SIXTH AMENDED
SITE CERTIFICATE
FOR THE
PORT WESTWARD GENERATING PROJECT

Issued By
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A. INTRODUCTION

This site certificate for the Port Westward Generating Project ("PWGP or Project") is issued and executed in the manner provided by ORS Chapter 469, by and between the State of Oregon ("State"), acting by and through its Energy Facility Siting Council ("Council"), and the Portland General Electric Company ("PGE" or "Certificate Holder").

The findings of fact, reasoning and conclusions of law underlying the terms and conditions of this site certificate are set forth in the following documents, which by this reference are incorporated herein: (a) the Council's Final Order in the Matter of the Application for a Site Certificate for the Port Westward Generating Project, which the Council granted on November 8, 2002; (b) the Council's Final Order in the Matter of the Site Certificate for the Port Westward Generating Project Request for Amendment No. One, which the Council granted on December 5, 2003; (c) the Council's Final Order in the Matter of the Site Certificate for the Port Westward Generating Project Request for Amendment No. Two, which the Council granted on September 24, 2004; (d) the Council's Final Order in the Matter of the Site Certificate for the Port Westward Generating Project Request for Amendment No. Three, which the Council granted on January 28, 2005; and (e) the Council's Final Order in the Matter of the Fourth Request to Amend the Site Certificate for the Port Westward Generating Project, which the Council granted on May 19, 2006; (f) the Council's Final Order in the Matter of the Fifth Request to Amend the Site Certificate for the Port Westward Generating Project, which the Council granted on September 29, 2006, and (g) the Council's Final Order in the Matter of the Sixth Request to Amend the Site Certificate for the Port Westward Generating Project, which the Council granted on March 27, 2009. [Amendments No. 1, 2, 3, 4, 5 & 6]. Collectively, we refer to the Final Orders listed in (a) through (e) as "the Orders".

In interpreting this site certificate, any ambiguity shall be clarified by reference to, and in the following priority: this Site Certificate, the record of the proceedings which led to the Orders, and the Application for a Site Certificate for the Port Westward Generating Project. As used in this Site Certificate, the "application for site certificate" or the "ASC" includes: (a) the Application for a Site Certificate for the Port Westward Generating Project, which the Department of Energy ("Department") filed on April 11, 2002; (b) the Certificate Holder's Request for First Amendment to the Site Certificate for the Port Westward Generating Project, which the Council received on October 25, 2003; (c) the Certificate Holder's Request for Second Amendment to the Site Certificate for the Port Westward Generating Project, which the Council received on May 7, 2004; (d) the Certificate Holder's Request for Third Amendment to the Site Certificate for the Port Westward Generating Project, which the Council received on November 3, 2004, (e) the Certificate Holder's Request for Fourth Amendment to the Site Certificate for the Port Westward Generating Project.
Westward Generating Project, which the Council received on January 18, 2006, (f) the Certificate Holder’s Request for Fifth Amendment to the Site Certificate for the Port Westward Generating Project, which the Council received on July 18, 2006, and (g) the Certificate Holder’s Request for Sixth Amendment to the Site Certificate for the Port Westward Generating Project, which the Council received on November 7, 2008. [Amendments No. 1, 2, 3, 4, 5 & 6].

The terms used in this Site Certificate shall have the same meaning set forth in ORS 69.300 and Oregon Administrative Rules (OAR) 345-001-0010, except where otherwise stated or where the context clearly indicates otherwise.

B. SITE CERTIFICATION

1. To the extent authorized by State law and subject to the conditions set forth herein, the State approves and authorizes the Certificate Holder to construct, operate and retire a natural gas-fired, combined cycle combustion turbine energy facility, together with certain related or supporting facilities, at the site as described in Section C of this Site Certificate, near Clatskanie, Oregon. ORS 469.401(1).

2. This site certificate shall be effective (1) until it is terminated pursuant to OAR 345-027-0110 or the rules in effect on the date that termination is sought, or (2) until the Site Certificate is revoked pursuant to ORS 469.440 and OAR 345-029-0100 or the statutes and rules in effect on the date that revocation is ordered. ORS 469.401(1).

3. This Site Certificate does not address, and is not binding with respect to, matters that were not addressed in the Council's Final Order. These matters include, but are not limited to: building code compliance, wage, hour and other labor regulations, local government fees and charges, and other design or operational issues that do not relate to siting the Project; and permits issued under statutes and rules for which the decision on compliance has been delegated by the Federal government to a state agency other than the Council. ORS 469.401(4) and 469.503(3).

4. Both the State and the Certificate Holder shall abide by local ordinances and state law and the rules of the Council in effect on the date this Site Certificate is executed. In addition, upon a clear showing of a significant threat to the public health, safety or the environment that requires application of later-adopted laws or rules, the Council may require compliance with such later-adopted laws or rules. ORS 469.401(2).

5. For a permit, license or other approval addressed in and governed by this Site Certificate, the Certificate Holder shall comply with applicable state and federal laws adopted in the future to the extent that such compliance is required under the respective state agency statutes and rules. ORS 469.401(2).
6. Subject to the conditions herein, this Site 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 Project as to matters that are addressed in and governed by this Site Certificate. ORS 469.401(3).

7. Each affected state agency, county, city and political subdivision in Oregon with authority to issue a permit, license or other approval addressed in or governed by this Site Certificate shall, upon submission of the proper application and payment of the proper fees, but without hearings or other proceedings, issue such permit, license or other approval subject only to conditions set forth in this Site Certificate. ORS 469.401(3).

8. After issuance of this Site Certificate, each state agency or local government agency that issues a permit, license or other approval for the Project shall continue to exercise enforcement authority over such permit, license or other approval. ORS 469.401(3).

9. After issuance of this Site Certificate, the Council shall have continuing authority over the site and may inspect, or direct the Department to inspect, or request another state agency or local government to inspect, the site at any time in order to assure that the Project is being operated consistently with the terms and conditions of this Site Certificate. ORS 469.430.

10. The Certificate Holder may develop the energy facility in two phases. Phase 1 would consist of the southernmost generating unit ("Unit 1"), including one combustion turbine generator, heat recovery steam generator, steam generator, one step-up transformer bank, auxiliary transformer, and cooling tower. Phase 1 would also include all of the energy facility components common to the two units and the related or supporting facilities. Phase 2 would consist of the northernmost generating unit ("Unit 2") and its associated facilities. All conditions of this Site Certificate apply equally to Phase 1 and Phase 2, unless a condition specifies different obligations for Phase 1 or Phase 2. [Amendments No. 1 & 3]

C. SITE DESCRIPTIONS

C.1. FACILITY

C.1.a. Major Structures and Equipment

Major Structures and Equipment. The net electric power output of the energy facility will be about 560 MW. It will use power augmentation, i.e., duct burning, that will allow it to achieve a net electric power output of about 650 MW for a limited number of hours annually on average.

The energy facility will consist of two combustion turbine generators (General Electric Frame 7FB’s or comparable combustion turbines), two heat recovery steam generators...
("HRSG"), and two steam generators. It will burn natural gas in the combustion turbines and duct burners. Expanding gases from combustion will turn rotors within the turbines that are connected to electric generators. The hot gases exhausted from the combustion turbines and duct burners will be used to raise steam in the HRSGs. Steam from the HRSGs will be expanded through the steam turbines. Each steam turbine will drive its own electric generator. [Amendment No. 1]

The combustion turbines will be housed in a turbine building that provides thermal insulation, acoustical attenuation and fire extinguishing media containment. The turbine building, occupying a footprint measuring about 230 feet by 560 feet and standing about 90 feet high, will also house the steam turbine generators, condensers, balance of plant equipment, control room, and administrative offices. The enclosure will allow access for routine inspection and maintenance.

Each of the two HRSGs will occupy a footprint measuring about 50 feet by 150 feet and will stand about 110 feet high. A stack will be provided for each combustion turbine’s HRSG. The two stacks will be about 15 to 25 feet in diameter and 200 feet high.

Six transformers will step-up the combustion turbine and steam turbine generator voltages to the substation voltage of 230 kilovolts ("kV"). Two auxiliary transformers will supply power for plant auxiliary loads. [Amendment No. 1]

Most of the structures comprising the energy facility, including the combustion and steam turbines and generators, the main step-up transformers, the HRSG, and the control rooms, will be contained within an area measuring about 400 feet by 560 feet.

Two mechanical-draft cooling towers will be used to remove the waste heat from each main condenser and the plant auxiliary heat exchangers. The cooling towers and circulating water pumps will cover an area of about 75 feet by 650 feet and will stand about 50 feet high.

A switchyard or dead-end transmission structure will interconnect the plant’s output to the 230-kV transmission network. The switchyard footprint will measure about 300 feet by 500 feet. [Amendment No. 1]

An auxiliary boiler will supply steam for plant start-ups and short duration shut-downs. The auxiliary boiler will be fueled with natural gas. [Amendment No. 3]

Additional facilities will include: a plant services/warehouse building; two boiler feed pump buildings; a fire water pump building; a water treatment building; a clarifier; a settling basin; a condensate tank, a fire water/service water storage tank and a demineralized water storage tank (each with 440,000-gallon capacity); a natural gas metering station; a natural gas compressor station with electric compressors of 1,000 to 7,000 horsepower total, enclosed in a building with acoustical insulation; and, an aqueous ammonia storage tank (with 100,000-gallon capacity and equipped with containment). [Amendment No. 1]
Natural gas will not be stored at the energy facility site. Diesel fuel for the fire pumps will be stored in an aboveground tank. Water treatment chemicals will be stored in permanent aboveground storage tanks or portable plastic tanks (totes). To prevent storm water runoff from chemical storage, all fuel and chemical storage will be inside buildings or under cover in paved areas with a curb. All individual spill containment areas will be designed to hold at least 110 percent of the volume of liquids stored within them.

A complete fire protection system will be installed within the buildings and yard areas at the energy facility site. The system will be designed to meet the requirements of the Uniform Fire Code, as amended by Oregon and the National Fire Protection Association, and all other applicable fire protection standards. The fire protection system will include a fire water system, a dry chemical extinguishing system, a carbon dioxide (“CO2”) extinguishing system, and portable fire extinguishers. The road system within the energy facility site will be designed for access by large trucks needed for equipment and material deliveries. The minimum turning inside radius for roads will be 40 feet.

The fire water system will include a fire water supply loop, fire hydrants, sprinkler systems, and hoses placed at appropriate locations. Reserved capacity in the 180,000-gallon fire water/service water storage tank will serve as the firewater source.

The combustion turbine enclosures will be protected by foam or CO2 systems. If the systems were to activate, an alarm will sound and/or a visual indicator will light up on the gas turbine control panel.

Portable fire extinguishers will be placed at key locations within the energy facility site. The type and number of portable fire extinguishers will conform to applicable code requirements.

The Certificate Holder may develop the whole facility at the same time or it may develop only one of the generating units and the related or supporting facilities (“Phase 1”) or the two units of the energy facility in two distinct phases (“Phase 1” and “Phase 2”). As referred to in this Site Certificate, the Certificate Holder would develop Phase 1 first if it develops the energy facility in phases. Phase 1 would consist of the southernmost generating unit (“Unit 1”), including a combustion turbine generator, heat recovery steam generator, steam generator, one step-up transformer bank, auxiliary transformer, and cooling tower. Phase 1 would also include all of the energy facility components common to the two units and the related or supporting facilities. [Amendments No. 1 & 3]

**Output.** The energy facility will have a net electric power output of about 560 MW at an average annual site condition of 51 degrees Fahrenheit, 14.691 pounds per square inch barometric pressure, and 78 percent relative humidity. The new and clean heat rate will be about 6,790 Btu (higher heating value). [Amendments No. 1 & 3]

With power augmentation technologies (duct burning), the energy facility will have a net electric power output of about 650 MW and a new and clean heat rate of about 7,100 Btu.
(higher heating value). The Certificate Holder proposes to operate the energy facility with power augmentation technologies for 3,000 hours annually on average. [Amendments No. 1 & 3]

Fuel Use. The energy facility will use natural gas as the only fuel to power the turbines and the power augmentation technologies. It will use 4,600 MM Btu per hour of natural gas at full load with the duct burners in operation at the average annual site condition. [Amendments No. 1 & 3]

Water Use. The energy facility will obtain water to generate steam and to cool the steam process from an existing PGE intake structure on the Bradbury Slough of the Columbia River. The Certificate Holder will use water from PGE’s existing industrial water right, from partial transfer of a water right associated with PGE’s Trojan Nuclear Plant (subject to approval of a transfer by the Oregon Water Resources Department) and, if necessary, will enter into a contract with the Port of St. Helens, which has an existing water permit, to obtain water sufficient for operation of the energy facility. [Amendments No. 1 & 3]

Average water demand at the energy facility will be about 2,800 gallons per minute (“gpm”), or 4.0 million gallons per day (“gpd”). Peak water demand will be about 3,700 gpm, 5.4 million gpd, or 8.3 cubic feet per second (“cfs”). [Amendments No. 1 & 3]

The energy facility will require no new state-administered water right, water rights transfer, or surface water right permit for water supply. The Port of St. Helens has an existing municipal water use permit for 30 cfs and PGE has and existing industrial water right for 11.3 cfs. PGE expects to apply for a partial transfer of a water right associated with PGE’s Trojan Nuclear Plant, Certificate No. 73396, but an adequate water supply is available for operation of the energy facility without that such a transfer. [Amendments No. 1 & 3]

The water rights have a permitted point of diversion, where existing withdrawals occur and the energy facility withdrawals will occur. PGE owns and operates the existing point of diversion. To serve the energy facility, PGE will place additional pumps within the existing intake facility. PGE will employ fish screens compliant with National Marine Fisheries Service (“NMFS”) screening criteria and Oregon Department of Fish and Wildlife (“ODFW”) criteria. [Amendment No. 1]

Wastewater. Process blowdown is washdown water, filter backwash or other non-sanitary liquid waste produced within the energy facility. The average volume of process blowdown for both units combined will be about 190 gpm. Cooling system blowdown is water withdrawn from the cooling system to control the buildup of dissolved salts. The average volume of cooling system blowdown for both units combined will be about 460 gpm, but it could vary depending on the quality of the river water supply. The energy facility will discharge its process and cooling system blowdown to the Columbia River under a National Pollution Discharge Elimination System (“NPDES”) permit that the Port of St. Helens has requested from DEQ. [Amendment No. 1]
The Certificate Holder will discharge sanitary sewage to an engineered septic tank and drain field at a rate of about 500 gallons per day, as permitted by a Water Pollution Control Facilities permit. The Certificate Holder will route storm water from roofs and paved areas to pervious areas to percolate into the shallow groundwater.

C.1.b. Related or Supporting Facilities
The energy facility will include the following related or supporting facilities:

Natural Gas Pipelines. Natural gas will fuel the combustion turbine generators and duct burners. The energy facility will be served by the Kelso-Beaver Pipeline, an existing FERC-regulated interstate pipeline with a current capacity of 193,000 decatherms per day. PGE owns the pipeline jointly with two other parties. To create the additional capacity that will be required to serve the energy facility, PGE will add 1,000 to 7,000 compressor horsepower to the Port Westward site and/or up to 8,000 compressor horsepower to the Kelso-Beaver Pipeline. All work on the existing pipeline will be subject to FERC approval. The addition of compressor horsepower is intended to ensure 300 to 520 psig gas pressure at the Port Westward Industrial Area with total capacity of 310 million standard cubic feet/day. [Amendment No. 1]

The interconnecting pipeline, about 18 inches in diameter, between the existing Kelso-Beaver Pipeline and the energy facility will be about 1,000 feet long and will be installed below grade with appropriate cathodic protection.

In addition, the facility will include as a related or supporting facility a secondary natural gas pipeline that will connect the energy facility to an extension of the existing 20-inch NW Natural Beaver Lateral. The connecting pipeline will be approximately 2000 feet long and about 12 inches in diameter. The new pipeline will be installed below grade with appropriate cathodic protection. The new pipeline will be owned and operated by NW Natural. [Amendment No. 5]

Water Supply Pipeline. Water supply for the energy facility will be drawn from Bradbury Slough at about River Mile 53.8 of the Columbia River from an existing PGE intake facility for the PGE Beaver Generating Plant. The pump capacity of the existing intake facility will be expanded. No major structural improvements or modifications to the intake facility will be required. However, PGE will upgrade the fish screens to comply with NMFS and ODFW criteria regardless of whether it builds the Port Westward Generating Project. The Certificate Holder will install a water supply pipeline about 20 inches in diameter and 6,000 feet long to convey water from the intake facility to the energy facility. The water supply pipeline will traverse upland areas and will avoid wetlands. [Amendment No. 1]

Chlorination and Electrical Control Buildings. Two small structures will be constructed on upland south of the intake facility. One structure, with a footprint of about 600 square feet, will be for chlorination. The other structure, with a footprint of about 150 feet, will be for electrical control. Underground lines in a 25-foot wide corridor will connect these structures to the intake structure. [Amendment No. 3]
Wastewater Pipeline. Process and cooling wastewater discharged from the energy facility will be collected in a settling basin and returned to the Columbia River about one-half mile northwest of the energy facility, pursuant to the Port of St. Helens’ NPDES permit. [Amendment No. 1]

Utility Lines Between the Energy Facility Site and the PGE Beaver Generating Plant. The Certificate Holder will construct water, backup electricity and communications lines between the existing PGE Beaver Generating Plant and the energy facility. The Certificate Holder will install the lines below ground within existing roadways. Potable water may be conveyed to the energy facility in a pipeline from the potable water storage tank located in the vicinity of the PGE water intake facility that currently serves the PGE Beaver Generating Plant. The potable water pipeline will be about two inches in diameter. The Certificate Holder will install the potable water line underground. The potable water line will join the energy facility’s water supply pipeline corridor at their intersection as shown on revised Figure B-2. [Amendment No. 1]

The Certificate Holder may also construct a demineralized water pipeline about six inches in diameter from the PGE Beaver Generating Plant to the energy facility. If the Certificate Holder constructs the demineralized water pipeline, it will not construct a water treatment building as part of the energy facility. The Certificate Holder will install a backup 13.8 kV electrical distribution line and a communications line in a conduit from the PGE Beaver Generating Plant to the energy facility. The demineralized water line, communications line, and backup electricity lines will be about 1,200 feet long, and the portion of the potable water line between the potable water storage tank and the water supply pipeline corridor will be about 1,700 feet long [Amendments No. 1 & 3]

Temporary Construction Staging and Laydown Areas. Temporary construction staging and laydown areas totaling approximately 12.4 acres will be located around the energy facility site. Another laydown area of about 6 acres will be located on upland south of the existing PGE water intake structure. The areas will be used for storing equipment and materials and as staging areas for constructing the power plant. Construction laydown and staging areas are as depicted on Figure B-2 rev.1, submitted with the Fourth Request for Amendment on January 18, 2006. [Amendment No. 4]

Spoils Disposal Area. Excess soils from construction at the energy facility site will be spread across the spoils disposal site of about 11.6 acres, which will be located southeast of the PGE Beaver Generating Plant. [Amendment No. 3].

Electric Transmission Line. The energy facility will deliver electric power to the regional grid by means of a new transmission line consisting of one 230 kV circuit on monopole towers (up to 120 feet high) routed along existing power line easements. There are two transmission line alternatives routes under consideration, with two other short alternative segments in the vicinity of the BPA Allston Substation:
Alternative One. The first alternative will entail routing the transmission line from the energy facility to the Bonneville Power Administration ("BPA") Allston Substation near Alston, Oregon (a distance of about 10 miles).

Alternative Two. The second alternative will entail routing the transmission line from the energy facility to the PGE Trojan Substation near Goble, Oregon (a distance of about 20 miles).

PWGP and the Summit Project present a unique situation regarding the transmission lines for their facilities. The two proposed energy projects will be located close to each other and will use the same existing transmission corridor and the same towers from Port Westward to the vicinity of the BPA Allston Substation, Alternative One. The towers will be double-circuited, with PWGP on one side and the Summit Project on the other.

The Portland General Electric Transmission Group will build the transmission lines for either or both projects, depending on which energy facilities are eventually constructed. The transmission line for each project is a related or supporting facility for that project, and therefore, must be built to Council standards. However, because the Council is reviewing the applications for both projects simultaneously, because they will use the same towers, and because the same company will build and operate the transmission lines, the Council has consolidated the reviews within the PWGP proceeding and is placing conditions for the transmission lines in the site certificate for the Port Westward Generating Project.

Some conditions account for the possibility that the Certificate Holder may construct the Port Westward to BPA Allston Substation Transmission Line separately from constructing the energy facility. Additionally, if the Certificate Holder for PWGP does not construct the energy facility within the time specified in its Site Certificate or if it terminates its Site Certificate, the Council intends that the Certificate Holder of the Summit Project must amend its Site Certificate to include the 230 kV transmission line from the Summit Project to the BPA Allston Substation.

C.2. LOCATION OF THE FACILITY

C.2.a. The Energy Facility Site

The energy facility will be located about seven miles by road northeast of the city of Clatskanie in Columbia County, Oregon. The energy facility site will be located on an approximately 852-acre parcel leased to PGE by the Port of St. Helens in Section 15, Township 8 North, Range 4 West, Willamette Meridian. The energy facility site will be fenced and will comprise about 17.5 acres of the larger parcel. An alternative configuration of the energy facility site excludes a strip 180 feet wide (50 feet south and 130 feet north of an existing road across the site). Under this alternative, the Certificate Holder could choose to exclude this strip from the energy facility site for Phase 1. If the strip is excluded during Phase 1, the Certificate Holder shall declare in writing to the Department before beginning construction of Phase 2 whether the energy facility site for Phase 2 includes the 180-foot wide strip. [Amendments No. 1 & 2]
Bradbury Slough of the Columbia River lies to the northeast of the energy facility site. Access to the energy facility site will be by traveling about 1.5 miles north on Kallunki Road from its intersection with Alston-Mayger Road. The existing PGE Beaver Generating Plant is located about one-half mile southwest of the energy facility site.

C.2.b. Related or Supporting Facility Sites

Natural Gas Pipeline Corridors. The primary natural gas pipeline will be about 18 inches in diameter and will interconnect with the existing Kelso-Beaver Pipeline about 1,000 feet west of the energy facility site. The natural gas pipeline corridor will lie within the 852-acre parcel leased to PGE by the Port of St. Helens and situated within Section 15, Township 8 North, Range 4 West, Willamette Meridian.

The secondary natural gas pipeline will be about 12 inches in diameter, extending from the energy facility to an extension of the existing NW Natural Beaver Lateral, near the northeast corner of the Beaver Generating Plant. The related or supporting portion of the new natural gas pipeline corridor will be approximately 2000 feet long and will lie within the 852-acre parcel leased to PGE by the Port of St. Helens and situated within Sections 15 and 16, Township 8 North, Range 4 West, Willamette Meridian. [Amendment No. 5]

Water Supply Pipeline Corridor. The proposed water supply pipeline will supply raw water to the energy facility from the existing PGE Beaver Generating Plant water intake structure in Bradbury Slough of the Columbia River. The pipeline right-of-way will be approximately 50 feet wide and 6,000 feet long, will cover an area of about 7 acres, and will lie within the 852-acre parcel leased to PGE by the Port of St. Helens and situated within Section 15, Township 8 North, Range 4 West, Willamette Meridian.

Chlorination and Electrical Control Buildings. Two small structures will be constructed on upland south of the existing PGE Beaver Generating Plant water intake structure in Bradbury Slough. The two structures, with a combined footprint of about 750 square feet, will lie within the 852-acre parcel leased to PGE by the Port of St. Helens and situated within Section 15, Township 8 North, Range 4 West, Willamette Meridian. [Amendment No. 3]

Wastewater Pipeline Corridor. Water discharged from the energy facility will be returned to the Columbia River about one-half mile northwest of the energy facility. The wastewater pipeline corridor will be about 100 feet wide and 2,400 feet long, will cover an area of about 6 acres, and will lie primarily within the 852-acre parcel leased to PGE by the Port of St. Helens and situated within Section 15 and 16, Township 8 North, Range 4 West, Willamette Meridian. [Amendment No. 1]

Utility Line Corridor Between the Energy Facility Site and the PGE Beaver Generating Plant. The Certificate Holder will construct a potable water pipeline, backup electricity line, communications line and possibly a demineralized water pipeline from the PGE Beaver Generating Plant or the potable water tank to the energy facility site. It would install the lines a minimum depth of three feet below grade in existing roadways
entirely with the 825-acre parcel that the Port of St. Helens has leased to PGE. The parcel is located within Section 15 and 22, Township 8 North, Range 4 West, Willamette Meridian. [Amendment No. 1]

Temporary Construction Staging and Laydown Areas. Temporary construction staging and laydown areas totaling approximately 12.4 acres will be located around the energy facility site, within the 852-acre parcel leased to PGE by the Port of St. Helens and situated within Sections 15 and 16, Township 8 North, Range 4 West, Willamette Meridian. Another laydown area of about 6 acres will be located on upland south of the existing PGE water intake structure within Section 15, Township 8 North, Range 4 West, Willamette Meridian. The areas will be used for storing equipment and materials and as staging areas for constructing the power plant. Construction laydown and staging areas are as depicted on Figure B-2 rev.1 as submitted with the Request for Fourth Amendment on January 18, 2006 [Amendment No. 4]

Spoils Disposal Area. Excess soils from construction at the energy facility site will be spread across the spoils disposal site of about 11.6 acres, which will be located southeast of the PGE Beaver Generating Plant, within the 852-acre parcel leased to PGE by the Port of St. Helens and situated within Sections 15 and 22, Township 8 North, Range 4 West, Willamette Meridian. [Amendment No. 3]

Transmission Line Corridor. The transmission line will follow one of two alternative routes:

Alternative One. Under this alternative, the energy facility will deliver electric power to the BPA Allston Substation near Alston, Oregon, by means of a new 230-kV circuit on monopole steel structures, except where it will have to cross the existing BPA lines. A separate 230 kV circuit will carry the output of the Summit Project on the same structures, as noted above. The new transmission line will be routed on an existing PGE right-of-way that is 250 feet wide, except at the BPA Allston Substation where a new right-of-way may be required. The structures will be placed on or near the centerline of the unused north half of the right-of-way. The transmission line corridor will be about 125 feet wide and 10 miles long, will occupy an area of about 300 acres, and will pass through Sections 15, 22, 23, 26, 35 and 36, Township 8 North, Range 4 West, and Sections 31, 5, 6, 4, 3 and 10, Township 7 North, Range 3 West, Willamette Meridian.

Alternative Two. Under this alternative, the energy facility will deliver electric power to Trojan near Goble, Oregon, by means of a new 230-kV circuit on monopole steel structures. Between PWGP and the BPA Allston Substation, the new transmission line will be routed on an existing PGE right-of-way 250 feet wide as described in Alternative One. The structures will be placed on or near the centerline of the unused north half of the right-of-way. Between the BPA Allston Substation and Trojan, the new transmission line will run parallel to an existing BPA transmission line. This section of the transmission line corridor will be about 125 feet wide and ten miles long, will occupy an area of about 300 acres, and will
pass through Sections 10, 11, 15, 14, 23 and 24, Township 7 North, Range 3
West, and Sections 19, 30, 29, 28, 33 and 34, Township 7 North, Range 2 West,
and Sections 3 and 2, Township 6 North, Range 2 West, Willamette Meridian.

Alternates 3 and 4. These short alternate segments are in the vicinity of the BPA
Allston Substation. They provide flexibility for interconnecting with the
substation.

Unanalyzed Options. As shown on Figure C-2 of the ASC, and in particular the
enlarged detail of the BPA Allston Substation, there is a segment of Alignment 1
identified as “2nd (future) circuit.” This Site Certificate does not address that
proposed segment of Alignment 1.

D. COUNCIL SITING STANDARDS

D.1. [PLACEHOLDER]
[No Conditions]

D.2. ORGANIZATIONAL EXPERTISE

(1) The Certificate Holder shall report to the Department of Energy (“Department”)
in a timely manner any change in the ownership of Portland General Electric
Company (“PGE”).

(2) Before beginning construction of the energy facility, the Port Westward to
Bonneville Power Administration (“BPA”) Allston Substation Transmission Line,
or other related or supporting facilities, the Certificate Holder shall identify to the
Energy Facility Siting Council (“Council”) whom it has chosen to act in the role
of the engineering, procurement and construction (“EPC”) contractor(s) for
specific portions of the work.

(3) If the Certificate Holder chooses a third-party contractor to operate the facility,
the Certificate Holder shall submit to the Council the identity of the contractor so
the Council may review the qualifications and capability of the contractor to meet
the standards of OAR 345-0022-0010. If the Council finds that a new contractor
meets these standards, the Council shall not require an amendment to the Site
Certificate for the Certificate Holder to hire the contractor.

(4) Any matter of non-compliance under this Site Certificate shall be the
responsibility of the Certificate Holder. Any notice of violation issued under the
Site Certificate will be issued to the Certificate Holder. Any civil penalties levied
shall be levied on the Certificate Holder.

(5) The Certificate Holder shall contractually require the EPC contractor(s) and all
independent contractors and subcontractors involved in the construction and
operation of the facility to comply with all applicable laws and regulations and
with the terms and conditions of the Site Certificate. Such contractual provision shall not operate to relieve the Certificate Holder of responsibility under the Site Certificate.

(6) The Certificate Holder shall obtain necessary state and local permits or approvals required for the construction, operation and retirement of the facility or ensure that its contractors obtain the necessary state and local permits or approvals.

(7) Before beginning construction of the energy facility, the Certificate Holder shall deliver to the Department a copy of the agreement between the Certificate Holder and the Port of St. Helens that provides that the Certificate Holder may use up to 8.3 cubic feet per second of the water right held by the Port of St. Helens under Permit to Appropriate the Public Waters, issued by the State of Oregon, Water Resources Department, Permit No. 53677. [Amendment No. 1]

(8) Before beginning construction of the energy facility, the Certificate Holder shall deliver to the Department evidence that the Oregon Department of Environmental Quality has issued to the Port of St. Helens a National Pollutant Discharge Elimination System (“NPDES”) permit that provides for the discharge of non-sanitary wastewater from the Port Westward Industrial Site, including all non-sanitary wastewater produced by the energy facility.

(9) Before beginning construction of the energy facility, the Certificate Holder shall deliver to the Department a copy of the agreement between the Certificate Holder and the Port of St. Helens that provides for discharge of non-sanitary wastewater from the energy facility by means of the NPDES permit issued to the Port of St. Helens.

D.3. RETIREMENT AND FINANCIAL ASSURANCE

(1) The Certificate Holder shall retire the facility if the Certificate Holder permanently ceases construction or operation of the facility. The Certificate Holder shall retire the facility according to a final retirement plan approved by the Council, as described in OAR 345-027-0110, and prepared pursuant to Condition D.3(2).

(2) Two years before closure of the energy facility, the Certificate Holder shall submit to the Department a proposed final retirement plan for the facility and site, pursuant to OAR 345-027-0110, including:

(a) A plan for retirement that provides for completion of retirement within two years of permanent cessation of operation of the energy facility and that protects the public health and safety and the environment;

(b) A description of actions the Certificate Holder proposes to take to restore the site to a useful, non-hazardous condition; and,
(c) A detailed cost estimate, a comparison of that estimate with the dollar amount secured by a bond or letter of credit and any amount contained in a retirement fund, and a plan for assuring the availability of adequate funds for completion of retirement.

(3) The Certificate Holder shall prevent the development of any conditions on the site that would preclude restoration of the site to a useful, non-hazardous condition to the extent that prevention of such site conditions is within the control of the Certificate Holder.

(4) A retirement plan that the Certificate Holder submits may provide transmission lines constructed and operated under this Site Certificate remain in operation to serve other energy facilities. [Amendment No. 3]

(5) Before beginning construction of the energy facility, the Certificate Holder shall submit to the State of Oregon, through the Council, a bond or letter of credit in the amount of $4,938,800 (in 2004 dollars as of the fourth quarter) naming the State of Oregon, acting by and through the Council, as beneficiary or payee. [Amendment No. 3]

(a) If the Certificate Holder develops the energy facility in phases, then before beginning construction of Phase 1, the Certificate Holder shall submit a bond or letter of credit in the amount of $3,698,000 (in 2004 dollars as of the fourth quarter). Before beginning construction of Phase 2, the Certificate Holder shall increase the amount of such bond or letter of credit to $4,938,800 (in 2004 dollars as of the fourth quarter). [Amendments No. 1 & 3]

(b) [Deleted]. [Amendment No. 3]

(c) [Deleted]. [Amendments No. 1 & 3]

(d) The form of the bond or letter of credit and identity of the issuer shall be subject to approval by the Council.

(e) The Certificate Holder shall maintain a bond or letter of credit in effect at all times until the energy facility or the Port Westward to BPA Allston Substation Transmission Line has been retired, as appropriate.

(f) The calculation of 2004 dollars (or 2002 dollars or 2009 dollars in the case of the rate applicable to carbon dioxide emissions monetary path payment requirements) shall be made using the U.S. Gross Domestic Product Implicit Price Deflator, Chain-Weight, as published in the Oregon Department of Administrative Services’ "Oregon Economic and Revenue Forecast," or by any successor agency (the "Index"). If at any time the
Index is no longer published, the Council shall select a comparable

(g) The amount of the bond or letter of credit account shall increase annually
by the percentage increase in the Index.

(h) The Certificate Holder shall not revoke or reduce the bond or letter of
credit before retirement of the facility without approval by the Council.

(6) The Certificate Holder shall describe in the annual report submitted to the
Council, pursuant to OAR 345-026-0080, the status of the retirement fund
or other instrument to ensure it has adequate funds to restore the site.

(7) Before beginning construction of the energy facility, the Certificate Holder shall
prepare and submit to the Department a materials management and monitoring
plan that addresses the handling of hazardous substances, the measures it will
implement to prevent site contamination, and how it will document
implementation of the plan during construction. The materials management and
monitoring plan shall be subject to approval by the Department. For the purpose
of this condition and Conditions D.3(8), D.3(10), D.3(11), and D.3(12) below, the
terms “release” and “hazardous substances” shall have the meanings set forth at
ORS 465.200.

(8) Before beginning operation of the energy facility, the Certificate Holder shall
prepare and submit to the Department a materials management and monitoring
plan that addresses the handling of hazardous substances, the measures it will
implement to prevent site contamination, and how it will document
implementation of the plan during operation. The materials management and
monitoring plan shall be subject to approval by the Department.

(9) Not later than 10 years after the date of commercial operation of Phase 1 of the
energy facility, and each 10 years thereafter during the life of the energy facility,
the Certificate Holder shall complete an independent Phase I Environmental Site
Assessment of the energy facility site. Within 30 days after its completion, the
Certificate Holder shall deliver the Phase I Environmental Site Assessment report
to the Department. [Amendment No. 1]

(10) In the event that any Phase I Environmental Site Assessment identifies improper
handling or storage of hazardous substances or improper record keeping
procedures, the Certificate Holder shall correct such deficiencies within six
months after completion of the corresponding Phase I Environmental Site
Assessment. It shall promptly report its corrective actions to the Department. The
Council shall determine whether the corrective actions are sufficient.

(11) The Certificate Holder shall report any release of hazardous substances, pursuant
to DEQ regulations, to the Department within one working day after the discovery
of such release. This obligation shall be in addition to any other reporting
requirements applicable to such a release.

(12) If the Certificate Holder has not remedied a release consistent with applicable
Oregon Department of Environmental Quality standards or if the Certificate
Holder fails to correct deficiencies identified in the course of a Phase I
Environmental Site Assessment within six months after the date of the release or
the date of completion of the Phase I Environmental Site Assessment, the
Certificate Holder shall submit within such six-month period to the Council for its
approval an independently prepared estimate of the additional cost of remediation
or correction.

(a) Upon approval of an estimate by the Council, the Certificate Holder shall
increase the amount of its bond or letter of credit by the amount of the
estimate.

(b) In no event, however, shall the Certificate Holder be relieved of its
obligation to exercise all due diligence in remediating a release of
hazardous substances or correcting deficiencies identified in the course of
a Phase I Environmental Site Assessment.

(13) All funds received by the Certificate Holder from the salvage of equipment and
buildings shall be committed to the restoration of the energy facility site to the
extent necessary to fund the approved site restoration and remediation.

(14) The Certificate Holder shall pay the actual cost to restore the site to a useful, non-
hazardous condition at the time of retirement, notwithstanding the Council’s
approval in the Site Certificate of an estimated amount required to restore the site.

(15) If the Council finds that the Certificate Holder has permanently ceased
construction or operation of the facility without retiring the facility according to a
final retirement plan approved by the Council, as described in OAR 345-027-0110
and prepared pursuant to Condition D.3(2), the Council shall notify the Certificate
Holder and request that the Certificate Holder submit a proposed final retirement
plan to the Department within a reasonable time not to exceed 90 days.

(a) If the Certificate Holder does not submit a proposed final retirement plan
by the specified date or if the Council rejects the retirement plan that the
Certificate Holder submits, the Council may direct the Department to
prepare a proposed a final retirement plan for the Council’s approval.

(b) Upon the Council’s approval of the final retirement plan prepared pursuant
to subsection (a), the Council may draw on the bond or letter of credit
described in Condition D.3(5) and shall use the funds to restore the site to
a useful, non-hazardous condition according to the final retirement plan, in
addition to any penalties the Council may impose under OAR Chapter 345, Division 29.

(c) If the amount of the bond or letter of credit is insufficient to pay the actual cost of retirement, the Certificate Holder shall pay any additional cost necessary to restore the site to a useful, non-hazardous condition.

(d) After completion of site restoration, the Council shall issue an order to terminate the Site Certificate if the Council finds that the facility has been retired according to the approved final retirement plan.

D.4. LAND USE

(1) Before beginning construction of the energy facility, the Certificate Holder shall submit a landscaping plan for the energy facility to Columbia County as part of its building permit application for the energy facility. The landscaping plan shall be subject to County approval, provided that the plan is consistent with this Site Certificate and the Final Order. The Certificate Holder shall implement the landscaping plan.

(2) Before beginning construction of the energy facility, the Certificate Holder shall submit a site plan to Columbia County as part of its building permit application.

(3) Before beginning construction of the energy facility, the Certificate Holder shall submit to Columbia County as part of its building permit application for the energy facility a final parking lot plan that complies with Section 1400 of the Columbia County Zoning Ordinance. The parking plan shall be consistent with this Site Certificate and Attachment D of the Final Order. The Certificate Holder shall implement the parking lot plan.

(4) Before beginning construction of the energy facility or the Port Westward to BPA Allston Substation Transmission Line, as appropriate, the Certificate Holder shall apply for and obtain all appropriate land use permits from Columbia County and the City of Rainier.

(5) Before beginning construction of the energy facility, the Certificate Holder shall enter into a written contract with Columbia County that recognizes the rights of land owners who are adjacent to and nearby the corridor for the transmission line from the BPA Allston Substation to the Trojan Nuclear Plant where it crosses PF-76 and FA-19 zones to conduct forest operations consistent with the Forest Practices Act and Rules for uses authorized in OAR 660-006-0025, subsections (4)(e), (m), (s), (t), and (w).

D.5. STRUCTURAL STANDARD
The Certificate Holder shall design, engineer and construct the facility to avoid dangers to human safety presented by seismic hazards affecting the site that are expected to result from all maximum probable seismic events. In no event shall the recommended seismic design parameters be any less than those prescribed by the Oregon Uniform Building Code. As used in this condition, “seismic hazard” includes ground shaking, landslide, liquefaction, lateral spreading, tsunami inundation, fault displacement, and subsidence.

If the Certificate Holder does not have subsurface information for design of the transmission lines that is acceptable to the Department and the Oregon Department of Geology and Mineral Industries (“DOGAMI”), then the Certificate Holder shall drill exploratory borings at critical locations during final design of the proposed transmission lines.

Before beginning construction of the facility, the Certificate Holder shall provide the Department and DOGAMI with a report containing results of geotechnical investigations and recommendations for the design of the energy facility, transmission lines and other related or supporting facilities.

(a) The Certificate Holder shall prepare the report consistent with the study designs detailed in the Section D.5 of the Final Order and Section H.3 the Application for a Site Certificate (“ASC”).

(b) If DOGAMI is not able to review the reports, the Department shall arrange, in consultation with DOGAMI, for an independent review of the report by a qualified registered geologist.

(c) If the Certificate Holder begins construction of the Port Westward to BPA Allston Substation Transmission Line before beginning construction of other parts of the facility, Condition D.5(3) shall apply only to the Port Westward to BPA Allston Substation Transmission Line as long as it is the only part of the facility under construction.

In addition to, or concurrent with Condition D.5(3), before beginning construction within the City of Rainier’s Watershed zone, the Certificate Holder shall submit to the City of Rainier, the Department and DOGAMI a geotechnical report prepared by a registered engineer establishing that it can safely accomplish any construction in a known slide hazard area, flood hazard area, or drainage way, or on slopes exceeding 20 percent in that zone.

If the geotechnical investigation reveals evidence that is not described in the ASC, the Certificate Holder shall revise the facility design parameters to comply with appropriate Uniform Building Code requirements.

The Certificate Holder shall notify the Department, the State Building Codes Division and DOGAMI promptly if site investigations or trenching reveals that
subsurface conditions differ significantly from those described in the ASC. After
the Department receives the notice, the Council may require the Certificate
Holder to consult with DOGAMI and the Building Codes Division and to propose
mitigation actions.

(7) The Certificate Holder shall notify the Department, the Building Codes Division
and DOGAMI promptly if shear zones, artesian aquifers, deformations, or elastic
dikes are found at or in the vicinity of the facility site.

(8) The Certificate Holder shall design, engineer and construct the facility to avoid
dangers to human safety presented by non-seismic or aseismic hazards affecting
the site. As used in this condition, “non-seismic or aseismic hazards” includes
settlement, landslides, groundwater, flooding, and erosion.

(9) The secondary gas supply pipeline constructed and operated by NWN shall be
designed to accommodate the potential for different settlement and seismic
induced differential deformation, particularly where the pipeline connects to the
existing supply line

D.6. SOIL PROTECTION

(1) Upon completion of construction in an area, the Certificate Holder shall use
native seed mixes to restore vegetation to the extent practicable and shall
landscape portions of the site disturbed by construction in a manner compatible
with the surroundings and proposed use. Conditions D.6(1) through D.6(6) shall
apply to all soil disturbing activities, including maintenance, repair,
reconstruction, and retirement of facilities. [Amendment No. 1]

(2) The Certificate Holder shall employ the following measures to control soil
erosion and sediment runoff by water and wind erosion:

(a) Avoid excavation and other soil disturbances beyond that necessary for
construction of the facility or confine equipment use to specific areas.

(b) Remove vegetation only as necessary.

(c) Apply water or mulch, as necessary, for wind erosion control during
construction.

(d) Revegetate those construction areas that will no longer be used.

(e) Use temporary erosion and sediment control measures, such as sediment
fences, straw wattles, bio-filter bags, mulch, permanent and temporary
seeding, sediment traps and/or basins, rock check dams or gravel filter
berms, and gravel construction entrances, and maintain these features
throughout construction and restoration to reduce the potential for soil erosion and sediment runoff.

(f) Protect soil stockpiles with mulch and plastic sheeting.

(3) If excessively wet conditions occur during construction, the Certificate Holder shall limit construction activities during such periods to the degree practicable in areas susceptible to soil compaction.

(4) After completing construction in an area, the Certificate Holder shall monitor the construction area for a period of 12 months to evaluate whether construction-related impacts to soils are being adequately addressed by the mitigation procedures described in the Sediment Erosion and Control Plan. It shall submit its quality assurance measures to the Department for approval before beginning monitoring.

(5) After completing construction in an area, the Certificate Holder shall use the results of the monitoring program in Condition D.6(4) to identify remaining soil impacts associated with construction that require mitigation. As necessary, the Certificate Holder shall implement follow-up restoration measures to address those remaining impacts and shall report in a timely manner to the Department what measures it has taken.

(6) The Certificate Holder shall remove trapped sediment when the capacity of the sediment trap has been reduced by 50 percent and shall place such sediment in an upland area certified by a qualified wetland specialist.

(7) The Certificate Holder shall contain all fuel and chemical storage in paved spill containment areas with a curb.

(8) The Certificate Holder shall design all inside spill containment areas to hold at least 110 percent of the volume of liquids stored within them.

(9) The Certificate Holder shall design all spill containment areas located outdoors to hold at least 110 percent of the volume of liquids stored within them, together with the volume of precipitation that might accumulate during the 100-year return frequency storm.

(10) During operation, the Certificate Holder shall minimize drift from the cooling towers through the use of high efficiency drift eliminators that allow no more than 0.002 percent drift.

D.7. PROTECTED AREAS

[No Conditions]
D.8. FISH AND WILDLIFE HABITAT

(1) The Certificate Holder shall, to the extent practicable, avoid and, where avoidance is not possible, minimize construction and operation disturbance to areas of native vegetation and areas that provide important wildlife habitat. With respect to construction of the facility, the Certificate Holder shall mitigate possible impacts to wildlife by measures including, but not limited to, the following:

(a) Posting speed limit signs throughout the energy facility construction zone.

(b) Instructing construction personnel, including construction contractors and their personnel, on sensitive wildlife of the area and on required precautions to avoid injuring or destroying wildlife.

(c) Instructing construction personnel, including construction contractors and their personnel, to watch out for wildlife while driving through the facility site, to maintain reasonable driving speeds so as not to harass or strike wildlife accidentally, and to be cautious and drive at slower speeds in a period from one hour before sunset to one hour after sunrise when some wildlife species are the most active.

(d) Requiring construction personnel, including construction contractors and their personnel, to report any injured or dead wildlife detected at the facility site.

(2) The Certificate Holder shall construct, operate and retire the facility to minimize impacts to vegetation and habitat.

(a) The energy facility shall be located within previously disturbed Habitat Category 6, non-native grassland Habitat Category 4, and palustrine emergent and forested/scrub-shrub wetlands Habitat Category 3.

(b) The Certificate Holder shall limit Habitat Category 3 impacts to 0.43 acres of permanent impact within palustrine emergent and forested/scrub-shrub wetlands.

(3) The Certificate Holder shall site transmission towers outside wetlands and waterways to the greatest extent practicable. If the Certificate Holder must site transmission towers in riparian zones or wetlands, the Certificate Holder shall use a monopole design for the transmission towers to minimize ground impacts and vegetation control, except where it would have to cross the existing BPA lines.

(4) The Certificate Holder shall prohibit construction and maintenance equipment from entering perennial and intermittent streams, except as follows:

(a) Construction equipment may cross a stream if it is dry;
(b) Construction equipment may cross streams that are not dry by using temporary structures to bridge the stream in a manner that minimizes disturbance to the bed, banks and water of the stream;

(c) Construction equipment may cross a wet stream if the Certificate Holder notifies the Division of State Lands, the Oregon Department of Fish and Wildlife (“ODFW”) and the Department of its intent to cross the stream prior to the crossing and these agencies concur that the crossing is acceptable.

(A) The Certificate Holder shall return any stream bed or bank that it disturbs during construction or maintenance to conditions that are comparable to pre-disturbed conditions, including stabilizing the bed and banks and revegetating the riparian area with appropriate plant species.

(B) The Certificate Holder shall construct wet stream crossings within the ODFW-designated in-water work period.

(C) The Certificate Holder shall keep the wet stream crossing width to the minimum needed.

(5) The Certificate Holder shall take advantage of existing roads to the extent practicable.

(6) Before beginning construction of the energy facility or beginning construction of the transmission lines, and in the appropriate season, the Certificate Holder shall conduct wildlife surveys within 0.25 miles of the site to locate great blue heron rookeries. Should it locate rookeries, the Certificate Holder shall consult with ODFW and the Department to determine the action necessary to avoid adverse impacts. If it cannot avoid impacts, the Certificate Holder shall suspend construction in the affected areas during the critical nesting period of the species, as determined by the Department in consultation with ODFW.

(7) Should operation of the energy facility diminish the quality of nesting habitat for bald eagles on Crims Island, the Certificate Holder shall mitigate that impact in order to provide no net loss of habitat, plus a net benefit of habitat quality.

(a) The Certificate Holder shall mitigate to compensate for any loss in habitat quality if, within three complete bald eagle breeding seasons after beginning commercial operation of the energy facility, studies indicate that there has been a negative impact to habitat quality at the bald eagle nest site.
(b) The Certificate Holder shall collect and provide accurate and timely information to the Department and ODFW on the status (e.g., active or inactive; successful or unsuccessful) of the bald eagle nest site throughout three complete bald eagle breeding seasons after beginning commercial operation of the energy facility.

(c) The Certificate Holder shall consult with the Department and ODFW to develop a standardized set of procedures for 1) monitoring the nest site, 2) ensuring that the data collected are sufficient for assessing any impact to habitat quality, and 3) ensuring that the data are reported in a timely manner.

(d) The Certificate Holder, in consultation with the Department and ODFW, shall use the monitoring data to assess whether an impact to habitat quality has occurred.

(e) If the Department, in consultation with ODFW, determines that a negative impact to habitat quality has occurred as a result of operating the energy facility during the monitoring period, the Certificate Holder shall consult with the Department and ODFW to develop an appropriate mitigation strategy to meet the mitigation goal for Habitat Category 2.

(f) The Certificate Holder shall fund and implement the mitigation strategy within two years of the Department’s determination that a negative impact to the habitat quality for the nesting bald eagles has occurred from operation of the energy facility. [Amendments No. 1 & 3]

(8) Before beginning construction of the facility, the Certificate Holder shall conduct pre-construction surveys within the analysis area and establish construction buffers around raptor nests during the nesting season, as approved by ODFW. If it is not practical for the Certificate Holder to avoid the nests of non-listed, threatened or endangered raptor species, the Certificate Holder shall implement in a timely manner a mitigation project approved by ODFW that meets the requirements of the Habitat Mitigation policy for “no net loss” appropriate to the Habitat Category. An exception to this is the artificial nesting platform located adjacent to the energy facility site that was installed by Clatskanie PUD to deter ospreys from nesting on a nearby PUD power pole. Protection buffers or other restrictions and mitigation do not apply to this artificial nesting site and are not required by ODFW. [Amendment No. 3]

(9) The Certificate Holder shall schedule construction at the existing raw water intake pump station to avoid the purple martin nesting season (April 1 through June 30). Before beginning construction at the existing raw water intake pump station, the Certificate Holder shall conduct a survey to determine the exact location of any purple martin nests. Should the Certificate Holder cause unavoidable impacts to occur to any purple martin nest, it shall construct, install and maintain an artificial
nest site at a nearby location. It shall pick an appropriate location in consultation with ODFW and the Department.

(10) When working around riparian areas or waterways, the Certificate Holder shall use only herbicide labeled for use in those areas. The Certificate Holder shall abide by all labeling instructions when using herbicides for vegetation maintenance associated with the energy facility and transmission lines rights-of-way.

(11) The Certificate Holder shall locate chemical storage, servicing of construction and maintenance equipment and vehicles, and overnight storage of wheeled vehicles at least 330 feet from any wetland or waterway.

(12) The Certificate Holder shall not construct any structure other than fences, signs and the water supply pipeline within 50 feet of any Class I river, stream or the emergent vegetation adjacent to such a river or stream or within 25 feet of any other rivers, streams, and sloughs or the emergent vegetation adjacent to such a river, stream, or slough or within the riparian corridors established under Columbia County Zoning Ordinance Section 1172, as appropriate for the local jurisdiction. [Amendment No. 2]

(13) To mitigate for impacts to 19 acres of non-native grassland, the Certificate Holder shall protect 19 acres of on-site emergent wetland habitat identified in the ASC by execution of a conservation easement for the life of the energy facility. Before beginning construction of Phase 1 of the energy facility, the Certificate Holder shall provide a copy of the conservation easement or similar conveyance to the Department. [Amendment No. 1]

(14) The Certificate Holder shall restore temporary upland and wetland disturbance areas by returning the areas to their original grade and seeding, with appropriate seed mixes as recommended by ODFW and as shown in Table P-7 (ASC, Exhibit P, page P-34), and by mulching the areas with straw. The Certificate Holder shall obtain ODFW and Department concurrence before changing the proposed seed mix.

(15) The Certificate Holder shall not clear any more riparian vegetation than is necessary for the permitted land use, including clearing required for safety purposes, during construction or operation of the facility.

(16) During construction of the transmission line(s) and maintenance of the rights-of-way, the Certificate Holder shall limit clearing of vegetation in riparian areas and wetlands to that needed to prevent contact with the transmission line and to meet clearance standards for safety and transmission line reliability, as provided in the appropriate sections of the National Electrical Code. [Amendment No. 2]
The Certificate Holder shall mitigate for impacts to riparian shrub and forest habitat that result in canopy cover of less than 25 percent by revegetating these areas with appropriate native woody species according to the Typical Revegetation Plan (ASC, Exhibit Q, page Q-6.1).

The Certificate Holder 1 shall, as soon as practicable and appropriate after completing construction in an area, implement the mitigation measures specified in Conditions D.8(13), D.8(14) and D.8(17).

The Certificate Holder shall monitor revegetated areas for a period of five years and shall ensure that new vegetation has an 80 percent survival rate.

The Certificate Holder shall monitor and control nuisance and invasive plant species annually for a period of five years in areas where vegetation removal and/or revegetation has occurred in (1) riparian areas and wetlands along the transmission line rights-of-way, and (2) in areas temporarily disturbed by construction of the raw water, gas, and process water discharge lines, in the temporary construction staging and laydown area northwest of the energy facility site, and in the spoils disposal site. [Amendment No. 3]

The Certificate Holder shall submit an annual monitoring report to ODFW and the Department during the five-year monitoring period specified in Condition D.8(20).

Within one year after completion of construction of the facility or the Port Westward to BPA Allston Substation Transmission Line, if constructed separately, the Certificate Holder shall provide a summary report to ODFW and the Department that identifies the revegetation actions it took and the results of revegetation monitoring conducted to that time. If the Certificate Holder constructs the energy facility in phases, the Certificate Holder shall provide the summary report to ODFW and the Department within one year after completion of each phase. [Amendment No. 1]

Within three months after completion of the final annual monitoring survey, the Certificate Holder shall provide a report to ODFW and the Department that presents the results of its revegetation monitoring.

If revegetation is not successful at establishing appropriate plant cover and controlling erosion, the Certificate Holder shall take remedial actions as the Department directs.

**D.9. THREATENED AND ENDANGERED SPECIES**

Before beginning construction of the transmission line between the BPA Allston Substation and the Trojan Nuclear Plant, the Certificate Holder shall direct qualified personnel to conduct species ground surveys along the transmission line
corridor and within 150 feet on either side of the transmission line corridor at the appropriate time of year to determine the presence of listed plant species. If listed plant species are identified in the course of the species ground surveys, their presence shall be noted on maps, and PGE shall provide copies of the maps to the Department and the Department of Agriculture.

(2) During construction of the transmission lines, the Certificate Holder shall manipulate construction equipment and site poles, towers and access roads to avoid impacts, except as provided in Condition D.9(4), to known populations of state- or federally-listed plant species.

(3) The Certificate Holder shall ensure that all maintenance practices along the transmission line corridor minimize impacts to known populations of listed plant species.

(4) In the event the Certificate Holder determines that it cannot avoid known populations of listed plant species, the Certificate Holder shall engage qualified personnel to determine whether the proposed action has the potential to reduce appreciably the likelihood of the survival or recovery of the listed species, notify the Department of its findings, and obtain approval from the Oregon Department of Agriculture before proceeding with construction activities that affect the listed plant species. (OAR 603-073-0090).

(5) Before beginning construction of the transmission line, the Certificate Holder shall employ measures to protect raptors in the design and construction of transmission lines. It shall design all energized transmission conductors with either a minimum separation of nine feet or other measures to reduce the potential for electrocution of raptors or other birds.

(6) The Certificate Holder shall not conduct construction activities at the transmission line terminus at the Trojan Nuclear Plant that generate extreme noise or high levels of visual disturbance during the peregrine falcon critical nesting period from January 1 to June 30. Such activities include pile driving, excavation, and grading for ground stabilization purposes and site preparation. Construction activities involving lower levels of visible activity and less noise are allowed throughout the year. These include such activities as excavating and setting forms, pouring footings, erecting power line towers and bus duct, hanging conductor wires, installing control wires, and testing.

(a) Prior to beginning construction at the terminus site, the Certificate Holder shall provide the Department and ODFW with a final construction schedule that lists various construction activities, and time periods when specific work will be conducted. The schedule shall include information on the types of heavy construction equipment that will be used and the approximate number of workers and shall demonstrate that the construction activities are consistent with the limitations of this condition.
The Certificate Holder shall provide scheduling updates as necessary to alert the Department and ODFW ahead of time of any proposed changes in the work schedule should the changes occur during the critical nesting period.

(b) The Certificate Holder shall monitor peregrine falcon activity at the transmission line terminus at the Trojan Nuclear Plant between January 1 to June 30 of construction years. Before beginning construction at the transmission line terminus at the Trojan Nuclear Plant, the Certificate Holder shall coordinate with ODFW and the Department and shall consequently prepare a peregrine falcon contingency plan. This contingency plan shall address actions that the Certificate Holder would undertake in the event that the Department and ODFW determine that monitoring shows the peregrine falcon pair’s nesting activities are negatively affected by the transmission line construction activities.

(c) The Certificate Holder shall not proceed with construction activity at the transmission line terminus at the Trojan Nuclear Plant during the peregrine falcon critical nesting period from January 1 to June 30 to the extent that ODFW or the Department determines that the activity is not consistent with the limitations of this condition. [Amendment No. 3]

(7) The Certificate Holder shall plant suitable vegetative species for deer forage and cover within the wetland mitigation/enhancement area.

(8) The Certificate Holder shall coordinate with ODFW about whether to conduct site-specific fish sampling at waterways that do not have confirmation of species presence or absence along the transmission line corridor. If ODFW recommends that the Certificate Holder conduct site-specific sampling, the Certificate Holder shall do so and report the results to ODFW and the Department.

(9) The Certificate Holder shall not undertake construction at the energy facility site during the bald eagle nesting season unless it obtains a final Biological Opinion and Incidental Take Statement issued by the U.S. Fish and Wildlife Service that addresses potential impacts to the bald eagle nest site on the northwest tip (downstream end) of Crims Island.

(a) The Certificate Holder shall construct and operate the energy facility consistent with the final Biological Opinion and Incidental Take Statement issued by the U.S. Fish and Wildlife Service.

(b) If the requirements of the Biological Opinion and Incidental Take Statement conflict with any conditions imposed in this Site Certificate, the Certificate Holder shall consult with the Department and ODFW to resolve the conflicts prior to taking any action in reliance on the Biological Opinion and Incidental Take Statement. [Amendment No. 3]
D.10. SCENIC AND AESTHETIC VALUES

(1) During construction of the facility, the Certificate Holder shall ensure that contractors move equipment out of the construction area when it is no longer expected to be used. To the extent practical, contractors shall lower equipment with long arms, such as cranes, bucket trucks, backhoes, when not in use in order to minimize visibility.

(2) During construction of the facility, the Certificate Holder shall control dust through the application of water.

(3) During construction of the energy facility, the Certificate Holder shall use directing and shielding devices on lights to minimize off-site glare. When there is no nighttime construction activity, the Certificate Holder shall minimize nighttime lighting consistent with safety and security requirements.

(4) During operation of the energy facility, the Certificate Holder shall use directing and shielding devices on lights to minimize off-site glare, consistent with safety and security requirements.

(5) Before beginning construction of the energy facility, the Certificate Holder shall submit to Columbia County and the Department an outdoor lighting plan that shows how it will minimize glare from the energy facility site, consistent with Conditions D.10(3) and D.10(4).

(6) The Certificate Holder shall paint structures with low-glare paint in colors selected to complement the surrounding foreground and background colors.

(7) After completion of construction of related and supporting pipelines in an area, the Certificate Holder shall re-vegetate any undeveloped areas disturbed by construction activities using native species, including grasses, shrubs, and trees. If necessary, the Certificate Holder shall water re-vegetated areas on a regular basis until the plant species have been successfully established.

D.11. HISTORIC, CULTURAL AND ARCHAEOLOGICAL RESOURCES

(1) Before beginning construction of the Port Westward to BPA Allston Substation Transmission Line or the BPA Allston Substation to Trojan Transmission Line, the Certificate Holder shall complete an archaeological survey of the approved transmission line corridors in consultation with the Oregon Historic Preservation Office ("SHPO"), the Confederated Tribes of the Warm Springs Indian Reservation of Oregon, the Confederated Tribes of the Grand Ronde Community of Oregon, the Confederated Tribes of the Siletz Indian Reservation of Oregon, the Chinook Tribe in Washington, and appropriate federal agencies. The Certificate Holder shall ensure that a qualified archaeologist evaluates all cultural
resources identified during the cultural resources survey. The Certificate Holder shall report to SHPO and the Department about whether its archaeologist recommends that a discovery is significant or not significant. If SHPO determines that a discovery is significant, the Certificate Holder shall make recommendations to the Council for mitigation in consultation with SHPO, the Department, the tribes, and other appropriate parties. Mitigation measures shall include avoidance or data recovery. [Amendment No. 1]

(2) During construction of the facility, the Certificate Holder shall ensure that a qualified person instructs construction personnel in the identification of cultural materials.

(3) During construction of the facility, in the event any artifacts or other cultural materials are identified, the Certificate Holder shall cease all ground-disturbing activities until a qualified archaeologist can evaluate the significance of the find. The Certificate Holder shall report to SHPO and the Department about whether its archaeologist recommends the artifacts or cultural materials are significant or not significant. If SHPO determines that the materials are significant, the Certificate Holder shall make recommendations to the Council for mitigation in consultation with SHPO, the Department, the tribes, and other appropriate parties. Mitigation measures shall include avoidance or data recovery. The Certificate Holder shall not restart work in the affected area until it has demonstrated to the Department that it has complied with the archaeological permit requirements administered by SHPO. [Amendment No. 1]

(4) The Certificate Holder shall allow monitoring by the Confederated Tribes of the Warm Springs Indian Reservation of Oregon, the Confederated Tribes of the Grand Ronde Community of Oregon, the Confederated Tribes of the Siletz Indian Reservation of Oregon, and the Chinook Tribe in Washington of earth-moving activities within any areas with a potential for containing archaeological remains.

(5) Before beginning construction of the facility or of the Port Westward to BPA Allston Substation Transmission Line separately, the Certificate Holder shall notify the Confederated Tribes of the Warm Springs Indian Reservation of Oregon, the Confederated Tribes of the Grand Ronde Community of Oregon, the Confederated Tribes of the Siletz Indian Reservation of Oregon, and the Chinook Tribe in Washington and provide their representatives the opportunity to be available for periodic on-site monitoring during construction activities. If the Certificate Holder constructs the energy facility in phases, the Certificate Holder shall notify the Tribes prior to construction of each phase. [Amendment No. 1]

(6) If construction activities for the secondary gas pipeline occur at a level below the sandy dredge fill (a depth of 10 feet), then the Site Certificate holder or NW Natural shall immediately contact the State Historic Preservation Officer. [Amendment 5]
D.12. RECREATION

[No Conditions]

D.13. PUBLIC SERVICES

(1) During construction, the Certificate Holder shall hire a contractor to provide chemical toilet services or other appropriate facilities for construction personnel.

(2) The Certificate Holder shall pay to Columbia County or its designee the appropriate Transportation Improvement Contribution ("TIC") set forth in Section 2.1 of the Agreement between Columbia County and Portland General Electric Company dated June 5, 2002 ("Agreement").

(3) The Certificate Holder shall not agree to amend the Agreement with Columbia County to reduce, revoke or waive the requirement for payment of the appropriate TIC without prior approval of the Council; however, such approval by the Council shall not require an amendment to the Site Certificate.

(4) Before beginning construction of the energy facility, the Certificate Holder shall coordinate with Columbia County the improvement and maintenance of signage and striping at the mainline rail crossing on Kallunki Road, including the installation of "DO NOT STOP ON TRACKS" signs.

(5) If construction of the energy facility occurs concurrently with construction of other projects in the Port Westward Industrial Area, the Certificate Holder shall coordinate with other users of the Port Westward Industrial Area to provide a carpooling program that identifies and/or creates park-and-ride locations to facilitate carpooling.

(6) If construction of the energy facility occurs concurrently with construction of other projects in the Port Westward Industrial Area, the Certificate Holder shall coordinate with Columbia County and other users of the Port Westward Industrial Area on the implementation of a staggered shift schedule if Columbia County determines that traffic conditions warrant it.

(7) During construction of the energy facility, the Certificate Holder shall use barge and railroad deliveries of bulk materials to the extent practicable to minimize the number of freight truck deliveries on local roads.

(8) The Certificate Holder shall construct a fire protection system within the buildings and yard areas of the energy facility site that meets the requirements of the Uniform Fire Code, as amended by Oregon and the National Fire Protection Association standards, and all other applicable fire protection standards in effect at the time of construction.
The Certificate Holder shall provide a dedicated reserve capacity of 180,000
gallons in the raw water storage tank to serve as the fire suppression water source.

For fire truck access, the minimum inside turning radius of curves in the road
system on the energy facility site shall be 40 feet.

**D.14. WASTE MINIMIZATION, OAR 345-022-0120**

(1) During construction, operation and retirement of the energy facility, the
Certificate Holder shall separate recyclable materials from the solid waste stream
to the extent practicable, store those materials on site until sufficient quantities
exist to make recycling economic, and periodically deliver or sell those materials
to a recycling facility.

(2) During construction, operation and retirement of the energy facility, the
Certificate Holder shall segregate all used oil, mercury-containing lights, and
lead-acid and nickel-cadmium batteries, store such materials on site, and deliver
such materials to a recycling firm specializing in the proper disposal of such
materials.

(3) Upon completion of construction, the Certificate Holder shall dispose of all
temporary structures not required for facility operation and all timber, brush,
refuse, and flammable or combustible material resulting from clearing of land and
construction of the facility.

(4) During operation of the energy facility, the Certificate Holder shall convey all
storm water and water discharges other than sanitary sewage to pervious areas to
allow for percolation into the shallow groundwater.

(5) During operation of the energy facility, the Certificate Holder shall use internal
recycling of aqueous streams whereby water shall be recycled several times in the
cooling system before being discharged.

**D.15. CARBON DIOXIDE STANDARD**

(1) Before beginning construction of Phase 1 and Phase 2 of the energy facility,
respectively, the Certificate Holder shall submit to The Climate Trust a bond or
letter of credit in the amount of the monetary path payment requirement (in 2002
dollars for Phase 1 and in 2009 dollars for Phase 2) as determined by the
calculations set forth in Condition D.15(3) and based on the estimated heat rates
and capacities certified pursuant to Condition D.15(4) and as adjusted in
accordance with the terms of this Site Certificate pursuant to Condition
D.15(3)(c). For the purposes of this Site Certificate, the "monetary path payment
requirement" means the offset funds determined pursuant to OAR 345-024-0550
and -0560 and the selection and contracting funds that the Certificate Holder must
disburse to The Climate Trust, as the qualified organization, pursuant to OAR
345-024-0710 and this Site Certificate. The offset fund rate for the monetary path payment requirement shall be $0.85 per ton of carbon dioxide (in 2002 dollars) for Phase 1 and $1.27 per ton of carbon dioxide (in 2009 dollars) for Phase 2. The calculation of 2002 and 2009 dollars shall be made using the Index set forth in Condition D.3(5) and as required below in subsection (g). [Amendments No. 1 & 6]

(a) The form of the bond or letter of credit and identity of the issuer shall be subject to approval by the Council.

(b) The form of the Memorandum of Understanding “MOU”) between the Certificate Holder and the Climate Trust establishing the disbursement mechanism to transfer selection and contracting funds and offset funds to The Climate Trust shall be substantially in the form of Attachment A to this Site Certificate.

(c) Either the Certificate Holder or The Climate Trust may submit to the Council for the Council’s resolution any dispute between the Certificate Holder and The Climate Trust that concerns the terms of the bond, letter of credit, or MOU concerning the disbursement mechanism for the monetary path payments, or any other issues related to the monetary path payment requirement. The Council’s decision shall be binding on all parties.

(d) The bond or letter of credit shall remain in effect until such time as the Certificate Holder has disbursed the full amount of the monetary path payment requirement to The Climate Trust. The Certificate Holder may reduce the amount of the bond or letter of credit commensurate with payments it makes to The Climate Trust. The bond or letter of credit shall not be subject to revocation before disbursement of the full monetary path payment requirement.

(e) In the event that the Council approves a new Certificate Holder for the energy facility:

   (A) The new Certificate Holder shall submit to the Council for the Council’s approval the form of a bond or letter of credit that provides comparable security to the bond or letter of credit of the current Certificate Holder. The Council’s approval of a new bond or letter of credit shall not require a site certificate amendment.

   (B) The new Certificate Holder shall submit to the Council for the Council’s approval the form of an MOU between the new Certificate Holder and The Climate Trust that is substantially in the form of Attachment A to this Site Certificate. In the case of a dispute between the new Certificate Holder and The Climate Trust concerning the disbursement mechanism for monetary path payments...
payments or any other issues related to the monetary path payment requirement, either party may submit the dispute to the Council for the Council’s resolution as provided in Condition D.15(1)(c). Council approval of a new MOU shall not require a site certificate amendment.

(f) If calculations pursuant to Condition D.15(5) demonstrate that the Certificate Holder must increase its monetary path payments, the Certificate Holder shall increase the bond or letter of credit sufficiently to meet the adjusted monetary path payment requirement within the time required by Condition D.15(3)(c). Alternately, the Certificate Holder may disburse any additional required funds directly to The Climate Trust within the time required by Condition D.15(3)(c).

(g) The amount of the bond or letter of credit shall increase annually by the percentage increase in the Index, and the disbursement of funds shall be pro-rated within the year to the date of disbursement to The Climate Trust from the calendar quarter of Council approval of the Site Certificate.

(2) The Certificate Holder shall disburse to The Climate Trust offset funds and selection and contracting funds as requested by The Climate Trust. The Certificate Holder shall make disbursements in response to requests from The Climate Trust in accordance with subsections (a), (b), and (c).

(a) The Certificate Holder shall disburse all selection and contracting funds to The Climate Trust before beginning construction.

(b) Upon notice pursuant to subsection (c), The Climate Trust may request from the issuer of the bond or letter of credit the full amount of all offset funds available or it may request partial payment of offset funds at its sole discretion. Notwithstanding the specific amount of any contract to implement an offset project, The Climate Trust may request up to the full amount of offset funds the Certificate Holder is required to provide to meet the monetary path payment requirement.

(c) The Climate Trust may request disbursement of offset funds by providing notice to the issuer of the bond or letter of credit that The Climate Trust has executed a letter of intent to acquire an offset project. The Certificate Holder shall provide that the issuer of the bond or letter of credit disburse offset funds to The Climate Trust within three business days of a request by The Climate Trust for the offset funds in accordance with the terms of the bond or letter of credit.

(3) The Certificate Holder shall submit all monetary path payment requirement calculations to the Department for verification in a timely manner before submitting a bond or letter of credit for Council approval and before entering into
an MOU with The Climate Trust. The Certificate Holder shall use the contracted design parameters for capacities and heat rates that it reports pursuant to Condition D.15(4) to calculate the estimated monetary path payment requirement, along with the estimated annual hours of operation of power augmentation technologies. The Certificate Holder shall use the Year One Capacities and Year One Heat Rates that it reports for the facility pursuant to Condition D.15(5) to calculate whether it owes additional monetary path payments.

(a) The net carbon dioxide emissions rate for the base load gas plant shall not exceed 0.675 pounds of carbon dioxide per kilowatt-hour of net electric power output, with carbon dioxide emissions and net electric power output measured on a new and clean basis, as defined in OAR 345-001-0010.

(b) The net carbon dioxide emissions rate for incremental emissions for the facility operating with power augmentation technologies that increase the capacity and heat rate of the facility above the capacity and heat rate that it can achieve as a base load gas plant on a new and clean basis ("power augmentation technologies") shall not exceed 0.675 pounds of carbon dioxide per kilowatt-hour of net electric power output, with carbon dioxide emissions and net electric power output measured on a new and clean basis, as the Department may modify such basis pursuant to Condition D.15(4)(d).

(c) When the Certificate Holder submits the Year One Test reports required in Condition D.15(5), it shall increase its monetary path payments if the calculation using reported data shows that the adjusted monetary path payment requirement exceeds the monetary path payment requirement for which the Certificate Holder had provided a bond or letter of credit before beginning construction, pursuant to Condition D.15(1). The Certificate Holder shall submit its calculations to the Department for verification.

(A) The Certificate Holder shall make the appropriate calculations and fully disburse any increased funds directly to The Climate Trust within 30 days of filing the Year One Test reports.

(B) In no case shall the Certificate Holder diminish the bond or letter of credit it provided before beginning construction or receive a refund from The Climate Trust based on the calculations made using the Year One Capacities and the Year One Heat Rates.

(4) The Certificate Holder shall include an affidavit certifying the heat rates and capacities reported in subsections (a) and (b).

(a) Before beginning construction of the energy facility, the Certificate Holder shall notify the Council in writing of its final selection of a gas turbine vendor and heat recovery steam generator vendor and shall submit written
design information to the Council sufficient to verify the base-load gas
plant’s designed new and clean heat rate (higher heating value) and its net
power output at the average annual site condition.

(b) Before beginning construction of the energy facility, the Certificate Holder
shall submit written design information to the Council sufficient to verify
the facility’s designed new and clean heat rate and its net power output at
the average annual site condition when operating with power
augmentation technologies.

(c) Before beginning construction of the energy facility, the Certificate Holder
shall specify the estimated annual average hours that it expects to operate
the power augmentation technologies.

(d) Upon a timely request by the Certificate Holder, the Department may
approve modified parameters for testing the power augmentation
technologies on a new and clean basis, pursuant to OAR 345-024-0590(1).
The Department’s approval of modified testing parameters for power
augmentation technologies shall not require a site certificate amendment.

(5) Within the first 12 months of commercial operation of each phase of the energy
facility, the Certificate Holder shall conduct a 100-hour test at full power without
power augmentation technologies (“Year One Test-1”) and a test at full power
with power augmentation technologies (“Year One Test-2”). A 100-hour test
performed for purposes of the Certificate Holder’s commercial acceptance of the
facility shall suffice to satisfy this condition in lieu of testing after beginning
commercial operation. [Amendment No. 6]

(a) Year One Test-1 shall determine the actual heat rate (“Year One Heat
Rate-1”) and the net electric power output (“Year One Capacity-1”) on a
new and clean basis, without degradation, with the results adjusted for the
average annual site condition for temperature, barometric pressure, and
relative humidity, and using a rate of 117 pounds of carbon dioxide per
million Btu of natural gas fuel pursuant to OAR 345-001-0010(35).

(b) Year One Test-2 shall determine the actual heat rate (“Year One Heat
Rate-2”) and net electric power output (“Year One Capacity-2”) for the
facility operating with power augmentation technologies, without
degradation, with the results adjusted for the average annual site condition
for temperature, barometric pressure and relative humidity, and using a
rate of 117 pounds of carbon dioxide per million Btu of natural gas fuel
pursuant to OAR 345-001-0010(35). The full power test shall be 100
hours duration unless the Department has approved a different duration
pursuant to Condition (4)(d).
(c) The Certificate Holder shall notify the Department at least 60 days before conducting the tests required in subsections (a) and (b) unless a shorter time is mutually agreed upon.

(d) Before conducting the tests required in subsections (a) and (b), the Certificate Holder shall, in a timely manner, provide to the Department a copy of the protocol for conducting the tests.

(e) Within two months after completing the Year One Tests, the Certificate Holder shall provide to the Council a report of the results of the Year One Tests.

(6) If calculations pursuant to Condition D.15(7) demonstrate that the Certificate Holder must supplement its monetary path payments ("supplemental monetary path payment requirement"), the Certificate Holder shall provide a bond or letter of credit sufficient to meet the supplemental monetary path payment requirement within the time required by Condition D.15(7)(b). The bond or letter of credit shall not be subject to revocation before disbursement of the supplemental monetary path payment requirement. Alternately, the Certificate Holder may disburse in cash any such supplemental monetary path payments directly to The Climate Trust within the time required by Condition D.15(7).

(7) The Certificate Holder shall submit all supplemental monetary path payment requirement calculations to the Department for verification. The Certificate Holder shall use the Year One Capacity-2 and Year One Heat Rate-2 that it reports for the facility pursuant to Condition D.15(5)(b) to calculate whether it owes supplemental monetary path payments, pursuant to subsections (a) and (b).

(a) Each five years after beginning commercial operation of the energy facility ("five-year reporting period"), the Certificate Holder shall report to the Department the annual average hours the facility operated with power augmentation technologies during that five-year reporting period, pursuant to OAR 345-024-0590(6). The Certificate Holder shall submit five-year reports to the Department within 30 days of the anniversary date of beginning commercial operation of the energy facility.

(b) If the Department determines that the energy facility exceeds the projected net total carbon dioxide emissions calculated pursuant to Conditions D.15(4) and D.15(5), prorated for five years, during any five-year reporting period described in subsection (a), the Certificate Holder shall offset excess emissions for the specific reporting period according to subsection (A) and shall offset the estimated future excess emissions according to subsection (B), pursuant to OAR 345-024-0600(4). The Certificate Holder shall offset excess emissions using the monetary path as described in OAR 345-024-0710, except that contracting and selecting funds shall equal twenty (20) percent of the value of any offset funds up to
the first $250,000 (in 2002 dollars) and 4.286 percent of the value of any
offset funds in excess of $250,000 (in 2002 dollars). The Certificate
Holder shall disburse the funds to The Climate Trust within 30 days after
notification by the Department of the amount that the Certificate Holder
owes.

(A) In determining the excess carbon dioxide emissions that the
Certificate Holder must offset for a five-year period, the
Department shall apply OAR 345-024-0600(4)(a). The Certificate
Holder shall pay for the excess emissions at $0.85 per ton of
carbon dioxide emissions (in 2002 dollars) for Phase 1 and $1.27
per ton of carbon dioxide emissions (in 2009 dollars) for Phase 2.
The Department shall notify the Certificate Holder and The
Climate Trust of the amount of payment required, using the
monetary path, to offset excess emissions. [Amendment No. 6]

(B) The Department shall calculate estimated future excess emissions
and notify the Certificate Holder of the amount of payment
required, using the monetary path, to offset them. To estimate
excess emissions for the remaining period of the deemed 30-year
life of the facility, the Department shall use the parameters
specified in OAR 345-024-0600(4)(b). The Certificate Holder shall
pay for the estimated excess emissions at $0.85 per ton of carbon
dioxide (in 2002 dollars) for Phase 1 and $1.27 per ton of carbon
dioxide (in 2009 dollars) for Phase 2. The Department shall notify
the Certificate Holder of the amount of payment required, using
the monetary path, to offset future excess emissions. [Amendment
No. 6]

(8) The combustion turbine for the base-load gas plant and power augmentation
technologies shall be fueled solely with pipeline-quality natural gas or with
synthetic gas with a carbon content per million Btu no greater than pipeline-
quality natural gas.

(9) With respect to incremental capacity and fuel consumption increases for which
the Certificate Holder has not previously complied with the carbon dioxide
standard, the Certificate Holder shall comply substantially with Conditions
D.15(1) through D.15(8) in lieu of the Council’s requiring an amendment,
provided that:

(a) The Council determines, pursuant OAR 345-027-0050, that the Certificate
Holder does not otherwise require an amendment, and further provided
that:
(b) The Certificate Holder shall meet the appropriate carbon dioxide emissions standard and monetary offset rate in effect at the time the Council makes its determination pursuant to OAR 345-027-0050.

(10) Notwithstanding Conditions D.15(1) through D.15(9), if the Certificate Holder begins construction of the Port Westward to BPA Allston Substation Transmission Line, but no other part of the energy facility or other related or supporting facilities, the Certificate Holder shall not be required to comply with Conditions D.15(1) through D.15(9). The Certificate Holder shall comply with Conditions D.15(1) through D.15(9) in connection with construction of any part of the energy facility or related or supporting facilities other than the Port Westward to BPA Allston Substation Transmission Line.

(11) If the Certificate Holder begins construction of Phase 1, but not Phase 2, the Certificate Holder shall comply with Conditions D.15(1) through D.15(9) for Phase 1. If the Certificate Holder later begins construction of Phase 2, the Certificate Holder shall comply with Conditions D.15(1) through D.15(9) for Phase 2. [Amendment No. 1]

E. OTHER APPLICABLE REGULATORY REQUIREMENTS

E.1. REQUIREMENTS UNDER COUNCIL JURISDICTION

E.1.a. Noise

(1) During construction of the facility, the Certificate Holder shall schedule most heavy construction to occur during daylight hours. Construction work at night shall be limited to work inside buildings and other structures when possible.

(2) During construction of the facility, the Certificate Holder shall require contractors to equip all combustion engine-powered equipment with exhaust mufflers.

(3) During construction of the energy facility, transmission lines or other related or supporting facilities, the Certificate Holder shall establish a complaint response system at the construction manager’s office to address noise complaints.

(4) Within six months after the start of commercial operation of the energy facility, the Certificate Holder shall retain a qualified noise specialist to measure noise levels associated with the energy facility operation when environmental conditions are expected to result in maximum sound propagation between the source and the receivers and when the energy facility is operating in a typical operations mode that produces maximum noise levels.

(a) The specialist shall measure noise levels at sites (1), (2), (5), and (6), as described in Exhibit X of the ASC, to determine if actual noise levels are
within the levels specified in the applicable noise regulations in OAR 345-035-0035(1)(b)(B)(i).

(b) The Certificate Holder shall report the results of the noise evaluation to the Department.

(c) If actual noise levels do not comply with applicable DEQ regulations, the Certificate Holder shall take those actions necessary to comply with the regulations as soon as practicable.

(d) If initial measurements show that actual noise levels increase at site (5) by 7 dBA or more, the Certificate Holder shall measure the noise levels as specified in this condition and shall repeat the process outlined in subsections (a), (b), and (c) for site (5) within six months after completion of the initial measurements.

(5) The Certificate Holder shall install silencers on short duration noise sources (e.g. steam vents) from the heat recovery steam generator.

E.1.b. Wetlands and Removal/Fill Permit

(1) Before beginning construction of Phase 1 of the energy facility or the Port Westward to BPA Allston Substation Transmission Line, as appropriate, the Certificate Holder shall obtain a U.S. Army Corps of Engineers and Oregon Division of State Lands Joint Removal/Fill Permit substantially in the form of the Removal/Fill Permit in Attachment C; provided, that mitigation required under the Removal/Fill Permit shall allow for accommodation of Corps of Engineers mitigation requirements, subject to the concurrence of the Department, in consultation with the Division of State Lands and affected federal agencies. [Amendment No. 1]

(2) The Certificate Holder shall comply with state laws and rules applicable to the Removal/Fill Permit that are adopted in the future to the extent that such compliance is required under the respective statutes and rules.

(3) The Certificate Holder shall clearly stake the wetland boundary adjacent to the spoils disposal area and the wetland number 4 boundary adjacent to the construction laydown/staging areas in the vicinity of the energy facility prior to any ground disturbing activity in the spoils disposal area or in the construction laydown/staging areas in the vicinity of the energy facility, and shall maintain the staking until all ground-disturbing activities in the spoils disposal area and in the construction laydown/staging areas in the vicinity of the energy facility have been completed. The Certificate Holder shall instruct all contractors disposing of soil in the spoils disposal area and using the construction laydown/staging areas in the vicinity of the energy facility about the purpose of the staking and shall require them to avoid any impact to the wetlands. [Amendment No. 3]
E.1.c. Public Health and Safety

(1) If local public safety authorities notify the Certificate Holder and the Department that the operation of the energy facility is contributing significantly to ground level fogging or icing along public roads and is likely to pose a significant threat to public safety, the Certificate Holder shall cooperate with local public safety authorities regarding the posting of warning signs on affected roads and the implementation of other reasonable safety measures.

(2) The Certificate Holder shall design the transmission lines and backup electricity lines so that alternating current electric fields shall not exceed 9 kV per meter at one meter above the ground surface in areas accessible to the public. [Amendment No. 1]

(3) The Certificate Holder shall design the transmission lines and backup electricity lines so that induced currents and voltage resulting from the transmission lines are as low as reasonably achievable. [Amendment No. 1]

(4) The Certificate Holder shall develop and implement a program that provides reasonable assurance that all fences, gates, cattle guards, trailers, or other objects or structures of a permanent nature that could become inadvertently charged with electricity are grounded or bonded throughout the life of the transmission line.

(5) The Certificate Holder shall restore or mitigate the reception of radio and television at residences and commercial establishments in the primary reception area to the level present before operation of the transmission line at no cost to residents or businesses experiencing interference resulting from the transmission line.

(6) The Certificate Holder shall design, construct and operate the transmission lines and backup electricity lines in accordance with the requirements of the National Electrical Safety Code. [Amendment No. 1]

(7) The Certificate Holder shall take reasonable steps to reduce or manage exposure to electromagnetic fields (EMF), consistent with Council findings presented in the "Report of EMF Committee to the Energy Facility Siting Council," March 30, 1993, and subsequent findings. Effective on the date of this Site Certificate, the Certificate Holder shall provide information to the public, upon request, about EMF levels associated with the energy facility and related transmission lines and backup electricity lines. [Amendment No. 1]

(8) At least 30 days before beginning preparation of detailed design and specifications for the electrical transmission line(s) and backup electricity line(s) or the natural gas pipelines, the Certificate Holder shall consult with the Oregon
Public Utility Commission staff to ensure that its designs and specifications are consistent with applicable codes and standards. [Amendments No. 1 & 5]

(9) With respect to the related or supporting natural gas pipelines, the Certificate Holder shall design, construct and operate the pipeline in accordance with the requirements of the U.S. Department of Transportation as set forth in Title 49, Code of Federal Regulations, Part 192. [Amendment No. 5]

E.1.d. Water Pollution Control Facilities Permit

(1) Before beginning commercial operation of Phase 1 of the energy facility, the Certificate Holder shall demonstrate that the DEQ has issued to the Certificate Holder a Water Pollution Control Facilities Permit, substantially in the form of Attachment B.1, allowing for on-site sanitary waste disposal. [Amendment No. 1]

(2) The Certificate Holder shall comply with state laws and rules applicable to Water Pollution Control Facilities Permits that are adopted in the future to the extent that such compliance is required under the respective statutes and rules.

F. CONDITIONS REQUIRED OR RECOMMENDED BY COUNCIL RULES

F.1. MANDATORY CONDITIONS IN SITE CERTIFICATES

Amendment of Site Certificate

(1) The Council shall not change the conditions of the Site Certificate except in accordance with the applicable provisions of OAR 345, Division 27, in effect on the date of the Council action.

Legal Description

(2) Before beginning construction of Phase 1 of the energy facility, the Certificate Holder shall submit to the Department a legal description of the site, except as provided in OAR 345-027-0023(6). [Amendment No. 1]

(a) The legal description of the site for purposes of beginning construction of Phase 1 may exclude the 180-foot wide strip (50 feet south and 130 feet north of an existing road) immediately north of Phase 1.

(b) The Certificate Holder shall notify the Department in writing if it is exercising the option to exclude the 180-foot wide strip from Phase 1.

(c) If the Certificate Holder excludes the strip from the legal description during Phase 1, the Certificate Holder shall submit to the Office, before beginning construction of Phase 2 of the energy facility, a legal description indicating whether the energy facility site for Phase 2 includes the 180-foot wide strip. [Amendment No. 2]
General Requirements

(3) The Certificate Holder shall design, construct, operate, and retire the facility:

(a) Substantially as described in the Site Certificate;

(b) In compliance with the requirements of ORS Chapter 469, applicable Council rules, and applicable state and local laws, rules and ordinances in effect at the time the Council issues the Site Certificate; and,

(c) In compliance with all applicable permit requirements of other state agencies.

Construction Rights on Site

(4) Except as necessary for the initial survey or as otherwise allowed for transmission lines or pipelines in this condition, the Certificate Holder shall not begin construction, as defined in OAR 345-001-0010, or create a clearing on any part of the site until the Certificate Holder has construction rights on all parts of the site. For the purpose of this condition, “construction rights” means the legal right to engage in construction activities. For transmission lines or pipelines, if the Certificate Holder does not have construction rights on all parts of the site, the Certificate Holder may nevertheless begin construction or create a clearing on a part of the site if:

(a) The Certificate Holder has construction rights on that part of the site; and,

(b) The Certificate Holder would construct and operate part of the facility on that part of the site even if a change in the planned route of the transmission line or pipeline occurs during the Certificate Holder’s negotiations to acquire construction rights on another part of the site.

For purposes of this condition, the “site” for purposes of beginning construction of Phase 1 may exclude the 180-foot wide strip (50 feet south and 130 feet north of an existing road) immediately north of Phase 1. [Amendment No. 2]

Beginning and Completing Construction

(5) The Certificate Holder shall begin construction of the energy facility by November 8, 2006. Beginning construction of the Port Westward to BPA Allston Substation Transmission Line shall not satisfy this requirement. [Amendment No. 2]

(a) The Certificate Holder shall report promptly to the Department the date that it began construction of the facility, as defined in OAR 345-001-0010. In reporting the beginning of construction, the Certificate Holder shall briefly describe all work on the site performed before beginning construction, including work performed before the Council issued the Site Certificate and work performed to construct the Port Westward to BPA
Allston Substation Transmission Line, and shall state the cost of that work, pursuant to OAR 345-026-0048. If the Certificate Holder constructs the energy facility in phases, the Certificate Holder shall report the beginning of construction of each phase. [Amendment No. 1]

(b) If the Certificate Holder begins construction of the Port Westward to BPA Allston Substation Transmission Line, as defined in OAR 345-001-0010, prior to beginning construction of the energy facility, it shall promptly report to the Department the date it began construction of the transmission line.

(6) The Certificate Holder shall complete construction of the facility by May 8, 2011. The completion of construction date is the day by which (1) the facility is substantially complete as defined by the Certificate Holder's construction contract documents; (2) acceptance testing is satisfactorily completed; and, (3) the energy facility is ready to commence continuous operation consistent with the Site Certificate. Completion of construction of the Port Westward to BPA Allston Substation Transmission Line separately shall not satisfy this requirement. [Amendments No. 2 & 6]

(a) The Certificate Holder shall report promptly to the Department the date it completed construction of the facility. If the Certificate Holder constructs the energy facility in phases, the Certificate Holder shall report the date of completion of each phase. [Amendment No. 1]

(b) If the Certificate Holder completes construction of the Port Westward to BPA Allston Substation Transmission Line separately before completing construction of the facility, it shall promptly report that date to the Department.

(c) Separate completion of construction of Port Westward to BPA Allston Substation Transmission Line shall be the date that PGE makes it available to the Summit/Westward Project to transmit energy.

F.2 OTHER CONDITIONS BY RULE

Incident Reports

(1) With respect to the related or supporting natural gas pipelines, the Certificate Holder shall submit to the Department copies of all incident reports required under 49 CFR §192.709 that involve the pipeline.

Rights-of-Way

(2) Before beginning operation of the energy facility, the Certificate Holder shall submit to the Department a legal description of the permanent right-of-way where the Certificate Holder has built a pipeline or transmission line within an approved corridor. The site of the pipeline or transmission line subject to the Site Certificate
is the area within the permanent right-of-way. However, if the Certificate Holder completes construction of the Port Westward to BPA Allston Substation Transmission Line before beginning construction of the energy facility, the Certificate Holder shall submit to the Department a legal description of the permanent right-of-way for that segment of that transmission line, notwithstanding OAR 345-027-0023(6).

Monitoring Programs
(3) If the Certificate Holder becomes aware of a significant environmental change or impact attributable to the facility, the Certificate Holder shall, as soon as possible, submit a written report to the Department describing the impact on the facility and its ability to comply with any affected Site Certificate conditions.

Compliance Plans
(4) Before beginning construction of the facility, the Certificate Holder shall implement a plan that verifies compliance with all Site Certificate terms and conditions and applicable statutes and rules. The Certificate Holder shall submit a copy of the plan to the Department. The Certificate Holder shall document the compliance plan and maintain it for inspection by the Department or the Council. However, if the Certificate Holder begins construction of the Port Westward to BPA Allston Substation Transmission Line before beginning construction of the energy facility, the applicable compliance plan shall relate to that phase of construction.

Reporting
(5) Within six months after beginning any construction, and every six months thereafter during construction of the energy facility and related or supporting facilities, the Certificate Holder shall submit a semi-annual construction progress report to the Council. In each construction progress report, the Certificate Holder shall describe any significant changes to major milestones for construction. When the reporting date coincides, the Certificate Holder may include the construction progress report within the annual report described in Condition F.2(6).

(6) The Certificate Holder shall, within 120 days after the end of each calendar year after beginning construction, submit an annual report to the Council that addresses the subjects listed in OAR 345-026-0080(2). The Council secretary and the Certificate Holder may, by mutual agreement, change the reporting date.

(7) To the extent that information required by OAR 345-026-0080(2) is contained in reports the Certificate Holder submits to other state, federal or local agencies, the Certificate Holder may submit excerpts from such other reports. The Council reserves the right to request full copies of such excerpted reports.

Schedule Modification
(8) The Certificate Holder shall promptly notify the Department of any changes in major milestones for construction, decommissioning, operation, or retirement.
schedules. Major milestones are those identified by the Certificate Holder in its
collection, retirement or decommissioning plans.

Correspondence with Other State or Federal Agencies
(9) The Certificate Holder and the Department shall exchange copies of all
correspondence or summaries of correspondence related to compliance with
statutes, rules and local ordinances on which the Council determined compliance,
except for material withheld from public disclosure under state or federal law or
under Council rules. The Certificate Holder may submit abstracts of reports in
place of full reports; however, the Certificate Holder shall provide full copies of
abstracted reports and any summarized correspondence at the request of the
Department.

Notification of Incidents
(10) The Certificate Holder shall notify the Department within 72 hours of any
occurrence involving the facility if:

(a) There is an attempt by anyone to interfere with its safe operation;

(b) A natural event such as an earthquake, flood, tsunami or tornado, or a
human-caused event such as a fire or explosion affects or threatens to
affect the public health and safety or the environment; or,

(c) There is any fatal injury at the facility.

G. GENERAL CONDITIONS
(1) The general arrangement of the Port Westward Generating Project shall be
substantially as shown in the ASC.

(2) The Certificate Holder shall ensure that related or supporting facilities are
constructed in the corridors described in this Order and as shown in ASC and in
the manner described in this Order and the ASC.

(3) During construction and operation of the energy facility, the Certificate Holder
shall house the combustion turbine in an enclosure that provides thermal
insulation, acoustical attenuation, and fire extinguishing media containment and
that would allow access for routine inspection and maintenance.

Successors and Assigns
(4) Before any transfer of ownership of the facility or ownership of the Certificate
Holder, the Certificate Holder shall inform the Department of the proposed new
owners. The requirements OAR 345-027-0100 shall apply to any transfer of
ownership that requires a transfer of the Site Certificate.

Severability and Construction

SIXTH AMENDED SITE CERTIFICATE
PORT WESTWARD GENERATING PROJECT
MARCH 27, 2009
If any provision of this Site Certificate is declared by a court to be illegal or in conflict with any law, the validity of the remaining terms and conditions shall not be affected, and the rights and obligations of the parties shall be construed and enforced as if the Site Certificate did not contain the particular provision held to be invalid. In the event of a conflict between the conditions contained in the Site Certificate and the Council’s Order, the conditions contained in this Site Certificate shall control.

Governing Law and Forum

This Site Certificate shall be governed by the laws of the State of Oregon.

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

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

ENERGY FACILITY SITING COUNCIL

By: Robert Shiprack, Chair

Date

PORTLAND GENERAL ELECTRIC COMPANY

By: STEPHEN M. QUENNOZ

Date

ATTACHMENT A MEMORANDUM OF UNDERSTANDING: MONETARY PATH PAYMENT REQUIREMENT
ATTACHMENT B WATER POLLUTION CONTROL FACILITIES PERMIT (B.1) AND ANALYSIS (B.2)
ATTACHMENT C REMOVAL/FILL PERMIT