

1 In a memorandum dated October 15, 1996, Oregon Office of Energy (OE) staff notified the
2 Council of PGE's request for an amendment. The staff concluded that the request did not affect
3 any issues listed in OAR 345-27-050 (4) (1994) for a major amendment; therefore, the staff
4 concluded that the request was a minor amendment. The staff recommended that the Council
5 grant the amendment request, incorporating all commitments from the application and contested
6 case as site certificate conditions.

7
8 The Council held a first reading of the amendment request at its meeting on October 25, 1996.
9 Staff provided the Council and those who attended the October 25, 1996 meeting a draft
10 proposed order. After that meeting, OE sent out a notice of the request for amendment on
11 October 28, 1996, as required by OAR 345-27-080(1) (1994). OE mailed notice of the request
12 for the amendment to the site certificate holder, all parties who appeared at the site certificate
13 contested case, adjacent property owners, local governments in the area of the facility, the
14 Council's general mailing list, and the special mailing list that OE developed during the review
15 of the Application for a Site Certificate for CSCP per OAR 345-27-070(2) (1994).

16
17 The notice of October 28, 1996 provided a deadline for written comment at 5:00 p.m. on
18 November 15, 1996. The Council received no requests for the draft proposed order and no
19 written comments on the request for the amendment by the deadline. The Council held a public
20 hearing on the request on December 6, 1996, with the Council acting as hearing officer.

21 22 **II. Description of the Request for Amendment**

23
24 Mandatory Condition 2 in Section IV of the site certificate currently requires PGE:

25
26 ...to design, permit, construct, operate and retire the CSCP as described in the
27 ASC [Application for Site Certificate], in EFSC proceedings and in documents
28 and representations made by PGE in support of the application for site certificate,
29 as modified or amended by the Site Certificate.

30
31 OAR 345-27-020(4)(1), which was in effect in September 1994 when the Council issued the site
32 certificate, required this condition. This condition requires PGE to comply with all detailed
33 descriptions in the application and supporting documents. These documents contain some details
34 that could be changed with no effect on the public, the environment, or compliance with Council
35 standards. Under the current site certificate, nevertheless, any such changes require an
36 amendment to the site certificate.

37
38 As adopted by the Council in November 1994 and later revised in October 1995, OAR 345-27-
39 020(2) requires:

40
41 The facility shall be designed, constructed, operated and retired:

42 (a) Substantially as described in the Site Certificate...

43 Under current rules, minor design details that the site certificate does not address and that do not
44 have an adverse impact may be changed without a site certificate amendment, provided the
45 requirements of OAR 345-27-050 are met. Current rules at OAR 345-27-020(11) further require

1 that the Council identify the representations in the application and supporting documents that
2 should be binding on the applicant and incorporate those representations into the site certificate.

3
4 PGE requests that the Council amend Mandatory Condition 2 of its site certificate to be
5 consistent with the current OAR 345-27-020(2). PGE proposes the following language for the
6 amended Mandatory Condition 2:

7
8 Applicant shall design, permit, construct, operate and retire the CSCP
9 substantially as described in the Site Certificate, as it may be amended from time
10 to time.

11
12 If the Council approves this amendment, the Council would no longer require PGE to comply
13 literally with the detailed descriptions in its ASC, but the Council would require PGE to comply
14 with the terms and descriptions in the site certificate, as amended by this order, and the Council's
15 final order of September 16, 1994, approving the site certificate.

16
17 PGE also requests an amendment to Section III, Warranty 1 of the Site Certificate. The warranty
18 currently states:

19
20 Applicant represents and warrants that it has the present capabilities and resources
21 to construct, operate and retire the CSCP, including the ability to finance and pay
22 for the CSCP, in a manner consistent with its representations in the Application
23 for Site Certificate (ASC), as modified in the proceeding leading to the execution
24 of the site certificate, and with the terms and conditions of the site certificate.

25
26 PGE requests the Council amend Warranty 1 to state:

27
28 Applicant represents and warrants that it has the present capabilities and resources
29 to construct, operate and retire the CSCP, including the ability to finance and pay
30 for the CSCP, substantially as described in the Site Certificate and in the order
31 approving the Site Certificate, as they may be amended from time to time, and
32 with the terms and conditions of the Site Certificate.

33
34 The requested language is consistent with the current requirements of OAR 345-27-020(2). PGE
35 notes that ORS 469, as amended by 1995 Senate Bill 951, and the rules in OAR Chapter 345, no
36 longer require this warranty. However, PGE requests that the Council amend the warranty, not
37 that it delete it.

38
39 Finally, PGE requests that the Council apply its most recent procedural rules for amendments
40 (OAR 345-27-050 through OAR 345-27-080 and OAR 345-27-095) to any subsequent
41 amendment or petition requests by PGE. Section VII of the site certificate states:

42
43 PGE and EFSC recognize that, because of the length of time that may pass
44 between the date on which this Agreement is executed and the date on which
45 construction will commence, and that will pass between the time construction is

1 commenced and the energy facility is retired, it may be necessary to amend this
2 Agreement.

3
4 Amendments shall be made in accordance with OAR Chapter 345, Division 27 or
5 EFSC rules applicable and in effect at the time the amendment is sought.
6

7 Although this section might appear to allow PGE to request that any amendment be processed
8 under the Council's current rules, OAR 345-27-011 states that the Council's current rules do not
9 apply to facilities for which a site certificate was executed before November 30, 1994, unless the
10 site certificate is amended to include the applicability of the rules in this division. This
11 amendment would clarify that OAR 345-27-050 through OAR 345-27-080 and OAR 345-27-095
12 apply to this site certificate.
13

14 **III. Council Findings, Conclusions, and Recommendations**

15
16 Before addressing the amendments PGE requests, the Council must determine whether the
17 amendments are major or minor. OAR 345-27-050(4)(a)(b) and (c) (April 1994) specify the
18 subjects for major amendments. These relate the changes in the design, location, or operation of
19 the facility. Because the requested amendments are procedural in nature, the Council finds that
20 these are minor amendments and that the review procedures in OAR 345-27-080 (April 1994) are
21 appropriate. It is, therefore, using the hearing procedure set forth in OAR 345-27-080
22 (April 1994) to review this amendment request.
23

24 PGE requests the following actions:

26 **A. Apply current rules OAR 345-27-020(2)(a) and 345-27-020(11) to the site certificate**

27
28 PGE states that its request is consistent with the policy decision made by the Council in
29 November 1994 when it amended its Division 27 rules. In that action, the Council dropped the
30 mandatory site certificate condition that it required for the PGE and other facilities and replaced
31 it with the mandatory condition required by the current OAR 345-27-020(2). OE concurs with
32 this statement.
33

34 It would benefit both the Council and PGE to define clearly what PGE is required to do with
35 respect to the design, construction, operation and retirement of the facility. Such definition is
36 now lacking for two reasons: (a) the sheer volume of materials submitted "in support of the
37 application" and in the contested case proceeding; and (b) the lack of clarity regarding what
38 "documents and representations" were made "in support of the application." Many of the
39 materials included in the Coyote Springs record consist of design details and other background
40 information that had no direct bearing on whether particular siting standards were met. The ASC
41 and the supporting information provide thousands of pages of information about the facility.
42 Determining on an ongoing basis whether PGE's actions are "as described" in these materials is
43 time consuming and may be subject to ambiguity.
44

1 The lack of definition regarding the siting basis of the facility has several practical consequences.
2 Most importantly, it is difficult for PGE, OE and the Council to determine whether PGE is in
3 compliance with everything that was submitted in support of the application. This, in turn,
4 means that whenever there is a doubt on PGE's part as to whether a particular action is consistent
5 with every drawing, statement, table or other piece of information in the record, it must come to
6 the Council to obtain its concurrence on the proposed action. From a policy and administrative
7 perspective, it makes more sense for the Council to set forth, in explicit terms as site certificate
8 conditions, those aspects of the facility's design, construction, operation and retirement are of
9 sufficient importance and relevance to Council standards to require monitoring and reporting for
10 ongoing compliance.

11
12 PGE's request does not cause any physical change to the facility, its design, construction,
13 operation, or retirement. Therefore, there would be no impact to the public health and safety, the
14 environment, the resources protected by Council standards, or to the basis for any finding of
15 compliance with Council standards.

16
17 If the Council applies the current requirement of OAR 345-27-020(2), then PGE must comply
18 only with the terms and conditions of the site certificate, as amended by this order, and the final
19 order. The application contains certain statements that were important to the Council in its
20 decision to issue the site certificate. Because rules in effect at the time required compliance with
21 all representations made in the application, the Council did not incorporate all of these
22 statements explicitly into the site certificate as conditions. For this reason, OE recommends
23 application of current OAR 345-27-020(11), which requires the Council to identify statements in
24 the application that it deems to be binding commitments on the applicant and incorporate them as
25 conditions to the site certificate. This is necessary to ensure that the representations that form the
26 basis of the Council's decision to issue the site certificate remain binding on the certificate
27 holder.

28
29 The Council finds that applying OAR 345-27-020(2) and 020(11) to the site certificate is
30 consistent with Council policy. Further, it finds that the application of 345-27-020(11) ensures
31 that Council will add representations that it deems to be binding on PGE to the site certificate as
32 conditions.

33
34 **B. Amend Mandatory Condition 2 and Warranty 1 to reflect the current version of the**
35 **mandatory conditions**

36
37 Mandatory Condition 2 and Warranty 1 of the site certificate currently reflect the mandatory
38 conditions that were in effect in September 1994. To apply the mandatory conditions contained
39 in OAR 345-27-020(2) and 345-27-020(11), the Council must amend Mandatory Condition 2
40 and Warranty 1.

41
42 For reasons stated above, the Council finds that application of current mandatory conditions is
43 consistent with Council policy and would not adversely affect the public, the environment, or
44 resources protected by Council standards. Therefore, the Council amends Mandatory Condition
45 2 and Warranty 1 to reflect the current mandatory conditions as PGE requests.

1 **C. Determine what new conditions are required**
2

3 In Section III.A of this order, the Council has decided to apply OAR 345-27-020(11) to the site
4 certificate. This rule requires the Council to identify statements in the ASC and supporting
5 documents that it believes are binding commitments that it should add to the site certificate as
6 conditions. The application of this rule ensures that representations in the application that were
7 the basis for the Council's findings of compliance with Council standards remain binding on
8 PGE.

9
10 OE has reviewed the PGE Application for Site Certificate and supporting documents. It has
11 identified statements that it finds to be binding commitments on PGE to ensure continued
12 compliance with Council standards. In some cases, OE suggests language for site certificate
13 conditions where a simple reference to the text may not be adequate to explain the commitment.
14

15 The site certificate incorporates the final order, dated September 16, 1994, by reference,
16 rendering the representations and descriptions in the final order binding on PGE. OE therefore
17 finds that it is not necessary to add new conditions for statements that are already part of the final
18 order.

19
20 OE's recommended conditions are listed below. OE recommends the provisions of OAR 345-27-
21 020(2)(a), effective November 1995, apply to the following conditions unless noted within a
22 particular condition.
23

24 Exhibit A

25 This exhibit is used by the Council in determining the applicant's organizational, managerial and
26 technical expertise. The final order describes the applicant in limited detail. It primarily
27 discusses PGE's ability to construct the facility. However, the site certificate should ensure that
28 the certificate holder has the continuing ability to operate and retire the facility. The Council
29 based its finding of compliance with the organizational, managerial and technical expertise
30 standard in part on representations in this exhibit and in exhibit D concerning the legal makeup
31 of PGE. Therefore, OE recommends the following new conditions:
32

- 33 1. PGE shall notify the Council of any modifications to the ownership of the controlling
34 interest of PGE.
35
- 36 2. PGE shall notify the Council of any change of the identity of the operator of the facility.
37

38 Exhibit B

39 This exhibit describes the facility in detail. OE recommends that the following commitments
40 PGE made in Exhibit B be added by reference as site certificate conditions:
41

- 42 3. NOx emissions shall be controlled to 25 ppm on natural gas. (p. B-3)
43

- 1 4. Each heat recovery steam generator shall be provided with an ammonia injection system
2 and selective catalytic reduction system to further reduce the NOx emissions at the stack
3 outlet. (p. B-4)
4
- 5 5. All chemicals listed in section 4.7 of Exhibit B shall be stored in approved storage
6 containers consistent with industry standards for the particular chemical. All chemical
7 storage systems shall have provisions for secondary containment to prevent uncontrolled
8 spills to the environment. (p. B-8)
9
- 10 6. PGE shall implement fire protection and life safety design features as described at
11 Section 4.10 of Exhibit B. (pp. B-9 and B-10)
12
- 13 7. The low NOx burners on the auxiliary boiler shall control emissions to a maximum of
14 40 ppm at the stack outlet. (p. B-12)
15
- 16 8. All equipment drain wastewater shall be processed in an oil/water separator designed to
17 remove oil contamination down to 10 ppm in the discharge water. Storm water collected
18 within the fuel tank area shall be ... processed through the facility oil/water separator
19 down to 10 ppm oil in the discharge water. (pp. B-11)
20
- 21 9. Code classifications and requirements described in Section 5.2 of Exhibit B shall apply to
22 the energy facility and to any modifications. (p. B-14)
23
- 24 10. Aircraft warning lights shall be installed on the heat recovery boiler stacks if required by
25 the FAA. (pp. B-22)
26
- 27 11. Equipment layout shall allow access for fire fighting or responses to any spills when
28 required. (p. B-29)
29
- 30 12. The facility shall be designed, constructed, tested and operated in accordance with the
31 codes and standards normally used for this type of facility. Where State of Oregon codes
32 or local codes specify added or more stringent requirements, these requirements shall be
33 incorporated into the facility design and construction. Codes listed in Exhibit B, Section
34 8.0 shall apply. (pp. B-30)
35
- 36 13. All of the equipment listed on Table B-2 may be constructed. PGE may construct the
37 fuel oil-related equipment shown on Figure B-M10. However, PGE shall not use fuel oil
38 for electric generation or steam production without prior Council approval.
39

40 Exhibit C

41 This exhibit describes the site location in detail and addresses its suitability for the project. The
42 site location is adequately described in the final order. OE has no new conditions to recommend.
43

1 Exhibit D

2 This exhibit describes PGE's organizational, managerial and technical expertise. The final order
3 contains the facts from this exhibit needed to find compliance with the Council's standard. OE
4 has no new conditions to recommend.

5
6 Exhibit E

7 This exhibit contains a list of property owners adjacent to the PGE site. OE has no new
8 conditions to recommend.

9
10 Exhibit F

11 This exhibit contains information on waste materials, which is relevant to several standards. OE
12 recommends that the following commitments PGE made in Exhibit F be added by reference as
13 site certificate conditions:

- 14
- 15 14. Acid and caustic shall each be stored in individual carbon steel storage tanks. The tanks
16 shall be located above ground within a concrete containment bermed area. The bermed
17 area shall contain sump pumps allowing any leakage to be transferred to the
18 neutralization system. These tanks shall be located outdoors with appropriate weather
19 protection. Handling of these materials shall be in accordance with approved industry
20 standard practice as well as federal, state and local regulations. (p. F-4)
21
 - 22 15. The ammonia storage system shall be designed to the requirements outlined in American
23 National Standard Institute (ANSI) K61.1, Safety Requirements for the Storage and
24 Handling of Anhydrous Ammonia. (p F-4)
25
 - 26 16. The hydrogen storage and transfer system shall comply with the guidelines established in
27 section VIII of the American Society of Mechanical Engineers (ASME) Boiler and
28 Pressure Vessel Code and in ANSI B31.1 of the American National Standard Code for
29 Pressure Piping. Other codes that shall be followed include the National Electrical Code
30 (NEC) Article 500, NFPA 496, ANSI/AWS D1.1 The area immediately around the
31 hydrogen generators and storage system area shall be an NFPA/NEC Class I, Division II,
32 Group B Hazardous Area. (p. F-4)
33
 - 34 17. For miscellaneous materials described in section 2.7 (p. F-6), appropriate safety measures
35 shall be taken around the storage sites. Handling and storage of these items shall be
36 strictly in accordance with approved procedures to provide safe storage of the substances.
37 (p. F-5)
38
 - 39 18. To ensure proper safe handling of the natural gas, the entire system shall be installed and
40 operated in accordance with the NFPA 54; Natural Fuel Gas Code, Part 2; Gas Piping
41 System Design, Materials and Components, Part 3; Gas Pipe installation, Part 4; and
42 Inspection, Testing and Purging. The piping shall be designed in accordance with ANSI
43 B31.8. (p. F-6)
44

- 1 19. Fuel control systems on the gas turbines shall include separate fuel shutoff valves to stop
2 all fuel flow to the unit under shutdown conditions. Fuel flow shall restart when all
3 permissive firing condition have been satisfied. Each fuel shutoff valve shall have a
4 mechanical device for local manual tripping and a means for remote tripping. A vent
5 valve shall be provided on the fuel gas system to vent automatically the piping
6 downstream of the shutoff valve when the fuel shutoff valve closes. Gas shutoff valves
7 shall be installed at the utility pipeline connection point as well as at the facility. The
8 area immediately around the gas system shall be a NFPA/NEC Class I, Division II,
9 Group D Hazardous Area. Operations in the area shall be in accordance with this
10 classification and accepted industrial standards of practice and procedures. (p. F-7)
11
- 12 20. Management of non-fuel substances shall be conducted as described in section 3.2 of the
13 ASC. (pp. F-6 and F-7)
14
- 15 21. Construction phase wastes shall be handled and disposed as described in Section 4.1 of
16 the ASC. (pp. F-7 and F-8).
17
- 18 22. Hazardous waste shall be stored no more than 90 days and transported to a licensed
19 treatment storage disposal facility. (p. F-9)
20
- 21 23. Waste oil shall be collected in a single underground storage tank and trucked offsite to an
22 approved recycling and disposal facility. The underground tank shall be of fiberglass
23 double wall construction to provide corrosion protection and secondary containment.
24 Leakage monitoring shall also be provided. (p. F-10)
25

26 Exhibit G

27 This exhibit addresses site suitability. The commitments in this exhibit are primarily construction
28 related. OE recommends that the following commitments PGE made in Exhibit G be added by
29 reference as site certificate conditions:
30

- 31 24. PGE shall set back heavy plant facilities a minimum of 60 feet from the edge of the
32 irrigation pond to the east of the facility site. (p G-6)
33
- 34 25. PGE shall plant fill slopes with vegetation to prevent surface erosion. (p. G-7)
35
- 36 26. PGE shall implement mitigation measures as described in section 4.0 of the ASC.
37 (p. G-8)
38

39 Exhibit H

40 This exhibit demonstrates that there are no direct wetlands impacts. OE has no new conditions to
41 recommend.
42

43 Exhibit I

44 This exhibit demonstrates compliance with the Council's land use standard. The exhibit contains
45 many representations that are binding on PGE. Those representations are adequately stated in

1 the final order, which was incorporated into the site certificate. OE has no additional conditions
2 to recommend.

3
4 Exhibit J

5 The final order states that the facility will not have a significant adverse impact on any protected
6 areas. OE has no new conditions to recommend.

7
8 Exhibit K

9 This exhibit addresses PGE's ability to finance the project. OE has no new conditions to
10 recommend.

11
12 Exhibit L

13 This exhibit contains no commitments because PGE qualified for exemption from the Council's
14 need for power standard. OE has no new conditions to recommend.

15
16 Exhibit M

17 This exhibit contains no representations that are binding on PGE. It provides information about
18 applications for certain Department of Environmental Quality permits that are not under EFSC
19 jurisdiction. OE has no new conditions to recommend.

20
21 Exhibit N

22 This exhibit describes the native vegetation and soil types. OE recommends that the following
23 commitment PGE made in Exhibit N be added by reference as a site certificate condition:

- 24
25 27. PGE shall implement mitigation measures to vegetation impacts described in section
26 6.0 of the ASC. (p. N-4)

27
28 Exhibit O

29 This exhibit describes PGE's provisions to procure water from the Port of Morrow. The final
30 order specifies average annual water use. OE has no new conditions to recommend.

31
32 Exhibit P

33 This exhibit discusses fisheries and wildlife resources within and adjacent to the facility area.
34 OE recommends that the following commitment PGE made in Exhibit P be added by reference
35 as a site certificate condition:

- 36
37 28. PGE shall implement mitigation measures described in section 5.0 of the ASC. (p. P-4)

38
39 Exhibit Q

40 This exhibit addressed the Council's recreational standard. OE has no new conditions to
41 recommend.

1 Exhibit R

2 This exhibit describes mitigation steps that PGE will take to ensure compliance with the
3 Council's threatened and endangered species standards. OE recommends that the following
4 commitment PGE made in Exhibit R be added by reference as a site certificate condition:
5

6 29. PGE shall implement mitigation measures described in section 5.0. (p. R-10)
7

8 Exhibit S

9 This exhibit addresses the facility's impacts on scenic and aesthetic areas. OE has no new
10 conditions to recommend.
11

12 Exhibit T

13 This exhibit address mitigation of impacts to historic, cultural and archaeological resources. OE
14 has no new conditions to recommend.
15

16 Exhibit U

17 This exhibit addresses the facility's socioeconomic impact. OE has no new conditions to
18 recommend.
19

20 Exhibit V

21 This exhibit contains proposed steps by PGE to meet the waste minimization standard. OE has
22 no new conditions to recommend.
23

24 Exhibit W

25 This exhibit contains various mitigation measures. OE recommends that the following
26 commitment PGE made in Exhibit W be added by reference as a site certificate condition:
27

28 30. PGE shall implement mitigation measures described in Exhibit W, unless those are
29 superseded by more detailed measures described in the Council's final order of
30 September 16, 1994 or in the site certificate.
31

32 Exhibits X, Y and Z

33 All binding representations made by PGE in these exhibits were incorporated into the site
34 certificate as conditions. The schedule information in exhibit X is for informational purposes,
35 and is not binding. Monitoring plans described in exhibit Y are included in the site certificate.
36 Site restoration measures discussed in exhibit Z are adequately addressed in existing site
37 certificate conditions. OE has no new conditions to recommend.
38

39 Exhibits AA, BB, and CC

40 These exhibits address conformance with other rules, natural gas pipeline alternative routes, and
41 additional information. OE has no new conditions to recommend.
42

43 The Council concurs that these are appropriate conditions to include in the site certificate.
44

1 **D. Amend the site certificate to apply OAR 345-27-050 through OAR 345-27-080 and**
2 **OAR 345-27-095 to it and to subsequent requests to amend the site certificate.**
3

4 OAR 345-27-050 through OAR 345-27-080 and OAR 345-27-095 are the rules that address
5 amendments to the site certificate and application of subsequently adopted rules to existing site
6 certificates.
7

8 Section VII of the site certificate states:
9

10 PGE and EFSC recognize that, because of the length of time that may pass
11 between the date on which this Agreement is executed and the date on which
12 construction will commence, and that will pass between the time construction is
13 commenced and the energy facility is retired, it may be necessary to amend this
14 Agreement.
15

16 Amendments shall be made in accordance with OAR Chapter 345, Division 27 or
17 EFSC rules applicable and in effect at the time the amendment is sought.
18

19 Notwithstanding the latter statement in Section VII, OAR 345-27-011 states that the Council's
20 current rules in Division 27 do not apply to facilities for which a site certificate was executed
21 before November 30, 1994, unless the site certificate is amended to include the applicability of
22 the rules in this division. This amendment would apply the current rules at OAR 345-27-050
23 through OAR 345-27-080, and OAR 345-27-095 to this site certificate.
24

25 PGE's request is consistent with the terms of the site certificate. It would be consistent with the
26 other recommended amendments for the Council to amend the site certificate to incorporate
27 specifically the applicability of OAR 345-27-050 through OAR 345-27-080 and OAR 345-27-
28 095 to clarify that the Council will process subsequent requests for amendments or petitions by
29 PGE under the Council's most current procedural rules.
30

31 OE concludes that the application of these current rules would not create a threat to public health
32 and safety or to the environment. OE supports this amendment. The Council agrees and finds
33 that this amendment is appropriate.
34

35 **IV. Conclusion and Conditions**
36

37 The Council finds that the actions in the PGE request are consistent with current Council policy
38 and would not cause a significant adverse impact to public health and safety or the environment.
39 The Council has reviewed the statements from the application that OE recommends be binding
40 commitments upon PGE and agrees that they should be added as site certificate conditions in
41 accordance with OAR 345-27-020(11). Based on the above findings, the Council concludes that
42 it should amend the site certificate for the Coyote Springs Cogeneration Project as PGE requests
43 and should add the site certificate conditions recommended in section III.C of this order.
44
45

1 FINAL ORDER

2
3 Based on the above findings of fact, discussions and conclusions of law, the Energy Facility
4 Siting Council has determined that it shall approve the amendment request number one and that
5 the chairperson of the Council shall execute site certificate amendments in the form of the
6 “Amendment Number One to the Thermal Power Plant Site Certificate for the Coyote Springs
7 Cogeneration Project” attached to this order and which is incorporated by reference into this
8 order.

9
10 Issued this sixth day of December, 1996.

11
12
13 

14 _____
15 Terry Edvalson, Chair
16 Energy Facility Siting Council
17
18
19

20 Notice of the Right to Appeal

21
22 You have the right to appeal this order to the Oregon Supreme Court pursuant to
23 ORS 469.405. To appeal you must file a petition for judicial review with the Supreme Court
24 within 60 days from the day this order was served on you. If this order was personally delivered
25 to you, the date of service is the date you received this order. If this order was mailed to you, the
26 date of service is the date it was mailed, not the day you received it. If you do not file a petition
27 for judicial review within the 60-day time period, you lose your right to appeal.
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33