

**BEFORE THE ENERGY FACILITY SITING COUNCIL
OF THE STATE OF OREGON**

In the Matter of the Request by)
Northwest Natural Gas Co. for) ORDER APPROVING
Amendment No. 1 to its Site Certificate) AMENDMENT No. 1
for the South Mist Feeder Pipeline)

I. Introduction and Background

On February 15, 1989, the Energy Facility Siting Council ("Council", or "EFSC") issued an Energy Facility Site Certificate to Northwest Natural Gas ("NNG") for the South Mist Feeder Pipeline, which is located in portions of Columbia and Washington Counties. The Site Certificate has not been amended.

On February 27 1998, NNG submitted a request to amend the Site Certificate ("Request"). The amendment requested will involve no physical changes to the facility, its boundaries or its operations. The amendment would adopt current administrative rules at OAR 345-027-0050, 0060, 0070 and 0080 for amending the Site Certificate, and would make those rules applicable to all future amendment requests. The Council approves this amendment request.

II. Description of the Amendment Request

The council's amendment rules, OAR Chapter 345, Division 27 do not currently apply to the South Mist Feeder Pipeline Site Certificate. OAR 345-01-030. Instead, the site certificate authorizes two specific processes for council decision-making on amendments, depending on the nature of the amendment. One process (Section VI.A - E) applies *"if future unforeseen developments cause the construction or operation of the underground storage reservoir or related and supporting facilities to present a danger to public health, safety or welfare, or if Federal law requires a change."*

The second process, at Section VI.F of the site certificate, provides:

"For amendments not affecting the public health, safety or welfare and where NNG and EFSC agree that it is desirable to amend this site certificate for reasons other than set forth in subparagraph A of this section, NNG may file with the EFSC an application for an amendment to the site certificate agreement, which application shall state the necessary reasons therefor. The EFSC may grant such application without further proceedings at a public meeting."

The process set forth above does not require public notice, notice to other agencies or affected local governments, or opportunity for hearings. NNG wishes to replace the amendment process set forth in Section VI.A through F with the process set forth in the Council's current rules at

OAR Chapter 345 Division 27. This amendment does not apply the entire Division 27 to the Mist facility, but only rules OAR 345-027-0050, 0060, 0070 and 0080.

III. Procedure for Amendment #1

The request was submitted on February 27, 1998. The request does not affect the public health, safety or welfare. Therefore it is covered by the amendment process in Section VI.F of the site certificate. In accordance with the procedure set forth in the Site Certificate, Section VI.F, the Council may grant the application without further proceedings at its regularly scheduled meeting of March 13, 1998.

IV. Compliance with EFSC Standards

This amendment does not include any changes to the site or to the facility or its operation. The only change is an administrative change in the process for reviewing future amendments. Therefore no Council standards are affected.

V. Order for the Site Certificate Amendment

The process set forth in Section VI of the original site certificate provided a minimum of opportunity for public notice and comment. The proposed amendment would make the amendment process for NNG consistent with that used for other site certificate holders, provides greater opportunity for public notice and comment, and is a process which the Council has adopted in rule.

The Council grants the NNG request for Amendment #1 to the South Mist Feeder Pipeline Site Certificate and orders that the Site Certificate be amended as requested. Section VI of the Mist Site Certificate is deleted in its entirety, and replaced with new Section VI which shall read:

"Amendments to this site certificate shall be governed by duly adopted rules of the Energy Facility Siting Council for the amendment of site certificates. As of the date of the execution of this amendment, the Council rules applicable to the amendment of this Site Certificate are OAR 345-027-0050, 0060, 0070 and 0080."

Date

Terry Edvalson, Chair

Energy Facility Siting Council