

**Verbatim Transcript of Monthly Council Meeting**  
**Washington State Energy Facility Site Evaluation Council**  
**May 19, 2020**



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WASHINGTON STATE  
ENERGY FACILITY SITE EVALUATION COUNCIL  
Lacey, Washington  
Tuesday, May 19, 2020  
1:30 p.m.

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TELEPHONIC MONTHLY COUNCIL MEETING  
Verbatim Transcript of Proceedings

REPORTED BY: TAYLER GARLINGHOUSE, CCR 3358

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1 A P P E A R A N C E S

2 COUNCILMEMBERS:

- 3 Kathleen Drew, Chair  
Kate Kelly, Department of Commerce  
4 Robert Dengel, Department of Ecology  
Dan Siemann, Department of Natural Resources  
5 Stacey Brewster, Utilities and Transportation Commission

6 ASSISTANT ATTORNEY GENERAL:

7 Jon Thompson

8 EFSEC STAFF:

- 9 Sonia Bumpus  
10 Ami Kidder  
11 Tammy Mastro  
Joan Aitken  
12 Stew Henderson  
Kyle Overton

13 ALSO PRESENT:

- 14 Eric Melbardis, Kittitas Valley  
Jennifer Diaz, Wild Horse  
15 Chris Sherin, Grays Harbor Energy  
Mark Miller, Chehalis Generation Facility  
16 Kip Whitehead, Energy NW  
Tim McMahan, Stoel Rives  
17 Kara Warner, Golder Associates  
Bill Sherman, The Environment  
18 Owen Hurd, TUUSSO Energy

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1 LACEY, WASHINGTON; MAY 19, 2020

2 1:30 P.M.

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

5

6 CHAIR DREW: Okay. Welcome to the energy  
7 state -- the Washington State Energy Facility [brief  
8 interruption] meeting and call to order.

9 Ms. Mastro, will you please call the roll?

10 MS. MASTRO: Department of Commerce?

11 MS. KELLY: Kate Kelly, present.

12 MS. MASTRO: Department of Ecology?

13 MR. DENGEL: Robert Dengel, present.

14 MS. MASTRO: Department of Fish and

15 Wildlife?

16 CHAIR DREW: Mike Livingston is excused.

17 MS. MASTRO: Department of Natural

18 Resources?

19 MR. SIEMANN: Dan Siemann is on the line.

20 MS. MASTRO: Utilities and Transportation

21 Commission?

22 MS. BREWSTER: Stacey Brewster, present.

23 MS. MASTRO: Chair?

24 CHAIR DREW: Yes, I am here.

25 MS. MASTRO: Chair, there is a quorum for

1 the EFSEC regular Council.

2 CHAIR DREW: Thank you.

3 Are there others on the line who wish to  
4 introduce themselves?

5 MR. MCMAHAN: Tim McMahan.

6 MS. WARNER: Kara Warner --

7 MR. SHERMAN: Bill Sherman, I'm present and  
8 counsel for The Environment.

9 MR. HURD: Owen Hurd, TUUSSO Energy.

10 MR. MELBARDIS: Eric Melbardis, EDP  
11 Renewables.

12 MR. MILLER: Mark Miller, PacifiCorp  
13 Chehalis plant.

14 MR. THOMPSON: Jon Thompson --  
15 (Multiple speakers.)

16 MR. WHITEHEAD: -- Energy Northwest.

17 MR. THOMPSON: Jon Thompson, Attorney  
18 General's Office.

19 CHAIR DREW: We missed the Energy Northwest.

20 MR. WHITEHEAD: Kip Whitehead, Energy  
21 Northwest.

22 CHAIR DREW: Thank you.

23 And for the Staff, since we are remote  
24 and -- would you please introduce yourselves?

25 MS. BUMPUS: This is Sonia Bumpus with

1 EFSEC.

2 MS. KIDDER: This is Ami Kidder with EFSEC.

3 MR. OVERTON: This is Kyle Overton with

4 EFSEC.

5 MS. MASTRO: Tammy Mastro with EFSEC.

6 MS. AITKEN: And Joan Aitken with EFSEC.

7 MR. HENDERSON: Stew Henderson with EFSEC.

8 CHAIR DREW: And I think that's everyone.

9 So our meeting is -- we have before us the proposed  
10 agenda. Councilmembers, you see that on the screen in  
11 front of you. Is there a motion to approve the agenda?

12 Ms. Brewster.

13 MS. BREWSTER: I move that we approve  
14 today's proposed agenda.

15 CHAIR DREW: Thank you.

16 Second?

17 MR. DENGEL: Second, Rob Dengel.

18 CHAIR DREW: Thank you.

19 Any questions or additions? Hearing none,  
20 all those in favor of approving the proposed agenda for  
21 today's meeting, say -- say "aye."

22 COUNCILMEMBERS: Aye.

23 CHAIR DREW: All opposed?

24 Agenda is approved.

25 Now moving on to the meeting minutes from

1 March 17th, two months ago, was our last meeting. Is  
2 there a motion to approve the minutes as they -- you  
3 have seen them?

4 Ms. Brewster?

5 MS. BREWSTER: I move that we approve the  
6 meeting minutes from the March 17th council meeting.

7 CHAIR DREW: A second?

8 MR. DENGEL: Rob Dengel, I second.

9 CHAIR DREW: Thank you.

10 Are there any questions or changes on the  
11 draft minutes that you have before you?

12 Hearing none, all those in favor of  
13 approving the minutes from the March 17th, 2020 meeting,  
14 please say "aye."

15 COUNCILMEMBERS: Aye.

16 CHAIR DREW: All those opposed?

17 The minutes are approved.

18 Moving on to our project updates. Kittitas  
19 Valley Wind Power Project, Mr. Melbardis.

20 MR. MELBARDIS: Good afternoon, Chair Drew,  
21 EFSEC Council. This is Eric Melbardis with EDP  
22 Renewables for the Kittitas Valley Wind Power Project.  
23 There were two periods that I had sent updates on.  
24 Nothing nonroutine to report. We continue to operate  
25 under CDC and Governor Inslee Covid guidelines. Remote

1 work, if possible, still continuing to run split shifts  
2 to firewall off our crews. So just adjusting to our new  
3 normal here.

4 CHAIR DREW: Are there any questions?

5 Thank you.

6 Next we have Wild Horse Wind Facility.

7 MS. DIAZ: Yes, thank you, Chair Drew. For  
8 the record, this is Jennifer Diaz with Puget Sound  
9 Energy at the Wild Horse Wind Facility. For March and  
10 April, due to the heightened level of caution regarding  
11 the Coronavirus, all PSE generation facilities were  
12 directed to limit access to only essential employees and  
13 contractors to ensure the safe and continued operation  
14 of the facility. In accordance with Governor Inslee's  
15 Stay Home, Stay Healthy order issued on March 23rd,  
16 employees who can work from home have been directed to  
17 do so. The entire wind farm and the renewable energy  
18 center were closed to the public during the month of  
19 April.

20 And then in accordance with the Operations  
21 Stormwater Pollution Prevention Plan, a semiannual  
22 stormwater inspection was completed following spring  
23 snow melt on March 10th. And overall, the site is  
24 stable and in excellent condition, and stormwater BMPs  
25 functioned properly and were maintained as needed. No



1 further --

2 CHAIR DREW: Thank you.

3 Are there any questions from Councilmembers?

4 Okay. Thank you very much.

5 Next we have the Chehalis Generation

6 Facility, Mr. Miller?

7 MR. MILLER: This is Mark Miller. Jeremy  
8 was going to give our report.

9 CHAIR DREW: Oh, okay.

10 MR. MILLER: I -- his phone may not be  
11 working because we are all continuing to isolate.

12 For the month of March report, the only  
13 nonroutine item to report there was we did receive the  
14 final verifiable emissions reduction credits from the  
15 National Climate Trust from the Lynden Power Project.  
16 So a total of 68,263 tons were delivered.

17 And then for the April report, we have been  
18 working with EFSEC Staff and the Southwest Clean Air  
19 Agency on a redo of RATA requirements for the NOx  
20 emissions. The contractor, Montrose, had used a  
21 calibration bottle that was out of date, and we reran  
22 the test, and all the preliminary tests is reviewed by  
23 Clint Lamoreaux by the Southwest Clean Air Agency in  
24 collaboration with our EFSEC site -- siting specialist,  
25 Kyle Overton, were all passing and approved.

1 CHAIR DREW: Okay. Thank you.

2 Are there any questions from Councilmembers?

3 Thank you.

4 Grays Harbor Energy Center, Mr. Sherin?

5 MR. SHERIN: Good afternoon, Chair Drew,  
6 Councilmembers. This is Chris Sherin, plant manager,  
7 Grays Harbor Energy Center. For the month of March,  
8 only had one nonroutine item and that is on the -- or  
9 excuse me, the month of April. That's March's minutes,  
10 yeah, up there, operating notes. So the -- the one item  
11 for April is on the 9th, there's a restart of Gas  
12 Turbine 2, following the forced outage, a trip triggered  
13 potential deviations for PS -- PSD emissions. And EFSEC  
14 Staff was notified prior to Grays Harbor Energy Center  
15 proceeding to restart.

16 Also during that initial startup, the post  
17 gas turbine combustion hardware rebuild, emissions  
18 tuning is required to attain optimum or minimum  
19 emissions. And this required shutting of the ammonia  
20 flow to the SCR or catalyst during the portion of the  
21 tuning. So EFSEC Staff was again notified prior, and  
22 we're currently coordinating with ORCAA and EFSEC Staff  
23 to address our event. Other than that, I don't -- I  
24 don't have anything else. Any questions?

25 CHAIR DREW: Any questions from

1 Councilmembers?

2 Thank you.

3 Energy North --

4 (Multiple speakers.)

5 MR. OVERTON: Kyle Overton, with -- the  
6 EFSEC site specialist for Grays Harbor. I have a quick  
7 update on the Air Permit if -- if --

8 CHAIR DREW: Oh, I'm sorry, thank you. Go  
9 ahead, Mr. Overton.

10 MR. OVERTON: Yeah, just a quick update on  
11 Grays Harbor's Title V Air Permit. The EPA comment  
12 period ended on April 30th. We -- we did not receive  
13 any comments, and in EFSEC Staff coordination with our  
14 contractor, ORCAA, in the facilitating of the process of  
15 finalizing that permit in preparation for final issuance  
16 by the Council. And that's my update.

17 CHAIR DREW: Okay. Thank you.

18 MR. DENGEL: That was what I was going to --  
19 this is Rob Dengel with Ecology. So that's what I was  
20 going to check in about, so that's what I wanted to  
21 know. Thank you very much.

22 CHAIR DREW: Okay. Okay. Columbia  
23 Generating Station and WNP-1/4, Energy Northwest?

24 MR. WHITEHEAD: Good afternoon. This is Kip  
25 Whitehead reporting for Energy Northwest. For the

1 Washington Nuclear Projects 1/4, we have no updates for  
2 the months of March and April.

3 And for the Columbia Generating Station, we  
4 have no updates for the months of March and April.

5 CHAIR DREW: Okay. Thank you.

6 Ms. Aitken, if you can put up the agenda  
7 again, I'd appreciate it. Thank you. There it is.

8 MS. AITKEN: Read your mind.

9 CHAIR DREW: I used to have paper in front  
10 of me and don't have that anymore, which is fine.

11 Okay. So now we are moving to the Council  
12 update on Air Rule 463-78, Ms. Kidder.

13 MS. KIDDER: Chair Drew, if I may jump in  
14 really quick.

15 CHAIR DREW: Resolution 157, I see it right  
16 there on the agenda. Thank you.

17 MS. KIDDER: Also, for the Columbia Solar  
18 Project, I wanted to provide an update to the Council.

19 CHAIR DREW: Okay. Which could still be  
20 there. Okay. And all -- okay. I apologize to  
21 everybody as I need to have the agenda in front of me.

22 Is there an update also on Desert Claim?

23 MS. KIDDER: Staff continue to coordinate  
24 with the certificate holder, but there are no project  
25 updates at this time for Desert Claim. And Staff are

1 continuing to work with the certificate holder and our  
2 agency contractors to prepare for preconstruction plan  
3 review and related efforts for Columbia Solar.

4 CHAIR DREW: Okay. Any questions from  
5 Councilmembers?

6 Okay. Thank you.

7 Now we are going -- go ahead.

8 MS. KIDDER: Oh, I was just going to ask if  
9 I should jump into the Resolution 157 update.

10 CHAIR DREW: Yes, please.

11 MS. KIDDER: Thank you.

12 CHAIR DREW: And this is a new item on the  
13 agenda.

14 MS. KIDDER: This is. This is a new item  
15 for Council's attention.

16 So a brief history. Annual fish collection  
17 is required per the Columbia Generating Station Site  
18 Certification Agreement, or the SCA. The specifics of  
19 the fish collection requirements are detailed in the  
20 Environmental Monitoring Program as Attachment 1 of the  
21 SCA. Fish collection is required to determine the  
22 operational effects of Columbia Generating Station  
23 [inaudible] aquatics food chain.

24 Resolution 157 was approved by the EFSEC  
25 Council on September 24th, 1979, and amended on

1 September 9th, 1985, to serve in lieu of a scientific  
2 collection permit. This resolution included fish  
3 collection from the Columbia River for WNP-1/4 and WNP-2  
4 as well as in the Chehalis River for the plant nuclear  
5 facility near Satsup known as WNP-3/5. Currently, fish  
6 collection is only required for the operating WNP-2  
7 facility that is currently known as Columbia Generating  
8 Station as construction of the other facilities was not  
9 completed.

10 In addition, the resolution also contains  
11 some outdated sampling provisions. For this reason,  
12 EFSEC Staff are recommending that Resolution 157 be  
13 rescinded. The annual Columbia Generating Station  
14 sampling period begins after the Upper -- the Upper  
15 Columbia River spring run Chinook salmon migration,  
16 which occurs April through June, and after the Upper  
17 Columbia River Steelhead migration that occurs April  
18 through mid May. Energy Northwest would begin sampling  
19 after June 30th each year to minimize impacts to these  
20 protected species under what Staff is proposing as a new  
21 resolution that we present to the Council in June.

22 This new resolution would serve in lieu of  
23 an annual scientific collection permit. EFSEC is  
24 preparing the new resolution in consultation with the  
25 Washington Department of Fish and Wildlife. The new

1 resolution would follow the Department of Fish and  
2 Wildlife scientific collection permit guidelines and  
3 annual reporting requirements. The new resolution would  
4 include a list of resident fish species that may be  
5 consumed by fishermen and can be collected from the  
6 Columbia River to be used as indicator samples. Control  
7 fish will be collected from fish hatcheries owned by DFW  
8 at the Columbia River Ringold Fish Hatchery and the  
9 Snake River Lyons Fish Hatchery. The controlled fish  
10 will consist of Chinook salmon and/or Steelhead salmon.

11 Are there any questions?

12 CHAIR DREW: Are there any questions from  
13 Councilmembers?

14 So my understanding is that the Staff will  
15 prepare the draft resolution in consultation with  
16 Department of Fish and Wildlife and have that to  
17 Councilmembers for review before the June meeting; is  
18 that correct?

19 MS. KIDDER: That is correct.

20 CHAIR DREW: So all Councilmembers will have  
21 a chance to take a look at that, to contact Ms. Kidder  
22 or Ms. Moon or Ms. Bumpus with any questions you might  
23 have, and then we will bring it up for a vote at the  
24 June meeting.

25 MS. KIDDER: That is correct. We understand

1 that no action has been taken on this issue for the  
2 Facility in quite some time as Resolution 157 has been  
3 in service since the '80s. So if any Councilmembers  
4 have any questions or concerns, Staff are welcome to  
5 answer any of those questions.

6 MR. SIEMANN: Chair Drew, this is Dan  
7 Siemann, I do have a question.

8 CHAIR DREW: Sure, go ahead.

9 MR. SIEMANN: Thank you.

10 I'm just curious if there is an appropriate  
11 role for tribal consultation on this topic and if that  
12 has been considered in any way.

13 MS. KIDDER: I am not sure off the top of my  
14 head. I'd have to look into whether or not DFW has  
15 coordinated any of their fish permit work with tribal  
16 representatives, but I can look into that further and  
17 get a better answer for you.

18 CHAIR DREW: And we'll make sure and have  
19 that before we send -- that answer before we send out  
20 the resolution.

21 MR. SIEMANN: Great, thank you.

22 MS. BUMPUS: And just to add to that, we  
23 will double-check, Councilmember Siemann, but I -- I  
24 believe that any coordination on the permit or rather  
25 the authorization for this, it would have been done



1 years ago prior to the -- the original resolution. And  
2 so we'll double-check to see if there was anything done  
3 at that time that -- that would have been I think when  
4 they would have coordinated, and then our update would  
5 just be to ensure that it's consistent with DFW's  
6 current fish collection guidance.

7 MR. SIEMANN: Great, thank you.

8 CHAIR DREW: Okay. Thank you for that  
9 update.

10 Now we will move on to other items. The  
11 first is the Council update on Air Rule 463-78,  
12 Ms. Kidder.

13 MS. KIDDER: Thank you. Today, EFSEC Staff  
14 is seeking Council's approval to begin the rulemaking  
15 process to amend Washington Administrative Code, or WAC,  
16 Chapter 463-78-005, general and operating permit  
17 regulations for air pollution sources adoption by  
18 reference. In your packets, you will see a copy of the  
19 CR-105 as well as the revised version of WAC 463-78-005.

20 Because EFSEC would be adopting by reference  
21 rules that have already been through public comment via  
22 Department of Ecology's rulemaking process, this  
23 rulemaking qualifies for expedited processing.

24 With Council approval, Staff will file the  
25 CR-105 to the Code Reviser's Office tomorrow, May 20th.

1 The purpose of the proposed rule revisions is to be  
2 consistent with Ecology and EPA rules and to ensure that  
3 EFSEC-issued permits are in line with current EPA and  
4 Ecology regulations.

5           These revisions help to fulfill the intent  
6 of RCW 80.50.040 and RCW 43.21(a), which lay the  
7 framework for EFSEC and Ecology to oversee air emissions  
8 within the state. The Council's action today would  
9 allow for Staff to file the CR-105 in time for the May  
10 20th filing deadline. This would allow for the CR-105  
11 to be noticed in the June 3rd publication, which would  
12 begin a 45-day public comment period continuing through  
13 July 20th. Are there any questions?

14           CHAIR DREW: So what our action is today is  
15 to approve the filing for public comment and the  
16 expedited process; is that correct?

17           MS. KIDDER: Correct.

18           MR. DENGEL: So -- hello. So this is Rob  
19 Dengel with Ecology.

20           CHAIR DREW: Go ahead.

21           MR. DENGEL: As noted by Staff -- good  
22 overview -- this is basically incorporating Ecology's  
23 existing rules, which was really done due to -- I'd say  
24 reason, but EPA -- EPA guidance that we actually had to  
25 encompass into the State implementation plan for air

1 quality, so it -- it makes a lot of sense.

2 In addition to that, to meeting the EPA  
3 guidance, there was a lot of -- there was a number of  
4 additional changes and improvements that were kind of  
5 made clearing some things up and then some other -- some  
6 other editing as well. So I am frankly in support of  
7 it, but we're more than happy to have a conversation  
8 before making any motion to -- to approve.

9 CHAIR DREW: Are there any other -- are  
10 there any comments or questions?

11 Hearing none, why don't you go ahead with  
12 that motion to approve, Mr. Dengel.

13 MR. DENGEL: So a motion to approve the rule  
14 adoption of 46 -- the amendments to 46 -- 463-78.

15 CHAIR DREW: And that's the -- for public  
16 comment. I do have a question. Oh, wait a minute, is  
17 there a second?

18 MR. SIEMANN: This is Dan Siemann, I'll  
19 second that.

20 CHAIR DREW: Thank you.

21 I do have another question. Ms. Kidder, is  
22 this expedited process one which we will -- if there are  
23 no comments, then we'll proceed with adopting this rule  
24 or will it come back before the Council?

25 MS. KIDDER: If there are no public

1 comments, the Council will take action to file the  
2 CR-103, which is adoption of the rule, after which the  
3 filing date for that would -- any -- would begin a  
4 30-day waiting period, which is not a public comment  
5 period, it's just a 30-day waiting period between the  
6 adoption of the filing of the CR-103 and the actual  
7 enactment of the rule.

8 CHAIR DREW: Okay. Thank you.

9 Are there any other further -- or are there  
10 any comments or questions on this motion?

11 Hearing none, Ms. Mastro, will you call the  
12 role on the adoption of -- now I need the number in  
13 front of me.

14 MS. MASTRO: 463-78.

15 CHAIR DREW: WAC 463-78. Thank you.

16 MS. MASTRO: Department of Commerce?

17 MS. KELLY: Aye.

18 MS. MASTRO: Department of Ecology?

19 MR. DENGEL: Aye.

20 MS. MASTRO: Department of Natural  
21 Resources?

22 MR. SIEMANN: Aye.

23 MS. MASTRO: Utilities and Transportation  
24 Commission?

25 MS. BREWSTER: Aye.

1 MS. MASTRO: Chair?

2 CHAIR DREW: Aye.

3 MS. MASTRO: That completes the vote.

4 CHAIR DREW: The motion is adopted. We will  
5 put these out for public comment and then proceed in the  
6 future. Thank you very much.

7 Next item on our agenda is the fourth  
8 quarter cost allocation. Ms. Bumpus.

9 MS. BUMPUS: Good afternoon, Chair Drew and  
10 Councilmembers. For the record, this is Sonia Bumpus.  
11 As we do at the beginning of every quarter, I have the  
12 cost allocation percentages for fourth quarter fiscal  
13 year 2020. This is based off of the accrued EFSEC cost  
14 allocation plan for the Energy Facility Site Evaluation  
15 Council approved September 2004.

16 For Kittitas Valley Wind Power Project, 10  
17 percent; Wild Horse Wind Power Project, 10 percent;  
18 Columbia Generating Station, 25 percent; Columbia Solar,  
19 14 percent; WNP-1, 3 percent; Whistling Ridge, 3  
20 percent; Grays Harbor 1 & 2, 13 percent; Chehalis  
21 Generation Project, 11 percent; Desert Claim Wind Power  
22 Project, 8 percent; and Grays Harbor Energy 3 & 4, 3  
23 percent. And that concludes my update for the cost  
24 allocation for fourth quarter fiscal year 2020.

25 CHAIR DREW: Thank you.

1                   If we have no other business to come before  
2 us, I think this is -- completes our agenda, so I will  
3 now say that this meeting is adjourned. Thank you all  
4 very much, and welcome back to Dan Siemann. Meeting is  
5 adjourned.

6                   (Adjourned at 1:58 p.m.)

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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 accurate to the best of my knowledge, skill and ability.

Tayler Garlinghouse

Tayler Garlinghouse, CCR 3358

