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**FIRST AMENDED**  
**THERMAL POWER PLANT**  
**SITE CERTIFICATE**  
**FOR THE**  
**COYOTE SPRINGS COGENERATION PROJECT**

(Incorporating Amendments #1 Through #4)

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This site certificate for the Coyote Springs Cogeneration Project (CSCP) is issued and executed in the manner provided by ORS Chapter 469, as amended by 1993 Public Laws ch. 569 (SB 1016), by and between the State of Oregon (State) acting by and through its Energy Facility Siting Council (EFSC) and Portland General Electric Company (PGE), an Oregon corporation.

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I. SITE CERTIFICATION

- A. To the extent authorized by State law and subject to those warranties and conditions set forth herein, the State approves and authorizes for construction, operation and retirement by PGE of a natural gas-fired combustion turbine energy facility, with oil firing back-up for phase one (as defined in OAR 345-01-010(33)), together with related or supporting facilities in Boardman, Oregon, in the manner described in PGE'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 PGE's application for site certificate, except where otherwise stated or where the context clearly indicates otherwise. The findings of facts, reasoning and conclusions of law underlying the terms and conditions of this site certificate are set forth in EFSC's final order, which by this reference is incorporated herein. Subject to the conditions herein, this certificate binds the State and all counties, cities and political subdivisions in this State as to the approval of the site and the construction, operation and retirement of the facility, as to matters that are included in and governed by this site certificate.
- B. Each affected state agency, county, city and political subdivision with authority to issue a permit, license or other approval with respect to matters included in or governed by this site certificate shall, upon submission by PGE of the proper application and payment of the proper fees, issue such permit, license or other approval without hearing or other proceeding, subject only to conditions set forth in the site certificate. Each agency that issues a permit, license or other approval to PGE shall continue to exercise enforcement authority over such permit, license or other approval.

1 For a permit, license or other approval included in or governed by the site certificate,  
2 PGE shall comply with applicable state and federal laws adopted in the future to the  
3 extent that such compliance is required under the respective state agency statutes and  
4 rules.

- 5  
6 C. Both the State and PGE shall abide by local ordinances and state law and the rules of  
7 EFSC in effect on the date the site certificate is executed. In addition, upon a clear  
8 showing of a significant threat to the public health, safety or the environment that  
9 requires application of later-adopted laws or rules, EFSC may require compliance  
10 with such later-adopted laws or rules.  
11

## 12 13 II. DESCRIPTION OF THE FACILITY

### 14 15 A. Description of the Site

#### 16 17 1. Power Plant Site

18  
19 The proposed CSCP plant site consists of approximately 20 acres within the Port of  
20 Morrow Industrial Park. The Port of Morrow Industrial Park occupies 5700 acres of  
21 land east of the City of Boardman and along the Columbia River.  
22

23 The plant site is located approximately 1,500 feet due south of the Columbia River  
24 and is immediately south of the bank and berm created by the Union Pacific  
25 Railroad's east-west mainline. The site's western boundary is Ullman Boulevard. Its  
26 southern boundary is along an existing gravel roadway and utility corridor. The site is  
27 about 450 feet west of Messner Pond and a small pond created by an ongoing  
28 dredging operation lies along the eastern edge of the plant site. The exact location of  
29 the plant site is shown by figures C-C2 and C-C3 of the application for site certificate,  
30 which are made part of and incorporated into this site certificate by reference.  
31

#### 32 33 2. Transmission Line Corridor

34 The transmission line serving the plant will be approximately 1.5 miles long. The  
35 line will occupy land owned by the Port of Morrow and the City of Boardman. The  
36 transmission line will run from the south end of the plant site eastward along the  
37 existing roadway and utility corridor. For a short distance at its eastern extremity, the  
38 line will cross fields that are or have been under cultivation. The exact location of the  
39 transmission line corridor is shown in figure C-C2 of the application for site  
40 certificate.  
41

### 42 43 B. Description of Facilities

#### 44 45 1. Power Plant

1 The proposed CSCP facilities will consist of several structures: a turbine generator  
2 building; heat recovery steam generator (boiler) structures; two 210 feet high exhaust  
3 stacks; a water treatment and auxiliary equipment building; auxiliary boilers; an  
4 administrative and control building; water treatment chemical tanks; and electrical  
5 transformation and substation facility structures.  
6

7 The CSCP power generation facilities will consist of two natural gas-fired, combined  
8 combustion turbine cycle units. Primary power for each unit will be supplied by  
9 either a General Electric 7FA gas turbine generator rated at 172.7 MW or a similar  
10 model gas turbine. For each unit, the high temperature exhaust from the gas turbine  
11 generator will be ducted to a heat recovery steam generator or boiler to generate  
12 steam. This steam will be used to drive a steam turbine generator with an electrical  
13 generation capacity of 79.3 MW. Steam used in power generation will be cooled and  
14 condensed back to water by a condenser or heat exchanger using the cooling tower  
15 method.  
16

17 Electrical transformation and substation facilities will be constructed adjacent to the  
18 power plant at the south end of the site.  
19

20 The proposed CSCP power plant (both units) will use up to 27,400,000 million  
21 British thermal units of natural gas fuel per year. The power plant shall be supplied  
22 by a natural gas pipeline that will run approximately 15 miles between the site and  
23 Ione, Oregon. The supply pipeline will interconnect with an interstate natural gas  
24 transmission line and will be owned and operated by another company. The supply  
25 pipeline will be permitted through the Federal Energy Regulatory Commission and is  
26 not considered to be a related facility under the jurisdiction and siting review  
27 authority of the Energy Facility Siting Council.  
28

## 29 2. Electrical Transmission Line

30 Project related facilities will include a double circuit looped 500 kilovolt  
31 transmission line. The 1.5 mile line will connect the power plant with the Bonneville  
32 Power Administration transmission system.  
33

34 In the event of a conflict between the descriptions of the facility in this site certificate, EFSC's  
35 final order, ODOE's final staff report on PGE's application for site certificate, or PGE's  
36 application for site certificate, the following priority of construction shall apply to determine  
37 which document controls: first, PGE's application for site certificate; second, this site certificate;  
38 third, EFSC's final order; and fourth, ODOE's final staff report.  
39

## 40 III. WARRANTIES

41  
42  
43 ORS 469.401(3) requires that:  
44

1 "The site certificate shall contain the warranties of the applicant as to the ability of the  
2 applicant to comply with standards of financial ability and to construct and operate  
3 the energy facility, the applicant's provisions for protection of the public health and  
4 safety and for time of completion of construction."  
5

6 The following warranties are necessary to meet the above statutory requirements and to ensure  
7 and facilitate compliance with and enforcement of EFSC standards and the policy directives of  
8 ORS chapter 469:  
9

10 (1) Applicant represents and warrants that it has the present capabilities and resources to  
11 construct, operate and retire the CSCP, including the ability to finance and pay for the  
12 CSCP, substantially as described in the Site Certificate and in the order approving the Site  
13 Certificate, as they may be amended from time to time, and with the terms and conditions  
14 of the Site Certificate.  
15

16 (2) Applicant represents and warrants that applicant can and will comply with all applicable  
17 state, federal and local laws, regulations and ordinances and with the conditions of the site  
18 certificate.  
19

20 (3) Applicant represents and warrants that it will undertake and complete construction of  
21 Phase I and Phase II of the CSCP according to the conditions of the construction  
22 commencement and completion dates at V.A.2.  
23

24 (4) Applicant warrants that it will take those actions, necessary to ensure that any third  
25 party contracting with Applicant during construction, operation or retirement of this facility  
26 and related and supporting facilities shall abide by the terms of this site certificate.  
27

28 (5) Applicant warrants that it shall take all reasonable steps necessary to ensure the  
29 protection of the public health and safety during the construction, operation and retirement  
30 of the CSCP and related facilities.  
31

#### 32 33 IV. MANDATORY CONDITIONS 34

35 The following mandatory conditions are either specifically required by OAR 345-27-020 or are  
36 appropriate under OAR 345-27-020(4)(o) to address project and site-specific conditions and  
37 requirements. These mandatory conditions shall apply in addition to, and should be read  
38 together with, the specific additional conditions provided in this site certificate to ensure  
39 compliance with the siting standards of OAR Chapter 345, Divisions 22, 23 and 24.  
40

41 (1) Applicant shall comply with all applicable laws, regulations and ordinances of state,  
42 federal and local authorities, including all conditions contained in any permits, licenses and  
43 approvals issued by such authorities, and applicant shall comply with the conditions of the  
44 site certificate. The duty of applicant to comply applies notwithstanding a failure or  
45 oversight in the proposed order or site certificate to identify all applicable laws, regulations

1 and ordinances. Applicant shall design, construct, operate and retire the facility in  
2 accordance with the requirements of the Oregon Energy Facility Siting Statute, ORS  
3 469.300 et seq., and EFSC rules applicable to the facility.

4 (2) Applicant shall design, permit, construct, operate and retire the CSCP substantially as  
5 described in the Site Certificate, as it may be amended from time to time.  
6

7 (3) At construction completion and no later than 90 days following the beginning of  
8 commercial operation, applicant shall submit to EFSC a written report certified by an  
9 Oregon registered structural engineer documenting the following: (a) facility construction  
10 consistent with the project description and operating statement of the ASC, as modified or  
11 amended by the site certificate; (b) fulfillment of and compliance with all design and  
12 construction-related conditions of the site certificate, including all applicable mitigation  
13 measures; and (c) compliance with or statement as to the ability to comply with all  
14 applicable state, federal and local permits, licenses and approvals issued for the project,  
15 including, but not limited to, compliance with Oregon Building Codes Agency (BCA)  
16 building permits and Oregon Public Utility Commission (OPUC)—Safety Section design  
17 requirements.  
18

19 (4) Applicant shall submit annual compliance status reports to EFSC providing a statement  
20 and documentation of applicant's compliance with each and every condition of the site  
21 certificate.  
22

23 (5)(a) Prior to construction, the site certificate holder shall submit certification that at least  
24 80 percent of the capacity from the proposed CSCP shall be used by an energy supplier in  
25 the Pacific Northwest Region as defined in 16 U.S.C. 839a(14). The capacity and energy  
26 of the CSCP shall be used by the site certificate holder for the benefit of its customers in its  
27 Oregon service territory. Except as required for financing purposes, the site certificate  
28 holder shall not sell or lease the facility and shall not contract for firm energy or firm  
29 capacity for the output of the facility for a term exceeding five years.  
30

31 (b) In the event the site certificate holder does not complete construction of phase two  
32 within five years from the execution of the site certificate, prior to EFSC granting the site  
33 certificate holder an extension of the construction completion date for phase two, the site  
34 certificate holder shall demonstrate compliance with ORS 469.503(2) in lieu of compliance  
35 with Condition IV(5)(a).  
36

37 (6) Applicant shall not commence construction on any part of the facility and related or  
38 supporting facilities (including clearing of rights-of-way, but excepting survey and  
39 geotechnical investigations), until applicant has filed with EFSC documentation of  
40 ownership, control or access to the entire plant site and the entire transmission corridor.  
41

42 (7) Applicant shall, to the extent practicable, restore vegetation and landscape portions of  
43 the site disturbed by construction in a manner which is compatible with its surroundings;  
44 and, upon completion of construction, dispose of all temporary structures not required for

1 future use and all used timber, brush, refuse, or flammable material resulting from the  
2 clearing of lands or from construction of the facility.

3  
4 (8) Applicant shall notify ODOE, Oregon Department of Geology and Mineral Industries  
5 (DOGAMI) and the Oregon Department of Water Resources (DWR) in advance of further  
6 geotechnical investigations and trenching on the project site to allow the opportunity for  
7 agency representatives to inspect the work.

8  
9 (9) Applicant shall promptly notify ODOE, DOGAMI and DWR if further geotechnical  
10 investigations, trenching or construction activities reveal conditions that were not  
11 considered in or that differ from the conditions assumed in the agreed-upon seismic hazard  
12 classification, or if shear zones, artesian aquifers, deformations or clastic dikes are found  
13 near or beneath the project site. EFSC may require additional and/or higher design  
14 requirements as necessary to address site conditions not previously considered.

15  
16 (10) Applicant shall prevent any condition from developing on the site that would preclude  
17 restoring the site to a useful condition.

18  
19 (11) At least 5 years prior to facility retirement, applicant shall submit a retirement plan to  
20 EFSC subject to review and approval by EFSC. The plan shall describe how the site will  
21 be restored adequately to a useful condition, including options for post-retirement land use,  
22 information on how impacts to fish, wildlife and the environment will be minimized during  
23 the retirement process and measures to protect the public against risk or danger resulting  
24 from post-retirement site conditions. The certificate holder shall restore the site to a useful  
25 condition following retirement.

26  
27 (12) This certificate shall expire at the end of the useful life of the energy facility.  
28 Application for termination of the site certificate shall be made in accordance with the  
29 provisions of OAR 345-27-110.

30  
31 (13) The conditions in this site certificate may not be changed during the term of the site  
32 certificate except as provided in OAR Chapter 345, Division 27.

33  
34 (14) If a visitor information facility is provided at the site, information regarding  
35 conservation of energy and the means by which it may be accomplished shall be included  
36 with any energy facility information provided.

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39 V. CONDITIONS ISSUED PURSUANT TO EFSC STANDARDS<sup>1</sup>  
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<sup>1</sup>Although conditions in this part V of the site certificate are listed under headings citing specific standards, the condition may relate to other standards as discussed in EFSC's final order. Any application of these conditions should take into account discussions under the various other standards.

1           A. Need for the facility

2           1. Exemption: OAR 345-23-010

3           Applicant shall, as part of the post-construction completion compliance status  
4           certification report required by Mandatory Condition 3, provide a capacity and  
5           heat rate performance test report to document the ability of the facility to meet  
6           the output and fuel efficiency measures as represented in the ASC.

7  
8           2. Construction commencement and completion dates

9  
10          (1) Applicant shall begin construction of phase one of the proposed facility  
11          within one year after the site certificate is executed. This one-year time  
12          period shall be tolled during any appeal that is taken of the Energy Facility  
13          Siting Council (EFSC) Order. Notwithstanding the tolling of the one-year  
14          time period for commencement of construction, Applicant shall complete  
15          construction of phase one by September 16, 1998, and phase two shall be  
16          completed by September 16, 2001.

17  
18          (2) Within one year of execution of the site certificate Applicant must affirm,  
19          by written notice to EFSC its intent to construct phase two. This notice to  
20          EFSC shall include copies of correspondence to a vendor requesting  
21          commencement of bona fide negotiations to purchase the gas turbine.  
22          This one-year time period shall be tolled during any appeal taken of  
23          EFSC's Order. Such affirmation is required in order for Applicant to  
24          maintain a valid site certificate as to phase two.

25  
26          (3) Applicant may request an extension of the five-year construction  
27          completion deadline for phase two. If such a request is made during the  
28          first year after the site certificate is executed (which period shall be tolled  
29          during any appeal taken of EFSC's order), and Applicant shows that the  
30          need for the extension is caused by acts of God or force majeure events.  
31          Applicant will not be required to demonstrate that the facility meets  
32          EFSC's needs standard. EFSC anticipates such a request will be  
33          considered a minor amendment under OAR 345-27-080.

34  
35          (4) If the site certificate holder requests an extension of the construction  
36          completion deadline for phase two and the site certificate holder does not  
37          meet the requirements of Condition V.A.2(3) above, the site certificate  
38          holder shall demonstrate that the facility meets the requirements of ORS  
39          469.503(2) in order for EFSC to approve extending the deadline.

40  
41          (5) In no event will EFSC grant an extension of the construction completion  
42          deadline for phase two beyond September 16, 2001. The construction  
43          completion deadline for phase two, as specified in the applicant's  
44          warranty, will not be tolled for reason of appeal of the EFSC's Order.  
45

1           3.   Carbon Dioxide Emissions Standard for Phase Two: ORS 469.503(2)  
2           (1)   Prior to commencement of construction of phase two on an extended  
3           construction completion schedule pursuant to Condition V.A.2(4), the site  
4           certificate holder shall submit to the State of Oregon through the Council a  
5           bond, letter of credit or escrow account executed by the site certificate  
6           holder in the amount of the monetary path payment requirement (in 1998  
7           dollars) as determined by the calculations set forth in Condition V.A.3.(4)  
8           and based on the estimated heat rate and capacity certified pursuant to  
9           Condition V.A.3.(5) below and as adjusted in accordance with the terms of  
10          this site certificate pursuant to Condition V.A.3(4)(d). For the purposes of  
11          this site certificate, the "monetary path payment requirement" means the  
12          offset funds determined pursuant to ORS 469.503(2)(c) and the selection  
13          and contracting funds determined pursuant to ORS 469.503(2)(d)(A)(ii)  
14          that the site certificate holder must disburse to the Oregon Climate Trust,  
15          as the qualified organization, pursuant to ORS 469.403(2)(d)(A). The  
16          calculation of 1998 dollars shall be made using the index set forth below  
17          in sub-section (c).

18  
19           (a) In the event that the Council approves a new site certificate holder, the  
20           Council shall approve the bond, letter of credit or escrow account from the  
21           new site certificate holder(s) unless the Council finds that the proposed  
22           bond, letter of credit or escrow account does not provide comparable  
23           security to the bond, letter of credit or escrow account of the current site  
24           certificate holder. Such approval of a new bond, letter of credit or escrow  
25           account will not require a site certificate amendment. The bond, letter of  
26           credit or escrow account shall remain in effect until such time as the site  
27           certificate holder has disbursed the full amount of the monetary path  
28           payment requirement to the Oregon Climate Trust as provided in ORS  
29           469.503(2)(d)(A).

30  
31           (b) If the site certificate holder has provided a bond, letter of credit or  
32           escrow account prior to commencing construction and if calculations  
33           pursuant to Condition V.A.3.(6) demonstrate that the site certificate holder  
34           must increase its monetary path payments, the site certificate holder shall  
35           increase the bond, letter of credit or escrow account sufficiently to meet  
36           the adjusted monetary path payment requirement within the time required  
37           by Condition V.A.3.(4)(d). The site certificate holder may reduce the  
38           amount of the bond, letter of credit or escrow account commensurate with  
39           payments it makes to the Oregon Climate Trust.

40  
41           (c) The calculation of 1998 dollars shall be made using the US Gross  
42           Domestic Product Deflator for Total Non-Residential Fixed Investment, as  
43           published by the US Department of Commerce, Bureau of Economic  
44           Analysis, or any successor agency ("the index"). The amount of the bond,  
45           letter of credit or escrow account shall increase annually by the percentage

1 increase in the index and shall be pro-rated within the year to the date of  
2 disbursement to the Oregon Climate Trust. If at any time the index is no  
3 longer published, the Council shall select a comparable calculation of  
4 1998 dollars. The bond, letter of credit or escrow account shall not be  
5 subject to revocation prior to disbursement of the full monetary path  
6 payment requirement, including any adjusted monetary path payment  
7 requirement. The terms of the bond, letter of credit or escrow account and  
8 identity of the issuer shall be subject to approval by the Council, which  
9 approval shall not be unreasonably withheld.

10  
11 (d) If the site certificate holder establishes an escrow account for the  
12 monetary path payment requirement, the portion of any interest accruing  
13 in the escrow account up to the time of disbursement to the Oregon  
14 Climate Trust that is equivalent to the 1998 dollar index adjustment  
15 (described in sub-section (c)) shall be for the benefit of the Oregon  
16 Climate Trust and shall be disbursed to the Oregon Climate Trust for use  
17 as specified in ORS 469.503(2)(d)(A). Any remaining interest that  
18 exceeds the 1998 dollar adjustment at the time of disbursement of funds to  
19 the Oregon Climate Trust shall be disbursed to the site certificate holder  
20 on its request.

21  
22 (2) The site certificate holder shall disburse to the Oregon Climate Trust offset  
23 funds and contracting and selection funds as requested by the Oregon  
24 Climate Trust up to the monetary path payment requirement as determined  
25 by the calculations set forth in Condition V.A.3.(4) and based on the  
26 estimated heat rate and capacity certified pursuant to Condition V.A.3.(5)  
27 below (in 1998 dollars) and as adjusted in accordance with the terms of  
28 this site certificate pursuant to Condition V.A.3.(4)(d). Disbursements  
29 shall be made in response to requests from the Oregon Climate Trust in  
30 accordance with the requirements of ORS 469.503(2)(d)(A).

31  
32 (3) Notwithstanding anything in this amended site certificate to the contrary,  
33 the site certificate holder shall have no obligation with regard to offsets,  
34 the offset funds and the selection and contracting funds other than to make  
35 available to the Oregon Climate Trust the total amount required under this  
36 site certificate, nor shall any nonperformance, negligence or misconduct  
37 on the part of the Oregon Climate Trust be a basis for revocation of this  
38 site certificate or any other enforcement action by the Council with respect  
39 to the site certificate holder.

40  
41 (4) The site certificate holder shall use the following methodology to calculate  
42 the amount of the monetary path payment requirement that it must make  
43 available to the qualified organization pursuant to ORS 469.503(2)(d)(A).  
44 All calculations shall be made assuming that no steam is supplied for  
45 cogeneration. The site certificate holder shall use the contracted design

1 parameters for capacity and heat rate for phase two that it reports pursuant  
2 to Condition V.A.3.(5) to calculate the estimated monetary path payment  
3 requirement. The site certificate holder shall use the Year One Capacity  
4 and Year One Heat Rate that it reports for phase two pursuant to Condition  
5 V.A.3.(6) to calculate whether it owes additional monetary path payments.  
6

7 (a) To calculate the offset funds payment requirement as provided in ORS  
8 469.503(2)(c), the site certificate holder shall use the following  
9 methodology:  
10

11 (A) The site certificate holder shall multiply the nominal power of  
12 phase two (kW) while operating on natural gas by 8,760 hours. It  
13 shall then multiply that product by 30 years to determine the total net  
14 plant output (kWh) of phase two. It shall multiply the total net plant  
15 output of phase two by the heat rate (Btu/kWh) while operating on  
16 natural gas and by the carbon dioxide emission factor for natural gas  
17 (0.000117 lb. CO<sub>2</sub>/Btu) to determine the total CO<sub>2</sub> emissions (lb.)  
18 from operating phase two. The site certificate holder shall calculate  
19 the CO<sub>2</sub> emissions rate (lb. CO<sub>2</sub>/kWh) for phase two by dividing the  
20 total CO<sub>2</sub> emissions by the total net plant output for phase two;  
21

22 (B) The site certificate holder shall subtract the carbon dioxide  
23 standard of 0.7 lb. CO<sub>2</sub>/kWh from the CO<sub>2</sub> emissions rate for phase  
24 two to determine its excess CO<sub>2</sub> emissions rate (lb. CO<sub>2</sub>/kWh);  
25

26 (C) The site certificate holder shall multiply the total net plant  
27 output (kWh) for phase two by phase two's excess CO<sub>2</sub> emissions  
28 rate (lb. CO<sub>2</sub>/kWh). It shall then divide that product by 2,000 pounds  
29 to determine the total tons of CO<sub>2</sub> emissions the site certificate  
30 holder must mitigate (tons); then,  
31

32 (D) The site certificate holder shall multiply the total tons of CO<sub>2</sub>  
33 emissions it must mitigate by \$0.57 per ton of CO<sub>2</sub> to determine the  
34 sub-total for the offset funds.  
35

36 (b) To calculate the selection and contracting funds sub-total as provided  
37 in ORS 469.503(2)(d)(A)(ii), the site certificate holder shall subtract  
38 \$500,000 from the offset funds subtotal; then multiply the remaining  
39 amount by 4.286 percent; then add \$50,000 to that product.  
40

41 (c) To determine its monetary path payment requirement, the site  
42 certificate holder shall add the sub-total for the offset funds and the  
43 sub-total for the selection and contracting funds.  
44

1 (d) When the site certificate holder submits the Year One Test report  
2 required in Condition V.A.3.(6), it shall increase its bond, letter of credit  
3 or escrow account for the monetary path payment requirement if the  
4 calculation using reported data shows that the adjusted monetary path  
5 payment requirement exceeds the monetary path payment requirement for  
6 which the site certificate holder had provided a bond, letter of credit or  
7 escrow account prior to commencing construction, pursuant to Condition  
8 V.A.3.(1).

9  
10 (A) The site certificate holder shall make the appropriate  
11 calculations and increase its bond, letter of credit or escrow account,  
12 if necessary, within 30 days of filing its Year One Test report with  
13 the Council.

14  
15 (B) In no case shall the site certificate holder diminish the bond,  
16 letter of credit or escrow account it provided prior to commencing  
17 construction or receive a refund from the qualified organization  
18 based on the calculations made using the Year One Capacity and the  
19 Year One Heat Rate.

20  
21 (5) Prior to commencement of construction of phase two on an extended  
22 construction completion schedule pursuant to Condition V.A.2(4), the site  
23 certificate holder shall notify the Council in writing of its final selection of  
24 a gas turbine vendor and shall submit written design information to the  
25 Council sufficient to verify phase two's designed new and clean heat rate  
26 and its nominal electric generating capacity at average annual site  
27 conditions. The report shall also include an affidavit or other evidence  
28 that the site certificate holder or a vendor has guaranteed the heat rate.

29  
30 (6) Within two months of completion of the first year of commercial operation  
31 of phase two built on an extended construction completion schedule  
32 pursuant to Condition V.A.2(4), the site certificate holder shall provide to  
33 the Council pursuant to ORS 469.503(2)(e)(G) a test report (Year One  
34 Test) of the actual heat rate (Year One Heat Rate) and nominal generating  
35 capacity (Year One Capacity) for phase two, without degradation,  
36 assuming no steam is supplied for cogeneration, as determined by a  
37 100-hour test at full power completed during the first 12 months of  
38 commercial operation, with the results adjusted for the average annual site  
39 condition for temperature, barometric pressure and relative humidity and  
40 use of alternative fuels, and using a rate of 117 pounds of carbon dioxide  
41 per million Btu of natural gas fuel.

42  
43 (7) The combustion turbine for phase two shall be fueled solely with natural  
44 gas or with synthetic gas with a carbon content per million Btu no greater  
45 than natural gas.

- 1 (8) If the site certificate holder operates phase two as a cogeneration facility,  
2 the site certificate holder shall not use steam from phase two to replace  
3 steam generated by a biomass fuel at an off-site industrial facility.  
4

5 B. Standards relating to the applicant  
6

7 Organizational, managerial and technical expertise standard: OAR 345-22-010  
8

9 1. Applicant Qualification and Capability:  
10

11 Applicant shall contractually require the EPC contractor and all independent  
12 contractors and subcontractors involved in the construction and operation of the  
13 proposed facilities to comply with all applicable laws and regulations and with  
14 the terms and conditions of the site certificate.  
15

16 2. Third-Party Services and Permits  
17

18 (i) Water supply  
19

20 (1) Applicant's water use shall not exceed the flow rates and maximum  
21 quantities specified in the ASC for the proposed CSCP nor shall the  
22 withdrawal rates exceed the limits imposed by the water right  
23 permits for the sources supplying the water.  
24

25 (2) Applicant shall install and operate a continuous, recording flow  
26 meter on the facility's process water intake line and maintain records  
27 of total process water use on a monthly and annual basis.  
28

29 (ii) Process wastewater disposal  
30

31 (1) Within six months of the date the site certificate is executed, the  
32 applicant shall demonstrate that the Port of Morrow has received  
33 DEQ approval to dispose of the CSCP's process wastewater, or  
34 commit to install an on-site, zero-discharge water treatment system.  
35

36 (2) If applicant uses the Port of Morrow's industrial wastewater disposal  
37 system, applicant shall not discharge into the Port's system at flow  
38 rates and quantities or in excess of water quality limitations or  
39 discharge any materials that would violate any applicable laws and  
40 regulations or the conditions of the Port of Morrow's WPCF permit.  
41

42 (iii) Sanitary wastewater disposal  
43

1 Applicant shall not discharge any materials into the City of Boardman  
2 sewage treatment system that would violate any applicable laws and  
3 regulations or the conditions of the City of Boardman's WPCF permit.  
4

5 C. Standards relating to the site and structure  
6

7 1. Structural standard: OAR 345-22-020  
8

9 a. Seismic hazards  
10

11 (1) Applicant shall design and construct the proposed facility in  
12 accordance with and in compliance with the laws and regulations  
13 administered by BCA.  
14

15 (2) Before submitting building permit applications to BCA, applicant  
16 shall re-evaluate peak ground acceleration for the site based on  
17 applying an amplification factor determined from its site-specific  
18 studies. The applicant shall report the results of its reevaluation to  
19 ODOE, DOGAMI and BCA. The applicant shall design and  
20 construct the facility to address any estimate of peak ground  
21 acceleration exceeding that covered by seismic zone 2B.  
22

23 b. Adverse soil impacts  
24

25 During construction, the applicant and its subcontractors shall make  
26 reasonable efforts to keep soil disturbances to a minimum.  
27

28 2. Land use standard  
29

30 Applicant shall comply with the conditions in the variance for the CSCP  
31 transmission line granted to applicant by Morrow County on October 25, 1993.  
32

33 D. Standards relating to the impacts of construction, operation and retirement  
34

35 1. Fish and Wildlife Standard: OAR 345-22-060  
36

37 (1) Applicant shall implement the vegetation, fish and wildlife mitigation  
38 measures as contained in its ASC (Exhibits N, P and R), and the following  
39 mitigation conditions of ODFW:  
40

41 a. The applicant shall design and construct the electrical transmission  
42 towers and lines in a manner appropriate for the protection of raptors.  
43

44 b. Applicant shall reseed areas of disturbed soil using the seed  
45 composition and planting procedure described in ASC, Exhibit N.

1 Applicant shall reseed areas where Russian olive trees or tall vegetation is  
2 removed using a mix of woody shrubs and perennial grasses to be jointly  
3 determined by ODFW and PGE.  
4

5 c. Applicant shall plant trees between the west side of Messner Pond and  
6 the facility site, as described in the ASC, to enhance wildlife habitat  
7 around Messner Pond and to provide a visual and auditory buffer between  
8 the facility site and Messner Pond. The applicant shall maintain trees in  
9 healthy condition and replace trees that die or become unhealthy.  
10

11 d. The following activities shall be prohibited within 100 feet of the  
12 wetland associated with Messner Pond: storage of hazardous materials,  
13 chemicals, fuels and lubricating oils; refueling of construction equipment;  
14 and performing concrete coating activities.  
15

16 e. Applicant shall insure that notification is provided to the ODFW  
17 representative in charge of the Heppner District Office at least one week  
18 prior to the start of construction for the power plant and transmission lines.  
19

20 f. Applicant shall leave a 50 foot buffer between the edge of construction  
21 and the high water line of the wetland area associated with Messner Pond.  
22

23 g. Applicant shall erect a temporary fence and signs to protect the bank  
24 swallow nesting colony from disturbance during construction.  
25

26 (2) Applicant shall, as part of the post-construction completion compliance  
27 status certification report required by Mandatory Condition No. 3, provide  
28 documentation of the following: a) cooling tower drift rate, including  
29 manufacturer specifications and guaranty, and actual field testing of the  
30 CSCP cooling tower drift rate; and b) water analysis of the cooling tower  
31 circulation water representative of identified actual source water and  
32 cycles of concentration.  
33

34 (3) Applicant shall install, operate and maintain a continuous monitoring  
35 system to measure and record the total dissolved solids (TDS)  
36 concentration of the cooling tower/condenser circulating water.

37 (4) Applicant's cooling tower drift factor shall not exceed 0.002 percent of the  
38 circulation rate. Applicant shall not allow the total dissolved solids  
39 concentration in the cooling tower/condenser system to exceed 2,084 parts  
40 per million.  
41

42 (5) Applicant shall fully comply with the terms and conditions of the  
43 December 10, 1993 Ecological Monitoring Program, as revised on January  
44 5, 1994, and shall take such actions as deemed appropriate by ODOE, in  
45 consultation with ODFW, to fully mitigate adverse impacts to the Messner

1 Pond area, including but not limited to reducing the cycles of  
2 concentration in the cooling tower system.

3  
4 2. Scenic and Aesthetic Standard: OAR 345-22-080  
5

6 Applicant shall implement and fulfill the mitigation proposals as contained in  
7 the ASC, including site perimeter landscaping with appropriate vegetation;  
8 painting building structures and the exhaust stacks in neutral shades;  
9 minimizing exterior lighting and directing lights into the facility site; and  
10 establishing landscape screening along the perimeter of the proposed power  
11 plant site.  
12

13 3. Historic, Cultural, and Archaeological Standard: OAR 345-22-090  
14

15 (1) If the area in which artifacts were found is to be disturbed by construction  
16 or operation, the applicant shall obtain the recommendation of SHPO as to  
17 any clearance requirements for the affected area and shall comply with all  
18 applicable regulations and laws relating to historic, cultural, and  
19 archaeological resources.  
20

21 (2) If historic, cultural or archaeological resources are found during project  
22 construction or construction-related activities, the applicant shall stop all  
23 work in the vicinity of the find and consult with the SHPO. The applicant  
24 shall not restart work in the area of the find until SHPO has concurred that  
25 the applicant has identified actions to minimize or avoid further impact.  
26

27 (3) Applicant shall comply with all applicable state laws regarding Indian  
28 graves, removal of historic materials and archaeological objects and sites.  
29

30 4. Socio-Economic Impact Standard: OAR 345-22-110  
31

32 a. Solid waste  
33

34 Applicant shall, at a minimum, test its sludge waste and maintain records  
35 as required by DEQ and the landfill operator pursuant to applicable  
36 permits and licenses, including testing under the Toxicity Characteristic  
37 Leaching Procedure (TCLP), or equivalent per 40 CFR part 262.11,  
38 Hazardous Waste Determination.  
39

40 b. Emergency services  
41

42 The applicant shall reimburse the Boardman Fire Department for  
43 reasonable costs for new training and equipment which is specifically  
44 needed, as determined by the State Fire Marshall, to respond to an  
45 emergency at the CSCP.

1 c. Roadways

2  
3 Applicant shall mitigate all fogging and icing impacts caused by CSCP to  
4 off-site roadways that create hazardous traffic conditions. Mitigation  
5 measures, if needed, shall be undertaken and implemented in consultation  
6 with the Port of Morrow and other responsible local agencies, and may  
7 include, but are not limited to: hazard warning signs, lighting and sanding.  
8

9 5. Waste Minimization Standard: OAR 345-22-120

10  
11 a. Solid wastes

12 Applicant shall minimize and recycle solid wastes generated during  
13 construction and operation whenever practical, including:

14 a) packing materials, wood, piping and steel scrap during construction;

15  
16 b) spent ion exchange resins used for demineralizing water during plant  
17 operation;

18 c) waste from the facility's office, including paper products, aluminum  
19 cans, glass and plastics.  
20

21 b. Industrial wastewater

22 If commencement of construction of either phase of the proposed CSCP is  
23 delayed beyond two years from the date the site certificate is executed,  
24 applicant shall submit, prior to commencement of construction of that  
25 phase, a revised cooling system evaluation that addresses the then  
26 available technologies, their costs, savings and benefits.  
27

28 6. Retirement Standard: OAR 345-22-130

29 Upon retirement of the facility, the applicant shall restore the CSCP site to a  
30 useful condition.  
31

32 E. Noise

33  
34 (1) Applicant shall comply with the noise standards and limits contained in OAR  
35 340-35-035 (1)(b)(B).

36  
37 (2) Applicant shall, by facility design and the installation of silencers and/or other  
38 devices, limit noise emissions from the facility's pressure-relief safety valves  
39 such that sound levels attributable to their use do not exceed the limits contained  
40 in OAR 340-35-035 (1)(b)(B).  
41  
42  
43  
44  
45

- 1 (3) Applicant shall retain a registered acoustical consultant to conduct noise  
2 monitoring to determine compliance with conditions (1) and (2) above and  
3 provide a report of that monitoring to ODOE within 120 days after beginning  
4 commercial operation of the proposed facility.  
5

6 F. Public health and safety  
7

8 To the extent possible, consistent with BPA's specifications, applicant shall design  
9 and construct the line in accordance with the requirements of OAR 345-24-090:

- 10 (a) The transmission line shall be designed so that alternating current  
11 electrical fields shall not exceed 9 kv per meter above the ground  
12 surface in areas accessible to the public;  
13  
14 (b) The transmission line shall be designed so that induced currents  
15 resulting from the transmission line and related facilities will be as  
16 low as reasonably achievable. The applicant agrees to a program  
17 which shall provide reasonable assurance that all fences, gates, cattle  
18 guards, trailers, or other objects or structures of a permanent nature  
19 that could become inadvertently charged with electricity shall be  
20 grounded through the life of the line; and  
21  
22 (c) The transmission line shall be designed and constructed, and  
23 operated in a manner consistent with the 1993 edition of National  
24 Electrical Safety Code (American National Standards Institute,  
25 Section C2, 1993 edition).  
26  
27

28 VI. MONITORING CONDITIONS  
29

30 OAR Chapter 345, Division 26 contains monitoring and reporting requirements for thermal  
31 power plants with site certificates. The following monitoring and reporting requirements are  
32 intended to achieve the purpose, expressed in OAR 345-26-005, "...to assure that the construction  
33 and operation of thermal power plants is accomplished in a manner consistent with the protection  
34 of the public health, safety and welfare, and the protection of the environment."

35 As provided in OAR 345-26-015(3), in the event that any of the specific monitoring or reporting  
36 conditions contained in the site certificate conflict or are inconsistent with the rules and  
37 requirements of OAR Chapter 345, Division 26, the site certificate conditions shall be deemed to  
38 control.  
39

- 40 (1) The applicant shall submit to EFSC a report at least quarterly from the start of  
41 construction to commercial operation of the second unit. The report shall include, but is  
42 not limited to:  
43

- 44 (a) an assessment of the construction schedule for each unit, including any changes to  
45 major milestones that affect the critical path for construction;

1 (b) an assessment of the then known costs and costs projections for the CSCP in  
2 relation to the applicant's then current least cost plan;

3  
4 (c) an assessment of the construction staffing, including status of staffing and any  
5 staffing problems that may affect construction schedule;

6  
7 (d) any significant work stoppage;

8  
9 (e) any noncompliance with the conditions of the site certificate, including the  
10 background of the causes of the noncompliance, the mitigation or correction of the  
11 noncompliance and the impact of the noncompliance on the project schedule or  
12 financing;

13  
14 (f) any noncompliance with the conditions of permits issued by any other federal,  
15 state or local authority; including the background of the causes of the noncompliance,  
16 the mitigation or correction of the noncompliance; and the impact of the  
17 noncompliance on the project schedule or financing;

18  
19 (g) any noncompliance with the conditions of permits issued to third parties that are  
20 known to the applicant and that are significant and relevant to the construction or  
21 operation of the facility, such as Water Rights Permits or Water Pollution Control  
22 Facility Permits; including the background of the causes of the noncompliance, the  
23 mitigation or correction of the noncompliance, and the impact of the violation on the  
24 project schedule or financing;

25  
26 (h) copies of all correspondence and reports related to facility construction submitted  
27 to a federal, state, or local authority, except material withheld from public disclosure  
28 under federal or state law. Abstracts of reports may be submitted in place of full  
29 reports. However, full copies of abstracted reports must be provided at the request of  
30 ODOE or EFSC;

31  
32 (i) any other information that EFSC requests that is considered necessary to monitor  
33 and evaluate the applicant's compliance with the terms and conditions of the site  
34 certificate.

35  
36 (2) The applicant shall submit to the EFSC an annual report from the start of commercial  
37 operation of the first unit through retirement of the last operating unit. The annual report  
38 shall include, but is not limited to:

39  
40 (a) results of performance tests, including project efficiency testing, summaries of  
41 fuel use, average volume and mass of steam supplied to any cogeneration host and  
42 the estimated fuel used to generate any host steam load;

43  
44 (b) in the first report submitted after commencement of commercial operation, unit  
45 heat rate in Btu per kilowatt hour produced, corrected to ISO conditions and

1 accounting for steam delivered to any steam host, and also facility capacity corrected  
2 to 52.8° F, 55% relative humidity, standard air pressure adjusted for elevation, no  
3 steam to process, natural gas fuel, and normal steam turbine exhaust pressure, net of  
4 plant auxiliary loads;

5  
6 (c) the power production by the facility by unit, by month, including peak capacity,  
7 average capacity, gross and net kilowatt hour production, availability, reasons and  
8 durations of planned and unplanned outages, plans to improve capacity and  
9 availability and to correct recurring problems;

10  
11 (d) an assessment of the operations staffing, including status of staffing and any  
12 staffing problems that may affect facility operation;

13  
14 (e) any noncompliance with the conditions of the site certificate, including the  
15 background of the causes of the noncompliance, the mitigation or correction of the  
16 noncompliance and the impact of the noncompliance on the project operation or  
17 financing;

18  
19 (f) any noncompliance with the conditions of permits issued by any other federal,  
20 state or local authority; including the background of the causes of the noncompliance,  
21 the mitigation or correction of the noncompliance, and the impact of the  
22 noncompliance on the project operation or financing;

23  
24 (g) any noncompliance with the conditions of permits issued to third parties that are  
25 known to the applicant and that are significant and relevant for the operation of the  
26 facility, such as Water Right Permits or Water Pollution Control Facility Permits;  
27 including the background of the causes of the noncompliance the mitigation or  
28 correction of the noncompliance, and the impact of the noncompliance on the project  
29 operation or financing;

30  
31 (h) copies of all correspondence related to facility operation which was submitted to  
32 a federal, state, or local authority, except material withheld from public disclosure  
33 under federal or state law. Abstracts of reports may be submitted in place of full  
34 reports. However, full copies of abstracted reports must be provided at the request of  
35 ODOE or EFSC;

36  
37 (i) an assessment of the project's cost of operation in relation to the applicant's then-  
38 current least cost plan;

39  
40 (j) any other information that EFSC requests that is considered necessary to monitor  
41 and evaluate the applicant's compliance with the terms and conditions of the site  
42 certificate.

43  
44 (3) Information To Be Reported Promptly

1 (a) The applicant shall report to ODOE within 72 hours of receiving knowledge of  
2 noncompliance with the conditions of the site certificate arising from the acts or  
3 omissions of applicant, its contractors, subcontractors or agents;  
4

5 (b) The applicant shall report to ODOE within 24 hours of receiving knowledge of  
6 any condition arising from the construction and operation of the facility that  
7 endangers public health and safety.  
8  
9

## 10 VII. AMENDMENT OF SITE CERTIFICATION AGREEMENT 11

12 PGE and EFSC recognize that, because of the length of time that may pass between the date on  
13 which this Agreement is executed and the date on which construction will commence, and that  
14 will pass between the time construction is commenced and the energy facility is retired, it may be  
15 necessary to amend this Agreement.  
16

17 Amendments shall be made in accordance with OAR Chapter 345, Division 27 or EFSC rules  
18 applicable and in effect at the time the amendment is sought.<sup>2</sup>  
19  
20

## 21 VIII. SUCCESSORS AND ASSIGNS 22

23 No site certificate, or any portion thereof, may be transferred, assigned, or disposed of in any  
24 other manner, directly or indirectly, except in compliance with OAR 345-27-100 or EFSC rules  
25 applicable and in effect at the time such action is proposed.  
26  
27

## 28 IX. SEVERABILITY AND CONSTRUCTION 29

---

<sup>2</sup>The Order Approving Amendment No. 1 included the following:

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

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

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

1 If any provision of this agreement and certificate is declared by a court to be illegal or in conflict  
2 with any law, the validity of the remaining terms and conditions shall not be affected, and the  
3 rights and obligations of the parties shall be construed and enforced as if the agreement and  
4 certificate did not contain the particular provision held to be invalid.  
5

6 In the event of a conflict between the warranties and conditions contained in this site certificate  
7 and EFSC's final order, the warranties and conditions contained in this site certificate shall  
8 control.  
9

10  
11 X. GOVERNING LAW AND FORUM

12 A. This agreement shall be governed by the laws of the State of Oregon.

13 B. Any litigation or arbitration arising out of this agreement shall be conducted in an  
14 appropriate forum in Oregon.  
15

16  
17 XI. CONDITIONS ISSUED PURSUANT TO APPLICANT REPRESENTATIONS

18 References to page numbers and exhibits are to the Application for Site Certificate for  
19 CSCP.  
20

21 1. PGE shall notify the Council of any modifications to the ownership of the controlling  
22 interest of PGE.  
23

24 2. PGE shall notify the Council of any change of the identity of the operator of the  
25 facility.  
26

27 3. NOx emissions shall be controlled to 25 ppm on natural gas. (p. B-3)  
28

29 4. Each heat recovery steam generator shall be provided with an ammonia injection  
30 system and selective catalytic reduction system to further reduce the NOx emissions at the  
31 stack outlet. (p. B-4)  
32

33 5. All chemicals listed in section 4.7 of Exhibit B shall be stored in approved storage  
34 containers consistent with industry standards for the particular chemical. All chemical  
35 storage systems shall have provisions for secondary containment to prevent uncontrolled  
36 spills to the environment. (p. B-8)  
37

38 6. PGE shall implement fire protection and life safety design features as described at  
39 Section 4.10 of Exhibit B. (pp. B-9 and B-10)  
40

41 7. The low NOx burners on the auxiliary boiler shall control emissions to a maximum of  
42 40 ppm at the stack outlet. (p. B-12)  
43

44 8. All equipment drain wastewater shall be processed in an oil/water separator designed  
45 to remove oil contamination down to 10 ppm in the discharge water. Storm water collected

1 within the fuel tank area shall be ... processed through the facility oil/water separator down  
2 to 10 ppm oil in the discharge water. (pp. B-11)

3  
4 9. Code classifications and requirements described in Section 5.2 of Exhibit B shall  
5 apply to the energy facility and to any modifications. (p. B-14)

6  
7 10. Aircraft warning lights shall be installed on the heat recovery boiler stacks if required  
8 by the FAA. (pp. B-22)

9  
10 11. Equipment layout shall allow access for fire fighting or responses to any spills when  
11 required. (p. B-29)

12  
13 12. The facility shall be designed, constructed, tested and operated in accordance with the  
14 codes and standards normally used for this type of facility. Where State of Oregon codes or  
15 local codes specify added or more stringent requirements, these requirements shall be  
16 incorporated into the facility design and construction. Codes listed in Exhibit B, Section  
17 8.0 shall apply. (pp. B-30)

18  
19 13. All of the equipment listed on Table B-2 may be constructed. PGE may construct the  
20 fuel oil-related equipment shown on Figure B-M10. However, PGE shall not use fuel oil  
21 for electric generation or steam production without prior Council approval.

22  
23 14. Acid and caustic shall each be stored in individual carbon steel storage tanks. The  
24 tanks shall be located above ground within a concrete containment bermed area. The  
25 bermed area shall contain sump pumps allowing any leakage to be transferred to the  
26 neutralization system. These tanks shall be located outdoors with appropriate weather  
27 protection. Handling of these materials shall be in accordance with approved industry  
28 standard practice as well as federal, state and local regulations. (p. F-4)

29  
30 15. The ammonia storage system shall be designed to the requirements outlined in  
31 American National Standard Institute (ANSI) K61.1, Safety Requirements for the Storage  
32 and Handling of Anhydrous Ammonia. (p F-4)

33  
34 16. The hydrogen storage and transfer system shall comply with the guidelines  
35 established in section VIII of the American Society of Mechanical Engineers (ASME)  
36 Boiler and Pressure Vessel Code and in ANSI B31.1 of the American National Standard  
37 Code for Pressure Piping. Other codes that shall be followed include the National  
38 Electrical Code (NEC) Article 500, NFPA 496, ANSI/AWS D1.1 The area immediately  
39 around the hydrogen generators and storage system area shall be an NFPA/NEC Class I,  
40 Division II, Group B Hazardous Area. (p. F-4)

41  
42 17. For miscellaneous materials described in section 2.7 (p. F-6), appropriate safety  
43 measures shall be taken around the storage sites. Handling and storage of these items shall  
44 be strictly in accordance with approved procedures to provide safe storage of the  
45 substances. (p. F-5)

1 18. To ensure proper safe handling of the natural gas, the entire system shall be installed  
2 and operated in accordance with the NFPA 54; Natural Fuel Gas Code, Part 2; Gas Piping  
3 System Design, Materials and Components, Part 3; Gas Pipe installation, Part 4; and  
4 Inspection, Testing and Purging. The piping shall be designed in accordance with ANSI  
5 B31.8. (p. F-6)

6  
7 19. Fuel control systems on the gas turbines shall include separate fuel shutoff valves to  
8 stop all fuel flow to the unit under shutdown conditions. Fuel flow shall restart when all  
9 permissive firing condition have been satisfied. Each fuel shutoff valve shall have a  
10 mechanical device for local manual tripping and a means for remote tripping. A vent valve  
11 shall be provided on the fuel gas system to vent automatically the piping downstream of the  
12 shutoff valve when the fuel shutoff valve closes. Gas shutoff valves shall be installed at the  
13 utility pipeline connection point as well as at the facility. The area immediately around the  
14 gas system shall be a NFPA/NEC Class I, Division II, Group D Hazardous Area.  
15 Operations in the area shall be in accordance with this classification and accepted industrial  
16 standards of practice and procedures. (p. F-7)

17  
18 20. Management of non-fuel substances shall be conducted as described in section 3.2 of  
19 the ASC. (pp. F-6 and F-7)

20  
21 21. Construction phase wastes shall be handled and disposed as described in Section 4.1  
22 of the ASC. (pp. F-7 and F-8).

23  
24 22. Hazardous waste shall be stored no more than 90 days and transported to a licensed  
25 treatment storage disposal facility. (p. F-9)

26  
27 23. Waste oil shall be collected in a single underground storage tank and trucked offsite  
28 to an approved recycling and disposal facility. The underground tank shall be of fiberglass  
29 double wall construction to provide corrosion protection and secondary containment.  
30 Leakage monitoring shall also be provided. (p. F-10)

31  
32 24. PGE shall set back heavy plant facilities a minimum of 60 feet from the edge of the  
33 irrigation pond to the east of the facility site. (p G-6)

34  
35 25. PGE shall plant fill slopes with vegetation to prevent surface erosion. (p. G-7)

36  
37 26. PGE shall implement mitigation measures as described in section 4.0 of the ASC.  
38 (p. G-8)

39  
40 27. PGE shall implement mitigation measures to vegetation impacts described in section  
41 6.0 of the ASC. (p. N-4)

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

44  
45 29. PGE shall implement mitigation measures described in section 5.0. (p. R-10)

1  
2 30. PGE shall implement mitigation measures described in Exhibit W, unless those are  
3 superseded by more detailed measures described in the Council's final order of September  
4 16, 1994 or in the site certificate.  
5  
6

7 XII. CONDITIONS ISSUED PURSUANT TO USING ALTERNATE FUEL IN A NATURAL  
8 GAS-FIRED FACILITY  
9

10 1. The CSCP shall not exceed permitted emission levels, total emissions or the  
11 allowable amount of distillate fuel use stated in its Air Contaminant Discharge Permit  
12 (amended for distillate fuel burning). The CSCP's use of distillate fuel in its phase one  
13 combustion turbine in any year shall not exceed an amount of 10 percent of the expected  
14 total fuel use, on a Btu higher heating value basis.  
15

16 2. PGE shall not use #2 low sulfur distillate fuel oil in its phase one turbine at CSCP  
17 prior to receiving an amended Air Contaminant Discharge Permit from the Department of  
18 Environmental Quality authorizing it to burn distillate fuel.  
19

20 3. PGE shall prepare a Spill Prevention Control and Countermeasures Plan meeting  
21 federal standards and fully implement it within one year of storing distillate fuel at CSCP.  
22

23 4. PGE shall prepare a response plan meeting the requirements of a Federal Response  
24 Plan for CSCP suitable for submission to the U.S. Environmental Protection Agency  
25 Regional Administrator prior to beginning filling the second distillate oil storage tank.  
26  
27

28 IN WITNESS WHEREOF, this Site Certificate has been executed by the State of Oregon,  
29 acting by and through its Energy Facility Siting Council, and Portland General Electric.  
30  
31

32  
33 

34 \_\_\_\_\_  
35 Chair, Energy Facility Siting Council

36 Date: October 22, 1998

37  
38  
39 

40 \_\_\_\_\_  
41 On behalf of the applicant  
42 Portland General Electric Company  
43

44 Date: November 5, 1998  
45