

RESOLUTION No. 270

WHEREAS, the Washington Clean Air Act, RCW 70.94.422, authorizes the Energy Facility Site Evaluation Council (Council) to issue air operating permits for energy facilities subject to Chapter 80.50 RCW; and

WHEREAS, that same act authorizes the Council to assess fees regarding the implementation of the air operating permit program; and

WHEREAS, the State Department of Ecology (Ecology) and local air authorities have established fee structures for air operating permits; and

WHEREAS, the Council is required to have onsite inspections conducted by other agencies through interagency agreements, and has in the past entered into interagency agreements with state agencies to monitor certificate holder's compliance with air and water discharge permits; and

WHEREAS, as a result of these interagency agreements, the Council has in the past assessed fees against the certificate holder based on charges by the agencies; and

WHEREAS, In the Council's Part 70 - Operating Permits Program Submittal Checklist (Revised Draft 4-21-93) Attachment E Permit Fee Demonstration Requirements submitted by the Council to the U.S. Environmental Protection Agency, the Council committed to use the fee structure developed by the Department of Ecology or the local air authority to base its air operating permit fee assessment.

NOW, THEREFORE, BE IT RESOLVED that the Council intends to continue its interagency agreement practice regarding the air operating permit program by entering into interagency agreements with Ecology and/or the local air authority regarding the implementation and monitoring of air operating permits issued by the Council. The Council will base its fee assessment to certificate holders on the fee structure established by Ecology or the local air authorities regarding air operating permits. The Council's intention to use Ecology's or the local air authority's fee structure regarding air operating permits it issues will be the subject of a rule to be proposed in the near future.

Dated this 20th day of June, 1994

WASHINGTON STATE ENERGY FACILITY SITE
EVALUATION COUNCIL

By Frederick S. Adair
Frederick S. Adair
EFSEC Chair

Approved as to form:

By Jason Zeller
Jason Zeller
EFSEC Manager