

Verbatim Transcript of Monthly Council Meeting
Washington State Energy Facility Site Evaluation
Council

November 19, 2019



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WASHINGTON STATE
ENERGY FACILITY SITE EVALUATION COUNCIL
Olympia, Washington
November 19, 2019

MONTHLY COUNCIL MEETING
Verbatim Transcript of Proceedings

REPORTED BY: TAYLER GARLINGHOUSE, CCR 3358

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A P P E A R A N C E S

Councilmembers:

- KATHLEEN DREW, Chair
- CULLEN STEPHENSON, Department of Ecology
- STACEY BREWSTER, Utilities and Transportation Commission
- MIKE LIVINGSTON, Department of Fish & Wildlife (via phone)
- DAN SIEMANN, Department of Natural Resources (via phone)

Assistant Attorney General:

JON THOMPSON

Council Staff:

- SONIA BUMPUS
- AMI KIDDER
- AMY MOON
- KYLE OVERTON
- STEWART HENDERSON
- TAMMY MASTRO
- JOAN AITKEN

In Attendance:

- ERIC MELBARDIS, Kittitas Valley (via phone)
- JENNIFER DIAZ, Wild Horse (via phone)
- CHRIS SHERIN, Grays Harbor Energy
- JEREMY SMITH, Chehalis Generation
- BILL SHERMAN, Counsel for The Environment (via phone)
- MARK MILLER, Chehalis Generation (via phone)
- OWEN HURD, Tuusso Energy (via phone)

1 LACEY, WASHINGTON; NOVEMBER 19, 2019

2 1:30 p.m.

3 --o0o--

4 P R O C E E D I N G S

5

6 CHAIR DREW: Good afternoon. This is
7 Kathleen Drew, Chair of the Energy Facility Site
8 Evaluation Council, and I am calling this meeting to
9 order.

10 Ms. Mastro, will you call the roll?

11 MS. MASTRO: Department of Ecology?

12 MR. STEPHENSON: Cullen Stephenson, here.

13 MS. MASTRO: Department of Fish and
14 Wildlife?

15 MR. LIVINGSTON: Mike Livingston, here, on
16 the phone.

17 MS. MASTRO: Department of Natural
18 Resources?

19 MR. SIEMANN: Dan Siemann is here on the
20 phone.

21 MS. MASTRO: Utilities and Transportation
22 Commission?

23 MS. BREWSTER: Stacey Brewster, here.

24 MS. MASTRO: Chair, there is a quorum.

25 CHAIR DREW: Thank you.

1 With that, I will ask for anyone else who
2 wishes to identify themselves on the phone, please to do
3 so.

4 MR. SHERMAN: This is Bill Sherman from the
5 Washington State Attorney General's Office as counsel
6 for The Environment.

7 MR. HURD: This is Owen Hurd from Tuusso
8 Energy.

9 MS. DIAZ: Jennifer Diaz with Puget Sound
10 Energy.

11 MR. MILLER: Mark Miller with Chehalis
12 Generation.

13 MR. MELBARDIS: Eric Melbardis, EDP
14 Renewables, Kittitas Valley.

15 CHAIR DREW: Okay. Thank you all. I will
16 now entertain a motion to approve the proposed agenda.

17 MR. STEPHENSON: I move to approve the
18 agenda.

19 MS. BREWSTER: I will second the motion.

20 CHAIR DREW: All those in favor, signify --
21 is there any discussion? All those in favor, signify by
22 saying "aye."

23 COUNCILMEMBERS: Aye.

24 CHAIR DREW: Opposed? The agenda is
25 adopted.

1 Moving on to the meeting minutes, first of
2 all, for September 17th, 2019. And let's take that
3 separately because I do have a few corrections for
4 October 15th meeting minutes.

5 MR. STEPHENSON: Chair, I will move to
6 approve the minutes for September 17th, 2019.

7 MS. BREWSTER: I second the motion.

8 CHAIR DREW: Okay. Are there any comments
9 or corrections for the minutes for September 17th, 2019?

10 Hearing none, all those in favor of adopting
11 those minutes, please say "aye."

12 COUNCILMEMBERS: Aye.

13 CHAIR DREW: All those opposed? The minutes
14 for September 17th, 2019, are adopted.

15 Moving on to the minutes for
16 October 15th, 2019. May I have a motion to have those
17 before us?

18 MS. BREWSTER: I will move to adopt the
19 meeting minutes from October 15th, 2019.

20 CHAIR DREW: Thank you.

21 Second?

22 MR. STEPHENSON: I wasn't there, so I'm
23 looking to the phone.

24 CHAIR DREW: Oh. Do we have a second?

25 Mr. Livingston?

1 MR. SIEMANN: This is Dan Siemann --

2 CHAIR DREW: Oh, you -- oh, actually, it
3 was -- Mr. Siemann was the person who attended by phone,
4 correct?

5 MR. SIEMANN: Yes, correct. And this is Dan
6 Siemann, and I second that motion.

7 CHAIR DREW: Thank you.

8 So a few minor edits that I'd like to make
9 are on page 4, line 21, it was my mistake. I said
10 absent for Department of Ecology, it should be excused.

11 And then on page 11, line 19, it should say
12 state legislature, t-u-r-e.

13 On page 11, line 24, it should say payers,
14 p-a-y-e-r-s.

15 On page 12, line 1, it should say facilities
16 rather than the singular.

17 On page 13, line 9, again, it should say
18 state legislature, t-u-r-e.

19 On page 17, line 11, I believe it should be
20 recirculated rather than recalculated. Yes, okay.

21 And then page 42, line 24, it refers to Ami
22 and it's spelled A-m-i, and our confusion here I believe
23 that the correct person who attended this is A-m-y, Amy;
24 is that correct?

25 MS. MOON: Correct.

1 CHAIR DREW: Okay. So if we can change
2 that. Those are my suggested edits. Is there a motion
3 to approve the minutes as amended or are there any other
4 corrections?

5 That's you.

6 MS. BREWSTER: I will move to approve the
7 minutes from October 15th as amended.

8 CHAIR DREW: Mr. Siemann?

9 MR. SIEMANN: And this is -- and this is Dan
10 Siemann. I will second that motion.

11 CHAIR DREW: Thank you.

12 All those in favor, say "aye."

13 COUNCILMEMBERS: Aye.

14 CHAIR DREW: Opposed? Minutes are accepted
15 as amended.

16 Okay. We will now move on to our
17 operational updates starting with Kittitas Valley Wind
18 Project, Mr. Melbardis.

19 MR. MELBARDIS: Good afternoon, Chair Drew,
20 EFSEC Council. For the record, this is Eric Melbardis
21 with EDP Renewables for the Kittitas Valley Wind Power
22 Project. We had nothing nonroutine to report for last
23 month.

24 CHAIR DREW: Okay. Thank you.

25 Moving on for Wild Horse Wind Power Project,

1 Ms. Diaz?

2 MS. DIAZ: Yes, thank you, Chair Drew and
3 Councilmembers and Staff. This is Jennifer Diaz with
4 Puget Sound Energy representing the Wild Horse Wind and
5 Solar Facility, and for the month of October, we have no
6 nonroutine updates.

7 CHAIR DREW: Okay. Thank you.
8 Chehalis Generation Facility, Mr. Jeremy
9 Smith.

10 MR. SMITH: Good evening, Chair Drew,
11 Council and Staff. I'm Jeremy Smith. I'm the
12 environmental analyst for the Chehalis Generation
13 Facility.

14 CHAIR DREW: May I ask you to make sure that
15 your microphone is on.

16 MR. HENDERSON: It's on. He's not getting
17 close to it.

18 MR. SMITH: Again, good afternoon, Chair
19 Drew, Council, and Staff. I'm Jeremy Smith. I'm the
20 environmental analyst for Chehalis Generation Facility.
21 I have one nonroutine comment. The Chehalis plant
22 notified EFSEC Staff on Monday, October the 28th by
23 phone that the combustion turbine No. 2 emissions had
24 exceeded the one hour of NOx emissions limit of 3.0
25 parts per million. This event occurred on Sunday,

1 October the 27th during the 0600 hour. The actual
2 emissions measured for the 6 o'clock hour were 3.1 parts
3 per million. We followed up with a phone call, with an
4 email to Staff on Tuesday morning.

5 In accordance with the Title V permit, the
6 Chehalis Generation Facility will submit a final report
7 on or before November 30th. This report will include
8 the details of the deviations, analysis of the events,
9 and any corrective actions that we have implemented
10 currently. We're working with EFSEC Staff, Mr. Overton,
11 to develop our draft report. That's all I have at this
12 time.

13 CHAIR DREW: Thank you.

14 Are there any questions?

15 Thank you.

16 Moving on to Desert Claim, Ms. Moon?

17 MS. MOON: Good afternoon, Council Chair
18 Drew and Councilmembers. And for the record, again,
19 this is Amy Moon, and I'm providing update for Desert
20 Claim Project. On October 9th, 2019, EFSEC issued a
21 letter stating that the Desert Claim Project meets the
22 requirements for Washington State 401 water quality
23 certification under the Nationwide Permit 14. This was
24 reported as an action at the October Council meeting,
25 and I am reporting to the Council as confirmation that

1 the letter was issued. EFSEC also requested an updated
2 wetlands restoration plan from Desert Claim based on
3 comments that we've received from Ecology.

4 CHAIR DREW: Thank you.

5 Are there any questions?

6 Okay. Moving on to Grays Harbor Energy

7 Center, Mr. Sherin.

8 MR. SHERIN: Good afternoon, Chair Drew,
9 Councilmembers. Just only nonroutine comment I'll make
10 is on my last bullet point under "Operations &
11 Maintenance" as far as our results. I need to make a
12 correction. I had a misstatement there. I'll submit a
13 revision tomorrow to Staff. But it should read far as
14 our lab results, no dithiazine was found in our sample.
15 The sample was over 50 percent chemicals used in natural
16 gas storage dehydration -- in the natural gas storage
17 dehydration process when natural gas is extracted from
18 the underground storage facilities. Our fuel gas
19 fouling issue appears to be related to the previous.

20 And we're also still consulting
21 industrial -- industry expertise in the matter because
22 the identification of the chemicals, that's just my
23 personal Internet research and what those chemicals are
24 used for related to natural gas.

25 CHAIR DREW: Oh. So the broader term of

1 chemicals is the word you'd like to replace in that
2 statement?

3 MR. SHERIN: I should not have used the word
4 "absorbents."

5 CHAIR DREW: Okay.

6 MR. SHERIN: It should say 50 percent
7 chemicals used in the natural gas storage dehydration
8 process.

9 CHAIR DREW: Okay. Thank you.

10 MR. SHERIN: Any questions?

11 CHAIR DREW: Are there any questions?

12 No, thank you.

13 MR. SHERIN: Thank you.

14 CHAIR DREW: Thank you for keeping us
15 updated.

16 WNP-1/4 and Columbia Generating Station? I
17 understand Ms. Ramos isn't able to join us, so Ms. Moon?

18 MS. MOON: Right. Correct. So for the
19 record, this is Amy Moon, and I'm providing the Energy
20 Northwest updates today for Mary Ramos. And for WNP-1/4
21 there are no updates to report, and for the Columbia
22 Generating Station there are also no updates to report.

23 But I was -- there was a request from the
24 EFSEC manager and the Council to provide a briefing on
25 how EFSEC and the Nuclear Regulatory Commission, what

1 their differences in duties at Columbia Generating
2 Station, so I can provide that now.

3 CHAIR DREW: Yes, thank you. This is
4 following our tour in October, so yes.

5 MS. MOON: Correct. So I wrote a script. I
6 was asked to give a brief presentation to the Council on
7 the roles of the federal Nuclear Regulatory Commission,
8 otherwise known as the NRC, and the Washington State
9 Energy Facility Site Evaluation Council, EFSEC, for the
10 Columbia Generating Station, which we also call CGS.
11 The NRC is the federal regulatory body that regulates
12 the use of nuclear materials at commercial nuclear power
13 plants and EFSEC is the State regulatory body in
14 Washington that serves as a one-stop-shop handling State
15 and local permitting needs for nuclear energy facilities
16 from initial application through decommissioning.

17 The NRC issues an operating license and
18 EFSEC issues a site certification agreement. The
19 operating license is for the reactor, the radiation
20 release through the powerhouse exhaust stacks to which
21 release limits have been established by the NRC as well
22 as the spent fuel. The site certification agreement, or
23 SCA, is issued in lieu of any other individual State or
24 local agency permits and covers such permitting issues
25 as inert waste landfill, cooling systems, sediment

1 disposal, which the NRC delegated EFSEC that authority
2 over the low level of radiation in radiation
3 contaminated sediment from the cooling towers.

4 The -- EFSEC also regulates sanitary waste,
5 air emissions from painting and blasting, air emissions
6 from diesel-fired combustion units, wastewater, and
7 fugitive radioactive air emissions. Those fugitive
8 radioactive air emissions are those that do not pass
9 through the exhaust stacks regulated by the NRC.

10 Any questions thus far?

11 CHAIR DREW: Are there any questions?

12 MS. MOON: Okay. Just a little bit
13 long-winded, but additional oversight and coordination
14 is required in the site certification agreement for
15 construction, environmental radiological monitoring,
16 water quality monitoring, industrial wastewater
17 discharge monitoring, emergency plans, and
18 decommissioning of a nuclear site. This requires close
19 coordination with other agencies such as Ecology, the
20 Washington Department of Health, the Washington State
21 Military Department Emergency Management Division, and
22 the Washington State Patrol Fire Protection Bureau or
23 Fire Marshal.

24 The NRC defines two emergency planning zones
25 around the nuclear plant, and State and local agencies

1 with EFSEC coordination support the CGS emergency
2 response plan. Two annual reports are required by the
3 NRC, and that's an effluent report and an environmental
4 report. The annual effluent release is reported in the
5 radioactive effluent report and the annual environmental
6 report is titled the Annual Radiological Environmental
7 Operating Report. The environmental report lists the
8 measurements of radioactive materials found in the
9 environment surrounding the power plant. And the
10 effluent release report lists the quantities of
11 radionuclides released in liquids and gaseous effluence.

12 EFSEC and the Department of Health received
13 both the effluent and the environmental report as well
14 as an annual report of fugitive radioactive emissions
15 from an evaporation pond wastewater treatment system.
16 In addition, radiological monitoring, emergency plan and
17 procedures, review of operating license amendment
18 requests, and radioactive air emissions regulatory
19 program are implemented by EFSEC through the Department
20 of Health.

21 So in a brief nutshell, that's the
22 relationship with NRC and EFSEC at Columbia Generating
23 Station. Any questions on that?

24 CHAIR DREW: Thank you.

25 Are there any questions?

1 That -- that was -- thank you for that
2 excellent summary. I -- I think that helped all of us
3 who were there walking through the briefings one day,
4 walking through the site the next day, and then really
5 coming back here and -- and summarizing what both the
6 Nuclear Regulatory Commission does as well as what our
7 role is at EFSEC. So we really appreciate that --

8 MS. MOON: You're welcome.

9 CHAIR DREW: -- information.

10 MS. MOON: And -- and for the Councilmembers
11 who were on the tour and -- and then Cullen, who's been
12 there in the past, the powerhouse building that we went
13 to that had generators in the nuclear reactor and
14 hazardous waste or radioactive waste, all of that is
15 pretty much the NRC. But we do, with Department of
16 Health, work with, like I said, some of those
17 radionuclides that are released that just are not what
18 some -- going through stacks and being measured and
19 enforcement and compliance by the NRC.

20 CHAIR DREW: Thank you.

21 MS. MOON: You're welcome.

22 CHAIR DREW: At this point, we do have an
23 update that came to our attention today about the
24 Columbia Solar Project, and I would ask Ms. Bumpus to
25 let the Council know what is happening on that project.

1 MS. BUMPUS: Thank you. For the record, my
2 name is Sonia Bumpus. Thanks, Chair Drew and
3 Councilmembers. So I do have some information to share
4 related to recent updates that we've gotten from Tuusso
5 Energy for the Columbia Solar Project. As you know,
6 EFSEC has not included the Columbia Solar Project in our
7 regular Council meeting agendas since August, when the
8 Council voted to suspend the site certification
9 agreements pending they -- they settle the balance that
10 was owed at the time and then also conditioned upon them
11 meeting all of the -- the requirements for the order
12 where we suspended their SCAs.

13 But we've recently learned from Tuusso that
14 they have been working to sign another entity for the
15 project, that they are working towards settling the
16 balance owed. And after that, they intend to submit a
17 letter to EFSEC requesting that we lift the suspension
18 of the SCAs. And then also they tell me they intend to
19 address all of the -- all of the areas that we outlined
20 in the order as far as them attesting to their ability
21 to make timely payments in the future and -- and
22 that-type thing.

23 So I wanted to just share this with the
24 Council. We do not have a letter from them yet, but as
25 soon as we receive one, we will send it to the Council

1 for your review. If we were to receive the payment of
2 the balance in full and the letter with the request,
3 once the Council's had some time to review it, I think
4 we could have a special Council meeting. It's what I
5 would propose we do to give the Council an opportunity
6 to take up the action and consider their request.

7 My understanding is that they are intending
8 to be a part of that meeting and be available to answer
9 questions if the Council has any at that time. So as
10 far as timing of a special Council meeting, again,
11 assuming we receive a letter this week, we could try to
12 have a special Council meeting possibly Monday. We do
13 need to notice a special Council meeting 24 hours in
14 advance, so with -- with that and then given that the
15 Council needs time to review the information that
16 they'll -- they provide, we think that might be
17 feasible.

18 So I can answer any questions you may have,
19 but I just wanted to share what we had recently heard
20 from them.

21 CHAIR DREW: Mr. Stephenson?

22 MR. STEPHENSON: Thanks, Sonia. I think
23 you've already answered this, but I just want to make it
24 clear for the record that what we do here, because this
25 is coming up quickly, is going to be fully in compliance

1 with all of our transparency and -- and public meeting
2 rules, and as long as we do that, then I'm fine. It's
3 coming fast, but it -- we are going to meet all the
4 public requirements and the notice and everything else,
5 and you've got that covered, yes?

6 MS. BUMPUS: That's correct.

7 CHAIR DREW: And any -- if it is a
8 call-in -- well, this is a call-in meeting as well -- we
9 would structure it the same way, those who want to
10 attend and are able to attend can in person as well as
11 to call in and that's -- that line will be open to the
12 public as well.

13 MR. STEPHENSON: Thank you.

14 CHAIR DREW: Any other questions?

15 Okay. Thank you for the update.

16 If there's no other business to come before
17 the Council, meeting's adjourned.

18 (Adjourned at 1:54 p.m.)

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C E R T I F I C A T E

STATE OF WASHINGTON

COUNTY OF THURSTON

I, Tayler Garlinghouse, a Certified Shorthand
Reporter in and for the State of Washington, do hereby
certify that the foregoing transcript is true and
correct to the best of my knowledge, skill and ability.

Tayler Garlinghouse, CCR 3358