

FIRST AMENDMENT TO THE
THERMAL POWER PLANT
SITE CERTIFICATE

for the
HERMISTON GENERATING COMPANY

This First Amendment to the Thermal Power Plant Site Certificate for the Hermiston Generating Company (the "First Amendment") is made and entered into this 12th day of August, 1994 in the manner provided by ORS Chapter 469, as amended by Oregon Laws, 1993, Senate Bill 1016, and as provided by Oregon Administrative Rules Chapter 345, Division 27, by and between the State of Oregon (State), acting by and through its Energy Facility Siting Council (EFSC) and Hermiston Generating Company, L.P. (HGC), a Delaware limited partnership.

The State and HGC agree that the Thermal Power Plant Site Certificate dated March 11, 1994 by and between the State and HGC (the "Site Certificate") is amended in the following particular respects (additions are underlined, deletions are struck-through):

1. Site Certificate Section I(A) (First Paragraph).

"To the extent authorized by State laws and subject to those warranties and conditions set forth herein, the State approves and authorizes the construction, operation and retirement by HGC of a natural gas-fired combustion turbine energy facility, together with certain related or supporting facilities, at the site near Hermiston in Umatilla County, Oregon, in the manner described in HGC's application for site certificate. "Facility", as used in this site certificate, consists of the energy facility and the related or supporting facilities described in HGC's application for site certificate, except where otherwise stated or where the context clearly indicates otherwise. As used in this site certificate, the "application for site certificate" includes those changes and/or additions to the Facility described in HGC's Request for Amendment No. 1, dated June 3, 1994, attached to the First Amendment as Exhibit 1. The facts, reasoning, conclusions and conditions relied on for approval are set out in EFSC's final orders dated March 11, 1994 and August 12, 1994, which by this reference is are incorporated herein."

2. Site Certificate Section II(A)(1) (First Sentence).

"The energy facility will be constructed on a site containing approximately fifteen thirteen acres."

3. Site Certificate Section II(B)(1) (Second Paragraph).

"The energy facility ~~will~~ may supply process steam to a nearby potato processing facility owned by Lamb-Weston, Inc."

4. Site Certificate Section II(B)(1) (Third Paragraph, Second Sentence).

"Facilities common to both units include a maintenance/warehouse, a control administration building, zero discharge facilities, ~~a raw water storage tank,~~ stormwater detention facilities, paved road and a parking area. A raw water storage tank may also be included."

5. Site Certificate Section II(B)(2)(b) (First Sentence).

"A buried pipeline, ~~less than 16 inches in diameter,~~ will carry natural gas from an interstate gas transmission line owned by Pacific Gas Transmission Company to the energy facility."

6. Site Certificate Section II (Last Paragraph).

"In the event of a conflict between the descriptions of the facility, or the design, construction, operation, or retirement of the facility, in this site certificate (as amended), EFSC's final orders, or HGC's application for site certificate, the following priority of construction shall apply to determine which document controls: first, this site certificate (as amended); second, EFSC's final orders; third, HGC's application for site certificate."

7. Site Certificate Section IV(B)(Structural Standard, Condition (1), Second Sentence).

"The survey will include core drilling ~~and trenching~~ sufficient to learn: 1, the overburden soil types and thicknesses under energy facility structures; 2, the depth and characterization of the bedrock under the site; 3, if evidence of seismic faulting not considered in the application is present or if there are indications that the seismic classification of the portion of the site containing the energy facility is not correct in the application."

8. Site Certificate Section IV(B) (Waste Minimization Standard, Conditions 3 and 4).

"(3) In the event a secondary cooling tower is used in place of a brine crystallizer, HGC shall design the main cooling towers to limit drift to a rate of one-thousandth of one percent (0.001%) of the circulating water, and to limit drift from the secondary cooling tower (if built) to a rate of five-ten

thousandths of one percent (0.0005%) of the circulating water. If a brine crystallizer is used, HGC shall design the cooling towers to limit drift to less than four-thousandths of one percent of the circulating water."

"(4) In the event a secondary cooling tower is used in place of a brine crystallizer, HGC shall operate the cooling tower circulating water system, the cooling towers and the circulating water cleanup system to maintain the total dissolved solids in the main cooling tower circulating water at less than five thousand two hundred parts per million (5,200 ppm) on an average annual basis, and in the secondary cooling tower circulating water at less than one hundred thousand parts per million (100,000 ppm) on an average annual basis. If a brine crystallizer is used, HGC shall operate the cooling tower circulating water system, the cooling towers and the circulating water cleanup systems to maintain the total dissolved solids in the circulating water at less than five thousand two hundred parts per million (5,200 ppm) on an average annual basis."

The State and HGC further agree that except as specifically modified by this First Amendment, the Site Certificate remains in full force and effect.

IN WITNESS WHEREOF, this First Amendment to the Thermal Power Plant Site Certificate for the Hermiston Generating Project has been executed by the State of Oregon, acting by and through its Energy Facility Siting Council, and Hermiston Generating Company, L.P.

8/12/94
DATE

ENERGY FACILITY SITING COUNCIL

Melvin D. Ferguson
Melvin Ferguson
Chair

DATE

HERMISTON GENERATING COMPANY, L.P.

Joseph Kealney
Joseph Kealney
President

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