

BEFORE THE STATE OF WASHINGTON  
ENERGY FACILITY SITE EVALUATION COUNCIL

In the Matter of  
Application No. 2006-1

ENERGY NORTHWEST

for  
PACIFIC MOUNTAIN ENERGY CENTER

COUNCIL ORDER NO. 839

ORDER OF DISMISSAL ON  
WITHDRAWAL

**Nature of the Proceeding**

This matter involves Application No. 2006-1 submitted on September 12, 2006 by Energy Northwest (ENW or Applicant) for certification of a site in Kalama, Washington, to construct and operate the Pacific Mountain Energy Center, or PMEC (the Project). The Project involves the construction of a two-unit electrical generation facility, proposed to operate on synthetic gas produced from coal or petroleum coke; the facility could also operate using natural gas as fuel.

**Background and Procedural Matters**

On September 12, 2006 ENW, submitted application No. 2006-01 to Energy Facility Site Evaluation Council (“EFSEC or Council”) to construct and operate the PMEC. On November 6, 2006 the Council convened a land-use hearing. The hearing was reconvened on March 13, 2007. On April 26, 2007 the Council issued Order No. 828 finding the Pacific Mountain Energy Center in accordance with WAC 463-26-110 and consistent and in compliance with local land use plans and zoning ordinances.

On September 20, 2007 the Council held a prehearing conference for the purpose of reviewing petitions for intervention. On September 26, 2007 the Council issued Order No. 832 granting petitions for intervention to the Washington Department of Ecology<sup>1</sup>, Columbia Riverkeeper, Willapa Hills Audubon Society, Rosemere Neighborhood Association, and a combined Northwest Energy Coalition, Washington Environmental Council, Sierra Club. At the prehearing conference, the Council shared with parties certain concerns about the application and, in particular, the proposed Greenhouse Gas Reduction Plan and the proposal’s compliance with the provisions of RCW 80.70 and ESSB 6001, enacted by the 2007 Washington legislature.

On November 27, 2007 the Council issued Order No.833 that concluded that the ENW’s proposed greenhouse gas reduction plan failed to meet the requirements of the statute, and was rejected. The Council stayed the adjudicative proceeding and stopped the

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<sup>1</sup> Representatives of Council member agencies act as judges of matters being adjudicated in an application proceeding. In particular, when an agency chooses to participate as a party in adjudication, the agency must provide total separation between the council member and persons involved in advocacy of a position. See, RCW 34.05.455.

