ENERGY FACILITY SITING COUNCIL
OF THE STATE OF OREGON

In the Matter of the Termination of the Boardman Coal Plant Site Certificate	))))	ORDER TERMINATING SITE CERTIFICATE

November 6, 2026

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I. INTRODUCTION

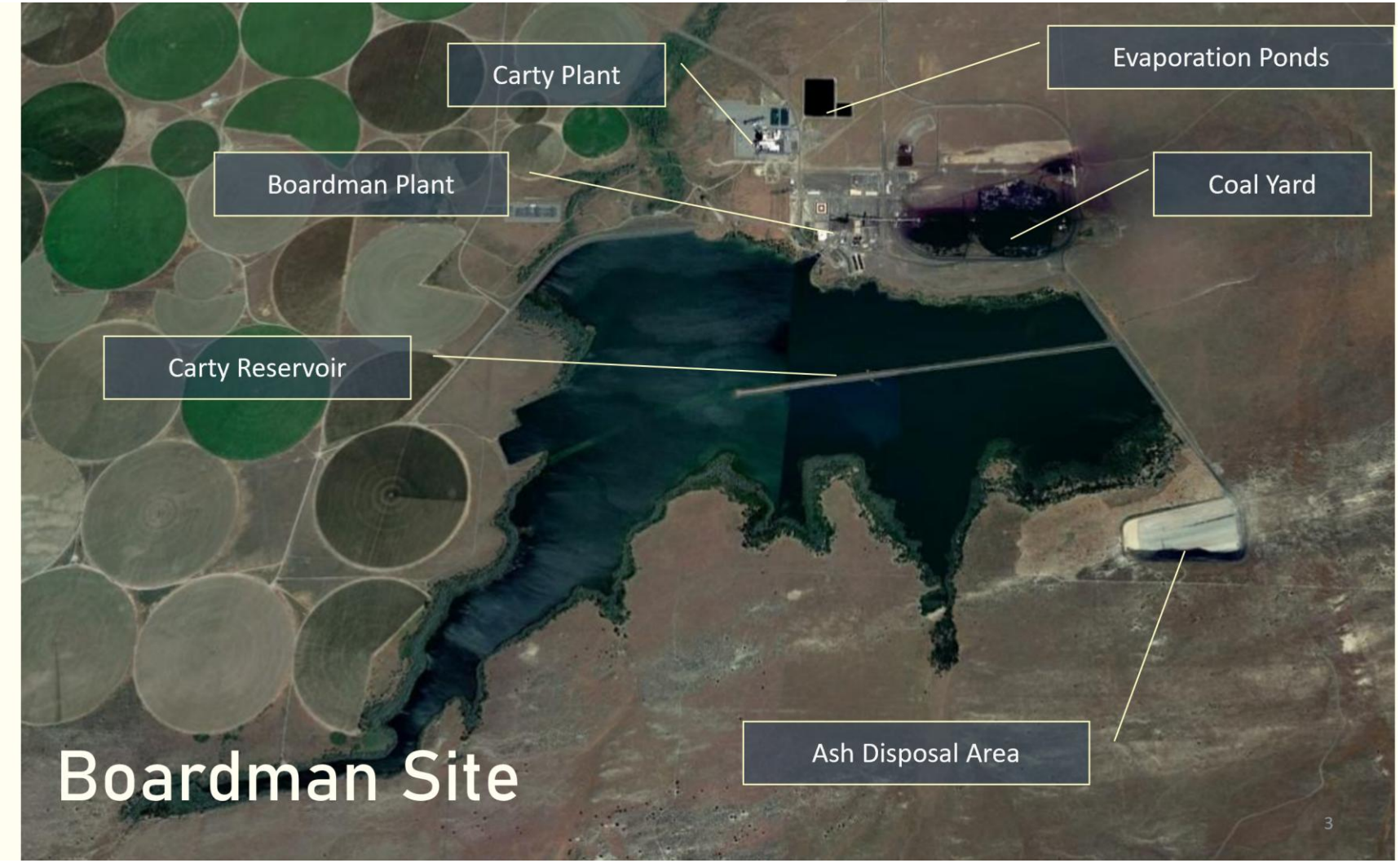
Portland General Electric (certificate holder) has requested the Energy Facility Siting Council (EFSC or Council) terminate the Site Certificate for the Boardman Coal Plant. The site certificate for the Boardman Coal Plant was issued in 1975, prior to the Council's adoption of the facility termination rules in OAR 345-027-0110. Therefore, the Council's procedural requirements for site certificate termination do not apply to this matter. However, consistent with the intent of Council's termination rules to ensure a facility is retired in a manner that is protective of public health and safety, based on the recommended findings and for the reasons discussed below, the Department recommends that the Council issue this order terminating the site certificate for the Boardman Coal Plant.

A. Approved Facility and Status

The Boardman Coal Plant was an approximately 550 megawatt (MW) coal-fired electric generating power plant located at 73334 Tower Road in Boardman, Oregon (in Morrow County). The plant was issued a site certificate in 1975, was constructed in the late 1970s and placed into service in 1980. Associated facilities included a cooling reservoir (the Carty Reservoir), transmission line rights-of-way, access road, pumping plant on the Columbia River (to supply water for reservoir filling and makeup water requirements), makeup water pipeline, barge unloading facility, a railroad spur line (for construction access and fuel transport) and an ash disposal area. The coal plant ceased operation on October 15, 2020. Decommissioning of the power plant was completed by the end of 2023. Figure 1 below shows the location of Boardman Coal Plant components prior to decommissioning.

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Figure 1: Boardman Coal Plant Facility Overview Prior to Decommissioning



B. Site Certificate History

The Boardman Coal Plant was approved in 1975 and operated until 2020. The Site Certificate has been amended 9 times, the most recent in 2013. A summary of the site certificate history is provided below:

February 27, 1975: EFSC's predecessor, the Nuclear and Thermal Energy Council issued an Order approving an application by Portland General Electric to construct a 550 MW coal-fired power plant and associated facilities in Morrow County (the Boardman Coal Plant). (It also approved the construction of two additional power plants in Morrow County).

March 24, 1975: the State of Oregon and PGE entered into the first Site Certification Agreement for the Boardman Coal Plant. (This site certificate also authorized the construction and operation of two other thermal power plants at the Boardman site, which were not built and were removed from the site certificate in Amendment No. 7). In the Site Certification Agreement, PGE warranted, among other items that it:

- had or was reasonably assured of obtaining sufficient financial resources to construct and operate the Boardman Coal Plant and permanently shut it down and maintain it in a safe condition; and
- would take those actions necessary ensure the operation of the plant posed no danger to public health and safety.

August 30, 1977: Site Certificate Amendment No. 1 – the Governor approved a request to relocate a railroad spur track, a barge basin access road, a 500-kV transmission line and a 230-kV transmission line.

February 13, 1978: Site Certificate Amendment No. 2 – the Council approved certain conditions for the construction of Carty Reservoir.

August 1, 1979: Site Certificate Amendment No. 3 - the Council added the requirement to evaluate the radiological impact on the environment of coal ash. (The site certificate was subsequently amended to remove this requirement. See below description of Amendment No. 7).

July 11, 1980: Site Certificate Amendment No. 4 – the Council added water quality requirements for the newly built Carty Reservoir.

June 15, 1981: Site Certificate Amendment No. 5 – the Council changed the averaging time for air emissions calculations. (The site certificate was subsequently amended to remove this requirement. See below description of Amendment No. 7).

December 16, 1988: Site Certificate Amendment No. 6 – the Council approved the relocation of access to Tower Road to avoid conflicts between the existing road and Boeing activity.

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March 22, 1994: Site Certificate Amendment No. 7 – the Council eliminated provisions allowing the construction of two additional plants at the Boardman Site and consolidated into one document those provisions from earlier amendments that apply to plant operation. It deleted air quality limits contained in the Site Certificate because air quality is regulated separately under a federal permit managed by the Oregon Department of Environmental Quality. It also relieved PGE of radiological monitoring requirements because data demonstrate that such monitoring was no longer necessary.

September 11, 2009: Site Certificate Amendment No. 8 – the Council made minor changes to the site description.

May 3, 2013: Site Certificate Amendment No. 9. Pursuant to a decision by the Oregon Environmental Quality Commission, the Certificate Holder could not use coal as fuel in the Boardman Plant after December 31, 2020. In this amendment, the Council authorized changes allowing PGE to investigate the feasibility of using torrefied biomass, a renewable resource, as fuel in the Boardman Plant.

PGE again provided the following warranties (similar to those in the original and subsequent Site Certificates):

- Financial Ability. PGE warranted it had or was reasonably assured of obtaining sufficient financial resources to operate the Boardman Coal Plant and permanently shut it down and maintain it in a safe condition.
- Ability to Operate. PGE warranted it had the ability to take actions necessary to ensure the Boardman Plant was operated consistent with representations regarding effects on public health, safety, and welfare contained in its application and the terms and conditions of the Site Certificate.
- Protection of Public Health and Safety. PGE warranted that would take those actions necessary ensure the operation of the plant posed no danger to public health and safety.

This site certificate (as previous site certificates) states PGE and the State shall abide by applicable state laws in effect on the date of execution of the original agreement and that PGE may be required to comply with stricter state laws or EFSC rules upon a clear showing that compliance is necessary because of danger to the public health and safety.

October 15, 2020: – Boardman Coal Plant ceases operations.

2021-2023: – PGE Decommissions the Boardman Coal Plant

II. PGE TERMINATION REQUEST

In a letter dated November 12, 2024, PGE requested termination of the site certificate for the Boardman Coal Plant. A copy of the letter is included as Attachment 1 to this Order. PGE states that it ceased operating the Boardman Coal Plant on October 15, 2020 (the last day coal was

burned and electricity produced). PGE provides information about the status of components that were utilized by the Boardman Coal Plant, including the following:

- Power Plant. PGE completed decommissioning and demolition of the Boardman Coal Power Plant on December 22, 2023, with minor demobilization of some equipment completed the first week of January 2024. Anything remaining after demolition has either been transferred to the site certificate for PGE's adjacent Carty Generating Station or it has been left in place for other PGE uses not specific to the Carty Generating Station.
- Coal Combustion Residuals - As required by Site Certificate Condition IV.C.3(b), the coal ash disposal area (landfill) was closed by leaving it in place and installing an Alternative Final Cover system consisting of a high-density geomembrane and an engineered synthetic turf material with sand infill. The Environmental Protection Agency and Oregon Department of Environmental Quality (DEQ) continue to have jurisdiction over the landfill. PGE will conduct long-term groundwater monitoring, post-closure care and recordkeeping at the landfill and groundwater monitoring across the Boardman Coal Plant site, until DEQ deems it no longer necessary. PGE maintains a compliance webpage where the reports from required groundwater monitoring are posted every year.[1]

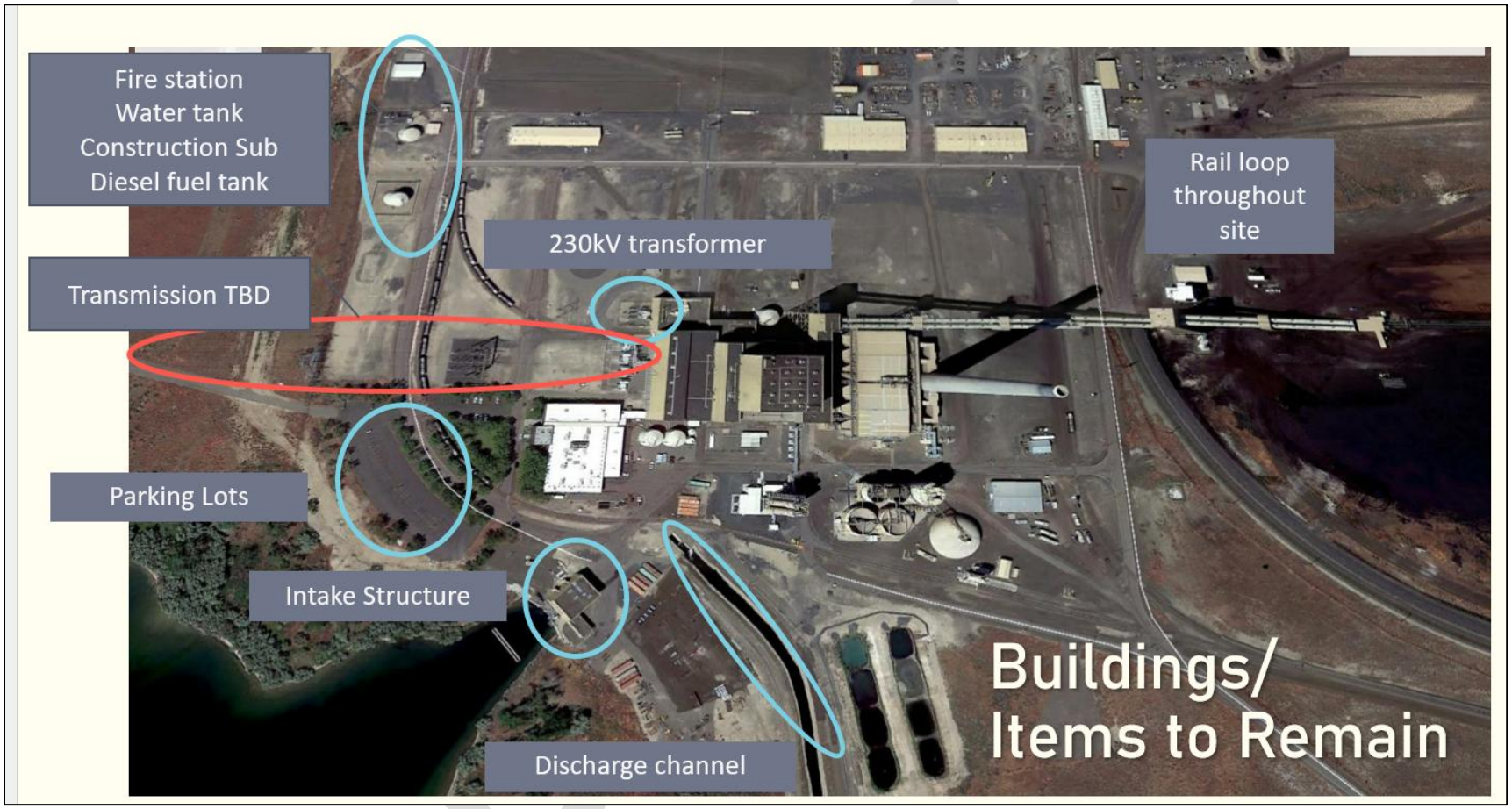
Per PGE, the following facility components remain after completion of the decommissioning and demolishment:

  - Carty Reservoir- remaining and transferred to the Carty Site Certificate
  - Tower Road extension – will continue to be used for access to the site for potential redevelopment and landfill monitoring;
  - Transmission lines remain and were transferred to the Carty Generating Station;
  - Rail loop remains but crossing has been decommissioned;
  - A dewater flowage easement conveyed in the original deed remains in place.

Following is a figure PGE provided in its August 2021 presentation to Council, depicting the buildings/items to remain.

[1] Compliance Reports are available on PGE's publicly accessible CCR Rule Compliance Data and Information website is at: https://portlandgeneral.com/ccr-rule-compliance-data-information

Figure 2: Facilities and Components to Remain



- PGE contends it met the three warranties it made as part of obtaining the Site Certificate, as follows:
    - Financial Ability – PGE completed demolition of the plant using funds from a dedicated Asset Retirement Obligations account, which will continue to fund PGE's retirement obligations at the Boardman Coal Plant, including long-term monitoring required by state and federal environmental regulations.
    - Ability to Operate – PGE notes this warranty, which applies to facility operations, is no longer applicable given that the Boardman Coal Plant is no longer operating and demolition has been completed.
    - Protection of Public Health and Safety – PGE explains it complied with his warranty during operation of the Plant and that the warranty is no longer applicable given the plant is no longer operating and demolition has been completed.

III. COUNCIL SCOPE OF REVIEW

The original site certificate for the Boardman Coal Plant was issued in 1975. The original and amended site certificates state PGE and the State shall abide by applicable state laws in effect on the date of execution of the original agreement and that PGE may be required to comply with stricter state laws or EFSC rules upon a clear showing that compliance is necessary because of danger to the public health and safety. This provision is consistent with ORS 469.401(2), which states a site certificate or amended site certificate "shall require both parties to abide by local ordinances and state law and the rules of the council in effect on the date the site certificate or amended site certificate is executed, except that 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 rules."

Because the original site certificate for the Boardman Coal Plant was issued in 1975, prior to the Council's 1993 adoption of the site certificate termination standard set forth in OAR 345-027-0110, that standard does not apply to this matter, unless Council were to find a clear showing of a significant threat to public health, safety or the environment required application of the rule to the Boardman Coal Plant. The Department recommends that Council not seek to apply its termination standard to the Boardman Coal Plant closure because:

1) it has no evidence of such a significant threat, and
2) warranties PGE made in the site certificate are aimed at the same underlying principle as the termination standard – ensuring the facility is operated and retired in a manner that is protective of public health, safety and the environment.

Therefore, in reviewing PGE's request to terminate the Boardman Coal Plant Site Certificate, Council assesses whether PGE has retired the Boardman Coal Plant in a manner that is protective of public health, safety and the environment.

IV. AGENCY CONFERRAL AND SITE INSPECTION

In preparation for Council's review of the request to terminate the site certificate, Oregon Department of Energy Staff conferred with certain agencies that had issued permits to or have otherwise been involved with regulation of the Boardman Coal Plant. A copy of the September 28, 2026 DEQ letter is included with this Order as Attachment 3. The Oregon Department of Environmental Quality (DEQ) was responsible for, among other items, administration of PGE's air quality, solid waste disposal and water pollution control facilities permits for the Boardman Coal Plant; it is also overseeing PGE's ongoing groundwater monitoring at the site. As noted in the letter, DEQ informed ODOE Staff that the Boardman Coal Plant the site is safe and poses no danger to public health, safety or the environment, including the following:

- DEQ considers the groundwater monitoring conducted for the coal combustion residuals (CCR) units since 2019 to have been performed in accordance with the applicable monitoring requirements. Based on the information submitted to date, DEQ considers the groundwater monitoring program to be adequate.

- Based on DEQ's oversight and the information currently available, DEQ considers the groundwater monitoring and related actions undertaken at the Boardman Coal Plant site to be adequate. DEQ has no information indicating that the site currently presents an unsafe or hazardous condition with respect to the matters regulated under the WPCF permit and DEQ's groundwater oversight.

Additionally, on December 11, 2024 Oregon Department of Energy Compliance Officer Duane Kilsdonk conducted a final Department site inspection of the Boardman Coal Plant facility site. Mr. Kilsdonk inspected the location of the former Boardman Coal Plant and associated facilities, to assess their present status. Included in the inspection was confirmation of remaining facilities, noting:

> "The spur line, fuel oil storage tank, water tank and pumphouse, and evaporation ponds have not been decommissioned and will remain onsite, on property owned by PGE, but are not included in the Carty Generating Station (CGS) Site Certificate nor intended to be used in support of the CGS."

A copy of the site inspection report is included with this Order as Attachment 2. Mr. Kilsdonk concluded that the Boardman Coal Plant has been decommissioned and the site has been restored in a manner that is protective of public health, safety and the environment and recommended that the Council approve PGE's request to terminate the Site Certificate for the Boardman Coal Plant.

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V. FINDINGS OF FACT AND CONCLUSIONS OF LAW

Based on Council's November 20, 2026, review of the certificate holder's November 12, 2024 letter requesting Termination of the Site Certificate for the Boardman Coal Plant (Attachment 1) and information presented by the Oregon Department of Energy staff regarding conferral with other agencies and inspection of the Boardman Coal Plant site (summarized above, Attachment 2 and Attachment 3, respectively), the Department recommends that the Council find the preponderance of evidence in the record demonstrates that PGE:

1) has met the warranty it made in the Boardman Coal Plant site certificate to take actions to ensure that operation (and retirement) of the Plant poses no danger to the public health and safety and
2) has retired the Boardman Coal Plant in a manner that is protective of public health, safety and the environment.

In light of these findings, the Department recommends that Council conclude it is appropriate to grant PGE's request to terminate the Site Certificate for the Boardman Coal Plant.

VI. ORDER

The Council issues this Final Order terminating the site certificate for the Boardman Coal Plant.

Issued this ____ day of November 2026

The OREGON ENERGY FACILITY SITING COUNCIL

By: _____
Cynthia Condon, Chair
Oregon Energy Facility Siting Council

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