

Exhibit BB

Project Order Requests

**West End Solar Project
September 2022**

**Prepared for
EE West End Solar LLC**

Prepared by



Tetra Tech, Inc.

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Acronyms and Abbreviations

Applicant	EE West End Solar LLC
Department	Oregon Department of Energy
DEQ	Oregon Department of Environmental Quality
EFSC	Energy Facility Siting Council
NPDES	National Pollutant Discharge Elimination System
OAR	Oregon Administrative Rules
Project	West End Solar Project

1.0 Introduction

EE West End Solar LLC (Applicant), a subsidiary of Eurus Energy America Corporation, proposes to construct the West End Solar Project (Project), a solar energy generation facility and related or supporting facilities in Umatilla County, Oregon. Exhibit BB was prepared to meet the submittal requirements of Oregon Administrative Rules (OAR) 345-021-0010(1)(bb):

OAR 345-021-0010(1)(bb): Any other information that the Department requests in the project order or in a notification regarding expedited review.

On December 4, 2020, the Applicant submitted a Request for Expedited Review for Small Capacity Facilities to the Oregon Department of Energy (Department). On December 17, 2020 the Department notified the Applicant that the information submitted with the Request for Expedited Review satisfied the requirements of OAR 345-015-0300(2), and therefore the Energy Facility Siting Council (EFSC) granted the expedited review processing for the proposed facility application. Under the expedited review process, an applicant is not required to submit a Notice of Intent (NOI) and initiates the siting process through submission of a preliminary Application for Site Certificate based on the requirements described in OAR 345-021-0010. The Department did not specifically identify any additional information to be provided in Exhibit BB in the December 17, 2020 notification granting expedited review.

The Department issued a Project Order on February 10, 2022 for the Project, in which specific related EFSC standards were identified and recommendations regarding these standards were made.

2.0 Information Requests in Project Order

In the Project Order, the Department referenced the following related EFSC standards:

- *ORS 569.390 Owner or Occupant to Eradicate Weeds: Each person, firm or corporation owning or occupying land within the district shall destroy or prevent the seeding on such land of any noxious weed within the meaning of ORS 569.360 to 569.495 in accordance with the declaration of the county court any by the use of the best means at hand and within a time declared reasonable and set by the court, except that no weed declared noxious shall be permitted to produce seed. (see also ORS 569.445)*
- *OAR 340-208-0210 Requirements for Fugitive Emissions: No person may cause or permit any materials to be handled, transported, or stored; or a building, its appurtenances, or a road to be used, constructed, altered, repaired or demolished; or any equipment to be operated, without taking reasonable precautions to prevent particulate matter from becoming airborne. (see a – g)*

The Department included the following recommendations:

To address DEQ's fugitive dust regulations, it is recommended that a Dust Monitoring and Mitigation Plan be submitted; the applicant should address whether the plan applies to construction, operation or both. To address ODA's state weed statutes, it is recommended that a Noxious Weed Control Plan be submitted, addressing both state and county listed noxious weeds, to apply prior to and during construction, and operations.

Regarding the Oregon Department of Environmental Quality's (DEQ) fugitive dust regulations, the Applicant has addressed fugitive dust abatement in Exhibit I and has provided a description of erosion and sediment control measures and best management practices that will be implemented prior to and during construction to reduce erosion including fugitive dust in Attachment I-1. Best management practices will be used to control fugitive dust in accordance with DEQ regulations. Water, soil-binding agents, or other dust control techniques will be implemented as needed to avoid wind-blown soil. As indicated in Exhibit I, a Project-specific Erosion and Sediment Control Plan will be prepared prior to construction. Erosion and sediment control measures will be inspected and maintained regularly during construction and the Applicant will monitor the restoration success of temporarily disturbed areas according to the final site-specific Erosion and Sediment Control Plan. The Applicant will provide long-term soil stability by reseeding disturbed areas to reestablish vegetation. At the completion of land-disturbing activities, the site will be revegetated with an appropriate seed mix. The seed will be applied with mulch to protect the seeds as the grass establishes. Scarifying and reseeding of affected areas will occur after construction has been completed. As disturbed areas are anticipated to be revegetated, no adverse impacts to soils are expected from operation; therefore, no monitoring program for operation is proposed.

Regarding Oregon Department of Agriculture's state weed statutes, a Draft Noxious Weed Control Plan has been prepared and included as Attachment P-4 in Exhibit P. The Draft Noxious Weed Control Plan was prepared to comply with OAR 660-033-0130(38)(h)(D) and describes the noxious weed control measures that will be implemented during construction and operation of the Project. Noxious weed control practices for the Project described in the plan were developed in coordination with the Umatilla County Weed Department Supervisor. The Noxious Weed Control Plan addresses both state and county listed noxious weeds.

3.0 Conclusion

This Exhibit provides the information the Department requested be included in Exhibit BB per the Project Order issued February 10, 2022. Therefore, the standard under OAR 345-021-0010(1)(bb) has been met.