4.47
56.0	17.07	4.18	.104	3.26	2.65	4.20
58.0	17.68	3.94	.104	3.13	2.43	3.96
60.0	18.29	3.72	.103	3.00	2.22	3.74
62.0	18.90	3.51	.103	2.88	2.04	3.53
64.0	19.51	3.33	.102	2.77	1.87	3.34
66.0	20.12	3.15	.101	2.66	1.73	3.17
68.0	20.73	3.00	.100	2.56	1.59	3.01
70.0	21.34	2.85	.099	2.46	1.47	2.86
72.0	21.95	2.71	.098	2.36	1.36	2.73
74.0	22.56	2.59	.097	2.27	1.26	2.60
76.0	23.16	2.47	.095	2.19	1.17	2.48
78.0	23.77	2.37	.094	2.11	1.09	2.38
80.0	24.38	2.27	.092	2.03	1.02	2.27
82.0	24.99	2.17	.091	1.96	.95	2.18
84.0	25.60	2.08	.089	1.89	.89	2.09
86.0	26.21	2.00	.088	1.83	.83	2.01
88.0	26.82	1.93	.086	1.77	.78	1.93
90.0	27.43	1.85	.084	1.71	.73	1.86
92.0	28.04	1.79	.083	1.66	.69	1.79
94.0	28.65	1.72	.081	1.60	.65	1.73
96.0	29.26	1.66	.079	1.56	.61	1.67
98.0	29.87	1.61	.077	1.51	.57	1.61
100.0	30.48	1.56	.075	1.46	.54	1.56
102.0	31.09	1.51	.073	1.42	.51	1.51
104.0	31.70	1.46	.071	1.38	.48	1.46
106.0	32.31	1.41	.069	1.34	.46	1.42
108.0	32.92	1.37	.067	1.30	.43	1.37
110.0	33.53	1.33	.065	1.27	.41	1.33
112.0	34.14	1.29	.063	1.24	.39	1.30
114.0	34.75	1.26	.061	1.20	.37	1.26
116.0	35.36	1.22	.059	1.17	.35	1.23
118.0	35.97	1.19	.057	1.14	.33	1.19
120.0	36.58	1.16	.055	1.12	.32	1.16
122.0	37.19	1.13	.052	1.09	.30	1.13
124.0	37.80	1.10	.050	1.06	.29	1.10
126.0	38.40	1.07	.048	1.04	.28	1.08

KFALLBIO

128.0	39.01	1.05	.046	1.02	.26	1.05
130.0	39.62	1.02	.044	.99	.25	1.03
132.0	40.23	1.00	.042	.97	.24	1.00
134.0	40.84	.98	.040	.95	.23	.98
136.0	41.45	.96	.038	.93	.22	.96
138.0	42.06	.94	.036	.91	.21	.94
140.0	42.67	.92	.033	.89	.20	.92
142.0	43.28	.90	.031	.88	.20	.90
144.0	43.89	.88	.029	.86	.19	.88
146.0	44.50	.86	.027	.84	.18	.86
148.0	45.11	.84	.025	.83	.17	.84
150.0	45.72	.83	.023	.81	.17	.83
152.0	46.33	.81	.021	.80	.16	.81
154.0	46.94	.80	.019	.78	.16	.80
156.0	47.55	.78	.017	.77	.15	.78
158.0	48.16	.77	.015	.75	.15	.77
160.0	48.77	.75	.013	.74	.14	.75
162.0	49.38	.74	.011	.73	.14	.74
164.0	49.99	.73	.009	.72	.13	.73
166.0	50.60	.72	.007	.71	.13	.72
168.0	51.21	.70	.005	.69	.12	.70
170.0	51.82	.69	.003	.68	.12	.69
172.0	52.43	.68	.001	.67	.12	.68
174.0	53.04	.67	.001	.66	.11	.67
176.0	53.64	.66	.003	.65	.11	.66
178.0	54.25	.65	.005	.64	.11	.65
180.0	54.86	.64	.006	.63	.10	.64
182.0	55.47	.63	.008	.62	.10	.63
184.0	56.08	.62	.010	.61	.10	.62
186.0	56.69	.61	.012	.61	.10	.61
188.0	57.30	.61	.014	.60	.09	.61
190.0	57.91	.60	.015	.59	.09	.60
192.0	58.52	.59	.017	.58	.09	.59
194.0	59.13	.58	.019	.57	.09	.58
196.0	59.74	.57	.021	.57	.09	.57
198.0	60.35	.57	.022	.56	.08	.57
200.0	60.96	.56	.024	.55	.08	.56

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* *
* AUDIBLE NOISE *
* GENERATED ACOUSTIC POWER *
* (dB above 1uW/m) *
* *
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BNDL #	Type	Summer Fair	L5 RAIN	L50 RAIN
1	AC	******	-96.09	******
2	AC	******	-87.85	******
3	AC	******	-96.09	******
4	Ground Wire	******	******	******
5	Ground Wire	******	******	******

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* *
* AUDIBLE NOISE *
* *
* Microphone is 5.00 feet above ground *
* Altitude 4000. ft *
* *
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<---------- HVTRC CALCULATION METHOD ---------->

KFALLBIO

LATERAL DISTANCE (feet)	LATERAL DISTANCE (meters)	L50 FAIR (dB(A))	L5 RAIN (dB(A))	L50 RAIN (dB(A))	Leq(24) (dB(A))	Ldn (dB(A))
-200.0	-60.96	.0	8.5	.0	.0	.0
-198.0	-60.35	.0	8.6	.0	.0	.0
-196.0	-59.74	.0	8.6	.0	.0	.0
-194.0	-59.13	.0	8.7	.0	.0	.0
-192.0	-58.52	.0	8.7	.0	.0	.0
-190.0	-57.91	.0	8.8	.0	.0	.0
-188.0	-57.30	.0	8.8	.0	.0	.0
-186.0	-56.69	.0	8.9	.0	.0	.0
-184.0	-56.08	.0	9.0	.0	.0	.0
-182.0	-55.47	.0	9.0	.0	.0	.0
-180.0	-54.86	.0	9.1	.0	.0	.0
-178.0	-54.25	.0	9.1	.0	.0	.0
-176.0	-53.64	.0	9.2	.0	.0	.0
-174.0	-53.04	.0	9.3	.0	.0	.0
-172.0	-52.43	.0	9.3	.0	.0	.0
-170.0	-51.82	.0	9.4	.0	.0	.0
-168.0	-51.21	.0	9.4	.0	.0	.0
-166.0	-50.60	.0	9.5	.0	.0	.0
-164.0	-49.99	.0	9.6	.0	.0	.0
-162.0	-49.38	.0	9.6	.0	.0	.0
-160.0	-48.77	.0	9.7	.0	.0	.0
-158.0	-48.16	.0	9.8	.0	.0	.0
-156.0	-47.55	.0	9.8	.0	.0	.0
-154.0	-46.94	.0	9.9	.0	.0	.0
-152.0	-46.33	.0	10.0	.0	.0	.0
-150.0	-45.72	.0	10.0	.0	.0	.0
-148.0	-45.11	.0	10.1	.0	.0	.0
-146.0	-44.50	.0	10.2	.0	.0	.0
-144.0	-43.89	.0	10.2	.0	.0	.0
-142.0	-43.28	.0	10.3	.0	.0	.0
-140.0	-42.67	.0	10.4	.0	.0	.0
-138.0	-42.06	.0	10.5	.0	.0	.0
-136.0	-41.45	.0	10.5	.0	.0	.0
-134.0	-40.84	.0	10.6	.0	.0	.0
-132.0	-40.23	.0	10.7	.0	.0	.0
-130.0	-39.62	.0	10.8	.0	.0	.0
-128.0	-39.01	.0	10.8	.0	.0	.0
-126.0	-38.40	.0	10.9	.0	.0	.0
-124.0	-37.80	.0	11.0	.0	.0	.0
-122.0	-37.19	.0	11.1	.0	.0	.0
-120.0	-36.58	.0	11.2	.0	.0	.0
-118.0	-35.97	.0	11.3	.0	.0	.0
-116.0	-35.36	.0	11.3	.0	.0	.0
-114.0	-34.75	.0	11.4	.0	.0	.0
-112.0	-34.14	.0	11.5	.0	.0	.0
-110.0	-33.53	.0	11.6	.0	.0	.0
-108.0	-32.92	.0	11.7	.0	.0	.0
-106.0	-32.31	.0	11.8	.0	.0	.0
-104.0	-31.70	.0	11.9	.0	.0	.0
-102.0	-31.09	.0	12.0	.0	.0	.0
-100.0	-30.48	.0	12.1	.0	.0	.0
-98.0	-29.87	.0	12.2	.0	.0	.0
-96.0	-29.26	.0	12.3	.0	.0	.0
-94.0	-28.65	.0	12.4	.0	.0	.0
-92.0	-28.04	.0	12.5	.0	.0	.0
-90.0	-27.43	.0	12.6	.0	.0	.0
-88.0	-26.82	.0	12.7	.0	.0	.0
-86.0	-26.21	.0	12.8	.0	.0	.0
-84.0	-25.60	.0	12.9	.0	.0	.0
-82.0	-24.99	.0	13.0	.0	.0	.0
-80.0	-24.38	.0	13.1	.0	.0	.0
-78.0	-23.77	.0	13.2	.0	.0	.0

-76.0	-23.16	.0	13.3	.0	.0	.0
-74.0	-22.56	.0	13.5	.0	.0	.0
-72.0	-21.95	.0	13.6	.0	.0	.0
-70.0	-21.34	.0	13.7	.0	.0	.0
-68.0	-20.73	.0	13.8	.0	.0	.0
-66.0	-20.12	.0	14.0	.0	.0	.0
-64.0	-19.51	.0	14.1	.0	.0	.0
-62.0	-18.90	.0	14.2	.0	.0	.0
-60.0	-18.29	.0	14.4	.0	.0	.0
-58.0	-17.68	.0	14.5	.0	.0	.0
-56.0	-17.07	.0	14.7	.0	.0	.0
-54.0	-16.46	.0	14.8	.0	.0	.0
-52.0	-15.85	.0	15.0	.0	.0	.0
-50.0	-15.24	.0	15.1	.0	.0	.0
-48.0	-14.63	.0	15.3	.0	.0	.0
-46.0	-14.02	.0	15.5	.0	.0	.0
-44.0	-13.41	.0	15.7	.0	.0	.0
-42.0	-12.80	.0	15.8	.0	.0	.0
-40.0	-12.19	.0	16.0	.0	.0	.0
-38.0	-11.58	.0	16.2	.0	.0	.0
-36.0	-10.97	.0	16.4	.0	.0	.0
-34.0	-10.36	.0	16.6	.0	.0	.0
-32.0	-9.75	.0	16.8	.0	.0	.0
-30.0	-9.14	.0	17.0	.0	.0	.0
-28.0	-8.53	.0	17.3	.0	.0	.0
-26.0	-7.92	.0	17.5	.0	.0	.0
-24.0	-7.32	.0	17.7	.0	.0	.0
-22.0	-6.71	.0	17.9	.0	.0	.0
-20.0	-6.10	.0	18.2	.0	.0	.0
-18.0	-5.49	.0	18.4	.0	.0	.0
-16.0	-4.88	.0	18.7	.0	.0	.0
-14.0	-4.27	.0	18.9	.0	.0	.0
-12.0	-3.66	.0	19.1	.0	.0	.0
-10.0	-3.05	.0	19.3	.0	.0	.0
-8.0	-2.44	.0	19.5	.0	.0	.0
-6.0	-1.83	.0	19.6	.0	.0	.0
-4.0	-1.22	.0	19.7	.0	.0	.0
-2.0	-.61	.0	19.8	.0	.0	.0
.0	.00	.0	19.8	.0	.0	.0
2.0	.61	.0	19.8	.0	.0	.0
4.0	1.22	.0	19.7	.0	.0	.0
6.0	1.83	.0	19.6	.0	.0	.0
8.0	2.44	.0	19.5	.0	.0	.0
10.0	3.05	.0	19.3	.0	.0	.0
12.0	3.66	.0	19.1	.0	.0	.0
14.0	4.27	.0	18.9	.0	.0	.0
16.0	4.88	.0	18.7	.0	.0	.0
18.0	5.49	.0	18.4	.0	.0	.0
20.0	6.10	.0	18.2	.0	.0	.0
22.0	6.71	.0	17.9	.0	.0	.0
24.0	7.32	.0	17.7	.0	.0	.0
26.0	7.92	.0	17.5	.0	.0	.0
28.0	8.53	.0	17.3	.0	.0	.0
30.0	9.14	.0	17.0	.0	.0	.0
32.0	9.75	.0	16.8	.0	.0	.0
34.0	10.36	.0	16.6	.0	.0	.0
36.0	10.97	.0	16.4	.0	.0	.0
38.0	11.58	.0	16.2	.0	.0	.0
40.0	12.19	.0	16.0	.0	.0	.0
42.0	12.80	.0	15.8	.0	.0	.0
44.0	13.41	.0	15.7	.0	.0	.0
46.0	14.02	.0	15.5	.0	.0	.0
48.0	14.63	.0	15.3	.0	.0	.0
50.0	15.24	.0	15.1	.0	.0	.0
52.0	15.85	.0	15.0	.0	.0	.0
54.0	16.46	.0	14.8	.0	.0	.0

56.0	17.07	.0	14.7	.0	.0	.0
58.0	17.68	.0	14.5	.0	.0	.0
60.0	18.29	.0	14.4	.0	.0	.0
62.0	18.90	.0	14.2	.0	.0	.0
64.0	19.51	.0	14.1	.0	.0	.0
66.0	20.12	.0	14.0	.0	.0	.0
68.0	20.73	.0	13.8	.0	.0	.0
70.0	21.34	.0	13.7	.0	.0	.0
72.0	21.95	.0	13.6	.0	.0	.0
74.0	22.56	.0	13.5	.0	.0	.0
76.0	23.16	.0	13.3	.0	.0	.0
78.0	23.77	.0	13.2	.0	.0	.0
80.0	24.38	.0	13.1	.0	.0	.0
82.0	24.99	.0	13.0	.0	.0	.0
84.0	25.60	.0	12.9	.0	.0	.0
86.0	26.21	.0	12.8	.0	.0	.0
88.0	26.82	.0	12.7	.0	.0	.0
90.0	27.43	.0	12.6	.0	.0	.0
92.0	28.04	.0	12.5	.0	.0	.0
94.0	28.65	.0	12.4	.0	.0	.0
96.0	29.26	.0	12.3	.0	.0	.0
98.0	29.87	.0	12.2	.0	.0	.0
100.0	30.48	.0	12.1	.0	.0	.0
102.0	31.09	.0	12.0	.0	.0	.0
104.0	31.70	.0	11.9	.0	.0	.0
106.0	32.31	.0	11.8	.0	.0	.0
108.0	32.92	.0	11.7	.0	.0	.0
110.0	33.53	.0	11.6	.0	.0	.0
112.0	34.14	.0	11.5	.0	.0	.0
114.0	34.75	.0	11.4	.0	.0	.0
116.0	35.36	.0	11.3	.0	.0	.0
118.0	35.97	.0	11.3	.0	.0	.0
120.0	36.58	.0	11.2	.0	.0	.0
122.0	37.19	.0	11.1	.0	.0	.0
124.0	37.80	.0	11.0	.0	.0	.0
126.0	38.40	.0	10.9	.0	.0	.0
128.0	39.01	.0	10.8	.0	.0	.0
130.0	39.62	.0	10.8	.0	.0	.0
132.0	40.23	.0	10.7	.0	.0	.0
134.0	40.84	.0	10.6	.0	.0	.0
136.0	41.45	.0	10.5	.0	.0	.0
138.0	42.06	.0	10.5	.0	.0	.0
140.0	42.67	.0	10.4	.0	.0	.0
142.0	43.28	.0	10.3	.0	.0	.0
144.0	43.89	.0	10.2	.0	.0	.0
146.0	44.50	.0	10.2	.0	.0	.0
148.0	45.11	.0	10.1	.0	.0	.0
150.0	45.72	.0	10.0	.0	.0	.0
152.0	46.33	.0	10.0	.0	.0	.0
154.0	46.94	.0	9.9	.0	.0	.0
156.0	47.55	.0	9.8	.0	.0	.0
158.0	48.16	.0	9.8	.0	.0	.0
160.0	48.77	.0	9.7	.0	.0	.0
162.0	49.38	.0	9.6	.0	.0	.0
164.0	49.99	.0	9.6	.0	.0	.0
166.0	50.60	.0	9.5	.0	.0	.0
168.0	51.21	.0	9.4	.0	.0	.0
170.0	51.82	.0	9.4	.0	.0	.0
172.0	52.43	.0	9.3	.0	.0	.0
174.0	53.04	.0	9.3	.0	.0	.0
176.0	53.64	.0	9.2	.0	.0	.0
178.0	54.25	.0	9.1	.0	.0	.0
180.0	54.86	.0	9.1	.0	.0	.0
182.0	55.47	.0	9.0	.0	.0	.0
184.0	56.08	.0	9.0	.0	.0	.0
186.0	56.69	.0	8.9	.0	.0	.0

KFALLBIO

188.0	57.30	.0	8.8	.0	.0	.0
190.0	57.91	.0	8.8	.0	.0	.0
192.0	58.52	.0	8.7	.0	.0	.0
194.0	59.13	.0	8.7	.0	.0	.0
196.0	59.74	.0	8.6	.0	.0	.0
198.0	60.35	.0	8.6	.0	.0	.0
200.0	60.96	.0	8.5	.0	.0	.0

EXHIBIT BB

OTHER INFORMATION

OAR 345-021-0010(1)(bb)

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EXHIBIT BB

OTHER INFORMATION

OAR 345-021-0010(1)(bb)

BB.1 INTRODUCTION

Klamath Falls Bioenergy, LLC (Applicant) proposes to construct the Klamath Falls Bioenergy Facility (Facility) near the City of Klamath Falls, Oregon (City). The proposed Facility will produce a total of 42 megawatts (MW), of which 37 MW will be exported to the electric grid. The site is zoned for heavy industrial land use and currently is used as pastureland.

BB.2 INFORMATION REQUESTED IN PROJECT ORDER

OAR 345-021-0010(1)(bb) *Any other information that the Department requests in the project order or in a notification regarding expedited review;*

Response: The Project Order was issued by the Oregon Department of Energy (ODOE) on July 22, 2010. It establishes the following:

1) *State statutes and rules that must be met for the Council to issue a Site Certificate for the Facility, including:*

    a. *OAR Chapter 345, Divisions 21, 22, 24, 26, and 27;*

    b. *Oregon Department of Agriculture rules regarding threatened and endangered species;*

    c. *Air Quality regulations managed by the Oregon Department of Environmental Quality;*

    d. *Water Quality regulations managed by the Oregon Department of Environmental Quality;*

    e. *Land Quality (Hazardous Waste) regulations managed by the Oregon Department of Environmental Quality;*

    f. *Noise Control regulations managed by the Oregon Department of Environmental Quality;*

    g. *Oregon Department of Fish and Wildlife regulations regarding wildlife and fish management and protection;*

    h. *Oregon Department of Geology and Mineral Industries rules regarding geology and soils;*

i. Oregon Parks and Recreation Department statutes and rules regarding cultural and archaeological sites, and recreation

j. Oregon Department of State Lands statute and rule regarding removal and fill of material within Waters of Oregon;

k. Oregon Water Resources Department statute and rule regarding water rights;

l. *Federal and state permit requirements relative to discharge of dredged or fill material in Oregon waters.*

Response: The Applicant will comply with these requirements, as demonstrated by the information provided in the various Exhibits to this Application for Site Certificate.

2) Requirement for evidence of consultation with affected tribes;

Response: Refer to Attachment BB-1, a set of letters to the affected Tribes requesting consultation. These letters were sent by certified mail. The Applicant followed the letters with phone calls to the Tribes. No responses have been received to either the letters or the voice messages.

3) Applicable Local Government Ordinances

Applicable substantive criteria from the Klamath County code and comprehensive plan;

Response: Refer to comprehensive discussion and responses to these criteria in Exhibit K.

4) Applicable requirements from OAR Chapter 345, Division 21:

a. All exhibits apply except N and Y.

Response: Refer to the Exhibits of the Application for Site Certificate.

5) Analysis areas for the Proposed Facility.

Response: The Project Order summarized comments from the public. Responses to these summary comments are provided in Table BB-1 below as well as in other Exhibits contained in this Application. Comments from agency reviewers, which were provided separately to the Applicant, have been reviewed and addressed in the applicable Exhibits.

The Project Order also determined that the Notice of Intent for this Facility will expire on April 5, 2012. This Application for Site Certificate is submitted in advance of the expiration date.

Table BB-1. Summary of Public Comments and Applicant Responses on the Proposed Klamath Falls Bioenergy Facility

Comment	Response
Comments Related to Impacts to Agricultural Lands	
There will be negative impacts to nearby agricultural lands.	Facility construction will directly impact lands zoned heavy industrial. The lands abutting the site are also zoned heavy industrial. The site and abutting lands are currently used for pasture and this use of the site will end. The Facility does not impact any lands zoned for agricultural use; there are no impacts to nearby agricultural lands. Detailed public comments specifically express concerns about ensuring that the land can be converted back to agricultural use when biomass fuel is no longer available. In compliance with Oregon law, the Applicant will be required to post a bond or letter of credit in an amount sufficient to restore the Facility "to a useful, nonhazardous condition," as described in Exhibit W of this Application. The Applicant's cost estimate for Facility restoration includes the cost of removal of Facility components to a "useful, nonhazardous condition." Exhibit W provides additional detail about site restoration.
The water usage of the facility will negatively impact availability of water to farmers in the Klamath Basin.	The Facility's water use, 648 acre-feet per year, is roughly comparable to irrigated crop use on the same amount of property; typical agricultural use in the Klamath Basin of about 450 to 500 acre-feet for a 100-acre field. Water for the Facility will be purchased from Collins Timber Company and the City of Klamath Falls, both of whom have existing water rights that are sized for this amount of withdrawal from their respective deep wells. These wells are subject to regulation by the State of Oregon. Verification (well testing) of the pumping rate of the Collins Well 6 and the impacts of this higher pumping rate on nearby wells, including Lawanda Hills wells, is being done. As soon as the results are known, they will be provided. No water is being withdrawn from the Klamath River. No water is being discharged to the Klamath River. Farmers in the Klamath Basin will not be negatively impacted. Please see additional information on water use Exhibit O.
1. Comments Related to Environmental and Cultural Impacts	
There will be negative impacts to air quality, from the proposed facility as well as increased diesel truck traffic (PM2.5)	The Facility will comply with all applicable federal, state, and local air quality standards. These stringent standards have been developed to ensure that air quality is maintained at a high standard for all users, while allowing beneficial economic development in the community. The Facility is being designed and equipment selected to meet or exceed (better than) the expected $PM_{2.5}$ rule requirements. Facility air permits do not address the emissions from the fuel delivery trucks. This truck traffic does not represent an extraordinary increase in truck traffic on Highway 66 or in the Klamath Falls Basin. Refer to the traffic analysis done in support of Exhibit U for a discussion of relative traffic levels on Highway 66. Over time, truck traffic on Highway 66, as well as other regional roads, can be expected to increase whether the Facility is constructed or not.
The facility will emit toxic chemicals	The Facility's emissions must meet all federal, state and local requirements. All Facility emissions will be below the standards set by federal and state regulatory authorities.
There will be air pollution from ash and sawdust.	As stated above, the Facility's emissions must meet all federal, state and local requirements with regard to emissions. All Facility emissions will be below the standards set by federal and state regulatory authorities.

Table BB-1. Summary of Public Comments and Applicant Responses on the Proposed Klamath Falls Bioenergy Facility

Comment	Response
	As discussed in Exhibit B, General Information About the Proposed Facility, the Facility is being equipped with a pulse jet fabric filter to limit emissions to less than one percent of the uncontrolled levels to ensure compliance with federal and state emissions requirements. That said, there will be incremental emissions increases in emissions of pollutants as a result of the Facility. Bottom ash will be wetted and handled in enclosed containers to virtually eliminate emissions. Boiler fly ash production, which is an air pollutant, will be much lower than if a similar quantity of wood were burned in the forest or in small residential wood stoves. The wood to be burned will be chipped into 4-inch size chips before delivery to the Facility. These chips would not normally be considered “sawdust” and no offsite impacts from the storage pile are anticipated.
The facility is adjacent to a non-attainment area for PM2.5; increased truck traffic will contribute to this existing problem.	It is correct that Klamath Falls is a non-attainment area for $PM_{2.5}$. When EPA announced that a portion of Klamath Falls would be designated non-attainment, EPA stated that “Technical analysis by both State & EPA indicates that residential home heating, using wood burning appliances, is the main contributor to the area’s fine particle pollution.” The Facility location is outside of this non-attainment area, and neither the Facility itself not the trucks serving it are expected to have a significant impact on the non-attainment area. In fact, the Applicant has pledged $10,000 toward wood stove replacements in Klamath Falls (the Klamath Lake Wood Stove Replacement Program run by the South Central Oregon Economic Development District). This will reduce emissions from the primary source of high PM2.5 concentrations.
There will be negative impacts to migratory wildlife, including birds and deer.	Specific concerns expressed in public comment letters included concerns about noise and light impacts on wildlife and birds; and concerns about potential impacts on birds from the power line and smokestack. Noise would be minimized and mitigated as discussed in Exhibit X. Nighttime lighting would be minimized as described in Exhibit R. The Facility would not have a significant impact on wildlife, as described in detail in Exhibit P. Potential impacts on migratory birds from the presence of the power line will be minimized and mitigated as described in Exhibit P. It should be noted that there are a number of overhead power lines in the area and that migratory bird populations have adapted to their presence.
There will be negative impacts to nearby Miller Island State Wildlife refuge.	Specific concerns expressed in the public comment letters are essentially the same as those described above for migratory wildlife; specifically, noise and air pollution. The Facility does not have any direct impacts on the Miller Island Wildlife Area. Potential indirect Facility impacts on Miller Island would be limited in scale and scope and would be mitigated as described in Exhibits P and X.

Table BB-1. Summary of Public Comments and Applicant Responses on the Proposed Klamath Falls Bioenergy Facility

Comment	Response
There will be negative impacts to water quality.	The Facility will not have a negative impact on water quality. The Facility will be required to comply with federal, state, and local regulations protecting surface water and groundwater. Some public comment letters expressed concerns about potential impacts on the Klamath River from cooling tower water discharges. There will be no wastewater discharges from the site; evaporation ponds will be used as described in Exhibits B and V. Sanitary wastewater will be treated using a septic system. Stormwater will be retained and allowed to infiltrate into the groundwater. For further discussion refer to Exhibit B, General Information About the Proposed Facility, and Exhibit V, Waste Minimization.
There is potential for spread of noxious weeds.	Some comments expressed concern about potential noxious weeds that could be spread from the forest where the wood originates, to the vicinity of the plant site. It is unlikely, but possible, that some noxious weed seeds may be present in the fuel transported to the site. The seeds contained in the fuel will be burned as part of the fuel. The fuel trucks will be covered. All fuel will be handled in paved areas and portions of the site where no vegetation will be present. If noxious weeds start to grow within the Facility, they will be controlled with approved herbicides. To the extent noxious weed seeds remain on the fuel trucks, there is some chance they will fall off along roads. That said, this is not expected to be a significant concern. See Exhibit P for a more detailed discussion of potential Facility impacts on nearby habitat.
Slash removal may have negative impacts on forest habitat.	Slash is typically removed from managed forests by open burning and is not left to naturally decay, as might be the case for an old-growth or wilderness forest. Operation of the Facility will change the method of removal from burning to offsite transfer but will not change the fact that slash will not be allowed to remain unburned in the managed forest area.
There will be impacts to six wildlife refuges in the Klamath Basin.	The Facility will result in limited to no impact on any protected areas. Potential impacts to Protected Areas, including wildlife refuges, are discussed in detail in Exhibit L of this Application.
The facility's water use will reduce flows in the Klamath River.	The Facility will not obtain any water from the Klamath River or other surface water bodies and therefore will not change flow rates in any surface water bodies. Refer to Exhibit O, Water Resources.
Water pollution from the facility will negatively impact birds and bird habitat.	There will be no water pollution from the Facility. Management of stormwater and wastewater is described in Exhibit V. The Facility will not have a significant impact on wildlife, as described in detail in Exhibit P. Potential impacts on migratory birds from the presence of the transmission line will be minimized and mitigated as described in Exhibit P.
There will be negative impacts to salmon habitat.	The Facility will not affect salmon habitat. See Exhibit P for a discussion of potential Facility impacts on wildlife habitat, and Exhibit Q for a detailed analysis of potential impacts on threatened and endangered species.
Local tribal entities should be involved with this project.	Local tribal entities have been invited to participate in evaluating and minimizing, as appropriate, potential impacts of the Facility on their areas of interest. The Klamath Indian Tribe has expressed an interest in being present during initial site disturbing activities. The Applicant will invite the Tribe to be present.
The facility is located on a Native American grave site.	The Facility is not located on a Native American grave site. An extensive literature review and site cultural investigation was conducted and is documented in the confidential report attached to Exhibit S. The investigation included shovel probes throughout the area of the site intended for Facility construction. Neither the literature review

Table BB-1. Summary of Public Comments and Applicant Responses on the Proposed Klamath Falls Bioenergy Facility

Comment	Response
	nor the site investigation identified any prehistoric cultural or archaeological finds at or near the site. The confidential cultural report will be reviewed by the State Historic Preservation Office. See Exhibit S for additional detail.
There is a historic gravesite on the proposed project site.	There is no historic gravesite on the Facility site. The detailed literature review and site investigation provided as an attachment to Exhibit S found no evidence of any historic cultural sites at the location of the Facility, with the exception of a portion of a site related to the former Weyerhaeuser Mill as described in Exhibit S.
The proposed facility location is within a wetland or floodplain.	The Facility is not within a floodplain. Federal Emergency Management Agency (FEMA) mapping, as confirmed by the Klamath County Planning Department, indicates that the Facility is not within the 100-year floodplain. Some wetlands, primarily related to irrigation of farmland in the area, were identified on the Facility site. The Facility will have limited impacts on these wetlands and these impacts will be mitigated as described in Exhibit J.
The facility will pollute the Klamath River.	The Facility will not release water to the Klamath River; it will not pollute the Klamath River. The Facility must comply with state and federal regulations regarding water releases from the site. All residual water used in Facility processes will be sent to onsite evaporation ponds, and stormwater will be handled in onsite infiltration ponds. Exhibit V provides a detailed description of waste handling procedures.
Light pollution from the facility will affect wildlife.	Exhibit P presents a discussion of potential Facility impacts on wildlife habitat, and Exhibit Q details the potential impacts on threatened and endangered species. Light from the Facility will be shielded and directed to limit its visibility outside the Facility boundary.
2. Comments Related to Waste	
Wastewater from the site may not be treated and disposed of appropriately, causing water pollution.	The Facility will be required to abide by laws and regulations governing the safe handling and disposal of wastewater. Facility-created wastewater will be contained in ponds and evaporated. No wastewater will leave the Facility site. Exhibit V provides details of how the Applicant will construct the Facility to ensure that no adverse effects to the environment will occur from wastewater handling and disposal.
Will the facility be able to properly dispose of the ash generated?	The Facility will be required to dispose of all solid waste in accordance with applicable laws and regulations. Exhibit V describes how the Applicant plans to handle ash generated by the Facility. The Applicant notes that in earlier times, wood ash was considered a valuable soil amendment.
Disposal of facility waste will affect the Klamath River and adjacent wildlife area.	As described in Exhibit V, no waste will be discharged or allowed to flow into the Klamath River or any adjacent areas. Facility waste will have no adverse impacts on the Klamath River or adjacent wildlife areas. The site will be fenced to prevent wildlife from entering.
3. Comments Related to Public Services, Safety, and Wellbeing	
NOx, SOx and CO_2 emissions will decrease air quality and negatively impact residents' health.	Air emissions are strictly governed by federal and state regulations. The Facility will be required to abide by regulations limiting emissions of NOx and SOx. Maximum predicted ambient concentrations of NOx, SOx, and CO are well below standards established to protect human health and welfare.
There needs to be a plan for traffic control.	Traffic and transportation planning are described in Exhibit U. A traffic study is included as an Attachment to Exhibit U. In preparing this study, Oregon Department of Transportation (ODOT) was consulted regarding Highway 66 safety

Table BB-1. Summary of Public Comments and Applicant Responses on the Proposed Klamath Falls Bioenergy Facility

Comment	Response
	issues. During the upgrades to Highway 66 for the Facility access road intersection, traffic control will be provided as required by ODOT. Once this intersection is improved, no further traffic control measures are anticipated.
There will be negative impacts to groundwater supply; availability of water to residents' wells will be affected.	The Facility will use existing water rights to provide the necessary water for Facility operation. Because the water will come from the City of Klamath Falls and from an existing deep (1,200-foot) well at Collins, no impacts to more shallow residential wells are anticipated. Exhibit O describes water use in detail. A well test is being conducted on the Collins well to determine if the higher pumping rates will have an effect on wells in the Lawanda Hills. As soon as the results of this testing are known, they will be submitted.
Additional traffic on Hwy 66 will present a safety hazard.	Highway 66 is a state highway designed and built for heavy use, including truck traffic. As described in Exhibits B, C, and U, a new access road to Highway 66 will need to be constructed. This access road will be required to meet ODOT design standards as described in Exhibit U to ensure safe flow of traffic. A traffic study is included as an Attachment to Exhibit U.
Slash piles stored at the facility will be a fire hazard.	The fuel will be processed into chips before being brought to the Facility; it will not be "slash." Potential fire hazard from the Facility's fuel piles will be minimized by limiting the size of the piles, and by rotating stock regularly so biodegradation does not degrade the quality of the fuel or allow heat to build up in the pile. Additionally, the Facility will maintain fire suppression equipment for the unlikely case where fire might occur. The fuel will be purchased by the Facility and every effort will be made to avoid inventory losses. Fire prevention and suppression are described in Exhibits B and U.
There will be traffic safety impacts/congestion on Hwy 66 from increased truck traffic.	Highway 66 is a state highway designed and built for heavy use, including truck traffic. As described in Exhibits B, C, and U, a new access road to Highway 66 will need to be constructed. This access road will be required to meet ODOT design standards as described in Exhibit U to ensure safe flow of traffic. A traffic study is included as an Attachment to Exhibit U.
There needs to be a plan for fire protection.	Final Facility design will incorporate fire protection and suppression systems as suggested by the National Fire Protection Association (NFPA) for similar facilities. The requirements of the Oregon State Fire Marshal, to the extent they exceed the NFPA guidelines and requirements will also be met. Potential fire hazard from fuel piles at the Facility will be minimized by limiting the size of the piles, and by rotating stock regularly so biodegradation does not degrade the quality of the fuel or allow heat to build up in the pile. Additional, the Facility will maintain fire suppression equipment for the unlikely case where fire might occur. It must be kept in mind that the fuel will be purchased by the Facility; every effort will be made to avoid inventory losses. Fire prevention and suppression are described in Exhibits B and U.
The slash piles will present a safety hazard.	The fuel will be processed into chips before being brought to the Facility; it will not be "slash." The resulting consistency of materials will reduce the hazards associated with handling irregular materials. The Facility's fuel handling systems will meet or exceed OSHA requirements. The fuel piles will be maintained as described above to limit the potential for fire. Other safety hazards will be managed carefully in accordance with OSHA requirements to ensure worker safety.

Table BB-1. Summary of Public Comments and Applicant Responses on the Proposed Klamath Falls Bioenergy Facility

Comment	Response
The facility will create noxious odors.	No noxious odors are anticipated at the Facility. There are no applicable regulations specifically limiting noxious odors. The wastewater being evaporated in the ponds is well water, which naturally has a high concentration of minerals. The Facility will be operating all the time so there will be no stagnant water on the site. Water flowing to the boiler and cooling tower will be treated, which will eliminate odor generation. If wastewater odors should develop, the Facility water treatment contractor will provide treatments to eliminate them. The fuel pile is another potential source of odors. Since most of the fuel will be chipped thinnings and branches, the great majority of the fuel will be fiber instead of bark. In general, wood fiber piles do not generate odors. Bark in piles that are several years old can start to compost and generate odors. The longest that fuel should be stored in the fuel pile will be approximately 6 months; more typically, it will be 4 months. As a result, the opportunity for fuel to begin to decompose is limited, minimizing the potential for damage to the Facility.
The proposed baghouse is a fire/explosion hazard.	The initial application of baghouses to hog fueled boilers did result in fires as burning embers were carried over from the boiler into the baghouse. The majority of the hog fueled boilers were of grate or Dutch oven configuration which allowed burning embers to escape. The fluidized bed boiler minimizes carryover of large embers. In addition, over the years this carry-over problem has been resolved through hardware changes in the boiler passes to eliminate ember carry over from conventional hog fueled boilers. The baghouse will be constructed to meet the latest safety standards and fire prevention standards. It is in the Applicant's best interest to prevent fires and explosions to ensure the safety of its workers.
The cooling tower is a possible source of Legionnaire's disease.	The proposed Facility is not a hazard for Legionnaires disease. The potential for Legionnaire's disease occurs when evaporative cooling is used for air conditioning in enclosed spaces occupied by people and where biocides are not used in the cooling water. At the Facility, air passed through the evaporative cooler will be discharged to the atmosphere and not to an enclosed space. Further, a biocide will be used in the cooling water to inhibit the growth of biological material in the cooling system.
4. Comments Related to Noise	
Noise from the facility will have a negative impact on nearby properties.	The Facility will comply with the applicable State of Oregon noise standards, which include regulation of both Facility-related noise (such as truck traffic) and potential noise increases due to the proposed Facility. Potential noise impacts from Facility construction and operation, along with proposed mitigation measures, are described in Exhibit X.
There will be noise impacts to neighboring properties from increased truck traffic serving the facility.	The Facility will comply with the applicable State of Oregon noise standards. Noise from Facility-related truck traffic was included in the analysis of potential noise increases, which is regulated by the State of Oregon. Potential noise impacts from Facility construction and operation, along with proposed mitigation measures, are described in Exhibit X.
There will be negative impacts to wildlife from increased noise from facility operation.	The Facility will comply with the applicable State of Oregon noise standards. Potential impacts on wildlife from Facility construction and operation are described in Exhibits P and Q.

Table BB-1. Summary of Public Comments and Applicant Responses on the Proposed Klamath Falls Bioenergy Facility

Comment	Response
5. Comments Related to Economic Development	
The facility will decrease tourism and cause negative economic impacts to the community.	The Facility will have a positive economic impact on the community; the impact on tourism is very difficult to assess. An economic analysis of the Facility concluded there will be a net positive economic benefit to the community, through jobs, taxes, and energy supplied to the area. Economic impacts from Facility operation are described in Exhibit U. Recreational impacts are described in Exhibit T.
The facility will have negative impacts on commercial fishing on the Oregon coast.	The Facility will not impact fish or fishing in the Klamath River or on the Oregon coast. See Exhibit P for potential impacts on wildlife habitat.
6. Comments Related to Aesthetic and Scenic Values	
Fuel/slash storage piles will cause visual impacts.	The Facility's fuel piles will have a visual impact. However, this impact will not conflict with the policies or goals of planning documents published by local governments or state protected areas and is consistent with County zoning requirements. These impacts will be mitigated through planting of trees and shrubs to screen the Facility from all sides. The impacts will be similar to those from the Collins Timber Company facilities and from the two Iberdrola generation projects nearby. Site landscaping and visual screening will be well beyond Klamath County requirements. Unused land on the Facility site will be planted with evergreen trees to provide additional screening.
The proposed facility will adversely affect views.	The Facility will have a visual impact on the surrounding area and views from several properties in the Lawanda Hills area. However, this impact will not conflict with the policies or goals of planning documents published by local governments or state protected areas and will not intrude on any views identified in planning documents. Visual impacts will be minimized through planting of vegetation in accordance with Klamath County regulations. Unused land on the Facility site will be planted with evergreen trees to provide additional screening.
There will be light pollution from the proposed facility.	Nighttime lighting will be the minimum needed for safe operation of the Facility and will be directed downward and shielded where possible. Visual screening will mitigate for some of this impact.
There will be visual impacts to the Volcanic Legacy National Scenic Byway.	Facility visual impacts to the Volcanic Legacy National Scenic Byway are described in Exhibit R. Impacts will be consistent with guidance in planning documents for the National Scenic Byway. At its closest to the Facility, the Byway (U.S. 97) is 2.5 miles away. U.S. 97 is the major north-south route between central Oregon and California. Federal Highway Administration designation does not result in land use controls adjacent to the Byway and certainly not on property over 2 miles away.
A massive steam cloud from the facility will cause visual impacts.	As described in Exhibit Z, there will be a visible steam plume from the cooling towers 96.4 percent of the time. The plume from the exhaust stack will be visible about 16 percent of the time. The extent and height of these plumes will vary. Visual impacts from steam plumes will be much smaller than those from the adjacent Iberdrola gas turbine cogeneration plant because this facility is much smaller than Iberdrola facility. See Exhibits R and Z for additional detail.
The proposed facility will ruin the scenic and aesthetic value of the basin.	Exhibit R describes visual impacts and proposed mitigation measures for the Facility. Although there will be an impact, this impact will be consistent with the IH zoning of the planned location. The scenic and aesthetic value of the basin will not be ruined.

Table BB-1. Summary of Public Comments and Applicant Responses on the Proposed Klamath Falls Bioenergy Facility

Comment	Response
Above ground steam transmission pipes will negatively affect the surrounding area.	There will be no above-ground steam transmission pipes.
7. Comments Suggesting Alternate Locations	
The old Weyerhaeuser Mill Site is a better location for this project.	Site location selection is a complex process involving multiple parties, fuel transport, access to transmission lines, land availability, and zoning. The current proposed location was selected following extensive research into these variables.
There are better locations for this project in Chiloquin.	Site location selection is a complex process involving multiple parties, fuel transport, access to transmission lines, land availability, and zoning. The current proposed location was selected following extensive research into these variables. Locating the Facility in Chiloquin would have resulted in longer fuel transport distances.
Bly Mountain is a possible alternative location for this plant.	Site location selection is a complex process involving multiple parties, fuel transport, access to transmission lines, land availability, and zoning. The current proposed location was selected following extensive research into these variables. Locating the Facility in Bly would have resulted in longer fuel transport distances.
8. Other Comments	
This company does not have a track record building biomass plants.	Klamath Falls Bioenergy is an associated company entirely owned by NESCO. NESCO or its associated companies has been building, owning and operating forest products and energy facilities since 1937. See Exhibit D.
What is this company's safety record?	NESCO and its associated companies have been operating since 1937. There have been no serious accidents at any NESCO facilities.
The proposed facility is being built on a fault line.	No known or active faults are mapped within the facility boundary. Exhibit H presents a detailed analysis of potential seismic activity in the site vicinity and the potential impact on plant structure and safety if an earthquake was to occur, as well as proposed mitigation measures to ensure the plant is designed and constructed to meet earthquake safety standards. The Facility design will comply with current building codes and standards. Any seismic related damage to the Facility will not result in the release of harmful pollutants or emissions.
The proposed facility will cause an increase in soil erosion.	The potential for soil erosion is evaluated in Exhibit I. Soil erosion can occur during construction of any facility but will be minimized through implementation of erosion and sediment control procedures as described in Attachment I-1.
The project site is in a residential area, uses are incompatible.	The Facility site has been zoned Heavy Industrial since 1984; it is not in a residential area. Construction of an energy facility burning wood is a compatible use in this land use zone.
Where will the facility get the large amount of water required?	Water will be obtained from the existing Well 6 at the Collins Products facility and from the City of Klamath Falls. Exhibit O provides details of water use and sources. The amount of water that will be used is not, when compared to agricultural uses, a "large amount of water." The expected water use of 648 acre feet per year is approximately the water required to irrigate 100 acres of alfalfa. The Facility will convert pasture to industry. Overall water use will not be significantly impacted.

Table BB-1. Summary of Public Comments and Applicant Responses on the Proposed Klamath Falls Bioenergy Facility

Comment	Response
9. Other Comments Without Standards	
Increased traffic will result in increased public road maintenance costs.	Highway 66 is designed and constructed to support truck traffic. Trucks traveling to and from the Facility will be within applicable weight and size limits and will not place an undue burden on roadways. The fuel taxes paid by the fuel trucks will help to pay for the road maintenance costs. The trucks and fuel loads will meet the applicable weight restrictions.
There are concerns about decreased property values.	The Applicant is taking measures to mitigate visual and noise impacts and described in Exhibits R and X. As discussed in Exhibit U, economic benefits to the community will far outweigh costs. That said, there is no objective measure to forecast potential impacts to property values, nor has the Department of Energy established any standards regarding potential impacts to property values.
The operation of the facility may prevent locals from burning wood for heat.	Facility operation will not prevent local residents from burning wood for heat.
Does the proposed fuel source meet the intent of Oregon SB 838 and qualify for the renewable portfolio standard provided by SB 838?	Yes, the proposed fuel source can be used to comply with Oregon's Renewable Energy Standard, established by SB 838. According to the definition of renewable energy contained in the legislation, "Electricity derived from biomass and biomass products can be used to comply … when grown on land described in ORS 321.267 (3) (private, managed, timber lands)…."

ATTACHMENT BB-1

Evidence of Consultation with Tribes

Klamath Falls Bioenergy, LLC

10800 NE 8th Street • Suite 320 • Bellevue, Washington 98004 • Fax 425-803-6902 • Phone 425-889-1000

August 5, 2010

Mr. Perry Chooktoot
THE KLAMATH TRIBES
P.O. Box 436
Chiloquin, OR 97624

SUBJECT: PROPOSED KLAMATH BIOENERGY 35 MW POWER PROJECT AND REQUEST FOR CONSULTATION

Dear Mr. Chooktoot:

Klamath Falls Bioenergy, LLC (KFB) is propsoing to develop a 35 megawatt wood-fired power plant in the Klamath Falls area. KFB filed a **Notice of Intent** with the Oregon Energy Facility Siting Council (EFSC) on April 5, 2010. You previously received a copy of the document. The resulting EFSC **Project Order** issued on July 22, 2010 is attached. Further information about the Project can be found at EFSC's website at the link below.

http://www.oregon.gov/ENERGY/SITING/review.shtml#Klamath_Falls_Bioenergy

The site, zoned heavy industrial, is approximately two miles south of the existing Klamath Falls Generation Facility in Klamath County. A preliminary site layout, including the interconnecting power line and water supply line and a vicinity map are attached. The fuel would be purchased and come from timberland thinning in the general Klamath Falls area on privately held timberlands. The project will use water from existing wells in the area. It will not impact the Klamath River.

KFB is preparing an **Application For Site Certificate (ASC)** to the Oregon Energy Facility Siting Council (EFSC) and expects to submit it about September 1, 2010. It is also preparing a **Standard Air Contaminant Discharge Permit (ACDP)** for the Oregon Department of Environmental Quality and expects to submit the air permit application concurrently with the EFSC **ASC**. As part of the **ASC** preparation, we have consulted with the interested State agencies and conducted site resource surveys for historic, cultural, and archeological resources, wetlands, fish and wildlife, and threatened and endangered species. As soon as these and other resource reports are completed, we will share them with you.

With this letter, we request any comments or feedback your Tribe might have regarding the project. The proposed project will be beneficial to the Klamath Falls area air quality and economy. You may contact me by calling 425-457-7484 or by email at brucet@thenescogroup.com.

Thank you for your attention to this matter.

Respectfully,

Bruce Thompson

Bruce Thompson
Senior Vice President

ENCLOSURES: (1) OEFSC Project Order
(2) KFB Site Plan, C-2 Overview Of Site
(3) KFB Vicinity Map

cc: Curt Bagnall, CH2MHill
Duane Kilsdonk, Oregon Department of Energy
KFB Project Team

US/PS: Certified Mail Return Receipt

Klamath Falls Bioenergy, LLC

10800 NE 8th Street • Suite 320 • Bellevue, Washington 98004 • Fax 425-803-6902 • Phone 425-889-1000

August 5, 2010

Mr. Erik Thorsgard
THE CONFEDERATED TRIBES OF GRAND RONDE
9615 Grand Ronde Road
Grand Ronde, OR 97347

SUBJECT: PROPOSED KLAMATH BIOENERGY 35 MW POWER PROJECT AND REQUEST FOR CONSULTATION

Dear Mr. Thorsgard:

Klamath Falls Bioenergy, LLC (KFB) is propsoing to develop a 35 megawatt wood-fired power plant in the Klamath Falls area. KFB filed a **Notice of Intent** with the Oregon Energy Facility Siting Council (EFSC) on April 5, 2010. You previously received a copy of the document. The resulting EFSC **Project Order** issued on July 22, 2010 is attached. Further information about the Project can be found at EFSC's website at the link below.

http://www.oregon.gov/ENERGY/SITING/review.shtml#Klamath_Falls_Bioenergy

The site, zoned heavy industrial, is approximately two miles south of the existing Klamath Falls Generation Facility in Klamath County. A preliminary site layout, including the interconnecting power line and water supply line and a vicinity map are attached. The fuel would be purchased and come from timberland thinning in the general Klamath Falls area on privately held timberlands. The project will use water from existing wells in the area. It will not impact the Klamath River.

KFB is preparing an **Application For Site Certificate** (ASC) to the Oregon Energy Facility Siting Council (EFSC) and expects to submit it about September 1, 2010. It is also preparing a **Standard Air Contaminant Discharge Permit** (ACDP) for the Oregon Department of Environmental Quality and expects to submit the air permit application concurrently with the EFSC **ASC**. As part of the **ASC** preparation, we have consulted with the interested State agencies and conducted site resource surveys for historic, cultural, and archeological resources, wetlands, fish and wildlife, and threatened and endangered species. As soon as these and other resource reports are completed, we will share them with you.

With this letter, we request any comments or feedback your Tribe might have regarding the project. The proposed project will be beneficial to the Klamath Falls area air quality and economy. You may contact me by calling 425-457-7484 or by email at brucet@thenescogroup.com.

Thank you for your attention to this matter.

Respectfully,

Bruce Thompson

Bruce Thompson
Senior Vice President

ENCLOSURES: (1) OEFSC Project Order
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cc: Curt Bagnall, CH2MHill
Duane Kilsdonk, Oregon Department of Energy
KFB Project Team

US/PS: Certified Mail Return Receipt

Klamath Falls Bioenergy, LLC

10800 NE 8th Street • Suite 320 • Bellevue, Washington 98004 • Fax 425-803-6902 • Phone 425-889-1000

August 5, 2010

Mr. Robert Kentta
THE CONFEDERATED TRIBES OF SILETZ INDIANS
P.O. Box 549
Siletz, OR 97380

SUBJECT: PROPOSED KLAMATH BIOENERGY 35 MW POWER PROJECT AND REQUEST FOR CONSULTATION

Dear Mr. Kentta:

Klamath Falls Bioenergy, LLC (KFB) is propsoing to develop a 35 megawatt wood-fired power plant in the Klamath Falls area. KFB filed a **Notice of Intent** with the Oregon Energy Facility Siting Council (EFSC) on April 5, 2010. You previously received a copy of the document. The resulting EFSC **Project Order** issued on July 22, 2010 is attached. Further information about the Project can be found at EFSC's website at the link below.

http://www.oregon.gov/ENERGY/SITING/review.shtml#Klamath_Falls_Bioenergy

The site, zoned heavy industrial, is approximately two miles south of the existing Klamath Falls Generation Facility in Klamath County. A preliminary site layout, including the interconnecting power line and water supply line and a vicinity map are attached. The fuel would be purchased and come from timberland thinning in the general Klamath Falls area on privately held timberlands. The project will use water from existing wells in the area. It will not impact the Klamath River.

KFB is preparing an **Application For Site Certificate (ASC)** to the Oregon Energy Facility Siting Council (EFSC) and expects to submit it about September 1, 2010. It is also preparing a **Standard Air Contaminant Discharge Permit (ACDP)** for the Oregon Department of Environmental Quality and expects to submit the air permit application concurrently with the EFSC **ASC**. As part of the **ASC** preparation, we have consulted with the interested State agencies and conducted site resource surveys for historic, cultural, and archeological resources, wetlands, fish and wildlife, and threatened and endangered species. As soon as these and other resource reports are completed, we will share them with you.

With this letter, we request any comments or feedback your Tribe might have regarding the project. The proposed project will be beneficial to the Klamath Falls area air quality and economy. You may contact me by calling 425-457-7484 or by email at brucet@thenescogroup.com.

Thank you for your attention to this matter.

Respectfully,

Bruce Thompson

Bruce Thompson
Senior Vice President

ENCLOSURES: (1) OEFSC Project Order
(2) KFB Site Plan, C-2 Overview Of Site
(3) KFB Vicinity Map

cc: Curt Bagnall, CH2MHill
Duane Kilsdonk, Oregon Department of Energy
KFB Project Team

US/PS: Certified Mail Return Receipt

Klamath Falls Bioenergy, LLC

10800 NE 8th Street • Suite 320 • Bellevue, Washington 98004 • Fax 425-803-6902 • Phone 425-889-1000

August 5, 2010

Ms. Theresa Peck
THE BURNS PAIUTE TRIBE
100 Pasigo Street
Burns, OR 97720

SUBJECT: PROPOSED KLAMATH BIOENERGY 35 MW POWER PROJECT AND REQUEST FOR CONSULTATION

Dear Ms. Peck:

Klamath Falls Bioenergy, LLC (KFB) is propsoing to develop a 35 megawatt wood-fired power plant in the Klamath Falls area. KFB filed a **Notice of Intent** with the Oregon Energy Facility Siting Council (EFSC) on April 5, 2010. You previously received a copy of the document. The resulting EFSC **Project Order** issued on July 22, 2010 is attached. Further information about the Project can be found at EFSC's website at the link below.

http://www.oregon.gov/ENERGY/SITING/review.shtml#Klamath_Falls_Bioenergy

The site, zoned heavy industrial, is approximately two miles south of the existing Klamath Falls Generation Facility in Klamath County. A preliminary site layout, including the interconnecting power line and water supply line and a vicinity map are attached. The fuel would be purchased and come from timberland thinning in the general Klamath Falls area on privately held timberlands. The project will use water from existing wells in the area. It will not impact the Klamath River.

KFB is preparing an **Application For Site Certificate (ASC)** to the Oregon Energy Facility Siting Council (EFSC) and expects to submit it about September 1, 2010. It is also preparing a **Standard Air Contaminant Discharge Permit (ACDP)** for the Oregon Department of Environmental Quality and expects to submit the air permit application concurrently with the EFSC **ASC**. As part of the **ASC** preparation, we have consulted with the interested State agencies and conducted site resource surveys for historic, cultural, and archeological resources, wetlands, fish and wildlife, and threatened and endangered species. As soon as these and other resource reports are completed, we will share them with you.

With this letter, we request any comments or feedback your Tribe might have regarding the project. The proposed project will be beneficial to the Klamath Falls area air quality and economy. You may contact me by calling 425-457-7484 or by email at brucet@thenescogroup.com.

Thank you for your attention to this matter.

Respectfully,

Bruce Thompson
Senior Vice President

ENCLOSURES: (1) OEFSC Project Order
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cc: Curt Bagnall, CH2MHill
Duane Kilsdonk, Oregon Department of Energy
KFB Project Team

US/PS: Certified Mail Return Receipt

Klamath Falls Bioenergy, LLC

10800 NE 8th Street • Suite 320 • Bellevue, Washington 98004 • Fax 425-803-6902 • Phone 425-889-1000

August 5, 2010

Ms. Sally Bird
WARM SPRINGS GEO VISIONS
THE CONFEDERATED TRIBES OF WARM SPRINGS
1233 Veterans Street
Warm Springs, OR 97661

SUBJECT: PROPOSED KLAMATH BIOENERGY 35 MW POWER PROJECT AND REQUEST FOR CONSULTATION

Dear Ms. Bird:

Klamath Falls Bioenergy, LLC (KFB) is propsoing to develop a 35 megawatt wood-fired power plant in the Klamath Falls area. KFB filed a **Notice of Intent** with the Oregon Energy Facility Siting Council (EFSC) on April 5, 2010. You previously received a copy of the document. The resulting EFSC **Project Order** issued on July 22, 2010 is attached. Further information about the Project can be found at EFSC's website at the link below.

http://www.oregon.gov/ENERGY/SITING/review.shtml#Klamath_Falls_Bioenergy

The site, zoned heavy industrial, is approximately two miles south of the existing Klamath Falls Generation Facility in Klamath County. A preliminary site layout, including the interconnecting power line and water supply line and a vicinity map are attached. The fuel would be purchased and come from timberland thinning in the general Klamath Falls area on privately held timberlands. The project will use water from existing wells in the area. It will not impact the Klamath River.

KFB is preparing an **Application For Site Certificate (ASC)** to the Oregon Energy Facility Siting Council (EFSC) and expects to submit it about September 1, 2010. It is also preparing a **Standard Air Contaminant Discharge Permit (ACDP)** for the Oregon Department of Environmental Quality and expects to submit the air permit application concurrently with the EFSC **ASC**. As part of the **ASC** preparation, we have consulted with the interested State agencies and conducted site resource surveys for historic, cultural, and archeological resources, wetlands, fish and wildlife, and threatened and endangered species. As soon as these and other resource reports are completed, we will share them with you.

With this letter, we request any comments or feedback your Tribe might have regarding the project. The proposed project will be beneficial to the Klamath Falls area air quality and economy. You may contact me by calling 425-457-7484 or by email at brucet@thenescogroup.com.

Thank you for your attention to this matter.

Respectfully,

Bruce Thompson

Bruce Thompson
Senior Vice President

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August 5, 2010

Tribal Council
THE CONFEDERATED TRIBES OF WARM SPRINGS
1233 Veterans Street
Warm Springs, OR 97661

SUBJECT: PROPOSED KLAMATH BIOENERGY 35 MW POWER PROJECT AND REQUEST FOR CONSULTATION

Dear Tribal Council:

Klamath Falls Bioenergy, LLC (KFB) is propsoing to develop a 35 megawatt wood-fired power plant in the Klamath Falls area. KFB filed a **Notice of Intent** with the Oregon Energy Facility Siting Council (EFSC) on April 5, 2010. You previously received a copy of the document. The resulting EFSC **Project Order** issued on July 22, 2010 is attached. Further information about the Project can be found at EFSC's website at the link below.

http://www.oregon.gov/ENERGY/SITING/review.shtml#Klamath_Falls_Bioenergy

The site, zoned heavy industrial, is approximately two miles south of the existing Klamath Falls Generation Facility in Klamath County. A preliminary site layout, including the interconnecting power line and water supply line and a vicinity map are attached. The fuel would be purchased and come from timberland thinning in the general Klamath Falls area on privately held timberlands. The project will use water from existing wells in the area. It will not impact the Klamath River.

KFB is preparing an **Application For Site Certificate (ASC)** to the Oregon Energy Facility Siting Council (EFSC) and expects to submit it about September 1, 2010. It is also preparing a **Standard Air Contaminant Discharge Permit (ACDP)** for the Oregon Department of Environmental Quality and expects to submit the air permit application concurrently with the EFSC **ASC**. As part of the **ASC** preparation, we have consulted with the interested State agencies and conducted site resource surveys for historic, cultural, and archeological resources, wetlands, fish and wildlife, and threatened and endangered species. As soon as these and other resource reports are completed, we will share them with you.

With this letter, we request any comments or feedback your Tribe might have regarding the project. The proposed project will be beneficial to the Klamath Falls area air quality and economy. You may contact me by calling 425-457-7484 or by email at brucet@thenescogroup.com.

Thank you for your attention to this matter.

Respectfully,

Bruce Thompson

Bruce Thompson
Senior Vice President

ENCLOSURES: (1) OEFSC Project Order
(2) KFB Site Plan, C-2 Overview Of Site
(3) KFB Vicinity Map

cc: Curt Bagnall, CH2MHill
Duane Kilsdonk, Oregon Department of Energy
KFB Project Team

US/PS: Certified Mail Return Receipt

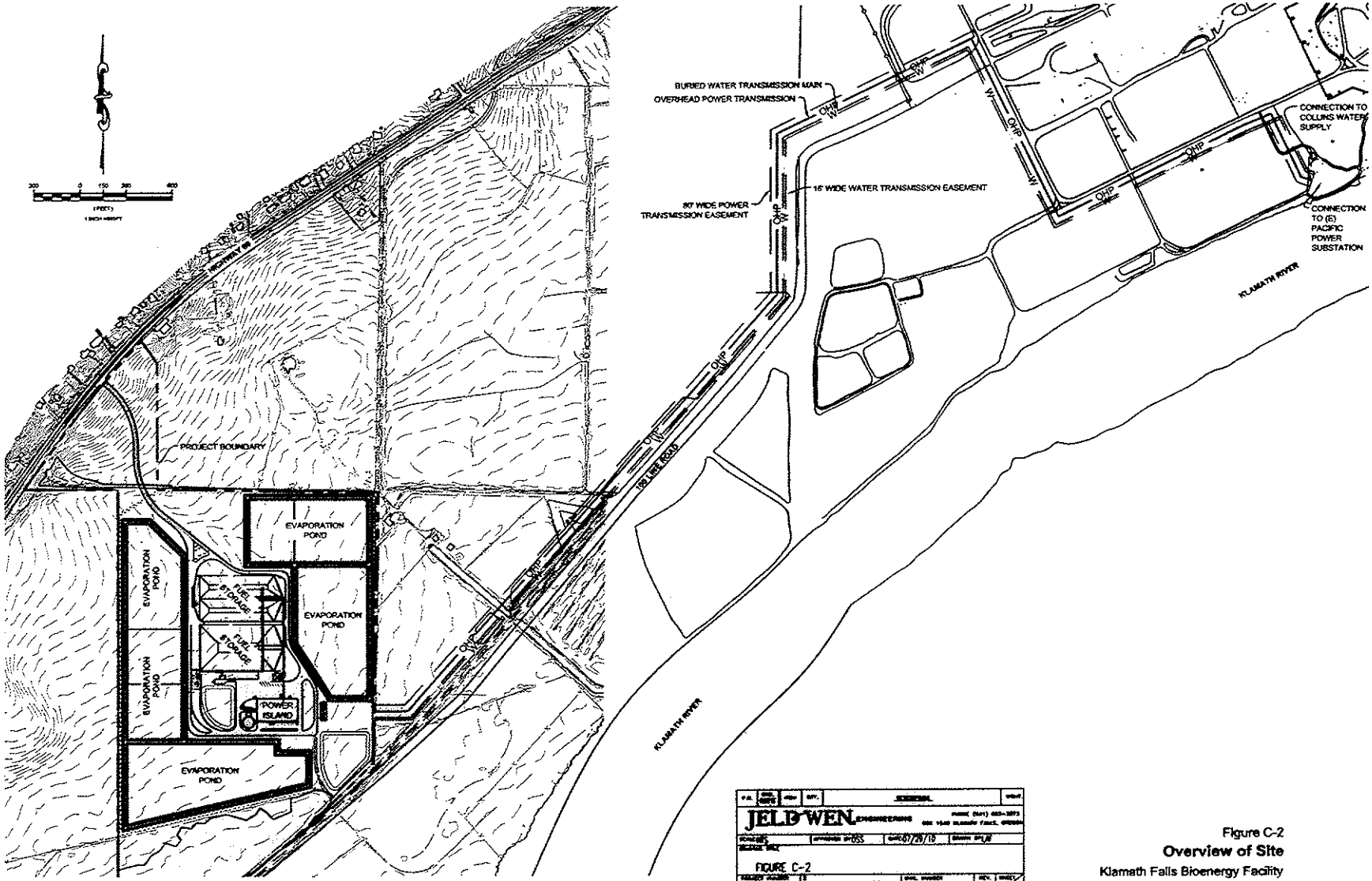
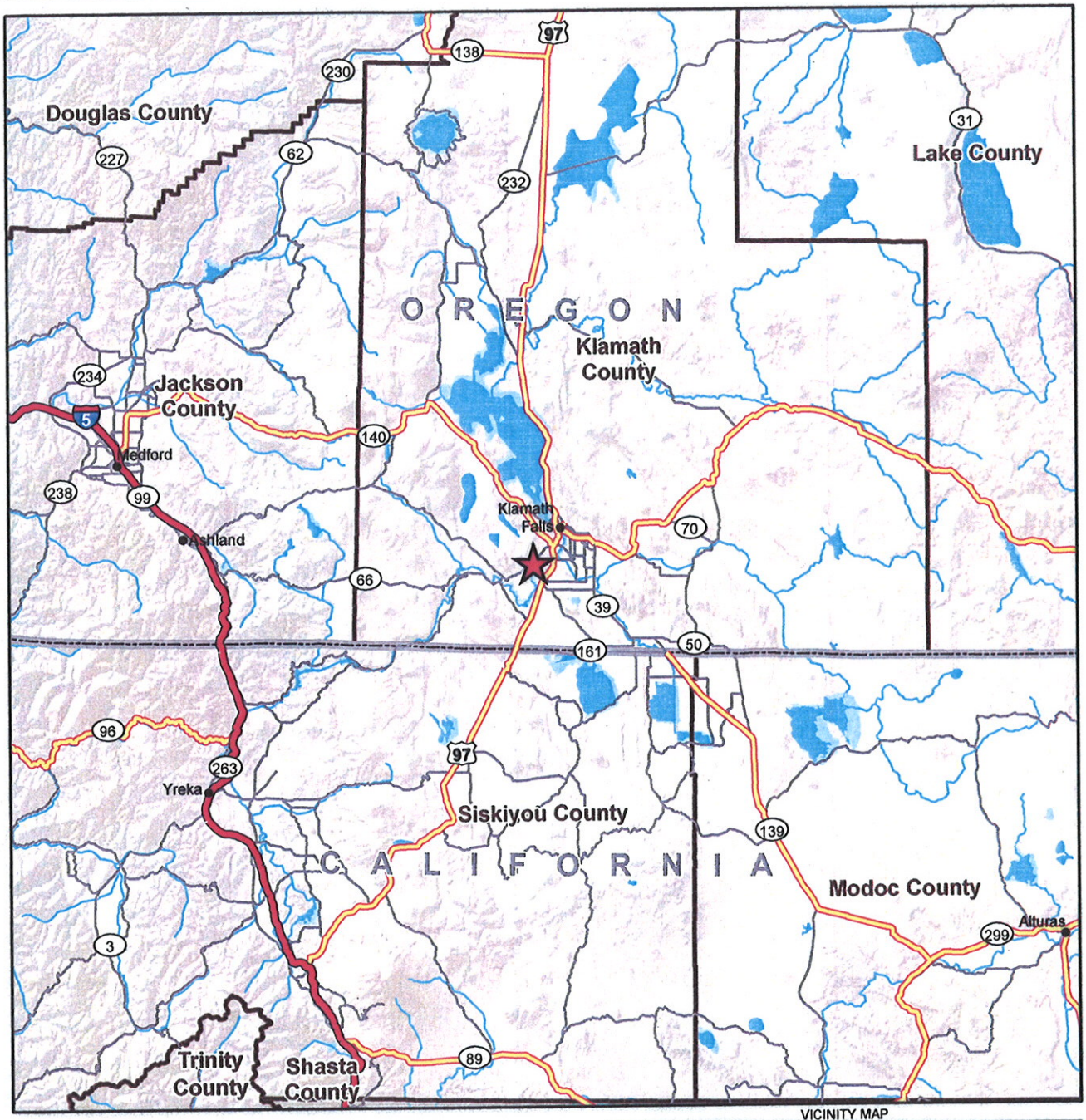


Figure C-2

Overview of Site

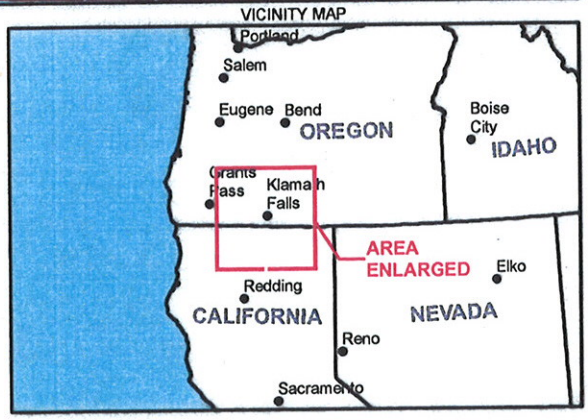
Klamath Falls Bioenergy Facility

CH2MHILL



LEGEND

- Facility Site
- City
- Interstate Highway
- Highway
- Local Road
- River
- Water
- County Boundary
- State Boundary



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Miles

Source:
1. Environmental Systems Research Institute (ESRI)

FIGURE G-1
Vicinity Map
Klamath Falls Bioenergy
Notice of Intent

CH2MHILL

\\ROSA\PROJ\NESCO\400271KFBIOENERGY\GIS\MAPFILES\NOI\KFALLS_VICINITYMAP.MXD PGRONLI 3/15/2010 09:48:30

Oregon
Theodore R. Kulongoski, Governor

OREGON DEPARTMENT OF ENERGY

Eastern Oregon Office
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Hermiston, OR 97838

Phone: (541) 567-3840
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FAX: (541) 567-6861
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July 22, 2010

Bruce Thompson
Senior Vice President
Klamath Falls Bioenergy
10800 NE 8th Street, Suite 320
Bellevue, WA 98004-4467

RE: Transmittal of the Project Order for the Proposed Klamath Falls Bioenergy Facility
[ODOE Letter Log No. 65]

Dear Mr. Thompson:

Enclosed is the Project Order for the proposed Klamath Falls Bioenergy Facility, to be located in Klamath County, Oregon. This Project Order is issued pursuant to OAR 345-015-0160 and is based on the Notice of Intent (NOI) for the Klamath Falls Bioenergy Facility received by the Department on April 5, 2010.

On April 13, and again on May 25 and 26, 2010, the Department issued a public notice of the NOI to the Energy Facility Siting Council mailing list and to adjacent property owners as defined at Oregon Administrative Rule (OAR) 345-020-0011(1)(f). The comment period on the NOI closed at 5:00 pm on June 30, 2010. On or about April 23, 2010 KFB distributed the NOI to the reviewing agencies identified by the Department. In accordance with OAR 345-020-0040, the NOI was sent with a memorandum from the Department requesting comments from the reviewing agencies no later than May 14, 2010. Comments received from the public and the reviewing agencies are discussed in Section VII of the Project Order.

The Project Order is intended to serve as guidance for the preparation of an Application for Site Certificate (ASC) for the Klamath Falls Bioenergy Facility. The Project Order is not a final Order and may be revised because of additional comments received from the reviewing agencies or questions or comments from Klamath Falls Bioenergy.

Please feel free to contact me at 541-567-3840 (ext. 224) or by e-mail at duane.kilsdonk@state.or.us if you have any questions or require further information.

Sincerely yours,

Duane Kilsdonk
Energy Facility Siting Officer

Enclosure: Project Order for the proposed Klamath Falls Bioenergy Facility

OREGON DEPARTMENT OF ENERGY

Regarding Statutes, Administrative Rules, and Other Requirements Applicable to the Proposed **KLAMATH FALLS BIOENERGY FACILITY**

PROJECT ORDER

BACKGROUND

On April 5, 2010, Klamath Falls Bioenergy, LLC (KFB) submitted to the Oregon Department of Energy (ODOE or the "Department") a Notice of Intent (NOI) to file an Application for a Site Certificate (ASC) for a proposed biomass-fired generating plant. The proposed facility, named the Klamath Falls Bioenergy Facility, would be located within Klamath County about two miles southwest of Klamath Falls, Oregon, and as described in the NOI, would have a peak generating capacity of up to 38.5 megawatts (MW) of electrical power. The facility will require a site certificate from the Oregon Energy Facility Siting Council (EFSC or the "Council").

On April 13, 2010, the Department issued a public notice of the NOI to the EFSC mailing list and to adjacent property owners as defined at Oregon Administrative Rule (OAR) 345-020-0011(1)(f). The Department also published the notice on April 23 and 29, 2010, in the *Klamath Falls Herald and News* newspaper. The public notice included announcement of a public information meeting to be held May 5, 2010 in Klamath Falls, Oregon, and requested public comments on the NOI by 5:00 pm on May 14, 2010. The meeting on May 5, 2010 was heavily attended. Following the close of the public comment period on May 14, 2010 the Department noted that not all stakeholders were adequately notified of the project. As a result, the Department decided to re-notify stakeholders of another public comment period that would end June 30, 2010. A public notice of the NOI was mailed to the EFSC mailing list and to adjacent property owners as defined at Oregon Administrative Rule (OAR) 345-020-0011(1)(f), on May 25 and 26, 2010. The Department also published the notice in the *Klamath Falls Herald and News* newspaper on June 6 and June 10, 2010. The public notice included announcement of a public information meeting to be held June 15, 2010 in Klamath Falls, Oregon and requested public comments on the NOI by 5:00 pm on June 30, 2010. On June 15, 2010, prior to the public meeting commencement, Klamath Falls Bioenergy submitted a written change to the Notice of Intent information. The change is as follows: in the NOI, Exhibit K, Land Use, Klamath Falls Bioenergy stated that it would satisfy the Council's land use standard by obtaining local land use approval from Klamath County under ORS 469.501 (1)(a); the revised document stated they have reconsidered and will instead be seeking a land use determination from the Council under ORS 469.501(1)(b). This written change was signed by Klamath Falls Bioenergy's Project Manager, John Rivers. This change was announced at the June 15, meeting, which was heavily attended. Many public comments were received by the end of the public comment period. Public comments are discussed further in Section VII.

On or about April 23, 2010 KFB distributed the NOI to the reviewing agencies identified by the Department. In accordance with OAR 345-020-0040, the NOI was sent with a memorandum from the Department requesting comments from reviewing agencies no later than May 14, 2010. At the close of the comment period the Department had received comments from the Oregon Department of Agriculture, Oregon Parks and Recreation Department, Oregon Department of Environmental Quality (Water Quality Section), Oregon Public Utilities Commission, Klamath County Planning Department, and the Keno Fire District. Comments received from reviewing agencies are also discussed in Section VII.

The Department issues this project order in accordance with OAR 345-015-0160, which requires the Department to specify the state statutes, administrative rules, and local, state, and tribal permitting requirements applicable to the construction and operation of the proposed facility (see Sections I through V). This project order specifies the analysis areas for the proposed facility (Section VI) and discusses comments received by the Department from reviewing agencies and members of the public that address matters within the jurisdiction of the Council that the applicant shall consider and discuss in the ASC (Section VII). This project order also includes sections concerning the expiration date of the Notice of Intent (Section VIII), discussion of project order amendments (Section IX) and the applicant's duty to comply with applicable requirements (Section X).

Oregon Revised Statute (ORS) 469.401(4) provides that a site certificate issued by the Council does not govern certain matters. This project order does not consider matters outside the Council's jurisdiction. The applicant must nevertheless comply with all statutes, regulations, and local ordinances applicable to the proposed facility.

As provided in ORS 469.330(4), the Department or the Council may amend this project order at any time. The definitions in ORS 469.300 and OAR 345-001-0010 apply to the terms used in this project order, except where otherwise stated or where the context indicates otherwise.

Therefore, pursuant to ORS 469.330(3) and OAR 345-015-0160(1), the Department issues this project order establishing the requirements for an ASC for the Klamath Falls Bioenergy Facility.

PROPOSED FACILITY: KLAMATH FALLS BIOENERGY FACILITY
PROJECT ORDER
TABLE OF CONTENTS

I. Statutes, Administrative Rules, And Related Permit Requirements Applicable To The Proposed Facility

This section identifies the Oregon statutes and administrative rules that KFB must address in the ASC, and related state and federal permits and approvals.

(a) Energy Facility Siting Council

Statute and Rule References: Statutes pertaining to the regulation of energy facilities, starting at ORS 469.300, and administrative rules in OAR Chapter 345, including the general provisions of Division 1 and the requirements of Divisions 21, 22, 24, 26 and 27 (as discussed further below).

Permit: An energy facility site certificate is required before construction or operation.

Discussion:

OAR Chapter 345, Division 21 (Application for Site Certificate)

See Section V for a discussion of specific information to be included in the ASC per the requirements of OAR 345-021-0010.

OAR Chapter 345, Division 22 (General Standards for Siting Facilities)

All general standards in OAR Chapter 345, Division 22, apply to the proposed facility.

OAR Chapter 345, Division 24 (Specific Standards for Siting Facilities)

Specific standards addressed in OAR Chapter 345, Division 24, apply to the proposed facility, including: Siting Standards for Transmission Lines (OAR 345-024-0090).

OAR Chapter 345, Division 26 (Construction and Operation Rules for Facilities)

If the Council issues a site certificate for the proposed facility, the certificate holder must implement a compliance plan, as described in OAR 345-026-0048 and periodically must submit reports as described in OAR 345-026-0080.

OAR Chapter 345, Division 27 (Site Certificate Conditions)

The site certificate will contain the mandatory conditions, applicable site-specific conditions, and monitoring conditions described in OAR 345-027-0020, -0023 and -0028.

(b) Oregon Department of Agriculture, Plant Division — Native Plant Conservation Program

Statute and Rule References: ORS Chapter 564 (Wildflowers; Threatened or Endangered Plants); and OAR Chapter 603, Division 73 (Plants: Wildflowers and Endangered, Threatened, and Candidate Species).

Permit: None required.

Discussion: The Oregon Department of Agriculture (ODA) provides technical review and recommendations regarding compliance with the Council's threatened and endangered species standard (OAR 345-022-0070) as it relates to plant species.

OAR 603-073-0070 contains the state list of endangered and threatened plant species. OAR 603-073-0080 gives ODA the authority to designate candidate plants. If KFB finds any state-listed threatened or endangered plant species that may be affected by the proposed facility, KFB must address the requirements of OAR 603-073-0090(5)(d)(A)-(E) in the ASC.

KFB should include in its ASC a list of both state- and federally-listed endangered, threatened, and candidate plant species that have potential to occur in the analysis area. KFB should identify these species based on a review of literature, consultation with knowledgeable individuals, and reference to the list of species maintained by the Oregon Natural Heritage Program.[1]

KFB should include in its ASC a description and the results of a field survey for the listed plant species. The survey must be conducted by a person with expertise in field botany, plant taxonomy and biological conservation. The survey should be conducted during the time of year when it is possible to identify any listed plants (usually when these plants are in flower or fruit). The field survey report should include written descriptions of the survey methods and areas surveyed. KFB should consult with the Oregon Department of Agriculture, Native Plant Conservation Program, regarding field survey methods, appropriate survey seasons, qualifications of field survey personnel, and the information to be included in the field survey report.

(c) Oregon Department of Environmental Quality — Air Quality Division

Statute and Rule References: 40 CFR Part 72 (Acid Rain Permits Regulation); ORS Chapters 468A (Air Quality); OAR Chapter 340, Division 216 (Air Contaminant Discharge Permits); Division 218 (Oregon Title V Operating Permits; Division 224 (Major New Source Review)

Permits: Air Contaminant Discharge Permit (ACDP), Prevention of Significant Deterioration (PSD) Permit, Federal Operating Permit (Title V), and Acid Rain Permit (Title IV)

Discussion: The air quality permit program is delegated by the US Environmental Protection Agency to the Oregon Department of Environmental Quality (DEQ). The Council does not have jurisdiction for determining compliance with the applicable law. However, the Council may rely on the determinations of compliance and the conditions in federally delegated permits in making its

[1] OAR 345-022-0070 applies only to state-listed plant and animal species. Nevertheless, OAR 345-021-0010(1)(q) requires applicants to consider plant and animal species listed as endangered or threatened under both state and federal law. This requirement applies because the Council, in making its decision, must be mindful of possible adverse impacts to federally listed species. Note also that OAR 345-022-0070 applies to all lands affected by a proposed facility including state, federal and private lands.

determination about whether other standards and requirements under Council jurisdiction are met. Under OAR 345-021-0000(7), the Department shall not find an ASC complete unless the applicant has submitted one copy of all of its federally delegated permit applications. In addition, as described in OAR 345-021-0000(7), before the Department may find the ASC complete, KFB must submit to the Department a letter or other indication from DEQ stating that DEQ has received the permit applications from KFB, identifying any additional information DEQ is likely to need from KFB based on DEQ's review of the application as submitted, and estimating the date when DEQ will complete its review and issue its permit decision. This condition applies to the ACDP or PSD permit. KFB must submit the Title V Federal Operating Permit and Acid Rain Permit, if applicable, applications to DEQ within one year after the facility begins operation.

In addition to the air quality requirements listed above, the Council may request additional information concerning air quality impacts if the information provided in obtaining the appropriate air quality permits is insufficient to determine compliance with other standards (e.g. 345-022-0040 Protected Areas). Transport of air quality emissions can lead to both near field and distant impacts that affect both human health, the environment, and visibility. The NOI does not specify the potential emission rates from the proposed facility. Without this information, ODOE is unable to determine what type of air quality permit would be required for construction and operation of the proposed facility. Because the type of air quality permit that would be required for construction and operation of the proposed facility cannot be ascertained, the level of air quality analysis that would be required by the DEQ with respect to the required air quality permit remains unclear. Depending upon the type of air quality permit the applicant must obtain from the DEQ, the applicant must include in the ASC sufficient information to enable the Council to determine whether its energy facility siting standards have been met.

The proposed facility will be located outside Klamath Falls, Oregon. Parts of the County and City are "maintenance" areas for carbon monoxide and PM_{10} and non-attainment for $PM_{2.5}$, meaning that they have not consistently met the National Ambient Air Quality Standards (NAAQS). It is believed that the facility will be outside of these areas, in a part of the County that is in attainment of the NAAQS. If the facility is designed with a "potential to emit," as defined in OAR 340-200-0020, for any regulated pollutant that would define the facility as a "federal major source," as defined in OAR 340-200-0020, the DEQ would require the facility to obtain a Prevention of Significant Deterioration permit. Regardless of the type of air quality permit the applicant seeks, DEQ will require the applicant to prepare an air quality analysis for determining whether the ambient air quality standards and PSD increments will be exceeded in Class I and Class II areas as described in OAR 340-204-0050. For a PSD permit application, the applicant will also be required to include an Air Quality Related Values (AQRV) analysis for Class I areas as described in OAR Chapter 340, Division 225. For gas fired electric generating facilities subject to major source review, the Council has found that the standards for siting energy facilities (OAR Chapter 340, Division 22) that could be adversely

affected by air emissions from the proposed facility will be met if the applicant applies for and receives a PSD air quality permit through the DEQ.

If the applicant were to propose a facility with a "potential to emit" below "federal major source" levels, a PSD permit would not be required. However, a non-PSD Air Contaminant Discharge Permit would be required. Although the DEQ would not require AQRV analysis for such an air quality permit, ODOE will require this analysis as part of the ASC to ensure that the standards for siting energy facilities (OAR Chapter 340, Division 22) have been met. In particular, the AQRV analysis should show that the facility will not adversely affect Class I areas as those areas are defined by DEQ. Also, the Council has previously relied on the DEQ major source review to find compliance with its Protected Area Standard, OAR 345-022-0040. Therefore, regardless of what DEQ permitting path applies, the ASC should contain sufficient analysis of air quality impacts for the Council to determine if the air emissions would adversely affect the areas listed in its Protected Area standard.

The requirements of an AQRV analysis should be determined through consultation between the applicant and DEQ regardless of whether the analysis is required solely for the ASC, but should include visibility and deposition impact assessment. The AQRV and air quality analysis should include impacts from not only the boiler stack, but also cooling towers, fugitive road dust and fuel and ash handling, if fuel or ash handling is intended to be performed in unenclosed areas. Any other sources not clearly defined in the NOI may also require inclusion.

The U.S. EPA has recently issued proposed Maximum Achievable Control Technology (MACT) rules for hazardous air pollutants (HAPs) that may affect this project if promulgated in the fourth quarter of 2010. These rules, known to apply to major and area source Industrial, Commercial, and Institutional Boilers and Process Heaters may require additional pollution control equipment not identified in the NOI. Since the emission rates of HAPs from the boiler are not specified in the NOI, it is unknown whether these rules will be applicable. If these rules are applicable, the ASC must identify the pollution control equipment that will be installed in order to comply and provide details about any potential impacts of waste streams from these devices.

(d) Oregon Department of Environmental Quality — Water Quality Division

Statute and Rule References: ORS Chapter 468B (Water Quality); OAR Chapter 340, Divisions 40 (Groundwater Quality Protection), 45 (Regulations Pertaining To NPDES and WPCF Permits), 48 (Certification of Compliance with Water Quality Requirements and Standards), and 71 (Onsite Wastewater Treatment Systems).

Permits: National Pollutant Discharge Elimination System (NPDES), Section 401 Water Quality Certification, Water Pollution Control Facilities (WPCF), and onsite wastewater system permits.

Discussion:

OAR Chapter 340, Division 45 (NPDES and WPCF Permits)

In accordance with OAR 345-021-0000(7), KFB must submit to the Department one copy of all applications for federally-delegated permits (including NPDES permits). The applicant must also provide a letter or other indication from the Oregon Department of Environmental Quality (DEQ) stating that the agency has received a permit application from the applicant, identifying any additional information the agency is likely to need from the applicant based on the agency's review of the application as submitted, and estimating the date when the agency will complete its review and issue a permit decision.

The U.S. Environmental Protection Agency has delegated authority to DEQ to issue NPDES Storm Water Discharge permits for construction and operation activities. The Council does not have jurisdiction over the federally-delegated NPDES permit, but the Council may rely on the determinations of compliance and the conditions in the federally-delegated permit in making its determination about whether other standards and requirements under the Council's jurisdiction are met.

The NOI states that the facility will have an average of 100,000 gallons per day of process wastewater. If a WPCF permit is required for a process wastewater evaporation pond, it is a state permit that is under Council jurisdiction. Regulations pertaining to WPCF permits are in OAR Chapter 340, Division 45. KFB must include in the ASC all information that would otherwise be required by DEQ in an application for the permit. The WPCF permit application must include data and calculations used to determine the most efficient size and location of a process wastewater evaporation pond.

OAR Chapter 340, Division 48 (Certification of Compliance with Water Quality Requirements and Standards)

If a Section 404 Permit is needed from U.S. Army Corps of Engineers for the discharge of dredge or fill material in Oregon's waters, a Section 401 Water Quality Certification must be granted by DEQ before a Section 404 permit may be issued. If a Section 401 Water Quality Certification is required, it is a state permit under Council jurisdiction. KFB must include in the ASC an itemized demonstration of each applicable provision in OAR 340-048-0020. If the certification is needed, the Council will make the issuing decision in consultation with the DEQ.

OAR Chapter 340, Division 71 (Onsite Wastewater Treatment Systems)

The NOI states that the facility will discharge up to 1,000 gallons of sanitary waste per day to an onsite septic system. Such discharges may require a WPCF permit from DEQ. In such event, KFB must first verify that the site is suitable for an onsite sewage disposal system by applying to DEQ or its designated agency for a

site evaluation of groundwater and soil conditions. In the ASC, KFB should provide information demonstrating that the proposed septic system is exempt from the WPCF permit requirement or, if it is not exempt, that it meets the requirements for a permit.

(e) Oregon Department of Environmental Quality – Land Quality Division

Statute and Rule References: ORS Chapters 465 and 466 (Hazardous Waste and Hazardous Materials I and II); and OAR Chapter 340, Divisions 100 through 122 (Hazardous Waste Management).

Permit: None required.

Discussion: KFB must include in the ASC a list of all hazardous materials that potentially would be stored or used at the facility site during construction and operation. KFB must comply with DEQ regulations concerning the use of hazardous materials and the clean up and disposal of hazardous wastes. The requirement is incorporated in the general standard of review, OAR 345-022-0000.

The DEQ hazardous waste program implements requirements of the U.S. Environmental Protection Agency (EPA) and is a federally-delegated program. However, information on hazardous materials use and storage is important in determining the potential for spills that could adversely affect soils and potentially affect the cost and success of site restoration. A complete ASC would include sufficient information on plans and programs for storage of hazardous materials and management of hazardous waste for DEQ to comment on their adequacy.

(f) Oregon Department of Environmental Quality — Noise Control Regulations

Statute and Rule References: ORS 467.020 and ORS 467.030 (Noise Control); and OAR Chapter 340, Division 35 (Noise Control Regulations).

Permit: None required

Discussion: The proposed facility must comply with the noise control regulations for new industrial facilities. The requirement is incorporated in the general standard of review, OAR 345-022-0000.

KFB shall include a noise analysis in the ASC. The analysis must contain information to support a finding by the Council that the proposed facility would comply with the requirements of OAR 340-035-0035.

(g) Oregon Department of Fish and Wildlife

Statute and Rule References: ORS Chapter 496 (Application, Administration and Enforcement of Wildlife Laws); ORS Chapter 498 (ORS 498.301 through 498.346—Screening and By-pass Devices for Water Diversions or Obstructions); ORS Chapter 506 (ORS 506.036—Protection and Propagation of Fish and ORS 506.109—Food Fish Management Policy); ORS Chapter 509 (ORS 509.140—Placing Explosives in Waters and ORS 509.580 through 509.910—related to Fish

Passage); and OAR Chapter 635, Division 100 (Wildlife Diversity Plan) and Division 415 (Fish and Wildlife Habitat Mitigation Policy).

Permit: None required

Discussion:

OAR Chapter 635, Division 100 (Wildlife Diversity Plan)

The Oregon Department of Fish and Wildlife (ODFW) provides technical review and recommendations on compliance with Council standards. ODFW will base its review and recommendations on state wildlife policy and threatened and endangered species policy (Application, Administration and Enforcement of Wildlife Laws, see ORS 496.012 and ORS 496.171 - 192).

OAR Chapter 635, Division 100, provides authority for adoption of the state sensitive species list and the Wildlife Diversity Plan and contains the State list of threatened and endangered wildlife species. KFB should include in its ASC a list of both state-listed and federally-listed threatened and endangered wildlife species and State Sensitive Species that have potential to occur in the analysis area. KFB should identify these species based on a review of literature, consultation with knowledgeable individuals, and reference to the list of species published by the Oregon Natural Heritage Information Center.

KFB should include in its ASC a description and the results of a field survey for the listed wildlife species performed by qualified survey personnel during the season or seasons appropriate to the detection of these species. The field survey report should include written descriptions of the survey methods and areas surveyed. KFB should consult with ODFW regarding field survey methods, appropriate survey seasons and qualifications of field survey personnel.

OAR Chapter 635, Division 415 (Fish and Wildlife Habitat Mitigation Policy)

OAR Chapter 635, Division 415, classifies six habitat categories and establishes a mitigation goal for each category. KFB must identify the appropriate habitat category for all areas affected by the proposed facility and provide the basis for each category designation. The ASC should identify any impacts that project construction and operation will have on fish and wildlife habitat quality and quantity, and describe the actions that will be taken to mitigate for these impacts, consistent with the goals of the Mitigation Policy. These actions may include avoiding certain habitat areas, limiting the timing of construction to avoid sensitive time periods for wildlife, or compensation for unavoidable losses. The ASC should also describe how mitigation actions would be monitored and evaluated to ensure the success of mitigation.

(h) Oregon Department of Geology and Mineral Industries

Statute and Rule References: OAR 345-022-0020

Permit: None required.

Discussion: The Department of Geology and Mineral Industries (DOGAMI) provides technical review and recommendations on compliance with the Council's structural standard, OAR 345-022-0020. In its ASC, KFB must include a geotechnical report that includes, as a minimum, the information required by OAR 345-021-0010(1)(h). Also relevant is the information required by OAR 345-021-0010(1)(i). (See Section V of this project order for additional discussion concerning ASC requirements.)

(i) Oregon Parks and Recreation Department

Statute and Rule References: ORS 97.740 - 760(Indian Graves and Protected Objects); ORS 358.905 - 961 (Archaeological Objects and Sites); ORS 390.010 (Outdoor Recreation); ORS 390.235 (Archaeological Sites and Historical Material); and OAR Chapter 736, Division 51 (Archaeological Permits).

Permit: An archaeological permit may be required to conduct archaeological investigations of the site.

Discussion: The Oregon Parks and Recreation Department provides technical review and recommendations on compliance with Council standards.

The State Historic Preservation Office (SHPO) within the Oregon Parks and Recreation Department provides technical review and recommendations in reference to the Council's Historic, Cultural and Archaeological Resources Standard (OAR 345-022-0090). The ASC should include an archaeological and cultural survey conducted by a qualified archaeologist. KFB should work as early as possible with SHPO to ensure that KFB provides required information in SHPO's preferred formats.

> NOTE: Information concerning the location of archaeological sites or objects may be exempt from public disclosure under ORS 192.501(11). Specific location information should not be included in the text of ASC. Such information, including archaeological survey reports, should be provided separately only after consultation with the Department.

(j) Oregon Department of State Lands — Removal-Fill Authorizations

Statute and Rule References: ORS 196.800 - 990 (Removal of Material; Filling); and OAR Chapter 141, Division 85 (Administrative Rules Governing the Issuance and Enforcement of Removal-Fill Authorizations Within Waters of Oregon Including Wetlands).

Permit: A removal-fill permit is required if any removal or fill activities occur in streams designated as Essential Indigenous Anadromous Salmonid Habitat (ESH) or 50 cubic yards or more of material is removed, filled or altered within a jurisdictional water of the State [OAR 141-085-0520(2) and (4)].

Discussion: In Oregon, the removal fill permit is issued by the Department of State Lands (DSL) separately from the 404 permit issued by the U.S. Army Corps of Engineers. DSL will review a joint permit application (JPA) for compliance with DSL wetland mitigation requirements. Note that in some cases the DSL wetland mitigation success criteria may differ from and exceed those of the Corps.

KFB should include information in the ASC to support a finding on whether a removal-fill permit is needed. KFB should consult with the Department of State Lands and obtain its concurrence, which may require a formal delineation of wetlands and waters of the State within the site boundary. If a removal-fill permit is needed, the ASC must include an itemized demonstration of each applicable provision of ORS 196.825 (Criteria for Issuance of a Permit) and OAR 141-085-0550 (Application Requirements for All Authorizations). If the permit is needed, the Council will make the issuing decision in consultation with the Department of State Lands.

(k) Oregon Water Resources Department — Water Rights/Adjudications Division

Statute and Rule References: ORS Chapters 536 through 540 (Water Resources/Water Rights); and OAR Chapter 690 (Water Resources Department).

Permit: Water right.

Discussion: The NOI states that water may be obtained from either Collins Timber or a new, onsite, private groundwater well. As a result, it is unknown whether a new water right will be required.

KFB should include information in the ASC to support a finding of whether a water right is or is not required. The ASC must identify the sources of water to be used by the proposed facility during construction and operation, the water right under which the water would be provided, the quantity of water needed, and the means of disposal of all water discharges from the proposed facility.

If a new water right or water right transfer is required, the ASC must include information to support a finding for issuance of a groundwater or surface water permit under ORS Chapter 537 (Appropriation of Water Generally) or transfer of a water use under ORS Chapter 540 (Transfer or Forfeiture of Water Rights), including a discussion and evaluation of all relevant factors, including those factors listed in ORS 537.153(2) and (3), ORS 537.170(8) and OAR Chapter 690, Divisions 310 (Water Right Application Processing) and 380 (Water Right Transfers). If a permit or transfer is needed, the Council will make the issuing decision in consultation with the Oregon Water Resources Department.

(l) U.S. Army Corps of Engineers

Statute and Rule References: OAR 345-048-0032

Permit: Section 404 Permit is required for the discharge of dredged or fill material in Oregon's waters.

Discussion: If the project requires any dredge or fill of water bodies, KFB must submit to the Department one copy of an application for a federally-delegated Section 404 permit, in accordance with OAR 345-021-0000(7). The DSL (removal-fill permit) and the U.S Army Corps of Engineers (Corps) (Section 404 permit) use a joint application form. The applicant must also provide a letter or other indication from the Corps stating that the agency has received a permit application from the applicant, identifying any additional information the agency is likely to need from the applicant based on the agency's review of the application as submitted, and estimating the date when the agency will complete its review and issue a permit decision.

The Council does not have jurisdiction over the federally-delegated Section 404 permit, but the Council may rely on the determinations of compliance and the conditions in the federally-delegated permit in making its determination about whether other standards and requirements under the Council's jurisdiction are met.

II. NATIVE AMERICAN TRIBES

Statute and Rule References: Not applicable

Permit: None

Discussion: The ASC should include evidence of consultation with affected tribes, including the Klamath Tribes, the Confederated Tribes of Siletz Indians, the Confederated Tribes of Warm Springs, the Confederated Tribes of Grand Ronde, and the Burns Paiute Tribe regarding archaeological and cultural sites and materials within the site boundary. The affected tribes provide technical review and recommendations in reference to the Council's Historic, Cultural and Archaeological Resources Standard (OAR 345-022-0090).

III. APPLICABLE LOCAL GOVERNMENT ORDINANCES

Statute and Rule References: Applicable substantive criteria from the Klamath County code and comprehensive plan.

Permit: Conditional Use Permit; Site Plan Review Permit; Site Evaluation Permit and an Installation Permit for the on-site sewage disposal system; Building Permits for structural, electrical, plumbing, and mechanical specialties; a Road Approach Permit (depending upon the results of the Traffic Impact Analysis).

Discussion: In the NOI, KFB states that it intends to satisfy the Council's land use standard by obtaining local land use approval from Klamath County under ORS 469.504(1)(a). The choice of land use path can be changed until the ASC is submitted. Once the ASC is submitted, the choice of land use path is fixed. If KFB demonstrates land use compliance through local review, the ASC should contain documentation from the City that all land use requirements have been met and that KFB has applied for any needed local permits.

The plan reviews performed by the county building official are not part of the EFSC review, but any site certificate issued would be conditioned on proper application to the county for the building permits described above.

IV. OTHER CONSTRUCTION-RELATED REGULATIONS

If the Council issues a site certificate, the certificate holder must comply with construction-related regulations that apply to the proposed facility. As provided under ORS 469.401(4), the site certificate does not address these regulations.

V. APPLICABLE REQUIREMENTS FROM OAR CHAPTER 345, DIVISION 21

OAR 345-021-0000 (General Requirements)

All requirements apply. KFB must submit the information required by OAR 345-021-0000, particularly the information in sections (6) and (7) regarding the status of non-federally-delegated and federally delegated permits.

OAR 345-021-0010 (Contents of an Application)

The ASC should include the information described in OAR 345-021-0010(1), which requires the applicant to include in its ASC the information necessary to address each provision of the rules identified in this project order, as well as the information from 345-021-0010(2) and (3). Each of the paragraphs below indicates which provision(s) of OAR 345-021-0010(1)(a) – (dd) will apply to the Klamath Falls Bioenergy Facility.

(a) Exhibit A – General Information about the Applicant

Paragraphs (A) through (D) apply. Note that paragraph (B) calls for a list of "participating persons, other than individuals." "Person" is defined in OAR 345-001-0010(45). Include in the ASC information about all third-party entities (persons other than individuals) that are important to the facility.

(b) Exhibit B – General Information about the Proposed Facility

All paragraphs apply except (A)(vii) and (viii). Paragraph (D) applies only if the transmission line associated with the Klamath Falls Bioenergy Facility meets the definition of an energy facility per ORS 469.300.

KFB must include a physical description and a description of the location of all components of the facility including, but not limited to, the boiler, the turbine generator buildings, outdoor heat recovery steam generators, cooling towers, water treatment building, indoor and outdoor fuel and ash storage piles, on-site fuel and ash loading areas, on-site fuel unloading areas, water tanks, control and administration building, retention or evaporation ponds, generators, auxiliary transformers, pollution control equipment, switchyard, access roads, road modifications, transmission lines, and interconnection facilities. KFB must describe any improvement or modification of existing structures, including roads.

The NOI states that the transmission line from the facility will be approximately 1.5 miles in length to the substation. OAR 345-021-0010(1)(b)(D)(i) – (viii) is not applicable as long as the Klamath Falls Bioenergy Facility transmission line is less than 10 miles in length and will not cross more than one county jurisdiction.

(c) Exhibit C – Location

Maps included in Exhibit C should provide enough information for property owners potentially affected by the facility to determine whether their property is within or adjacent to the site. Major roads should be named. The ASC should include identification of lands enrolled in the Conservation Reserve Program and lands currently used for commercial agriculture. KFB should include maps drawn to a scale of 1 inch = 2,000 feet when necessary to show detail. Maps should indicate the "site boundary" as defined in OAR 345-001-0010(53).

(d) Exhibit D – Organizational Expertise

All paragraphs apply.

(e) Exhibit E – Permits

All paragraphs apply.

(f) Exhibit F – Property Owners

The NOI states that the facility will be located outside of the Klamath Falls urban growth boundary in an area zoned Heavy Industrial (IH). Accordingly, the distance in paragraph (B) of OAR 345-021-0010(f) applies (250 feet from the site boundary).

(g) Exhibit G – Materials Analysis

All paragraphs apply. See discussion in Section I.D (Oregon Department of Environmental Quality) of this project order regarding the importance of listing hazardous materials used and stored at the facility, or at temporary access and material staging areas. ODOE also uses the materials analysis to identify any hazardous materials whose storage could affect site restoration.

KFB must identify any chemicals that may be used in the cooling towers and/or in the process wastewater evaporation ponds. If a solid precipitate is created or if any other liquids or solids requiring disposal will accumulate (such as in the evaporation ponds, or material generated during maintenance activities), KFB must provide information concerning the storage, treatment, and/or disposal of the material. If KFB plans to send waste materials offsite to a licensed facility for treatment and/or disposal the ASC must describe the method that will be used to demonstrate that the material will not pose a threat to human health and the environment during storage or transport.

(h) Exhibit H – Geology

All paragraphs apply except OAR 345-021-0010(h)(E).

The ASC should include all results of field and laboratory investigations and any other geotechnical and geologic hazard site evaluations that have been conducted. A thorough ground shaking amplification, liquefaction, and lateral spread analysis with all of the calculations, methodologies, and recommendations based on this site-specific analysis will be required.

> NOTE: OAR 345-021-0010(1)(h), paragraphs (A), (F)(i), and (F)(iv), each contain references to potentially outdated guidelines and codes. The applicant should consult directly with the Oregon Department of Geology and Mineral Industries regarding the most current standards the applicant should use in preparing information for the ASC. The ASC should note the codes and guidelines used to prepare information in Exhibit H and provide an explanation if any are different from those cited in the Council's rules.

(i) Exhibit I – Soils

All paragraphs apply.

KFB should include information describing the impact of construction and operation of the proposed facility on soil productivity in farm zones. This includes analysis of deposition impacts from cooling tower drift and combustion pollutants. KFB should also provide detailed descriptions of how erosion and runoff will be controlled during construction and operation. Describe all measures proposed to maintain soil productivity during construction and operation. KFB should consult with local farmers, landowners, and soil conservation districts regarding mitigation of impacts to farmland. Erosion control should also be emphasized due to the proximity of the Klamath River and the location of the Miller Island State Wildlife Area as well as the Lower Klamath National Wildlife Refuge.

Biomass facilities generate ash and potentially wastes associated with pollution control equipment on the boiler. The applicant should describe the methods of disposal for this material. If land application is a potential use of the material, the applicant should describe the impact to soils and any constituents of concern.

Runoff from outdoor storage piles of wood debris are typically acidic and may impact soils. Additionally, runoff of outdoor storage piles of boiler ash are typically basic and may contain concentrated contaminants that may impact soils. The applicant should describe the long-term impacts of outdoor storage of materials on soils at the site.

(j) Exhibit J – Jurisdictional Waters

All paragraphs apply.

> NOTE: OAR Chapter 141, Division 85 ("Administrative Rules Governing the Issuance and Enforcement of Removal-Fill Authorizations Within Waters of Oregon Including Wetlands") was recently revised. The citations in OAR 345-021-0010(1)(j) to rules in Division 85 of OAR Chapter 141 are no longer valid. For example, reference to OAR 141-085-0010 should now be 141-085-0510 (Definitions). The citation to OAR 141-085-0018 should now be to

OAR 141-085-0520. The applicant should consult directly with the Oregon Department of State Lands if there are any questions regarding the applicable regulations.

(k) Exhibit K – Land Use (Statewide Planning Goals)

The NOI stated that KFB would seek local land use approval from Klamath County under ORS 469.504(1)(a). On June 15, 2010 Klamath Falls Bioenergy submitted a written change to the Notice of Intent information revising this election and stating that KFB will be seeking a land use determination from the Council under ORS 469.501(1)(b). KFB may change this election, but the election is final when the ASC is submitted.

(l) Exhibit L – Protected Areas

All paragraphs apply.

(m) Exhibit M – Financial Capability

All paragraphs apply.

(n) Exhibit N – Need for the Facility

Exhibit N does not apply.

(o) Exhibit O – Water Use

All paragraphs apply.

(p) Exhibit P – Fish and Wildlife Habitat

All paragraphs apply.

(q) Exhibit Q – Threatened and Endangered Species

All paragraphs apply.

(r) Exhibit R – Scenic Resources

All paragraphs apply. Include visual depictions of the project's impact on scenic resources within the analysis area, if visual depictions are available.

(s) Exhibit S – Historic, Cultural and Archaeological Resources

All paragraphs apply.

(t) Exhibit T – Recreation

All paragraphs apply.

(u) Exhibit U – Public Services

All paragraphs apply. Include an analysis of estimated facility-related traffic during construction and operation and the potential impact on traffic safety. Discuss transportation of heavy equipment and shipments of facility components

during construction, including proposed transportation routes, anticipated traffic volume and potential damage to public roads.

(v) Exhibit V – Solid Waste and Wastewater

All paragraphs apply.

Include in this exhibit information about obtaining a hazardous waste determination for excavated soils.

If process wastewater is disposed using land application, the ASC must also include data and calculations used to determine the most efficient size and location of the land application area, i.e., land application area that will achieve the purpose of disposing of process wastewater giving due consideration to conservation of land, soil and protection of surface and groundwater resources. If process wastewater is disposed using an evaporation pond, the ASC must include data and calculations used to determine the most efficient size of any process wastewater evaporation pond, i.e., pond size that will achieve the purpose of disposing of process wastewater giving due consideration to conservation of the water resource, including a description of precipitate or other solid waste that would be generated by operation of a process wastewater evaporation pond.

(w) Exhibit W – Facility Retirement

All paragraphs apply. Explain and justify the methodology used to estimate retirement costs.

(x) Exhibit X – Noise

All paragraphs apply. The ASC should include documentation of any waivers that KFB needs if the predicted noise levels at an affected property exceed the ambient degradation standard. All noise generating sources associated with site operations must be considered including, but not limited to, machinery and vehicle operations.

(y) Exhibit Y – Carbon Dioxide Emissions

Exhibit Y does not apply.

(z) Exhibit Z – Cooling Tower Impacts

All paragraphs apply.

(aa) Exhibit AA – Electric and Magnetic Fields

All paragraphs apply to any transmission line, regardless of size, that is a related or supporting facility, including collector lines.

(bb) Exhibit BB – Other Information

Any information requested in this project order that is not addressed in any other exhibit.

(cc) Exhibit CC – Other Law

Exhibit CC applies.

(dd) Exhibit DD – Specific Standards

Paragraph (C) applies. Per Section I(a) of this project order, the applicant should include in Exhibit DD information to support findings by the Council that the proposed facility complies with the Siting Standards for Transmission Lines (OAR 345-024-0090).

VI. ANALYSIS AREAS FOR THE PROPOSED FACILITY

The analysis areas are the minimum areas that KFB must study for potential impacts from the construction and operation of the proposed facility. The analysis areas described in this project order do not limit the applicant's responsibility to assess the potential impacts of the facility. They are the areas in which significant adverse impacts from the proposed facility are likely to occur. If significant impacts could occur beyond the analysis areas described here, then KFB must assess those impacts in the ASC and show how the facility would comply with the applicable standard with regard to the larger area where impacts could occur.

For all potential impacts, the analysis area includes all the area within the site boundary. In addition to the definition of "site boundary" in OAR 345-001-0010(53), the site boundary includes temporary laydown and staging areas, turn-around areas and equipment transport corridors (if required). In its ASC, KFB must describe the site boundary and provide a map showing the proposed site boundary.

The analysis areas are included in the following table:

Affected Standard or Resource	Exhibit	Analysis Area
Structural Standard	Exh. H	The area within the site boundary, notwithstanding the distances related to an assessment of seismic hazards required by OAR 345-021-0010(1)(h).
Soils	Exh. I	The area within the site boundary.
Wetlands	Exh. J	The area within the site boundary, and wetland areas hydrologically connected to wetlands within the site boundary.
Land Use	Exh. K	To be determined by the Klamath County Planning Department. If the applicant decides to seek a Council determination of facility compliance with statewide planning goals, the study area shall be within the site boundary and one-half mile from the site boundary.
Protected Areas	Exh. L	The area within the site boundary and 20 miles from the site boundary.
Fish and Wildlife Habitat	Exh. P	The area within the site boundary and within one-half mile from all ground disturbing activities anticipated during construction, unless otherwise described in an ODFW- and ODOE-approved protocol.

Affected Standard or Resource	Exhibit	Analysis Area
Threatened and Endangered Species	Exh. Q	The area within the site boundary and 5 miles from the site boundary.
Scenic and Aesthetic Values	Exh. R	The area within the site boundary and 10 miles from the site boundary.
Historic, Cultural and Archaeological Resources	Exh. S	The area within the site boundary.
Recreational Opportunities	Exh. T	The area within the site boundary and 5 miles from the site boundary.
Public Services	Exh. U	The area within the site boundary and 10 miles from the site boundary, except that the ASC should also include an evaluation of impacts to the nearest health care facilities, which are in the city of Klamath Falls.

VII. COMMENTS FROM REVIEWING AGENCIES AND THE PUBLIC

(a) Public Comments

In addition to the applicable statutes, rules, and land use requirements listed in this Project Order, the ASC must address issues arising from public comments following

the informational meeting on the NOI (OAR 345-015-0130). Pursuant to OAR 345-015-0160(1)(g), the issues raised in public comments are summarized in this Project Order.

ODOE heard public comments and concerns at public meetings held on May 5 and June 15, 2010 in Klamath Falls. The public comment period on the NOI extended from the date the NOI was received until June 30, 2010. ODOE received over 80 comments electronically and via US Mail.

Because there was considerable duplication among comments, the ODOE has identified in the summary below the issues raised that KFB should address in its ASC. Not all issues and questions raised in the public comments are matters within the EFSC jurisdiction; however, the ODOE expects KFB to work directly with the public and with local governments to address comments to the extent practical. The enclosed summary below is not a substitute for the original comments, nor do they represent the opinions of the ODOE or the EFSC.

1. Comments Related to Impacts to Agricultural Land

- There will be negative impacts to nearby agricultural lands.
- The water usage of the facility will negatively impact availability of water to farmers in the Klamath Basin.

2. Comments Related to Environmental and Cultural Impacts

- There will be negative impacts to air quality, from the proposed facility as well as increased diesel truck traffic (PM2.5).
- The facility will emit toxic chemicals.
- There will be air pollution from ash and sawdust.
- The facility is adjacent to a non-attainment area for PM2.5; increased truck traffic will contribute to this existing problem.[2]
- There will be negative impacts to migratory wildlife, including birds and deer.
- There will be negative impacts to nearby Miller Island State Wildlife refuge.
- There will be negative impacts to water quality.
- There is potential for spread of noxious weeds.
- Slash removal may have negative impacts on forest habitat.
- There will be impacts to six wildlife refuges in the Klamath Basin.
- The facility's water use will reduce flows in the Klamath River.
- Water pollution from the facility will negatively impact birds and bird habitat.
- There will be negative impacts to salmon habitat.
- Local tribal entities should be involved with this project.
- The facility is located on a Native American grave site.
- There is a historic gravesite on the proposed project site.
- The proposed facility location is within a wetland or floodplain.
- The facility will pollute the Klamath River.
- Light pollution from the facility will affect wildlife.

EXHIBIT CC

Additional Statutes, Rules, and Ordinances

OAR 345-021-0010(1)(cc)

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CC.1 INTRODUCTION

Klamath Falls Bioenergy, LLC (Applicant) proposes to construct the Klamath Falls Bioenergy Facility (Facility) near the City of Klamath Falls, Oregon (City). The proposed Facility will produce a total of 42 megawatts (MW), of which 37 MW will be exported to the electric grid. The site is zoned for heavy industrial land use and currently is used as pastureland.

CC.2 ADDITIONAL STATUTES, RULES, AND ORDINANCES

OAR 345-021-0010(1)(cc) *Identification, by legal citation, of all state statutes and administrative rules and local government ordinances containing standards or criteria that the proposed facility must meet for the Council to issue a site certificate, other than statutes, rules and ordinances identified in Exhibit E, and identification of the agencies administering those statutes, administrative rules and ordinances. The applicant shall identify all statutes, administrative rules and ordinances that the applicant knows to be applicable to the proposed facility, whether or not identified in the project order. To the extent not addressed by other materials in the application, the applicant shall include a discussion of how the proposed facility meets the requirements of the applicable statutes, administrative rules and ordinances.*

CC.2.1 Statutes, Rules, and Local Ordinances Referenced in Other Exhibits

Response:

Table CC-1 identifies by legal citation and relevant administering agency the state statutes and administrative rules and local government ordinances referenced in other Exhibits with the exception of Exhibit E. The identified statutes, rules, and ordinances contain standards or criteria that the proposed Facility must meet for the Council to issue a site certificate.

TABLE CC-1
Statutes, Rules, and Local Ordinances Referenced in Other Exhibits

Permit Name	Agency Name and Address	Authority	Relevant Exhibit
Oregon Department of Agriculture—*Plant Conservation Biology Program (also called the Native Plant Conservation Program)*	Oregon Department of Agriculture 635 Capitol Street, N.E. Salem, OR 97301-2532 (503) 986-4550	ORS 564; OAR Chapter 603, Division 73	Exhibit Q discusses plant species in the Facility area that are threatened or endangered.
Oregon Department of Environmental Quality—*Water Quality*	Oregon Department of Environmental Quality 2146 NE 4th Street, Suite 104 Bend, OR 97701 (541) 388-6146	ORS Chapter 468 and 468B; OAR Chapter 340, Divisions 14, 41, 45, 52, and 55	Exhibit O discusses the required water quality permits and Facility compliance with these requirements.

TABLE CC-1
Statutes, Rules, and Local Ordinances Referenced in Other Exhibits

Permit Name	Agency Name and Address	Authority	Relevant Exhibit
Oregon Department of Environmental Quality—*Noise*	Oregon Department of Environmental Quality 811 SW Sixth Avenue Portland, OR 97204-1390 (503) 229-5696	ORS 467; OAR Chapter 340, Division 35	Exhibit X contains an analysis of noise impacts from the Facility and compliance with required thresholds.
Oregon Department of Environmental Quality—*Hazardous Waste Management*	Oregon Department of Environmental Quality 811 SW Sixth Avenue Portland, OR 97204-1390 (503) 229-5696	ORS 465 and 466; OAR Chapter 340, Divisions 100-122	Exhibit G describes proposed measures for managing hazardous waste generated by the Facility.
Oregon Department of Environmental Quality—*Solid Waste*	Oregon Department of Environmental Quality 811 SW Sixth Avenue Portland, OR 97204-1390 (503) 229-5696	ORS 459; OAR Chapter 340, Division 93	Exhibit V describes proposed measures for managing solid waste generated by the Facility.
Oregon Department of Fish and Wildlife—*Habitat Conservation Division*	Oregon Department of Fish and Wildlife 3406 Cherry Avenue N.E. Salem, OR 97303 (503) 947-6000	ORS 496 and 506; OAR Chapter 635, Divisions 100 and 415	Exhibits J, P, and Q address Facility impacts on wetlands, fish and wildlife habitat, and threatened or endangered species, respectively. Proposed mitigation measures are described.
Oregon Department of Geology and Mineral Industries	Oregon Department of Geology and Mineral Industries 800 NE Oregon Street, Suite 965 Portland, OR 97232 (971) 673-1555	OAR Chapter 632	Exhibit H describes seismic issues related to Facility construction and operation.
Oregon Office of State Fire Marshal—*EPCRA*	Oregon Office of State Fire Marshal 4760 Portland Rd NE Salem, OR 97305 (503) 378-3473	ORS 453; OAR Chapter 837, Divisions 85 and 95	Exhibit U contains information on emergency response procedures and coordination with state and local emergency response providers, including the state fire marshal.
Department of Land Conservation and Development	Department of Land Conservation and Development 635 Capitol St. N.E. Suite 150 Salem, OR 97301-2540 (503) 373-0050	ORS 197; OAR Chapter 660	Exhibit K addresses Facility adherence to Oregon state and local land use laws and requirements.
Oregon Division of State Lands	Oregon Division of State Lands 775 Summer St. N.E., Suite 100 Salem, OR 97301-1279 (503) 378-3805	ORS Chapter 273 and 274; OAR Chapter 141	Exhibit F contains County and State data on land ownership in the vicinity of the Facility.

CC.2.2 Spill Response Statutes

Response: State and federal provisions include requirements for responding to, or reporting, spills or release of various hazardous materials under a variety of circumstances or conditions. These statutes and rules include the following: ORS 466.635, OAR Chapter 340, Divisions 45, 47, 108, 122, 150, 160; 33 CFR part 153; and 40 CFR parts 110, 122, 262, 265, 280, 302, 355, 761. In the event of a release the Applicant will inform the Oregon Emergency Management Division, the Oregon Department of Environmental Quality, and/or the Oregon Department of State Police, depending on the nature of the release.

EXHIBIT DD

SPECIFIC STANDARDS FOR WIND FACILITIES

OAR 345-021-0010(1)(dd)

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DD.1 INTRODUCTION

OAR 345-021-0010(1)(dd) *If the proposed facility is a facility for which the Council has adopted specific standards, information about the facility providing evidence to support findings by the Council as required by the following rules:*

DD.2 WIND ENERGY FACILITIES

OAR 345-021-0010(1)(dd)(A) *For wind energy facilities, OAR 345-024-0010 and -0015.*

Response: Klamath Falls Bioenergy, LLC (Applicant) is not proposing to build a wind energy facility; as a result, OAR 345-021-0010(1)(dd)(A) does not apply.

DD.3 GAS FACILITIES

OAR 345-021-0010(1)(dd)(B) *For surface facilities related to underground gas storage reservoirs, OAR 345-024-0030, including information required by OAR 345-021-0020.*

Response: The proposed Klamath Falls Bioenergy Facility (Facility) does not include underground gas storage reservoirs. Therefore, OAR 345-021-0010(1)(dd)(B) does not apply.

DD.4 TRANSMISSION LINES UNDER COUNCIL JURISDICTION

OAR 345-021-0010(1)(dd)(C) *For any transmission line under Council jurisdiction, OAR 345-024-0090.*

Response: The Facility does not include a transmission line that meets the definition of an energy facility under Council jurisdiction. However, the 69-kilovolt (kV) power line is a related or supporting facility. For information regarding compliance with OAR 345-024-0090 for this related or supporting facility, see Exhibit AA.