

Resolution No. 106

WHEREAS, the Energy Facility Site Evaluation Council has promulgated a notice of intent to adopt, amend or repeal rules concerning Procedures for Potential Site Studies; and

WHEREAS, notice of such proposed adoption, amendment or repeal was contained in Notice No. 6147 filed September 8, 1976, with the Code Reviser's office and continued by Notice No. 7200 filed October 13, 1976, with the Code Reviser's office;

NOW THEREFORE BE IT RESOLVED by the Energy Facility Site Evaluation Council that WAC 463-08-060 hereby repealed; and

BE IT FURTHER RESOLVED by the Energy Facility Site Evaluation Council that the rules listed on Exhibit "A" attached hereto, and by this reference made a part hereof, concerning Procedures for Potential Site Studies, are hereby approved and adopted as permanent rules of the Energy Facility Site Evaluation Council;

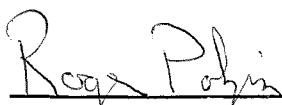
BE IT FURTHER RESOLVED by the Energy Facility Site Evaluation Council that this resolution and annexed regulations, after first being recorded in the Order Register of the Energy Facility Site Evaluation Council, shall be forwarded to the Code Reviser for filing pursuant to RCW 34.04.

Dated this 25th day of October 1976.



Keith Sherman, Chairman

ATTEST:



Roger Polzin  
Executive Secretary

APPROVED AS TO FORM:



Tom Carr  
Assistant Attorney General

1           PROCEDURE AND GUIDELINES--POTENTIAL SITE STUDIES

2  
3           WAC 463-22-           PURPOSE OF THIS CHAPTER. This chapter sets  
4 forth procedure and guidelines for processing potential sites studies  
5 pursuant to RCW 80.50.170 and RCW 80.50.175.  
6

7           WAC 463-22-           POTENTIAL SITE STUDY--WHERE SUBMITTED. Requests  
8 shall be submitted to the Energy Facility Site Evaluation Council at  
9 the Council office in writing.  
10

11           WAC 463-22-           POTENTIAL SITE STUDY--FEE. A fee of \$10,000  
12 shall accompany the study request and shall be a condition precedent  
13 to any action by the Council. Payment shall be made by a cashier's  
14 check payable to the state treasurer.  
15

16           WAC 463-22-           POTENTIAL SITE STUDY--CONTENTS. A request for  
17 potential site study is to include a legal description of the pro-  
18 posed site, a general description of the area in which the proposed  
19 energy facility is to be located, and a description of the type,  
20 size, and significant features of the proposed facility itself. The  
21 Council may require further information which it deems necessary to  
22 complete the request.  
23

24           WAC 463-22-           RETENTION OF CONSULTANT. Upon determining that  
25 the request is complete, the Council will commission an independent  
26 consultant of its choice to study and report in writing to the Council  
27 on the potential site. The report of study will set forth analysis  
28 of the potential environmental impact of the proposed energy facility  
29 and will identify significant areas of environmental concern. The  
30 study may also encompass whatever other matters the council and  
31 potential applicant deem essential for an adequate appraisal of the  
32 potential site.  
33

1        WAC 463-22-        NOTIFICATION OF LOCAL AUTHORITIES. Upon receipt  
2 of a request for study of a potential site, the Council will give  
3 notice to the county legislative authority in each county which would  
4 be directly affected by location of the proposed energy facility at  
5 the potential site.

6  
7        WAC 463-22-        INDEPENDENT CONSULTANT STUDY--NO PRELIMINARY  
8 APPROVAL. Nothing stated or recommended by the consultant, either  
9 during the study stage or in its report, shall be interpreted as  
10 preliminary approval or disapproval of the potential site by the  
11 Council.

12  
13        WAC 463-22-        PROCEDURE WHERE APPLICATION PRECEDES CONCLU-  
14 SION OF STUDY. In the event an application for certification is  
15 made prior to completion of the study, the Council may terminate the  
16 study prior to completion.

17  
18        WAC 463-22-        ADDITIONAL COSTS PROCEDURE. In the event that  
19 the Council determines that the initial fee of \$10,000 is insuffi-  
20 cient to adequately fund the potential site study, the Council shall  
21 so advise the potential applicant and shall furnish an estimate of  
22 the supplemental fees needed to complete the study. In no event  
23 shall the study be allowed to continue if the potential applicant  
24 has not agreed to pay the cost thereof.