



PREPROPOSAL STATEMENT OF INQUIRY

CR-101 (June 2004)
(Implements RCW 34.05.310)
Do NOT use for expedited rule making

Agency: Energy Facility Site Evaluation Council

Subject of possible rule making: Chapter 463-10 WAC add new definition. Chapter 463-43 WAC update to reflect statute changes. Chapter 463-58 WAC, update to include EFSEC monetary charges for electrical transmission facilities, clarify responsibility for financial services, and a citation correction. Chapter 463-60 WAC add requirement to include information regarding carbon dioxide, greenhouse gas, and electrical transmission facilities in applications for site certification. Chapter 463-62 WAC citation correction.

Statutes authorizing the agency to adopt rules on this subject:
RCW 80.50.040(1)

Reasons why rules on this subject may be needed and what they might accomplish:

Although EFSEC has adopted rules on carbon dioxide (Chapter 463-80 WAC), greenhouse gasses (Chapter 463-85 WAC), and will be adopting new rules for electrical transmission facilities (proposed Chapter 463-61 WAC), it has not integrated or updated some of its other rules relating to these subjects regarding definitions, EFSEC review costs, and information to be supplied in applications for site certification. EFSEC's rule on Expedited Processing of applications for site certification rules have not been changed to reflect the 2006 changes to RCW 80.50.075 and changes to the criteria for granting requests for this process. Some WAC citations need to be corrected.

Identify other federal and state agencies that regulate this subject and the process coordinating the rule with these agencies:

None

Process for developing new rule (check all that apply):

- Negotiated rule making
- Pilot rule making
- Agency study

Other (describe) The proposed rule changes and corrections will be drafted by EFSEC and its staff. Discussions will be held at EFSEC monthly meetings, notices will be sent to those who have requested notification of rulemaking activities and the public will have the opportunity to comment on the proposed rule. At least one public hearing will be held and the proposed rule changes will be posted on the agency website and provided to interested parties upon request.

How interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication: Interested parties can access more information on this rulemaking by contacting EFSEC at the number listed below or accessing the EFSEC website: <http://efsec.wa.gov/>.

Allen Fiksdal
EFSEC
P.O. Box 43172
Olympia, WA 98504-3172
Phone: (360) 956-2152
Fax: 360-956-2158
allenf@cted.wa.gov

DATE
September 3, 2008

NAME (TYPE OR PRINT)
Allen J. Fiksdal

SIGNATURE

/s/

TITLE
EFSEC Manager

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
FILED
DATE: September 03, 2008
TIME: 11:38 AM
WSR 08-18-090